

**OFFICIAL MINUTES  
NORTHPORT PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
THURSDAY, NOVEMBER 9, 2021**

The Planning and Zoning Commission met in a regular session at 6:00 p.m. on Tuesday, November 9, 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. Dale Phillips, Mr. Clay Randolph, Mr. Scott Roland, and Mr. Jason Ward. Absent and failing to vote was Mr. Ernest O'Rourke. Staff present were Julie Ramm, Planning Director, Shaun Patten, Planner I, Brad Matthews, Senior Engineer, Ron Davis, City Attorney and Nannette McKinney, Administrative Assistant.

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

**Approval of the Minutes – Motion by Dale Phillips** to table the minutes for September 14<sup>th</sup> and October 12<sup>th</sup> for the December 14<sup>th</sup> meeting.

**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. **Motion by James McKinney** to move Old Business, Item A to the end of the agenda and item F to follow Item B under the New Business **Second by Dale Phillips**. Roll call vote was as follows: Mr. McKinney-Yes; Mr. Phillips-Yes; Ms. Bobo-Yes; Ms. Dawkins-Yes; Mr. Kemp-Yes; Mr. Randolph-Yes; Mr. Roland-Yes and Mr. Ward-Yes. **Motion Carried**.

**NEW BUSINESS**

**S-30-21 PP Dano Development** – Longleaf Engineering, LLC requests Preliminary Plat approval of approximately 1.89 acres located at the corner of 39<sup>th</sup> Avenue & 33<sup>rd</sup> Street. Waivers: Half-street improvements along 33<sup>rd</sup> Street.

Julie Ramm stated Longleaf, LLC is requesting preliminary plat approval for the Dano Development located at southeast corner of 39<sup>th</sup> Avenue and 33<sup>rd</sup> Street. The subdivision consists of two lots and is approximately 1.89 acres in area. The following waivers are Sidewalks along 33<sup>rd</sup> Street, Minimum ROW width along 33<sup>rd</sup> Street, and Half-street improvements along 33<sup>rd</sup> Street. Mrs. Ramm also stated the parcels are currently subdivided into four lots. The petitioner is proposing to consolidate the lots into two lots.

Tom Sims, Longleaf Engineering, LLC, 432 65<sup>th</sup> Street, Suite A, appeared before the Commission representing Dano Development. Mr. Sims stated he is proposing to reduce four lots into two large lot on west side of 39<sup>th</sup> Avenue, which is a full width ROW. Mr. Sims also stated the petitioner is proposing to dedicate 5-foot right of way on the west side and perform the necessary half improvements.

James McKinney stated he would like the opinion of Engineering on the minimum ROW width along 33<sup>rd</sup> Street and Half-street improvements along 33<sup>rd</sup> Street.

Brad Matthews, Staff Senior Engineer, appeared before the Commission stating it's fairly a narrow section on 33<sup>rd</sup> Street, between 39<sup>th</sup> Avenue and Main Avenue without curb and gutter. Mr. Matthews stated the waivers on sidewalk are appropriate and if there needed to be improvements for drainage, utilities, etc. only dedicating 5 foot would not make it possible for the full cross section.

James McKinney stated the street needs to be as wide as possible to accommodate the traffic in the future. Mr. McKinney also suggested payment into the Sidewalk Trust Fund.

Dale Phillips stated to Mr. Sims there are two options, and they are to put in the sidewalks or pay into the Sidewalk Trust Fund.

Tom Sims stated he presented the 5-foot ROW as a preference and is willing to install if needed. Mr. Sims also stated he would likely pay into the Sidewalk Trust Fund.

**Motion by Dale Phillip** to approve the waivers for Sidewalks along 33<sup>rd</sup> Street and to pay into the Sidewalk Trust Fund. **Second by James McKinney**. Roll call vote was as follows: Mr. Phillip -Yes; Mr. McKinney-Yes; Ms. Bobo-Yes; Ms. Dawkins-Yes; Mr. Kemp-Yes; Mr. Randolph-Yes; Mr. Roland-Yes and Mr. Ward-Yes. **Motion Carried**.

**Motion by Dale Phillip** to approve the waivers for Minimum ROW width along 33<sup>rd</sup> Street. **Second by James McKinney**. Roll call vote was as follows: Mr. Phillip -No; Mr. McKinney-No; Ms. Bobo-No; Ms. Dawkins-No; Mr. Kemp-No; Mr. Randolph-No; Mr. Roland-No; and Mr. Ward-No. **Motion Failed**.

**Motion by James McKinney** to approve the waivers for Half-street improvements along 33<sup>rd</sup> Street. **Second by Dale Phillips**. Roll call vote was as follows: Mr. McKinney -No; Mr. Phillips-Yes; Ms. Bobo-Yes; Ms. Dawkins-Yes; Mr. Kemp-No; Mr. Randolph-No; Mr. Roland-Yes and Mr. Ward-Yes. **Motion Failed**.

**Motion by James McKinney** to approve Preliminary Plat approval of approximately 1.89 acres located at the corner of 39<sup>th</sup> Avenue and 33<sup>rd</sup> Street. **Second by David Kemp**. Roll call vote was as follows: Mr. McKinney -Yes; Mr. Kemp-Yes; Ms. Bobo-Yes; Ms. Dawkins-Yes; Mr. Phillips-Yes; Mr. Randolph-Yes; Mr. Roland-Yes and Mr. Ward-Yes. **Motion Carried**.

**S-31-21PP Resurvey of Lot 1 Ken Hicks Property** – Tiger Management, LLC requests Preliminary Plat approval of approximately 1.67 acres located at 1655 5<sup>th</sup> Street.

Julie Ramm stated Tiger Management, LLC is requesting preliminary plat approval for the Resurvey of Lot 1 Ken Hicks Property located at 1655 5<sup>th</sup> Street (SE corner of Bridge Avenue and 5<sup>th</sup> Street). Mrs. Ramm also stated the subdivision consists of two lots and is approximately 1.67 acres. The following waiver requested are for sidewalks on 15<sup>th</sup> Avenue with a payment into the Sidewalk Trust Fund.

Luke Pate, Duncan Coker Associates, P.C. 302 Merchant Walk, Suite 250, Tuscaloosa appeared before the Commission representing Tiger Management, LLC. Mr. Pate stated the Resurvey of Lot 1 Ken Hicks Property is a two-lot subdivision. Mr. Pate also stated he is proposing to pay into the Sidewalk Trust Fund.

**Motion by James McKinney** to approve the Preliminary Plat approval for the Resurvey of Lot 1 Ken Hicks Property located at 1655 5<sup>th</sup> Street and to grant the waiver with payment into the Sidewalk Trust Fund. **Second by David Kemp**. Roll call vote was as follows: Mr. McKinney -Yes; Mr. Kemp-Yes; Ms. Bobo-Yes; Ms. Dawkins-Yes; Mr. Phillips-Yes; Mr. Randolph-Yes; Mr. Roland-Yes and Mr. Ward-Yes. **Motion Carried**.

**R-20-21 Tiger Management, LLC** – Request rezoning to BAN (Bridge Avenue North) of approximately .99 acres located southwest corner of Rice Mine Road and 15<sup>th</sup> Avenue.

Julie Ramm stated Tiger Management, LLC requests rezoning of approximately .99 acres located at the southwest corner of Rice Mine Road and 15<sup>th</sup> Avenue. The property is currently zoned NUN (New Urban Neighborhood). Mrs. Ramm also stated the petitioner is requesting Bridge Avenue North zoning.

David Kemp asked for clarification on the acreage of the preliminary plat being 1.67 acres and the rezoning .99 acres.

Luke Pate stated the western two parcels are currently zoned Bridge Avenue North and his client is proposing to rezone the eastern portion that is currently zones New Urban Neighborhood.

**Motion by Dale Phillip** for a favorable recommendation to the City Council for rezoning to BAN (Bridge Avenue North) of .99 acres located at the southwest corner of Rice Mine Road and 15<sup>th</sup> Avenue. **Second by David Kemp**. Roll call vote was as follows: Mr. Phillips -Yes; Mr. Kemp-Yes; Ms. Bobo-Yes; Ms. Dawkins-Yes; Mr. McKinney-Yes; Mr. Randolph-Yes; Mr. Roland-Yes and Mr. Ward-Yes. **Motion Carried**.

**S-34-21PP Magnolia Hills Subdivision, Phase III** – Longleaf Engineering, LLC, requests Preliminary Plat approval of approximately 7.18 acres located northwest of Magnolia Hills Phase I. **Waivers:** Setback requirements.

Julie Ramm stated Longleaf, LLC is requesting preliminary plat approval for Magnolia Hills Phase III located at northwest of Magnolia Hills Phase 1. The total acreage of Phase III is 7.18 acres and consists of 20 single family residential lots. Mrs. Ramm also stated a setback waiver is requested. 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, LLC. Mr. Grammer stated Phase III and Phase IV, of Magnolia Hills are the last phases to be approved. Mr. Grammer also stated the Master Plan was approved by the Commission in September of 2017. Mr. Grammer stated the same setbacks were approved in previous phases of subdivisions.

**Motion by James McKinney** to approve the Preliminary Plat approval of approximately 7.18 acres located northwest of Magnolia Hills Phase I and to include setback waivers of 20 feet for front and rear and 7 feet for side setbacks. **Second by Scott Roland**. Roll call vote was as follows: Mr. McKinney -Yes; Mr. Roland-Yes; Ms. Bobo-Yes; Ms. Dawkins-Yes; Mr. Phillips-Yes; Mr. Randolph-Yes; Mr. Kemp-Yes and Mr. Ward-Yes. **Motion Carried**.

**S-35-21PP Magnolia Hills Subdivision, Phase IV** – Longleaf Engineering, LLC requests Preliminary Plat approval of approximately 7.66 acres northwest of Magnolia Hills Phase I. **Waiver:** Setback requirements.

Julie Ramm stated Longleaf, LLC is requesting Preliminary Plat approval for Magnolia Hills Phase IV located at northwest of Magnolia Hills Phase 1. The total acreage of Phase III is 7.66 acres and consists of 22 single family residential lots. Mrs. Ramm also stated a setback waiver is requested. 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 previous phases of the subdivision.

**Motion by David Kemp** to approve Preliminary Plat approval of approximately 7.66 acres located northwest of Magnolia Hills Phase I and to include setback waivers of 20 feet for front and rear setbacks and 7 feet side setback. **Second by Nancy Dawkins**. Roll call vote was as follows: Mr. Kemp -Yes; Mr. Dawkins-Yes; Ms. Bobo-Yes; Mr. Roland-Yes; Mr. Phillips-Yes; Mr. Randolph-Yes; Mr. McKinney-Yes and Mr. Ward-Yes. **Motion Carried**.

**R-19-21 James & Cindy Maddox** – Requests rezoning to RS-3 (Residential Single-Family) of approximately 0.47 acres located at 2704 20<sup>th</sup> Avenue.

Julie Ramm stated James and Cindy Maddox requests rezoning of approximately .47 acres located at 2704 20<sup>th</sup> Avenue. The property is currently zoned C-2 (Neighborhood Commercial) and RM-2 (Multi-Family Residential) Mrs. Ramm also stated the petitioner is requesting RS-3 (Residential Single-Family) zoning.

James Maddox, 1550 Canyon Lake Drive, Cottdale, AL appeared before the Commission. Mr. Maddox stated the property is currently zoned Neighborhood Commercial and he is requesting to rezone the property back to Residential Single-Family.

**Motion by Dale Phillips** to make a favorable recommendation to the City Council to approve Rezoning to RS-3 (Residential Single-Family) of approximately 0.47 acres located at 2704 20<sup>th</sup> Avenue. **Second by James McKinney**. Roll call vote was as follows: Mr. Phillips -Yes; Mr. McKinney-Yes; Ms. Bobo-Yes; Ms. Dawkins-Yes; Mr. Kemp-Yes; Mr. Randolph-Yes; Mr. Roland-Yes and Mr. Ward-Yes. **Motion Carried**.

**AMD 04-21 City of Northport** – Request Amendment to the subdivision regulations pertaining to sidewalks.

Julie Ramm stated the proposed amendment would give the Commission three options on sidewalks in commercial subdivisions: construct sidewalks, waiver in the form of fee-in-lieu of sidewalks, or a complete waiver from sidewalks. Mrs. Ramm also stated the Commission will have two options in residential subdivision; construct sidewalks or grant a waiver in the form of fee-in-lieu of sidewalks.

David Kemp asked if the wording for “commercial subdivision” could be worded as “commercial developments”.

Julie Ramm stated the change should not be a problem to change the wording to development.

James McKinney stated clarification for the waiver requirements for sidewalks in commercial subdivision when the project site is not located on a priority pedestrian corridor as designated by the most current local or regional plans.

Julie Ramm stated that is the way it is written.

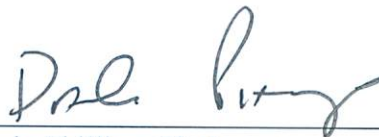
**Motion by David Kemp** to approve requested Amendment to the subdivision regulations pertaining to sidewalks and to include Sec. 614, 2<sup>nd</sup> paragraph; The Planning Commission may waive the requirement for sidewalks in commercial developments when the project site is not located on a priority pedestrian corridor as

designated by the most current local or regional bicycle and pedestrian plan. **Second by Scott Roland.** Roll call vote was as follows: Mr. Kemp-Yes; Mr. Roland-Yes; Ms. Bobo-Yes; Ms. Dawkins-Yes; Mr. Phillips-Yes; Mr. Randolph-Yes; and Mr. Ward-Yes. **Motion Carried.**

XI. CITIZEN COMMUNICATION - None

XII. DISCUSSION- Chairman Phillips welcomed Jason Ward to the Commission.

XII. ADJOURNMENT – Motion by Chairman Phillips and Second by Mr. McKinney to adjourn the meeting. By voice vote the meeting was adjourned.



\_\_\_\_\_  
Dale Phillips, Chairman

ATTEST:



\_\_\_\_\_  
Julie Ramm, Secretary