

**OFFICIAL MINUTES
NORTHPORT PLANNING AND ZONING COMMISSION
REGULAR MEETING
TUESDAY, March 10, 2020**

The Planning and Zoning Commission met in a regular session at 6:00 p.m. on Tuesday, March 10, 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. David Kemp, Mr. Michael Manson, Mr. John Myers, Mr. Dale Phillips, Mr. Tony Roberts and Mr. Scott Roland. Absent and failing to vote were Ms. Nancy Dawson and Mr. Jerry Pruitt. Staff present were Julie Ramm, Planning Director, Holly Phillips, Engineer, Max Snyder, Development Coordinator, Zachery Ponds, Planner 1 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. Kemp -Yes; Mr. Manson -Yes; Mr. Myers -Yes; Mr. Phillips – Yes; and Mr. Roland -Yes. **Motion Carried.**

Approval of Minutes - Motion by Shawn Blackburn to approve minutes on February 11, 2020. **Seconded by David Kemp.** Roll call vote was as follows: Mr. Blackburn – Yes; Mr. Kemp – Yes; Mr. Roberts – Yes; Mr. Manson – Yes; Mr. Myers – Yes; Mr. Phillips – 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 - None

NEW BUSINESS

SP-03-20 Main Avenue Townhomes – Conditional Use / Master Development Plan to allow Multi-Family in a C-3 zone located at Main Avenue and 27th Street.

Julie Ramm stated Mr. Hal Corbin requests Conditional Use / Master Development Plan Approval for 2.57 acres located at the corner of Main Avenue and 27th Street. The property is currently zoned C-3 General Commercial. multi-family housing is allowed in this zone by Conditional Use approval. The proposed development will consist of approximately 35 units. Entrances for the townhomes will be along 27th Street and 34th Avenue. There will be a grass paved emergency fire access point on Main Avenue into the proposed development. The proposed development will follow C-3 front and side setbacks and all other requirements for multiple unit developments.

Andy McCartney, P.E. Project Manager, TTL, 2890 Rice Mine Road NE, Tuscaloosa, AL 35406 representing Hal Corbin the applicant. The property owner, Phillip Mitchum, also present.

Ray Kemp, 2515 Main Avenue, Northport, AL stated concerns about traffic.

Andy McCartney stated traffic is always a concern when anything is under development. This property is currently zoned C-3 General Commercial. He stated his client is asking for Conditional Use approval for Multi-

family housing to be allowed. This plan should produce less traffic than if this site was developed as a commercial site.

Mr. McCartney stated the developer plans is to install sidewalks on 27th Street, including providing access to existing sidewalks on the west side of 34th Avenue. Sidewalks on Main Avenue would be difficult in this area due to a large slope with no public infrastructure drainage in this area.

Michael Manson asked about installation of sidewalks on 34th Avenue.

Andy McCartney stated to add curb and gutter along 34th Avenue would be a major undertaking.

John Myers stated concern about the traffic on 34th Avenue for school children.

Andy McCartney stated there would be a stop control intersection.

Holly Phillips stated staff will evaluate the traffic situation because of the school location.

Shaw Blackburn stated comments in reference to waiver of sidewalks. There should be alternatives when the terrain is not suitable for sidewalks. Mr. Blackburn also stated this may be an item that the sidewalk bank could be instituted.

Dale Phillips asked how many parking spaces will be allotted for this project.

Andy McCartney stated there will be two per unit. It will total 68 parking spaces.

Julie Ramm stated the requirement is one per bedroom.

Motion by Mr. Tony Roberts to make a favorable motion to City Council to approve Conditional Use/Master Plan Development Use, SP-03-20, to allow Multi-Family in a C-3 Zone located at Main Avenue and 27th Street. **Seconded by Mr. Michael Manson.** Roll call vote was as follows: Mr. Roberts-Yes; Mr. Manson -Yes; Mr. Blackburn – Yes; Mr. Kemp -Yes; Mr. Myers -Yes; Mr. Phillips – Yes; and Mr. Roland -Yes. **Motion Carried.**

S-05-20PP Main Avenue Townhomes – Preliminary Plat approval for approximately 2.57 acres located along Southeast side of 27th Street between Main Avenue and 34th Avenue. **Waivers:** Half-Street Improvements and Sidewalks along Main Avenue and 34th Avenue.

Julie Ramm stated Hal Corbin requests preliminary plat approval to combine four parcels into one lot located at the corner of Main Avenue and 27th Street. The total acreage of the plat is 2.57 acres. The following waivers are requested: Sidewalks along Main Avenue, Sidewalks along 34th Avenue, Half-street Improvements along Main Avenue and Half-street Improvements along 34th Avenue.

Andy McCartney, P.E. Project Manager, TTL, 2890 Rice Mine Road East, stated he didn't have anything else to add.

Vera Minor, 2600 34th Avenue, stated she resides behind the school and has concerns about the traffic being congested especially during school hours.

Tony Robert stated during school season the street is one way to help with the traffic flow. He also stated the crosswalk was also a concern. Mr. Roberts suggested talking with staff to consider making certain routes one-way full time.

Mr. Roberts also had comments on waivers for 34th Avenue. He felt there was a miss match on what was purposed and what is across the street. He felt sidewalks on 34th Avenue were needed so that you will have a perpendicular access to cross the street.

Motion by Mr. Tony Roberts to approve Preliminary Plat approval for 2.57 acres located at Main Avenue and 27th Street with waivers of Sidewalks along Main Avenue, Sidewalks along 34th Avenue, Half-street Improvements along Main Avenue and Half-street Improvements along 34th Avenue. **Seconded by Mr. Michael Manson.** Roll call vote was as follows: Mr. Roberts-Yes; Mr. Manson -Yes; Mr. Blackburn – Yes; Mr. Kemp - Yes; Mr. Myers -Yes; Mr. Phillips – Yes; and Mr. Roland -Yes. **Motion Carried.**

SP-05-20 Jolly Heating and Air Condition – Conditional Use to allow Office/Warehouse in a C-6 zone Located at Airport Cutoff Road.

Julie Ramm stated 1871, LLC requests Conditional Use Approval to allow an Office/Warehouse addition in a C-6 Highway Commercial zone. The proposed addition will consist of approximately 6000 square feet of warehouse space located at the former Northwest Supply warehouse. The developer has submitted elevation drawings of the proposed buildings that are a part of the Conditional Use submittal.

Adam Ingram, PE, PLS, TTL, 2890 Rice Mine Road NE, Tuscaloosa representing Jolly Heating and Air Condition. Mr. Ingram stated he would like to add Office/Warehouse use to C-6 zone, but this is not Office/warehouse in the typical definition. We will not receive material and distribute them elsewhere to be sold. He stated the warehouse will be used for storage for Jolly Heating and Cooling.

Mr. Ingram also stated there is another building located in the front that is a retail building where there will be showroom. They will be storing items that are sold at that location and not distributed in a warehouse sense.

Shawn Blackburn asked if the warehouse will be facing the main thoroughfare.

Adam Ingram stated the retail building will be near the street and the existing building will remain with a office and storage component. The addition to the north will be additional storage.

Shawn Blackburn asked commissioners how is this different for another typical mini/warehouse request.

Tony Robert stated it is a separate category made for conditional use for office/warehouse and not for rental, but an office with a business to acquire storage. Almost any business with materials storage in back is typically Office/Warehouse.

Julie Ramm stated the mini storage would be individual units rented out to tenants, but this is not the intent of this request.

Adam Ingram stated the front office would be for Jolly Heating and Air Conditioning. This would also include, a showroom and offices. He also stated part of the company was HVAC Installations.

Tony Roberts asked about the elevations for the proposed buildings.

Tim Lucy, Design Architect, Lucy Design Associates Inc., 2917 Central Avenue Ste. 101, Homewood, AL stated the intent was to do a enhanced siding treatment for both the retail front and the side that faces the road with the addition to the warehouse.

Motion by Mr. David Kemp to make a favorable recommendation to City Council to approve Conditional Use to allow Office/Warehouse in a C-6 zone located at Airport Cutoff Road. **Seconded by Mr. Shaw Blackburn.**

Roll call vote was as follows: Mr. Kemp-Yes; Mr. Blackburn -Yes; Mr. Manson – Yes; Mr. Myers -Yes; Mr. Phillips -Yes; Mr. Roberts – Yes; and Mr. Roland -Yes. **Motion Carried.**

S-06-20PP Safe Haven Church Subdivision – Preliminary Plat approval for approximately 9.63 acres located South side of Northcreek Boulevard east of Hwy 43. **Waiver:** Sidewalks

Julie Ramm stated Safe Haven Church requests preliminary plat approval for a two-lot subdivision located at the corner of Highway 43 and Northcreek Boulevard. The total acreage is 9.63 acres. The following waiver request is for Sidewalks on Lot 1 only. Mrs. Ramm also gave a little history stating in 2018, the Commission approved the preliminary plat for the lots north of Northcreek Boulevard. At that time, the Commission deferred sidewalk construction until improvements were constructed on the lots that are from Northcreek Boulevard. If the Commission chooses to approve the sidewalk waiver, the staff asks that it be handled in the same manner as previous phases of this same development and defer construction of the sidewalks along lot 1 until improvements are made on the lot.

Andy McCarthy, PE, PLS, TTL, INC 2890 Rice Mine Road NE, representing Safe Haven Church. Mr. McCarthy stated the church wanted to sub-divide the lots and build a church building on one of the lots. He stated sidewalks were intended for the church lot. He stated they are asking for a waiver of sidewalks for the lot at the corner of Northcreek Boulevard and Highway 43.

Tony Roberts stated he would like to defer the waiver on the sidewalks contingent on the development of the property.

Julie Ramm stated her recommendation would be to not determine a sidewalk waiver by the use, but maybe To defer at the time of Construction of sidewalks until that lot is developed.

Andy McCarthy stated the sidewalk on the developer's property to the east is private property. Mr. McCarthy stated the plan is to match the cross section and put in a public sidewalk.

Motion by Mr. Tony Roberts to approve S-06-20PP, Preliminary Plat, Safe Haven Church for approximately 9.63 acres, with the note that sidewalks be deferred until development occurs located at Northcreek Boulevard east of Hwy 43. **Seconded by Mr. John Myers.** Roll call vote was as follows: Mr. Roberts-Yes; Mr. Myers - Yes; Mr. Blackburn – Yes; Mr. Kemp -Yes; Mr. Manson -Yes; Mr. Phillips – Yes; and Mr. Roland -Yes. **Motion Carried.**

S-06-20 PP Highpointe Medical Center Condominiums -Preliminary Plat approval for approximately 6.4 acres located at 4280 Watermelon Road. **Waiver:** Sidewalks

Julie Ramm state RFHWV, LLC request preliminary plat approval for Highpointe Medical Center located at 4280 Watermelon Road. The plat will subdivide the existing medical facility that was constructed in 2019 so that each individual doctor will own their own office space. There will be a common area lot that will consist of existing parking areas that will be owned collectively. The total acreage is 6.63 acres. They are requesting sidewalks wavier.

Eric Hamner, 2890 Rice Mine Road, Tuscaloosa, representing Highpointe Medical Center Condominiums.

Motion by Mr. Shawn Blackburn to approve Preliminary Plat approval for 6.4 acres located at 4280 Watermelon Road. **Seconded by Mr. David Kemp.** Roll call vote was as follows: Mr. Blackburn-Yes; Mr. Kemp -Yes; Mr. Manson – Yes; Mr. Myers -Yes; Mr. Phillips -Yes; Mr. Roberts – Yes; and Mr. Roland -Yes. **Motion Carried.**

AMD 04-20 City of Northport – Amendment to Section 1003.06.B of the Zoning Ordinance.

Julie Ramm stated staff is requesting an amendment to Section 1003.06.B of the Zoning Ordinance. This section deals with filling of the floodplain. The City's current ordinance allows filling of the floodplain through the Conditional Use approval process. However, the City's ordinance states that filling of the floodplain cannot increase the allowable buildable area of a lot or parcel of land. This language has required several landowners to seek variances from this section of code in addition to Conditional Use approval process. Staff requests the removal of the highlighted section below.

***1003.06. Filling of Floodplain.** The filling of areas within the 100-year floodplain shall be approved only where plans and specifications have been submitted that meet all requirements of Section 412 and where the following conditions exist which necessitate the filling of the floodplain:*

A. The property would otherwise be able to accommodate at least one residential dwelling with a lot meeting all requirements of Articles IV and VI but cannot, because of the floodplain, accommodate even one single-family unit; or,

B. That the location and/or configuration of the buildable land are such that the intensity of the permitted land use cannot be realized without filling in the floodplain. ~~In no event shall the filling of the floodplain be permitted to increase the allowable buildable area.~~

This change in text will not eliminate the Conditional Use approval process. The change would simplify and streamline the approval process by eliminating the Zoning Board of Adjustment approval.

Motion by Dale Phillips to make a favorable recommendation to City Council for Amendment to Section 1003.06.B of the Zoning Ordinance. **Seconded by Tony Roberts.** Mr. Phillips-Yes; Mr. Roberts-Yes; Mr. Blackburn-Yes; Mr. Kemp-Yes; Mr. Manson – Yes; Mr. Myers-Yes; and Mr. Roland-Yes. **Motion Carried.**

AMD 05-20 City of Northport – Amendment to the Zoning Ordinance as is pertains to Site Development Plan and Land Disturbance.

Julie Ramm request this item be tabled.

Motion by John Myers to table for the Amendment to Zoning Ordinance as it pertains to Site Development Plan and Land Disturbance. **Seconded by David Kemp.** Mr. Myers-Yes; Mr. Kemp-Yes; Mr. Blackburn-Yes; Mr. Manson-Yes; Mr. Phillips-Yes; Mr. Roberts-Yes; and Mr. Roland-Yes. **Motion Carried.**

XI. CITIZEN COMMUNICATION

XII. DISCUSSION

Mr. Roberts asked that the sidewalk bank comments be sent into Council?

Mr. Phillip asked if the Planning Commission needed to make a formal proposal to City Council.

Mrs. Ramm stated the item it needs to come back to Planning Commission for formal vote and then to The City Council.

Mrs. Ramm stated in September of 2019, the Planning Commission heard a Preliminary Plat from Overflow Express Carwash located at the corner of McFarland and Hunter Creek Road. The motion was to grant the waiver for sidewalks located at 3205 Hunter Creek Road. The motion failed to include both streets (McFarland and Hunter Creek) or just Hunter Creek Road. The question is the motion for sidewalks on both streets. (McFarland and Hunter Creek or just pertaining to Hunter Creek Road).

Mr. Roberts stated the motion was strictly for Hunter Creek.

XII. ADJOURNMENT – 6:54 p.m.



Dale Phillips, Chairman

ATTEST:



Julie Ramm, Secretary