

**OFFICIAL MINUTES  
NORTHPORT PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
TUESDAY, OCTOBER 13, 2020**

The Planning and Zoning Commission met in a regular session at 6:00 p.m. on Tuesday, October 13, 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, Ms. Christy Bobo, Ms. Nancy Dawson, Mr. David Kemp, Mr. John Myers, Mr. Dale Phillips, and Mr. Scott Roland. Absent and failing to vote was Mr. Jerry Pruitt. Staff present were Julie Ramm, Planning Director, Ron Davis, City Attorney, Holly Phillips, Staff Engineer and Nannette McKinney, Administrative Assistant.

**Approval of Agenda – Motion by Mr. David Kemp** to approve the agenda. **Second by Mr. Scott Roland.** Roll call vote was as follows: Mr. Kemp-Yes; Mr. Roland-Yes; Mr. Blackburn-Yes; Ms. Bobo – Yes; Ms. Dawkins-Yes; Mr. Myers-Yes; Mr. Phillips-Yes; **Motion carried.**

**Approval of the Minutes – July 14, 2020. Motion by Mr. John Myers** to approve the minutes. **Second by Mr. David Kemp.** Roll call vote was as follows: Mr. Myers-Yes; Mr. Kemp-Yes; Ms. Dawkins-Yes; Mr. Blackburn-Yes; Ms. Bobo-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** – Chairman Phillips confirmed there were no conflicts of interest with Commission Members.

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

**NEW BUSINESS**

**S-14-20PP Crawford-McCann Subdivision** – Preliminary Plat for approximately 4.29 acres located west of Countryside Drive, south of Lary Lake Road. **Waivers:** half street improvement, capped sewer and sidewalks.

Julie Ramm stated Cayden Crawford requests preliminary plat approval for a 3-lot subdivision located on Countryside Drive. The total acreage of the subdivision is approximately 4.29 acres. The following waivers are Sidewalks, Half-street Improvements and Capped Sewer. Mrs. Ramm also stated this subdivision is not located in the city limits and Tuscaloosa County Engineering typically does not allow for construction of sidewalks in county ROW. Mrs. Ramm stated there are no sidewalks in the immediate area and current road conditions are not conducive for proper construction of sidewalks.

Mrs. Ramm also stated the petitioner stated lot 2 and 3 have an existing approval on-site sewage disposal system. Mrs. Ramm stated the City's closest sanitary sewer is over 2 miles away located in Glen Crest/Forest Glen Subdivision.

Kevin Hinkle, Montgomery Hinkle Survey, Inc., 203 Hargrove Road East, Tuscaloosa, Alabama, 35401, appeared before the commission representing Mr. Crawford. Mr. Hinkle stated Mr. Crawford owns all the land adjacent to the original McCann Subdivision, which is 2 lots. Mr. Crawford negotiated a deal with the McCann's to swap some acreage. Mr. Crawford is attempting to provide a lot to build a home for daughter and family.

Margaret Badgewell appeared before the commission representing her mother, Janie Anderson, 11118 Quarry Road, Milford, KS, 66514. Ms. Badgewell stated her family owns 4.29 acres of land located behind Mr. Crawford property and would like to know how this subdivision would effect on their family property. Ms. Badgewell also stated she would like to have information about the sewage system. She stated there is a stocked catfish lake on the property, and she has concerns how it will also be affected.

Dale Phillips asked clarification on how Ms. Badgewell felt this would affect her land.

Margaret Badgewell stated it appears on the map part of their property will be taken away.

Dale Phillips asked Ms. Badgewell was she afraid she was going to lose some land.

Kevin Hinkle stated as shown on the plat it shows the boundary line is assumed to be also their boundary line. Mr. Hinkle stated he didn't think any property lines were encroached upon. The State of Alabama Health Department has already approved the septic system for lot 2, which is where the daughter and husband will build their home. Mr. Hinkle also stated there are no plans for lot 1 at this time. Mr. Crawford is retaining an easement through the side so he will have access to his property.

Dale Phillips asked about the drainage.

Kevin Hinkle stated the only land disturbance will be placing the septic tank and putting in a foundation for a home.

David Kemp asked how far is the lake from the property line.

Kevin Hinkle stated approximately one hundred feet.

**Motion by Mr. John Myers** to approve the Preliminary Plat request for Crawford-McCann Subdivision for approximately 4.29 acres, located west of Countryside Drive, south of Lary Lake Road with the requested waivers. **Second by Ms. Nancy Dawkins.** Roll call vote was as follows: Mr. Myers-Yes; Ms. Dawkins-Yes; Mr. Blackburn-Yes; Ms. Bobo-Yes; Mr. Kemp-Yes; Mr. Phillips-Yes; and Mr. Roland-Yes. **Motion carried.**

**S-15-20MP Rice-Pugh LLC** – Revised master plan approval for Forest Glen located west of Highway 69, north of Mitt Lary Road.

Julie Ramm stated Rice-Pugh, LLC requests master plan revision approval for Forest Glen Subdivision located west of Highway 69 and north of Mitt Lary Road. The proposed changes to the master plan involve Phase VII of the subdivision. The latest approved master plan was approved by the Planning Commission on September 12, 2006. The proposed changes will reduce the number of lots in Phase VII from approximately 30 lots to 4 lots including the re-survey of 1 existing lot in the neighborhood. Mrs. Ramm also stated the developer has submitted a proposed preliminary plat for Phase VII. Mrs. Ramm stated the developer is requesting waivers for the requirement for minimum scale of 1" = 100' to 1" = 200', additional stub streets to the north and west, and minimum 600' cul-de-sac length. Mrs. Ramm stated the developers engineer has proposed setbacks for the new proposed lots at 35' front, 35' rear, and 10' side setbacks. These setbacks do not meet minimum standards for RS-1 lots. The setbacks would need to be revised to minimum standards (40' front, 50' rear, and 14' side setbacks) or a variance would need to be requested through the Zoning Board of Adjustment.

Mrs. Ramm also stated the City received several written comments concerning this proposed revision. Those concerns mainly were regarding drainage issues, burning of debris, and HOA dues. Mrs. Ramm stated the City

and the Planning Commission do have authority over drainage and burning within the city limits. However, the City does not have any authority over private covenants and HOA dues.

Tom Sims, Engineer, Longleaf Engineering, LLC, 432 65<sup>th</sup> Street, Suite A, Tuscaloosa, AL 35405 appeared before the commission representing Adam and Melissa Springer. Mr. Sims stated Mr. & Mrs. Springer would like to convert Phase VII, that was initially plan for 30 lots to 4 lot subdivision. In the process, of that the Springers would like to subdivide into 4 lots and keep one for themselves. Mr. Sims stated the lots were subdivided to have access to existing streets.

Michael A. Tilford, 11731 Arbor Oaks Road, appeared before the commission stating concerns with drainage. Mr. Tilford stated his property already has drainage problems. Mr. Tilford stated he would like assurance that the drainage problems will be resolved when the lots are being developed. Mr. Tilford also stated he had issues with trees being cut down.

David R. Vice, 13744 Randa Parkway, appeared before the commission stating his property floods several times a year. Mr. Vice state he would also like assurances the City Engineering Department would make sure there is no drainage problems when the new lots are being developed. Mr. Vice stated he has no problem with new housing being built.

Tom Sims stated he is not familiar with the drainage location that was mention, but he will work with staff to make sure there is no contributing factors for flooding.

Holly Phillips stated the City Engineering Department will be making sure there is no increase in run-off at the point of construction. Mrs. Phillips also stated staff will look at existing drainage problem to try and help elevate any problems.

Dale Phillips stated there were concerns about trees being cut down.

Tom Sims stated the property is on a ridge that slopes down toward the house on the bottom side of the hill and will not be conducive to a homesite. Mr. Sims stated Mr. and Mrs. Springer did not have any intentions of clearing beyond what is required for building their home.

Dale Phillips asked would there be an adequate buffer to elevate any of their concerns.

Tom Sims stated yes.

David Kemp stated if there was previously a drainage summary.

Tom Sims stated he was not aware. Mr. Sims stated he became involved with the Forest Glen Subdivision only in the last 2 Phases.

David Kemp stated his concern was how this will affect what was down stream.

Tom Sims stated when the subdivision was first constructed there was a lack of drainage facilities that the city no longer has, and we will be working with the City Staff Engineers.

Ron Davis stated the flooding problems may not go away, but it will not get any worst by this development.

**Motion by Mr. David Kemp** to approve Revised Master Plan request for Forest Glen located west of Highway 69, north of Mitt Lary Road, pending approval of the drainage report for Phase VII by the Engineering Department. **Second by Mr. Shawn Blackburn.** Roll call vote was as follows: Mr. Kemp-Yes; Mr. Blackburn-Yes; Ms. Dawkins-Yes; Ms. Bobo-Yes; Mr. Myers-No; Mr. Phillips-Yes; and Mr. Roland-Yes. **Motion carried**

**S-16-20PP Rice-Pugh LLC** – Preliminary Plat approval for Forest Glen Phase VII approximately 11.56 acres located east of Arbor Oaks Road, west of Randa Parkway, north of Forest Glen Boulevard.

Julie Ramm stated this proposed phase will consist of four lots and one re-surveyed lot (lot 279) on approximately 11.56 acres. The developer proposes to construct a cul-de-sac turn around at the north end of Burks Parkway. No street construction is proposed at the end of Briar Meadow Lane and at the two stub streets on the east side of Arbor Oaks Road. Mrs. Ramm also stated the developer does not propose any storm water detention for this phase of development.

Tom Sims appeared before the Commission representing Adam and Melissa Springer.

Michael A. Tilford, 11731 Arbor Oaks Road, stated his concerns in reference to drainage. Mr. Tilford stated when it rains it is damaging his property.

Dale Phillips stated the Board does not have authority to address issues of the past. Mr. Phillips stated hopefully the new phase will help improve the drainage.

Michele Ziegler, 11624 Arbor Oaks Road, stated she assumes questions about drainage problems has been discussed in every phase. She has lived there for sixteen years. The same assurances have been given. Mrs. Ziegler stated she would estimate 9 out of 10 homes in the neighborhood has drainage problems on their property including her property. Mrs. Ziegler also stated Bristol Park has caused more drainage issues since being built. She would like to know how the drainage problems can be controlled.

Dale Phillips stated there will be documentation of requirements for Mr. Sims. Mr. Phillips stated the City Engineering Department will insure that is done. Mr. Phillips also stated the Board can only address items of new business, anything else should be addressed to the City Council.

Steve Daniewicz, 13849 Burks Parkway, appeared before the commission asking if there would be a cul-de-sac or through street at the end of Burks Parkway.

Tom Sims stated a cul-de-sac will be at the end of Burks Parkway.

Steve Daniewicz asked how many lots will be at the end of the cul-de-sac.

Tom Sims stated there will be only 1 lot.

**Motion by Mr. Shawn Blackburn** to approve Preliminary Plat request for Forest Glen Phase VII approximately 11.56 acres located east of Arbor Oaks Road, west of Randa Parkway, north of Forest Glen Boulevard. **Second by Mr. Dale Phillips.** Roll call vote was as follows: Mr. Blackburn-Yes; Mr. Phillips-Yes; Ms. Bobo-Yes; Ms. Dawkins-Yes; Mr. Kemp-Yes; Mr. Myers-No; and Mr. Roland-Yes. **Motion carried**

**S-17-20PP Bristol Park Phase IV** – Preliminary Plat approval for approximately +/-26 acres located north of Mitt Lary Road. **Waivers:** Horizontal curve radius.

Julie Ramm stated Mitt Lary Partners, LLC requests preliminary plat approval for Bristol Park Phase IV located north of Mitt Lary Road. This proposed phase will consist of 56 lots. The total acreage is 26.43 acres. The following waiver is requested: Minimum 300' horizontal curve radius. Mrs. Ramm also stated the preliminary plat is in compliance with the Master Plan that was approved by the Commission in June of 2018 and this will be the final phase of Bristol Park.

Bradley Porter, TTL, Inc., 2890 Rice Mine Road NE, appeared before the commission representing Mitt Lary Partners, LLC. Mr. Porter stated this is the final phase of Bristol Park. It will consist of 56 lots. There will be cul-de-sac on three of the streets. Mr. Porter also stated a detention pond was constructed in phase II to handle drainage for all phases of Bristol Park.

Tony Potapowicz, 11624 Arbor Oaks Road, appeared before the board stating there use to be buffers from Arbor Oaks to Mitt Lary Road. Mr. Potapowicz stated over time flooding started in their back yard. Mr. Potapowicz also stated he had contacted the Engineer Department and the blueprints showed there was less drainage. Mr. Potapowicz stated the flooding in his backyard shows this is not true. Mr. Potapowicz gave an open invitation to visit the area to see damage from flooding since the previous phase.

Judy Kelly, 11606 Arbor Oaks Road, appeared before the board to clarify if a buffer would be in Phase IV.

Bradley Porter stated there will not be a large clearing.

Wendi Cochran, 11630 Arbor Oaks Road, appeared before the board stating she has lived on Arbor Oaks Road for seventeen years. Ms. Cochran also stated she shares a drainage ditch with another neighbor behind her home. The ditch is clogged with debris.

Bradley Porter stated today Phase IV drains toward Forest Glen. When the roads are constructed, we will be intercepting the flow of water by placing storm drainage pipes toward the northeast property to run into the detention pond. We will be working closely with the City Staff Engineers.

John Myers asked if the drainage slopes to the backside of Forest Glen or another direction.

Bradley Porter stated the drainage slopes in both directions.

**Motion by Mr. Dale Phillips** to grant approval of Bristol Park Phase IV, Preliminary Plat for approximately +/- 26 acres located north of Mitt Lary Road including the waiver of a minimum 300' horizontal curve radius.

**Second by Mr. John Myers** Roll call vote was as follows: Mr. Phillips-Yes; Mr. Myers-No; Mr. Blackburn-Yes; Ms. Bobo-Yes; Ms. Dawkins-Yes; Mr. Kemp-Yes; and Mr. Roland-Yes. **Motion carried**

## XI. CITIZEN COMMUNICATION

## XII. DISCUSSION

## XII. ADJOURNMENT – 7:34 p.m.

ATTEST:

  
Julie Ramm, Secretary

  
Dale Phillips, Chairman