

**OFFICIAL MINUTES
NORTHPORT PLANNING AND ZONING COMMISSION
REGULAR MEETING
THURSDAY, MAY 11, 2021**

The Planning and Zoning Commission met in a regular session at 6:00 p.m. on Thursday, May 11, 2021, in the Council Chambers at Northport City Hall.

The meeting was called to order by Chairman Dale Phillips. Upon roll call the following members were found to be present: Ms. Christy Bobo, Mr. David Kemp, Mr. Dale Phillips, Mr. Scott Roland, Mr. James McKinney, Mr. Ernest O'Rourke, Mr. Clay Randolph, and Mr. Kevin Williamson. Absent and failing to vote was Ms. Nancy Dawkins. Staff present were Julie Ramm, Planning Director, Shaun Patten, Planner I, Holly Phillips, Staff Engineer, Ron Davis, City Attorney and Nannette McKinney, Administrative Assistant.

Approval of Agenda – Motion by Mr. James McKinney to approve the agenda by moving Item F to the bottom of the agenda. **Second by Mr. David Kemp.** Roll call vote was as follows: Mr. McKinney-Yes; Mr. Kemp-Yes; Ms. Bobo-Yes; Mr. O'Rourke-Yes; Mr. Phillips-Yes; Mr. Randolph-Yes; Mr. Roland-Yes; and Mr. Williamson-Yes. **Motion carried.**

Approval of the Minutes – Motion by Mr. Dale Phillips to approve April 13, 2021 minutes. **Second by Mr. David Kemp.** Roll call vote was as follows: Mr. Phillips-Yes; Mr. Kemp-Yes; Ms. Bobo– Yes; Mr. McKinney-Yes; Mr. O'Rourke-Yes; Mr. Randolph-Yes; Mr. Roland-Yes; and Mr. Williamson-Yes. **Motion carried.**

Verification of Proper Notification - Mrs. Ramm confirmed proper notification was given.

Verification of No Conflict of Interest

Information on Back of Agenda – Chairman Phillips explained the meeting procedures on the back of the agenda.

OLD BUSINESS

Mrs. Ramm stated Longleaf Engineering, LLC requested Forest Glen Phase, VII Subdivision would be heard on the June 8, 2021, Planning and Zoning Commission meeting.

NEW BUSINESS

S-10-21PP Hoyt Haven – Hoyt Montgomery requests Preliminary Plat approval of approximately 2.01 acres located west of Mount Olive Road and south of Mount Olive Baptist Church. **Waivers:** Half street improvements, sewer and sidewalks.

Julie Ramm stated Mr. Hoyt Montgomery is requesting Preliminary Plat approval for a two-lot subdivision located west of Mount Olive Road, south of Mount Olive Baptist Church. The total acreage owned by Mr. Montgomery is approximately 22 acres. Lot 1 consists of 2 acres and is the location of an existing commercial building. Mrs. Ramm also stated the following waivers requested are Half Street Improvements, Capped Sewer and Sidewalks. Mrs. Ramm stated this property is not located within the city limits. However, the property is within the City's Planning Jurisdiction.

Kevin Hinkle, Montgomery and Hinkle, Inc, 203 Hargrove Road East, Tuscaloosa, AL 35401 appeared before the Commission representing Hoyt Montgomery. Mr. Hinkle stated the 2 acres around the existing building is to cover the building and the existing septic system and the utilities.

Motion by Mr. Dale Phillips to approve Preliminary Plat for approximately 2.01 acres located west of Mount Olive Road and south of Mount Olive Baptist Church with waivers to include half street improvements, sewer and sidewalks. **Second by Mr. David Kemp.** Roll call vote was as follows: Mr. Phillips-Yes; Mr. Kemp-Yes; Ms. Bobo-Yes; Mr. McKinney-Yes; Mr. O'Rourke-Yes; Mr. Phillips-Yes; Mr. Randolph-Yes; Mr. Roland-Yes; and Mr. Williamson-Yes. **Motion carried.**

S-11-21PP Magnolia Hills Subdivision, Phase V – Longleaf Engineering LLC requests Preliminary Plat approval of approximately 11.3 acres located east of Magnolia Hills, Phase I. **Waivers:** Setback requirements.

Julie Ramm stated TCG Magnolia Hills/Del Clayton is requesting Preliminary Plat approval for Phase V of Magnolia Hills Subdivision located at the northern end of Owen Parkway. Mrs. Ramm stated the total acreage of Phase V is 11.3 acres and consists of 29 single family residential lots. Mrs. Ramm also state the following waiver requested is for setbacks. Mrs. Ramm stated the zoning ordinance establishes the front setback in RS-SD is 25 feet. However, the Planning Commission has the authority to amend the setbacks. Mrs. Ramm stated the petitioner is requesting a front and rear setback of 20 feet and a side setback of 7 feet. Mrs. Ramm also stated this request is in keeping with the Master Plan that was approved by the Commission in September of 2017 and are the same as the setbacks that were approved in Phase One in January of 2020.

Tom Sims, Longleaf Engineering, 432 65 Street, Suite A, Tuscaloosa, AL 35405, appeared before the commission representing TCG Magnolia Hills Subdivision. Mr. Sims stated this is Phase V of Magnolia Hills. Mr. Sims also stated it is the second phase currently under construction and wanted to get Phase V approved. Mr. Sims stated setback were in compliance with the Master Plan that was approved by the Commission in September 2017.

Mr. Sims stated the setbacks were in compliance with the master plan that was approved by the Commission September 2017.

David Kemp stated he would like clarification from the site plan as it shows Phase II and not Phase V.

Tom Sims stated on the vicinity map it is a typo and should say Phase V.

Dale Phillips asked if Phases I and Phase V connect.

Tom Sims stated yes.

Motion by Mr. David Kemp to approve preliminary plat approval for Magnolia Hills Subdivision, Phase V, 11.3 acres located east of Magnolia Hills, Phase I, including the setback waiver as submitted. **Second by Mr. Dale Phillips.** Roll call vote was as follows: Mr. Kemp-Yes; Mr. Phillips-Yes; Ms. Bobo-Yes; Mr. McKinney-Yes; Mr. O'Rourke-Yes; Mr. Randolph-Yes; Mr. Roland-Yes; and Mr. Williamson-Yes. **Motion carried.**

SP-06-21 MackHinton Homes, LLC – Requests conditional use approval for a Group Home located at 820 8th Street.

Julie Ramm stated MackHinton Homes, LLC is requesting conditional use approval to allow a Group Home in a Single-Family Residential neighborhood. The property is located at 820 8th Street and is currently zoned RS-4. The total acreage for the site is .60 acres. The proposal is to construct a group home for approximately 12

children. There will also be living accommodations for staff/administrative personnel, as well as kitchen and dining facilities. Mrs. Ramm also stated the total square footage of the proposed structure is approximately 5,050 square feet.

Shawn Blackburn, 809 8th Avenue, Northport, AL appeared before the Commission stating he lives approximately 100 feet from the proposed development site. Mr. Blackburn stated he is proposing a group home to house 12 boys. Mr. Blackburn also stated he presented his proposal to the Commission on February 9, 2021 and withdrew the same night, because of negative comments received from the community in the neighborhood. Mr. Blackburn stated the property is located on 8th Street and will be gated in the front with privacy fencing along the rear. The property will also have cameras installed and possibly a hired staff for security. Mr. Blackburn also stated the boys will also be locally supervised by paid staff.

Ricky Wilson, 904 9th Street, Northport, AL appeared before the Commission stating he is opposed to a group home being in front of his home. Mr. Wilson stated he would like to keep the peaceful atmosphere that he now enjoys at his home.

Orlando Edwards, 730 Callis Drive, Akron, OH appeared before the Commission stating he grew up in the neighborhood and thinks the group home is a great idea. Mr. Edwards stated he is an associate minister and culinary chef in Akron, OH. Mr. Edwards stated he will be returning if the project is approved to be on staff. Mr. Edwards also stated the group home will offer great opportunities for the boys and be a positive impact to the neighborhood.

Iris Hinton, 7314 North Bluff Drive, Tuscaloosa, AL appeared before the Commission stating she and her husband own property on 8th Street. Mrs. Hinton stated one of the advantages of being landlords in the neighborhood is the residents are concerned about each other. Mrs. Hinton also stated she is opposed of the group home because of the number of people that would be associated with the group home, the size of the building, the behavior of pre-teens, increase in noise, traffic, safety and the decline of property values.

Charisse Blackburn, 809 8th Avenue, Northport, AL appeared before the Commission in support of her husband Shawn Blackburn and the proposed group home. Mrs. Blackburn stated her husband has a vision to help trouble teens. Mrs. Blackburn stated her husband has devoted time to the City of Northport to assist in making the city better. Mrs. Blackburn also stated she grew up in the neighborhood, that was then called London Circle. It was a community built off strength and love. Mrs. Blackburn stated she is the 3rd generation living in the neighborhood. She also stated the concerns that were mention are already in the neighborhood. Mrs. Blackburn stated the group home would revitalize the community.

Deloris Horton Miller appeared before the Commission representing her 100-year-old mother that presides in the neighborhood. Ms. Miller stated her Mother has lived in the neighborhood for 75 years. Ms. Miller also stated she is opposed of the Group Home.

Hattie Blackburn, 809 8th Avenue, Northport, AL appeared before the Commission accompanied by her sister Katherine Waldon. Ms. Blackburn stated they are the daughters of Mr. Blackburn. Ms. Blackburn and Mrs. Waldon shared memories of their childhood in the neighborhood and stated they support the proposed project.

Dale Phillips read an email from Golden Lee Dunn, 808 8th Avenue, Northport, AL. Ms. Dunn is the owner of property near the proposed group home. Ms. Dunn stated in her email because she has lives so close to the proposed project, she feels it would be dangerous to have a business so close to a residential property. Ms. Dunn also stated some of her property had been damaged when the proposed property was being cleared. Ms. Dunn stated she has to hire a land surveyor, because they have encroached on her property. Ms. Dunn also stated she is opposed of the project.

Richard Little, 904 8th Street, Northport, AL appeared before the Commission stating he is opposed of the project. Mr. Little stated the area is zoned residential and would not be good for a group home.

Shawn Blackburn, 809 8th Avenues, Northport, AL stated he appreciates everyone comments. Mr. Blackburn stated the land was surveyed and they didn't encroach on Ms. Dunn property. Mr. Blackburn also stated he thinks the group homes is an ideal opportunity to revitalize the community.

Tony O'Rourke asked if the teens were juvenile diligent.

Shawn Blackburn stated the boys that will be in the proposed home are ages 9-11 years old. Mr. Blackburn also stated they have not been adjudicated through the court system. Mr. Blackburn stated the boys that will be in the home have been abandon for some reason.

Tony O'Rourke asked what happens when the boys turn 12.

Shawn Blackburn stated at age 12 they would not be eligible for his program. The kids will be under the supervision of The Department of Human Resources. Mr. Blackburn stated he wanted kids ages 9-11 that he could make an impact on.

James McKinney stated his parents raised Foster Children and he is appreciative of what he is doing. Mr. McKinney stated he was concerned about the success of the proposed home.

Shawn Blackburn stated currently in the State of Alabama, there are over 6,000 children living apart from their families in state sanctioned out-of-home care. Mr. Blackburn stated there are waiting list for homes for these children. Mr. Blackburn state he does have a plan B for the facility.

Motion by Mr. James McKinney to approve Conditional Use for a Group Home located at 820 8th Street.
Second by Mr. Ernest O'Rourke. Roll call vote was as follows: Mr. McKinney-Yes; Mr. O'Rourke-Yes; Ms. Bobo-No; Mr. Kemp-Yes; Mr. Phillips-Yes; Mr. Randolph-Yes; Mr. Roland-Yes; and Mr. Williamson-Yes.
Motion carried.

S-12-21PP Northstar Park Subdivision – David Morrow requests Preliminary Plat approval of approximately 2.75 acres located at 150 McFarland Boulevard. **Waivers:** Sidewalks

Julie Ramm stated David Morrow is requesting preliminary Plat approval for a two-lot subdivision located at 150 McFarland Boulevard. The total acreage of plat is approximately 2.75 acres. Mrs. Ramm stated a sidewalk waiver is requested. Mrs. Ramm also stated the plat as presented does have a conflict with the setbacks along the common lot lines between lots 1 and 2. Mrs. Ramm stated Mr. Morrow is aware of the conflict. This conflict will be presented to the Zoning Board of Adjustments. Mrs. Ramm also stated if the variance is not granted, the preliminary plat will be null and void.

Bobby Herndon, Herndon, Hicks and Associates, 2728 Lurleen Wallace Boulevard, Northport, AL appeared before the Commission representing David Morrow. Mr. Herndon stated the current lease line for the former bank property would violate the 10-foot side setback as it relates to the office building and the storage building on lot 2. Mr. Herndon stated they are asking for the setback relief that was offered to the bank property.

Stan Pate, 2900 Normandy, Tuscaloosa, AL appeared before the Commission stating the Morrow Company developed the property years ago. Mr. Pate stated the property was leased to Colonial Bank years ago and the

property has been unsubdivided and the bank was subject to a lease with the improvement being made by a developer.

Dale Phillips asked would the existing building be used.

Stan Pate stated yes.

Motion by Mr. Dale Phillip to approve requested waiver of sidewalks located at 150 McFarland Boulevard. **Second by Ms. Christy Bobo.** Roll call vote was as follows: Mr. Phillips-Yes; Ms. Bobo-Yes; Mr. McKinney-Yes; Mr. Kemp-Yes; Mr. O'Rourke-Yes; Mr. Randolph-Yes; Mr. Roland-Yes; and Mr. Williamson-Yes. **Motion carried.**

Motion by Mr. James McKinney to grant Preliminary Plat approval of approximately 2.75 acres with the understanding that if the variance request is not granted the Preliminary Plat becomes null and void. This property is located at 150 McFarland Boulevard. **Second by Mr. Dale Phillips.** Roll call vote was as follows: Mr. McKinney-Yes; Mr. Phillips-Yes; Ms. Bobo-Yes; Mr. Kemp-Yes; Mr. O'Rourke-Yes; Mr. Randolph-Yes; Mr. Roland-Yes; and Mr. Williamson-Yes. **Motion carried.**

A-2-21 Chad Gore/Mainstreet Builders – Requests annexation approval 1.63 acres located at 8485 Charlie Shirley Road.

Julie Ramm stated Chad Gore requests annexation of approximately 1.63 acres located at 8485 Charlie Shirley Road. The parcel will be zoned RS-1. The property does meet annexation requirements and is eligible for annexation into the city limits.

Motion by Mr. David Kemp to grant Annexation approval of 1.63 acres located at 8485 Charlie Shirley Road. **Second by Mr. James McKinney.** Roll call vote was as follows: Mr. Kemp-Yes; Mr. McKinney-Yes; Ms. Bobo-Yes; Mr. Phillips-Yes; Mr. O'Rourke-Yes; Mr. Randolph-Yes; Mr. Roland-Yes; and Mr. Williamson-Yes. **Motion carried.**

A-3-21 James David Bean – Requests annexation of approximately 4.16 acres located at 5971 Flatwoods Road.

Julie Ramm stated James David Bean requests annexation of approximately 4.16 acres located at 5971 Flatwoods Road. The parcel will be zoned RS-1. The property does meet annexation requirements and is eligible for annexation into the city limits.

Motion by Mr. Dale Phillip to make a favorable recommendation to the City Council for the annexation of approximately 4.16 acres located at 5971 Flatwoods Road. **Second by Mr. David Kemp.** Roll call vote was as follows: Mr. Phillips-Yes; Mr. Kemp-Yes; Ms. Bobo-Yes; Mr. McKinney-Yes; Mr. O'Rourke-Yes; Mr. Randolph-Yes; Mr. Roland-Yes; and Mr. Williamson-Yes. **Motion carried.**

SP-07-21 Renaming of 14th Avenue – Willie Carole Montgomery-Brown is requesting 14th Avenue be renamed to honor the Late Ruby Hamilton Battle.

Willie Carole Montgomery-Brown, 1700 Snow Mill Avenue, Apt. #214, Northport, AL appeared before the commission requesting the renaming of a portion of 14th Avenue.

Mr. Phillips asked staff to establish a procedure for street renaming. When the policy has been completed, staff will notify Ms. Montgomery-Brown and will place her petition on the commission's agenda

Motion by Mr. Dale Phillips to table SP-07-21 Renaming of 14th Avenue to establish guidelines to help the City of Northport in renaming of street. **Second by Mr. Scott Roland.** Roll call vote was as follows: Mr. Phillips-Yes; Mr. Roland-Yes; Ms. Bobo-Yes; Mr. McKinney-Yes; Mr. Kemp-Yes; Mr. O'Rourke-Yes; Mr. Randolph-Yes; and Mr. Williamson-Yes. **Motion carried.**

XI. CITIZEN COMMUNICATION

XII. DISCUSSION

XII. ADJOURNMENT



Dale Phillips, Chairman

ATTEST: 

Julie Ramm, Secretary