

**OFFICIAL MINUTES
NORTHPORT PLANNING AND ZONING COMMISSION
REGULAR MEETING
TUESDAY, FEBRUARY 11, 2020**

The Planning and Zoning Commission met in a regular session at 6:00 p.m. on Tuesday, February 11, 2020 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: Mr. Shawn Blackburn, Mr. Michael Manson, Mr. Dale Phillips, Mr. John Myers, Mr. Tony Roberts and Mr. Scott Roland. Absent and failing to vote were Mr. David Kemp, Mrs. Nancy Dawson and Mr. Jerry Pruitt. Staff present were Ron Davis, City Attorney, Julie Ramm, Planning Director, Holly Phillips, Engineer, Max Snyder, Development Coordinator, and Nannette McKinney, Administrative Assistant.

Approval of Agenda – **Motion by Mr. Tony Roberts** to approve agenda. **Seconded by Mr. Shawn Blackburn.** Roll call vote was as follows: Mr. Roberts-Yes; Mr. Blackburn-Yes; Mr. Manson-Yes; Mr. Myers-Yes; Mr. Roberts-Yes; and Mr. Roland-Yes. **Motion Carried.**

Approval of Minutes – **Motion by Mr. Tony Roberts** to approve January 14, 2020 minutes. **Seconded by Mr. Michael Manson.** Roll call vote was as follows: Mr. Roberts-Yes; Mr. Manson-Yes; Mr. Blackburn-Yes; Mr. Myers-Yes; Mr. Roberts-Yes; and Mr. Roland-Yes. **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 explained the meeting procedures on the Agenda.

OLD BUSINESS

SP-02-20 IMS Developments (Holman Lumber Site) – Conditional Use to allow placement of fill material within the floodway fringe located at the corner of 30th Avenue and 17th Street.

Julie Ramm stated IMS Development requests Conditional Use approval at the SW corner of 17th Street and 30th Avenue. The petitioner is proposing to place fill material in the floodplain, making the subject property more conducive for development. The total acreage of the development is 13.7 acres. A small portion of the development site is located in the floodplain. No part of the designated floodway is proposed to be filled. FEMA regulations do allow for the filling of floodplains if there is no rise associated with filling in a designated floodway. However, the City's zoning ordinance requires that a Conditional Use be granted to allow filling.

Robert Martin, Project Engineer, McGiffert and Associates, LLC, 2814 Stillman Boulevard, Tuscaloosa, AL was present representing IMS Development.

Motion by Mr. Tony Roberts to grant a favorable recommendation to City Council for Conditional Uses to allow placement of fill material within the floodway fringe located at the corner of 30th Avenue and 17th Street. **Seconded by Mr. John Myers.** Roll call vote was as follows: Mr. Roberts-Yes; Mr. Myers-Yes; Mr. Manson-Yes; Mr. Blackburn-Yes; Mr. Phillips-Yes; and Mr. Roland-Yes. **Motion Carried.**

NEW BUSINESS

S-04-20PP First and Main Condominium Subdivision (Todd Palmer) – Preliminary Plat approval for approximately 2.55 acres located at the corner of Main Avenue and First Street. **Waivers:** Right-Of-Way Dedication, Half-Street Improvements and Sidewalks.

Julie Ramm stated Todd Palmer requests Preliminary Plat approval of First and Main Condominiums. The proposed subdivision will allow the developer to sell the condominiums to individual owners instead of retaining ownership of the entire development. The proposed subdivision will consist of 30 individual condo lots and one common area lot. The common area lot will encompass parking for the development and will also be further developed in the future. The total acreage of the entire site is 2.55 acres. The following waivers are Right-of-way dedication, Half-street Improvements and Sidewalks.

The petitioner states the reason behind requesting a waiver for additional dedication of ROW is the proximity of the existing structure to the existing ROW. If the developer is required to dedicated additional ROW, the existing building will encroach into the public ROW.

The petitioner states the reason behind asking for half-street improvement and sidewalks waivers is because of the City's plans to reroute existing overhead utilities underground during the Main Avenue Improvements project. Once phase two of this project is complete, the City will have installed sidewalks, landscaping, and half-street improvements along Main Avenue and First Street.

Chase Lucas, Project Professional, TTL, 2890 Rice Mine Road NE, Tuscaloosa, AL was present representing Todd Palmer.

Motion by Mr. Michael Manson to approve requested Preliminary Plat approval with waivers for Right-Of-Way Dedication, Half-Street Improvements and Sidewalks located on approximately 2.55 acres at the corner of Main Avenue and First Street. **Seconded by Mr. Scott Roland.** Roll call vote was as follows: Mr. Manson-Yes; Mr. Roland-Yes; Mr. Blackburn-Yes; Mr. Myers-Yes; Mr. Roberts-Yes; and Mr. Phillips-Yes. **Motion Carried.**

SP-04-20PP Providence Place II – Master Development Plan approval located along 38th Street.

Julie Ramm stated Northport Housing, LLP has requested Master Development Plan Approval for Providence Place II apartments located on 38th Street. The proposed development will consist of approximately 56 units with a total of 108 bedrooms, located on 6.84 acres. There are five proposed residential buildings, a community building, playground and a gazebo. The Master Development Plan submitted meets the requirements for this development. If approved the density for this development would be 8.19 units per acre.

Michael McGuire, McGuire and Associates Inc., 1050 Lurleen B Wallace Boulevard S. was present representing Northport Housing, LLP.

Paul L. Smelley, 3200 38th Street, Northport, AL was present stating concerns about increase in traffic.

Motion by Mr. Tony Roberts to approve requested Master Development Plan approval located along 38th Street. **Seconded by Mr. Michael Manson.** Roll call vote was as follows: Mr. Manson-Yes; Mr. Roland-Yes; Mr. Blackburn-Yes; Mr. Myers-Yes; Mr. Roberts-Yes; and Mr. Phillips-Yes. **Motion Carried.**

AMD 01-20 City of Northport - Amendment to the Flood Damage Prevention Ordinance.

Holly Phillips stated The City was notified by the State of Alabama's Office of Water Resources (OWR) regarding an update to the State's flood damage prevention ordinance. The City's flood damage prevention

ordinance is required to be updated to add language in the State's ordinance. The City's Engineering staff supports approval to comply with State Law.

Motion by Mr. Michael Manson to grant a favorable recommendation to City Council for Amendment to the Flood Damage Prevention Ordinance. **Seconded by Mr. Tony Roberts.** Roll call vote was as follows: Mr. Manson-Yes; Mr. Roberts-Yes; Mr. Blackburn-Yes; Mr. Myers-Yes; Mr. Roland-Yes; and Mr. Phillips-Yes. **Motion Carried.**

AMD-02-20 City of Northport – Amendment to Table 4-1 of the Zoning Ordinance.

Julie Ramm stated there was discussion concerning the zoning districts that allow mini-warehouse (mini-storage). Currently, mini-warehouse is allowed by Conditional Use in C-2 and C-3 zones. Mini-warehouse is also permitted in C-6 (Highway Commercial) and M-1 (Light Industrial) zones. Staff proposes, at a minimum, that mini-warehouse only be allowed by Conditional Use in C-6 and permitted in M-1 zones. Conditional Use approval in C-6 would give the Planning Zoning and Commission and City Council oversight when dealing with mini-storage in highly visible areas of the City.

Tony Roberts stated he would like to include office warehouse in this amendment change as well.

Motion by Mr. Tony Roberts to grant a favorable recommendation to City Council for Amendment to table 4-1 to allow mini-warehouse and office warehouse by conditional use in C-6 and permitted in M-1 zones. **Seconded by Mr. Dale Phillips.** Roll call vote was as follows: Mr. Roberts-Yes; Mr. Phillips-Yes; Mr. Blackburn-Yes; Mr. Myers-Yes; Mr. Roland-Yes; and Mr. Manson-Yes. **Motion Carried.**

AMD-03-20 City of Northport – Amendment to Section 1107 pertaining to Annexation.

Julie Ramm stated staff is requesting an amendment to the current annexation procedures. Currently, any land that is annexed into the city receives the designation of AG (Agricultural). AG does allow for single family residential structures. However, the setbacks are more restrictive in this zone as opposed to RS-1. AG zoning also allows for farm produce sales, farm produce supply, and veterinary offices/kennels, some of which may not be appropriate for single-family neighborhoods. Staff believes by amending the annexation procedures, there will be fewer issues in the future regarding uses that are allowed in single-family zones and in regard to setbacks.

Motion by Mr. Tony Roberts to grant a favorable recommendation to City Council for Amendment to Section 1107 pertaining to Annexation procedures. **Seconded by Mr. Michael Manson.** Roll call vote was as follows: Mr. Roberts-Yes; Mr. Manson-Yes; Mr. Blackburn-Yes; Mr. Myers-Yes; Mr. Roland-Yes; and Mr. Phillips-Yes. **Motion Carried.**

XI. CITIZEN COMMUNICATION

XII. DISCUSSION – Fee-In-Lieu of Sidewalks and Sidewalk Trust Fund.


The City of Northport's Fee-In-Lieu of Sidewalks option will allow developers to pay a fee in lieu of constructing sidewalks. Payment of a fee instead of installing sidewalks shall be established as a waiver request from the requirement to construct sidewalks currently found in the City of Northport's Subdivision Regulations.

The City of Northport's Sidewalk Trust Fund will allow the City to fund future sidewalk construction in priority areas with funds collected from the Fee-in-Lieu of Sidewalks program. The STF shall be established by the Northport City Council. These funds can be used for any sidewalk project within the Northport City limits. The City may refund the fee to the developer if it no spent within 10 years of the date of its collection.

XII. ADJOURNMENT – 6:45 p.m.



Dale Phillips, Chairman

ATTEST: 

Julie Ramm, Secretary