

**OFFICIAL MINUTES
NORTHPORT PLANNING AND ZONING COMMISSION
REGULAR MEETING
TUESDAY, August 13, 2019**

The Planning and Zoning Commission met in a regular session at 6:00 p.m. on Tuesday, August 13, 2019, in the Council Chambers at Northport City Hall.

The meeting was called to order by Vice Chairman Dale Phillips. Upon roll call the following members were found to be present: Mr. Shawn Blackburn, Mrs. Nancy Dawkins, Mr. David Kemp, Mr. Michael Manson, Mr. Jerry Pruitt and Mr. Dale Phillips. Absent and failing to vote were Mr. Tony Roberts, and Mr. John Myers. Staff present were Julie Ramm, Planning Director, Ron Davis, City Attorney, Holly Phillips, Engineer, Max Snyder, Development Coordinator and Nannette McKinney, Administrative Assistant.

Approval of agenda – **Motion by Mr. Jerry Pruitt** to approve agenda. **Seconded by Mr. Michael Manson.** Roll call vote was as follows: Mr. Pruitt-Yes; Mr. Manson-Yes; Mr. Phillips-Yes; Mr. Kemp–Yes; Mr. Blackburn-Yes; Mrs. Dawkins-Yes; **Motion carried.**

Approval of minutes- July 09, 2019. **Motion by Mr. Jerry Pruitt** to approve minutes. **Seconded by Mr. David Kemp.** Roll call vote was as follows: Mr. Pruitt -Yes; Mr. Kemp -Yes; Mr. Blackburn-Yes; Mrs. Dawkins-Yes; Mr. Manson-Yes; and Mr. Phillips **Motion carried.**

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

Verification of No Conflict of Interest

Information on Back of Agenda – Vice Chairman explained the meeting procedures on the Agenda.

OLD BUSINESS

S-12-19PP Delta Land Company – Requests Preliminary Plat approval for Grand Pointe Phase 5, 10.6 acres located Southeast of Cottage Lane and West of Tuscaloosa County High School. **Waivers:** Valley Gutter in Lieu of standard 24” curb and gutter.

Julie Ramm stated Delta Land Company requests preliminary plat approval for Grand Pointe Phase 5. This phase consists of 44 residential lots and one open space lot located on 10.6 acres. The lot sizes, street layout, open space, and setbacks are in accordance with the master plan which as approved in May of 2017. The waivers that are request are Valley Gutter in Lieu of standard 24” curb and gutter. For consistence Valley Gutter has been use in other parts of the neighborhood especially those that are adjacent to this phase. Staff has no objections to the waiver request.

Michael McQuire, McGuire Associates, 2315 Fourteenth Street, Tuscaloosa, AL 35401, representing Delta Land Company. This is the next phase of Grand Pointe. We have just completed Phase 4. Phase 5 is just SE to the last Phase. It is 44 Lots with all utilities underground.

Motion by Mr. Jerry Pruitt to grant the Preliminary Plat approval of 10.6 acres with waivers located Southeast of Cottage Lane and West of Tuscaloosa County High. **Seconded by Mr. Shawn Blackburn.** Roll call vote was as follows: Mr. Pruitt-Yes; Mr. Blackburn–Yes; Mrs. Dawkins-Yes; Mr. Kemp-Yes; and Mr. Manson-Yes; Mr. Phillips-Yes. **Motion carried.**

SP-01-19 First Baptist Church - Requests the renaming of 12th Street.

Dale Phillips state this item was removed from the agenda with no new information from applicant.

New Business

A-09-19 Robert E. Hall – Request Annexation approval 0.9 acres located at 6720 Flatwoods Road.

Julie Ramm stated Mr. Hall requests annexation of .9 acres of land located at 6720 Flatwoods Road. The applicant. The applicant is requesting annexation in order to continue receiving City services. This property is contiguous to the city limits and meets all requirements for annexation. The initial zoning designation will be AG Agricultural.

Motion by Mr. Shawn Blackburn to grant a favorable recommendation to City Council for the Annexation Approval of 0.9 acres located at 6720 Flatwoods Road. **Seconded by Mr. Jerry Pruitt.** Roll call vote was as follows: Mr. Blackburn-Yes; Mr. Pruitt-Yes; Mrs. Dawkins – Yes; Mr. Kemp-Yes; Mr. Manson-Yes; and Mr. Phillips-Yes; **Motion carried.**

A-10-19 Sergio Reyes – Requests annexation approval for approximately 2.5 acres located at 9750 Tom Taylor Road.

Julie Ramm stated Mr. Sergio Reyes requests annexation of approximately 2.5 acres of land located at 9750 Tom Taylor Road. The applicant is requesting annexation in order to receive City services. This property is contiguous to the city limits and meets all requirements for annexation. The initial zoning designation will be AG Agricultural.

Holly Phillips, City Engineer, stated the applicant should be aware the water pressures in this area are low.

Motion by Mr. Jerry Pruitt to grant a favorable recommendation to City Council for the Annexation Approval of 2.5 acres located at 9750 Tom Taylor Road. **Seconded by Shawn Blackburn.** Roll call vote was as follows: Mr. Pruitt-Yes; Mr. Blackburn – Yes; Mrs. Dawkins-Yes; Mr. Kemp-Yes; Mr. Manson- Yes and Mr. Phillips - Yes; **Motion carried.**

S-13-MP 1871, LLC – Request Revision Master Plan approval for 27.3 acres located in Southeast corner of McFarland Boulevard and Airport Road.

Julie Ramm state 1871, LLC requests a revision to the Master Plan for 1871 Subdivision. The previous Master Plan was approved in December of 2018. This revision includes lot size changes for the lots south of Jemison Lane and the removal of an additional access point onto Airport road.

Mike Garner, McGiffert and Associates, LLC, 2814 Stillman Boulevard, Tuscaloosa, AL 35401 representing 1871, LLC stated this is just an update of the previous approve Master Plan. This Master Plan is dealing with all of the properties South of Jemison Lane that was constructed this summer. This includes 3 Lots front Airport Cutoff Road, Lot 6,7 & 8. Two parcels 3 & 4 South of Jemison Lane. Lot 5 proposed South of Lowes Home Improvement Store.

Motion by Mr. Pruitt to grant the Revision of Master Plan approval of 27.3 located in Section 7 & 18, Township 21 South, Range 10 West. **Seconded by Mr. Manson.** Roll call vote was as follows: Mr. Pruitt-Yes; Mr. Manson-Yes; Mrs. Dawkins – Yes; Mr. Blackburn-Yes; Mr. Kemp-Yes; and Mr. Phillips-Yes; **Motion carried.**

S-13-19PP 1871, LLC, Phase II and III – Request Preliminary Plat approval for 5.3 acres located in Section 7 & 18, Township 21 South, Range 10 West. **Waivers:** Sidewalks on Airport Cutoff Road and Jemison Lane.

Julie Ramm state 1871, LLC requests a Preliminary Plat approval of Phases II and III of 1871 Subdivision. Phase II consists of three lots located on 5.3 acres. Phase III consists of 2 lots located on 11.6 acres. The following waivers are Sidewalks along Airport Road and Jemison Lane. The sidewalk waivers were granted on the previous phase of this subdivision. Therefore, staff does not have issues with granting this waiver and preliminary plat approval.

Mike Garner, McGiffert and Associates, LLC, 2814 Stillman Boulevard, Tuscaloosa, AL 35401, representing 1871, LLC stated the waivers for this request had been granted by this commission. We will follow the same concept as phase I. Phase II are 3 lot that front on Airport Cutoff Road that is approximately 295 feet deep. Phase 3 are the 2 lots South of Jemison Lane, it is a large 10 acres piece.

Shawn Blackburn stated he is a component for sidewalks, this is not the norm. I like to see side walks where ever possible.

Holly Phillips stated the water line need to be lube. Staff will handle during construction plans.

Dale Phillip stated sidewalks need to be a number one priority with this commission available for our citizens.

Julie Ramm stated that the commission make a motion for Phase II and Phase III separate.

Jerry Pruitt stated if sidewalks were on both phases.

Julie Ramm stated yes.

Motion by Mr. Jerry Pruitt to grant the Preliminary Plat approval for **Phase II** with waivers for sidewalks along Airport Road and Jemison Lane. **Mr. Michael Manson.** Roll call vote was as follows: Mr. Pruitt-Yes; Mr. Manson-Yes; Mrs. Dawkins – Yes; Mr. Blackburn-Yes; Mr. Kemp-Yes; and Mr. Phillips-Yes; **Motion carried.**

Motion by Mr. Jerry Pruitt to grant the Preliminary Plat approval for **Phase III** with Waivers included for sidewalks. **Seconded by Mr. David Kemp.** Roll call vote was as follows: Mr. Pruitt-Yes; Mr. Kemp-Yes; Mrs. Dawkins – Yes; Mr. Blackburn-Yes; Mr. Manson-Yes; and Mr. Phillips-Yes; **Motion carried.**

SP-02-19CU Ellis J. Parker/Nancy Bealer Development – Request Conditional Use to place fill in the floodplain at 229 & 231 3rd Street, Northport.

Julie Ramm stated Ellis J. Parker/Nancy Bealer Development requests Conditional Use approval to place fill in the floodplain at 229 & 231 3rd Street. The petitioner is proposing to place fill material in the floodplain, making the subject piece of property more conducive for development. The total acreage of the development is 14.5 acres. The petitioner states in their petition that the property will not require significant fill to bring the area above the 100-year flood elevation and that no portion of the lot designated as floodway is proposed to be filled. The property is contiguous to the levee and near other previously filled areas of floodplain. 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.

Frank Sumners, TTL, 2890 Rice Mine Road NE, Tuscaloosa, Alabama, representing The Parker Family. This property is contiguous to a piece of property that is near other previously filled areas of floodplain that has gone through Planning and Zoning Commission. The bulk of the property is adjacent to the Black Warrior River. The phases that are on the river side is what's being proposed to fill. We plan to raise that area equal to the Levee.

Dale Phillips stated he would like to know what the purposed project will be.

Frank Sumners stated The Parker family intention is to develop property that they own along the River as well as behind the Levee. The first Phase will be a Multi-family Development, Phase III will be a Hotel Development and behind the Levee, Phase II is another Multi-family Development. The approval of this Conditional Use will start the process. The Levee in this area will be fill from at least 5 to 7 feet. We would like to be equal for better siting.

Michael Manson stated if everything to the river side going to be filled up to the Levee?

Frank Sumners stated the 100-year flood evaluation is about 151 ½. We will probably bring up our siting for road improvements. We want everything up equal to maximize access for those that will live in the development.

Dale Phillips stated if Mr. Sumners would briefly tell the commission your involvement with the core.

Frank Sumners stated the city itself is the flood plain Manager and any improvement that is purpose along the river that involve the flood plain would need approval from this body and staff. We would go to FEMA to have a letter of Map Revision. We would also go through the 408 process with a core of engineers because of the Levee.

Motion by Mr. Michael Manson to grant a favorable recommendation to City Council for Conditional Use Approval to filling in the flood plain at 229 & 231 3rd Street. **Seconded by Mr. Jerry Pruitt.** Roll call vote was as follows: Mr. Manson-Yes; Mr. Pruitt-Yes; Mrs. Dawkins – Yes; Mr. Blackburn-Yes; Mr. Kemp-Yes; and Mr. Phillips-Yes; **Motion carried.**

SP-03-19 Beacon Place Northport – Request Site Plan approval for the development of 312 units located at the intersection of Paul Howell Road and Home Place Road.

SP-03-19 Beacon Place Northport tabled and request by the petitioner until September 10, 2019.

Julie Ramm state IMS Development requests Site Plan approval for approximately 30 acres located near intersection of Homeplace Road and Paul Howell Road. In 2003, the original Master Plan for Grand Pointe was approved with a site for apartments along Homeplace Road and Paul Howell Road. The approved plan allowed for a maximum of 450 units on 30 acres of land. There have been several amendments to the Master Plan that have been approved by the Planning Commission. The most recent approval was in 2017. All of the amendments to the plan have shown the same regarding the apartment site, 450 units on 30 acres of land. At the time of annexation, the apartment site and the remaining Grand Pointe land was zoned PD- Planned Development. In 2012, there was a rewrite of the zoning ordinance and a map revision that was approved by the City Council. In the new zoning ordinance, all land that was previously zoned PD was assigned the new zoning classification of "RS-SD". Multi-family housing is allowed in the RS-SD zone. However, the Planning Commission does have some oversight with the development. The Commission will establish the setbacks for the buildings and can also impose additional requirements of the developer, i.e. turn lanes, traffic flow, landscaping/buffer area, etc.

The layout submitted shows an alternate that will be a total of 312 units with 454 bedrooms with proposed amenities Pool and Community Center.

Jimmy Duncan, McGiffert and Associates, LLC, 2814 Stillman Boulevard, Tuscaloosa, AL 35401, representing IMS Development. Due to fact we are missing two commissioner members we asking to continue this until Sept. 10, 2019.

Dale Phillips stated we will move to September 10, 2019, but because of the attendance involving this item we will open for public hearing.

Michael Dougherty, 13891 Highland Drive, Northport, 35475 stated he and his wife have been concerned about how this got so far without anyone knowing about it. We were told according to City Councilman Jeff Hogg this was approved sometime in 2003. There is no one in our subdivision that knows about it. We don't feel like the infra-structure is there school, road, police and fire wise.

Dale Phillips stated how it got this far is in 2003 the Council and other Commission approved it. This Commission intends to be fair to the developer, residence and to the city to make this the best project it can be.

Montel Whittaker, 15286 Oak Ridge Road, Northport, 35475, stated his main concern was the traffic. There is two school in the area and another one being built. This project will put a minimum of 250 more car on the road each day.

Melissa Dougherty, 13891 Highland Drive, Northport, 35475, asked how do citizens find out if something has been tabled? We appeared today thinking we were going to hear this item today and just hearing that a request was made 7 days ago.

Dale Phillips stated because it was within seven days it must come before the Commission for approval.

Fannie Palmer, 14120 Paul Howell Road, Northport, AL 35475 stated this project will be across the street where I live. The traffic there is terrible. The schools are overcrowded. We are dealing with a lot of drugs, alcohol and child molesters if these apartments are there and we don't want that. The neighborhood now is very nice and quiet. I want the commission to understand that we live there and will have to deal with the overcrowding and traffic that the apartments will bring.

Chad Haney, 12669 Leatha Circle, Northport, Treasurer of Homeowners Association, Grand Pointe stated it was approved animous by our HOA board. Grand Pointe HOA wants to be clear that we believe Billy Boyd and his company was deceitful in the marketing in selling lot and housing in the Grand Pointe Development. In 2003 a Tuscaloosa News article there seems to be no public mentioning of apartments being included in the Grand Pointe Development. Billy Boyd website market lots for sale in Grand Pointe also makes no mention of apartments. We hope the City of Northport keep Billy Boyd practice of business in mind if he applies to do business with the city again. We realize the commission would not be approving if this was not already in the Master Plan. The preference of most Grand Pointe homeowners tonight is that no apartments be built at all. We would like to Thank Bill Trick and IMS Development for being forth coming in the site plans and potential for this development. The Board of Director of Grand Pointe Homeowner Association would like to express our support for approval for the site plans for Beacon Place Northport with the alternative building figuration in future type two R building replacing the original building 21 that backs up the Grand Point Subdivision. While we support this plan moving forward, we would like to ask this commission and the City to withhold the approval of Plat Maps for any future phases until community clubhouse, playground, and community park is built by the developer and turned over to the HOA. These are all items that were included in the original Master Plan for Grand Pointe to be constructed in Phase four with the community pool. It was also mention by Mr. Boyd in that Tuscaloosa News Article for 2003,

we have now seen Five Phase approved. This apartment complex will make six and going on seventeen year later there is still no club house, playground, or community park in sight. Thank you for your assistance in ending a Sixteen-year delay.

Dale Phillips stated he want everyone to understand there will not be a vote tonight on whether this project is alive are dead. It was voted on 2003. We are concerned about the actual items that are going to be occurring now around this project.

Lisa Cook, 1315 Home Place Road, Northport, Al , stated she just moved there in the last 2 years and family has own over 100 acres there. There are at least 12 families that were not aware of what was going on. My concern is when will be notified of meetings.

Steven Tyree, 13926 Willow View Lane, Northport, Al 35475 stated if the Commission would be able to set a minimum rent for the apartment.

Dale Phillips stated no.

Steven Tyree asked what type of building standard being used for the apartments?

Dale Phillips stated the City building code, City Engineers and Building Inspector will handle.

Steven Tyree asked if the Fire and Police be involved in the developments? My biggest concern is the traffic through our neighborhood. I want our neighborhood to be a safe place for my child to ride his bike.

Mrs. Hall, 14182 Paul Howell Road, Northport, AL 35475 stated she was 60 years old and was concerned about the traffic. We are a community on Paul Howell Road and permanent residence. We don't want a lot of transit residence in our area. We have invested and take care of our property. I have concern about the rent being One thousand Dollars and being vacant and turned into Government Housing. How can we get a public meeting?

Dale Phillip stated it was up to the community and the Developers to work out.

Dale Phillips stated there will be a traffic study and base on that study result will tell the County and the State what needs to be done. There will not be any access from apartments to Grand Pointe.

Julie Ramm stated the notification process is State Law and we are required to notify the direct adjoining property owners. The entire neighborhood does not get notification only the direct owners that are continuous to this property.

Stan Acker, Tuscaloosa County Commissioner, District 1, stated this is a unique proposal. It is in the City of Limits of Northport and has access by two county roads. (Home Place and Paul Howell Road) If this were to be approved, we would require a Traffic Study to tell us what the Developer would need to do in turns of turn lanes or school bus stops. It would most likely involve the State Highway Department because this will access Hwy 43. It would be helpful if would could the Traffic Study done.

Dale Phillips stated he thinks a Community Meeting would be well served.

Julie Ramm stated that this meeting will serve as Public notice for the September 10, 2019 at 6:00 Planning and Commission Meeting.

Motion by Mr. Michael Manson to postpone until September 19, 2019, at 6:00 for Planning and Commission meeting. **Seconded by Mr. Shawn Blackburn-** Mr. Manson-Yes; Mr. Blackburn-Yes; Mrs. Dawkins -Yes; Mr. Phillips-Yes; Mr. Kemp-Yes; Mr. Pruitt -Yes. **Motion carried.**

XI. CITIZEN COMMUNICATION


XII. DISCUSSION – Jerry Pruitt asked if an item was table can it only be more than one time.

Julie Ramm stated the Commissioner can request that continuance

XII. ADJOURNMENT – 7:25 p.m.



Dale Phillips, Vice-Chairman

ATTEST: 

Julie Ramm, Secretary