

**OFFICIAL MINUTES  
NORTHPORT PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
THURSDAY, SEPTEMBER 14, 2021**

The Planning and Zoning Commission met in a regular session at 6:00 p.m. on Tuesday, September 14, 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, Ms. Nancy Dawkins, Mr. David Kemp, Mr. James McKinney, Mr. Ernest O'Rourke, Dale Phillips and Mr. Scott Roland. Absent and failing to vote was Mr. Clay Randolph. Staff present were Julie Ramm, Planning Director, Shaun Patten, Planner I, Tera Tubbs, City Engineer, Holly Phillips, Staff Engineer, Ron Davis, City Attorney.

Chairman Phillips advised the Commission items C, F, and G would be moved to the front of the Agenda.

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

**Approval of the Minutes – Motion by Scott Roland** to approve the minutes for August 10, 2021. **Second by Ms. Nancy Dawkins.** Roll call vote was as follows: Mr. Roland-Yes; Ms. Dawkins-Yes; Ms. Bobo-Yes; Mr. McKinney-Yes; Mr. Kemp-Yes; Mr. O'Rourke-Yes; and Mr. Phillips; **Motion Carried.**

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

**Verification of No Conflict of Interest** – None

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

**OLD BUSINESS**

**NEW BUSINESS**

**SP 10-21-Labor of Love Babysitting** – Barbara Hurst requests Conditional Use approval for Group Child Care Home located at 2115 17<sup>th</sup> Avenue.

Julie Ramm stated Barbara Hurst is requesting Conditional Use approval to allow a Group Child Care Home in a Single-Family Residential neighborhood located at 2115 17<sup>th</sup> Avenue, zoned RS-3. Mrs. Ramm also stated Ms. Hurst called to inform her she was unable to attend the meeting due to illness and would like to continue to the October 12, 2021 Planning and Zoning Commission meeting.

**Motion by Dale Phillip** to table Labor of Love Babysitting request for Conditional Use to the October 12, 2021 meeting. This notification will serve as the public notification for the meeting. **Second by Mr. James McKinney.** Roll call vote was as follows: Mr. Phillips-Yes; Mr. McKinney-Yes; Ms. Dawkins-Yes; Ms. Bobo-Yes; Mr. Kemp-Yes; Mr. O'Rourke-Yes; and Mr. Roland-Yes; **Motion Carried.**

**A-7-21 McGiffert Properties, LLC** – McGiffert Properties, LLC requests Annexation of 1 acre located south Martin Luther King, Jr. Boulevard and east of Hospital Drive.

Julie Ramm stated McGiffert Properties, LLC is requesting annexation of approximately 1 acre located at 851 Martin Luther King, Jr. Boulevard (south of Martin Luther King, Jr. Boulevard and east of Hospital Drive).

Al Cabaniss, PE, PLS, Cabaniss Engineering, PO Box 020440, Tuscaloosa, appeared before the Commission representing McGiffert Properties to request A-7-21 McGiffert Properties, LLC, be tabled until the October 12, 2021 meeting.

**Motion by Dale Phillip** to table the request for McGiffert Properties annexation of approximately 1 acre located at 851 Martin Luther King, Jr. Boulevard to the October 12, 2021 meeting. This notification will serve as public notification. **Second by Mr. Scott Roland.** Roll call vote was as follows: Mr. Phillips-Yes; Mr. Roland-Yes; Ms. Dawkins-Yes; Ms. Bobo-Yes; Mr. Kemp-Yes; Mr. O'Rourke-Yes; and Mr. McKinney-Yes; **Motion Carried.**

**R-7-21 McGiffert Properties** – McGiffert Properties, LLC requests zoning designation of M-1 (Light Industrial) for approximately 1 acre located south of Martin Luther King, Jr. Boulevard and east of Hospital Drive.

**Motion by Dale Phillips** to table the request for McGiffert Properties, zoning designation of M1(Light Industrial) of approximately 1 acre located south of Martin Luther King, Jr. Boulevard and east of Hospital Drive to the October 12, 2021 meeting. This notification will serve as public notification. **Second by Mr. David Kemp.** Roll call vote was as follows: Mr. Phillips-Yes; Mr. Kemp-Yes; Ms. Dawkins-Yes; Ms. Bobo-Yes; Mr. McKinney-Yes; Mr. O'Rourke-Yes; and Mr. Roland-Yes; **Motion Carried.**

**S-22-21PP Resurvey of Lots 11 & 12 Montgomery Farm** – Adrian & Shawanda Jackson requests Preliminary Plat approval of approximately .72 acres located at Valerie Dawn Way. **Waivers:** Sidewalks & Contours.

Julie Ramm stated Adrian and Shawanda Jackson request preliminary plat approval for the Resurvey of Lot 11 and 12 of Montgomery Farm Subdivision located at 13674 Valerie Dawn Way. The total acreage of the resurvey is .72 acres. Mrs. Ramm also stated the following waiver from the sidewalk requirements in the form of a contribution to the Sidewalk Trust Fund and waiver from showing contours on the plat.

Bobby Herndon, Herndon, Hicks & Associates, Inc. 2728 Lurleen Wallace Boulevard, appeared before the Commission representing Adrian and Shawanda Jackson. Mr. Herndon stated Mr. & Mr. Jackson would like to combine 2 lots in the Montgomery Farm Subdivision and are asking for waivers from showing contours and waiver from the sidewalk requirements in the form of a contribution to the Sidewalk Trust Fund.

**Motion by Dale Phillip** to approve requested Resurvey of Lots 11 & 12 Montgomery Farm Preliminary Plat approval and to include waiver of contours and waiver from sidewalk with a contribution into the Sidewalk Trust Fund. **Second by Mr. David Kemp.** Roll call vote was as follows: Mr. Phillips-Yes; Mr. Kemp-Yes; Ms. Dawkins-Yes; Ms. Bobo-Yes; Mr. O'Rourke-Yes; Mr. Roland-Yes; and Mr. McKinney-Yes; **Motion Carried.**

**S-23-21PP Magnolia Hills Subdivision, Phase II-** Longleaf Engineering, LLC requests Preliminary Plat approval of approximately 5.80 acres located west of Magnolia Hills Phase I. **Waivers:** Setback requirements.

Julie Ramm stated TCG Magnolia Hills/Del Clayton is requesting Preliminary Plat approval for Phase II of Magnolia Hills Subdivision located at the northern end of Owen Parkway. The total acreage of Phase II is 5.8 acres and consists of 20 single family residential lots. Ms. Ramm also stated a request for setbacks. Mrs. Ramm stated the petitioner is requesting a front and rear setback of 20 feet and a side setback of 7 feet.

Phillip Grammer, Longleaf Engineering, LLC, 432 65<sup>th</sup> Street, Suite A, Tuscaloosa, appeared before the Commission representing TCG Magnolia Hills/Del Clayton. Mr. Grammer 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 I and Phase V. Mr. Grammer also stated the total acres of Phase II is 5.8 and consist of 20 lots.

Joe Harper, 4305 38<sup>th</sup> Court, appeared before the Commission representing her mother Jo Frances Strickland, who was ill and unable to attend. Ms. Strickland asked for clarification on the waiver for setbacks.

Dale Phillips stated setbacks are restrictions imposed on property owners or developers that determine the distance from the property line to the structure. Mr. Phillip also stated the setbacks for the petitioner are the same as the setbacks that were approved in Phase I and Phase V.

James McKinney stated he was not comfortable with 7 feet setbacks.

Holly Phillips stated the setbacks were in keeping with the Master Plan that was approved in Phase I and Phase V by the Commission in September 2017.

James McKinney asked if the setbacks had already been established in the Master Plans was it fair to change them.

Holly Phillips stated there has been issues with setbacks being that narrow.

James McKinney asked could there be some adjustments.

Phillip Grammer stated one of the reasons for the side setbacks is to allow technical diversity of houses that can be developed for flexibility for lots. Mr. Grammer also stated they are aware of the drainage issues from the setbacks. Mr. Grammer stated they are trying to eliminate those issues.

David Kemp asked how many phases there are.

Phillip Grammer stated there are five phases.

Holly Phillips stated a Final Plat cannot be approved until the final layer is down

**Motion by Dale Phillips** to approve request for Preliminary Plat approval for Phase II of Magnolia Hills Subdivision located at the northern end of Owen Parkway and to include front and rear setbacks of 20 feet and side setbacks of 7 feet. **Second by Mr. Scott Roland.** Roll call vote was as follows: Mr. Phillips-Yes; Mr. Roland-Yes; Ms. Dawkins-Yes; Ms. Bobo-Yes; Mr. O'Rourke-Yes; Mr. Kemp-Yes; and Mr. McKinney-Yes; **Motion Carried.**

**S-24-21PP Ballard Concrete** - Michael Ballard requests Preliminary Plat approval of approximately 13.7 acres located at the corner of 30<sup>th</sup> Avenue and 17<sup>th</sup> Street. **Waivers:** Half-Street Improvements and Sidewalks along 30<sup>th</sup> Avenue and 17<sup>th</sup> Street.

Julie Ramm stated Ballard Concrete requests preliminary plat approval that will combine two existing lots into one lot. The property is located at the southwest corner of 30<sup>th</sup> Avenue and 17<sup>th</sup> Street. The property is currently zoned M-1 (Light Manufacturing) Mrs. Ramm also stated the setbacks on the property will be determined by the

height of the structures built. Therefore, the setbacks are not shown on the plat. Mrs. Ramm stated the requested waivers are sidewalks along 17<sup>th</sup> Street and 30<sup>th</sup> Avenue.

Adam Ingram, TTL, Inc, 3516 Greensboro Avenue, Tuscaloosa appeared before the Commission accompanied by Michael Ballard of Ballard Concrete. Mr. Ingram stated Ballard Concrete is requesting preliminary plat approval that will combine two existing lots into one lot.

James McKinney suggested the sidewalk waiver being a part of the Sidewalk Trust Fund if approved. Mr. McKinney stated sidewalks would increase the safety in the area.

Adam Ingram stated overhead utility poles exist along 30<sup>th</sup> Avenue that will require extensive relocations and or improvements to accommodate sidewalks or other roadway improvements in the area which is why the waiver was requested.

Dale Phillips asked Tera Tubbs, City Engineer, how to address the issue if utilities were involved.

Mrs. Tubbs stated an option would be for the petitioner to do a payment into the Sidewalk Trust Fund, which would be the less expensive option.

Adam Ingram asked the rate to pay into the Sidewalk Trust Fund.

Tera Tubbs stated \$18.00 per linear foot.

**Motion by David Kemp** to approve the request for Preliminary Plat approval of approximately 13.7 acres located at the corner of 30<sup>th</sup> Avenue and 17<sup>th</sup> Street to include waiver to pay into the Sidewalk Trust Fund. **Second by Mr. Christy Bobo.** Roll call vote was as follows: Mr. Kemp-Yes; Mr. Bobo-Yes; Ms. Dawkins-Yes; Mr. Phillips-Yes; Mr. O'Rourke-Yes; Mr. McKinney-Yes; and Mr. Roland-Yes; **Motion Carried**

**SP 11-21 Ballard Concrete** – Michael Ballard requests Conditional Use Approval for outdoor storage of sand/gravel/blocks and outdoor storage of machinery located at the corner of 30<sup>th</sup> Avenue and 17<sup>th</sup> Street.

Julie Ramm stated Ballard Concrete requests Conditional Use approval to operate a Concrete Plant including outdoor storage of machinery and the storage of sand, gravel, and blocks in an M-1 Light Industrial Zone. The proposed location is at the southwest corner of 30<sup>th</sup> Avenue and 17<sup>th</sup> Street. Mrs. Ramm also stated while concrete plants are a defined as a use in this zone, the storage of sand, gravel, and blocks and the outdoor storage of machinery is only allowed by Conditional Use approval.

Adam Ingram, TTL, 2890 Rice Mine Road NE, Tuscaloosa appeared before the Commission sighting some of the uses providing in a M-1 Light Industrial Zone. Mr. Ingram stated the use category does include asphalt or concrete mixing plants. Mr. Ingram also stated the owners are proposing concrete paving.

Scott Roland asked could additional requirements be placed on the petitioner.

Julie Ramm stated as with any Conditional Use the Planning Commission can place additional requirements on the applicant if they feel those requirements would minimize the adverse effects on the properties in the surrounding area.

**Motion by David Kemp** to approve request for Conditional Use Approval for outdoor storage of sand/gravel/blocks and outdoor storage of machinery located at the corner of 30<sup>th</sup> Avenue and 17<sup>th</sup> Street. **Second**

**by Mr. Dale Phillips.** Roll call vote was as follows: Mr. Kemp-No; Mr. Phillips-No; Ms. Dawkins-No; Ms. Bobo-Yes; Mr. O'Rourke-No; Mr. McKinney-No; and Mr. Roland-No; **Motion Failed**

**XI. CITIZEN COMMUNICATION**

**XII. DISCUSSION**

**XII. ADJOURNMENT – Motion by Chairman Phillip to adjourn the meeting.  
By voice vote the meeting was adjourned.**

  
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Dale Phillips, Chairman

ATTEST:   
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Julie Ramm, Secretary