TOWN OF
HARPERSVILLE
RICH PAST • BRIGHT FUTURE
FOUNDED 1815

PLANNING & ZONING MEETING
Harpersville Town Hall
September 18, 2023 - 6:15PM

MINUTES

BY GENERAL CONSENT OF THE PLANNING & ZONING BOARD, AGENDA ITEMS MAY BE ADDED, REMOVED OR CONSIDERED OUT OF ORDER

Proper notice of the regularly scheduled meeting of the Harpersville Planning & Zoning was given in advance of such public meeting and the notice remained posted throughout the scheduled meeting.

CALL TO ORDER AND INVOCATION
Chairman Sanders called the meeting to order at 6:17PM. Invocation was led by Board member Paul Brooks

RECORD OF ATTENDANCE

Board Member	Present	Absent
Martin Dates	✓	
Earl Kidd	✓	
Della Pender	✓	
Angela Hicks	✓	
Paul Brooks	✓	
Dale Glasscock	✓	
Mayor Perkins	✓	
Chairman David Sanders	✓	
Quorum	Yes	No

APPROVAL OF AGENDA
Approval of the September 18, 2023 Planning and Zoning Agenda. Board member Paul Brooks made the motion to approve the agenda. Board member Earl Kidd seconded the motion. The motion passed unanimously by voice vote of all those present. Chairman Sanders declared the same passed.

APPROVAL OF MINUTES
Approval of the August 21, 2023 Planning and Zoning Minutes. Minutes were not included in board packet. August 21, 2023 minutes will be presented in next scheduled meeting for approval
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PUBLIC HEARING –

Board member Earl Kidd made a motion to recess the Planning & Zoning Board meeting and to go into public hearing. Board Paul Brooks seconded the motion. The motion passed by unanimous voice vote of those members present, and the meeting was recessed at 6:19 p.m.

1. Re-Zoning application for Golden Eagle Group for 480 acres. Located on 280 West just past Gallups Cross Roads (Shelby County Rd 62).

David Sanders informed the members of the public that Golden Eagle will give their presentation and then open the floor up for questions. Mr. Sanders stated the Board will be first to ask their questions and then we will hear from the floor.

John Jett with Insight Engineering was present and discussed the preliminary map for Rawya Farms. Mr. Jett presented their proposed zoning and the plan for the property. Mr. Jett discussed the re-zoning they are requesting and stated the front area presented in green on their map will be 41 acres of commercial; general business district. Behind that showed as brown will be proposed 280 Townhomes; roughly 67 acres and beyond that showed as purple will be 806 single family lots; about 350 acres. Mr. Jett pointed out the green space in the project as well and recognized 13.8 acres that is intended to be donated to the Town of Harpersville. Mr. Jett informed the board that this property could be developed a lot denser than its potential. He stated Golden Eagle did a great job of keeping the natural feel and community feel of the land. He reviewed the density calculation as 4.2 units per acre for town homes and stated they are a lot lower than the maximum as described in the Harpersville regulations. Single Family is proposed as 2.25 units per acre roughly which is also under the required amount maximum per regulations set forth by the Town. He explained the green space is 33% of the property. John showed the proposed parkway on the map and stated this would help make the community assessable. He then opened to floor to questions and took questions from the Planning Board first.

Board member Glasscock asked about the donated land and what restrictions would be tied to it. He also asked if this property would be graded or prepped or would it be the roughest area of the property. John stated at this time this is just a re-zoning plan that has not been discussed as far as the preliminary plat but it can be discussed with the owner at the time the plat is proposed. Mr. Glasscock asked if there was any discussion on possibly donating land for the purpose of a fire station or police station near this community. Mr. Jett stated that had not been discussed at this time.

Mr. Brooks asked what price range the homes would be in the community. Mr. Jett stated that has not been determined at this time all that has been done is the re-zoning and proposed layout at this time. Mr. Brooks then asked about a possible time line and John stated roughly six to ten years to complete whole build out. Mr. Brooks asked about access roads and Mr. Jett showed on his presentation where the proposed access roads would be. Mr. Jett stated they met with Shelby County about Gallups crossroads and showed where a fire access would be. He did state some of this would be determined with the traffic study. Mr. Brooks asked if there had been any discussion with the State in regards to an access off Highway 280. Mr. Jett replied not at this time. Mr. Brooks asked what happens if the access roads are not approved. John stated there is an

access off Highway 280 currently and all the finals will be worked out during and after the traffic study. Mr. Brooks made a statement that during the last three months or so Harpersville has been presented with three separate developments within a mile of one another. Mr. Brooks suggested all of these developments would double the population of Harpersville. He asked Mr. Jett if this raises any concerns with traffic. Mr. Jett replied that they would get a traffic study involved and with their help, they would development proper traffic flow.

Board member Della Pender asked if the land had already been purchased. Mr. Jett stated the Golden Eagle Group is the owner of the property. Bill Grey clarified that Mr. Rashid is a long time partner with Golden Eagle Group and he has asked them to take the lead on the re-zoning process. He confirmed the property is not on the market as of today.

Donald Tait asked Mr. Jett to show were on the map the access roads are.

A member of the audience asked about the Town Homes and wanted clarification on the difference in those and apartments. Mr. Jett stated the classification of zoning between the two as they are defined in the Zoning Regulations. Mr. Sanders stated the basic difference is that you would own the town home.

Mike Altizer asked why the traffic study had not been completed and how can something be approved when we do not have the proper information. He also asked about the infrastructure of the Town and where those studies were. Mr. Sanders answered that studies on the water have been done and the results should be coming back soon. Mr. Jett stated there have been preliminary discussions on sewage and sewer will be extended up to support this development.

Karen Delimater stated that studies can be and should be done prior to zoning changes. She also spoke on building permits as it pertained to her home in Harpers Creek. Miss. Delimater also suggested environmental studies should be conducted as well.

El Gezira riding academy had a representation present and she wanted to propose another option to the board. She started by stating the property is a flood plain and needs to be graded properly. She went on to state they would like to honor the founder of El Gezira and continue the equestrian tradition. She would like three months to design a new elite equestrian facility. She believes this would boost Harpersville economy without exploding the population.

Ken Biel shared his thoughts on the development. He stated he has been involved with Harpersville for 50 years and he loves Harpersville. He spoke to Golden Eagle and stated they should have been more prepared with test and studies. He made comments about the population increase and demographic issues. He talked about safety issues regarding the commercial areas and said they should move that closer to the light and "downtown" area. He spoke on the retention ponds and flooding in the area too. John Jett responded to some of his concerns. He stated the traffic study cannot get accurate data until they know what is going on the property and how many homes/families will come to the area. The re-zoning is the first step and then once the plot maps are worked up, the road studies and other test can and will be completed.

Mark Boardman, attorney, addressed the Board on behalf of homeowners around Deer Wood Lake. He spoke on environmental concerns and how once the dirt begins to move it will flow into Morgan creek and disrupt the beauty of the water. He shared an example of something similar that happened in Chelsea, AL. He stated concerns about the roads and access points. He shared another example of something similar happening in Chelsea, AL. He suggested the Planning and Zoning push for the developer to pay for these renovations and upgrades that could potentially land on the Town to be responsible for. He spoke on the school system and stated they need to make the developer work for us and protect the land and the schools. He stated the duty of the Planning and Zoning is to protect the Town and the citizens and do what is best for the Town as a whole. He stated studies can happen up front and they need to get all information desirable to make the right decision as it pertains to this development.

James Cassidy, president of Insite Engineering addressed some of the concerns Mr. Boardman spoke on. He wanted to clarify that Golden Eagle has not asked the Town of Harpersville to pay for anything. They are aware and prepared for the finical impact of the studies and test for the development. He reiterated that the map shows the homes as packed in and tiny spaces which is not the case. He stated this development is spaced over 480 acres and will be spaced out and show green spaces. He spoke on the traffic study and said they could do a traffic study off the preliminary map right now but if anything is negotiated or changed down the line that traffic study that was previously completed would be voided and the data would not be accurate. He stated there are things that happen in the design that no one would be able to cover tonight in the re-zoning phase. This is step one in order to finalize the plat, studies, test and other things necessary for the development.

A representative from El Gezira stated she spoke to Dr. Brooks, Shelby County Board of Education Superintendent, and he informed her that a new school would not be built until all the homes are completed and sold. This is because they would not know how many additional children would occupy the school or how big to build a new school. She stated that a new school would not be considered for at least 10 to 15 years.

Jody Haywood wanted to ask the Planning and Zoning Board to please look out for the citizens and begged them to slow down and wait on approving this re-zoning application.

David Coutta address the members present and spoke about traffic and the impact on the roads and access points, not only household vehicles but also school busses and transportation trucks. Marilyn Coutta followed and spoke about the serenity of Harpersville and encouraged the board to ask the people if they want theses developments to come to Town.

Trip Galloway, Attorney, presented a document he passed out to members of the board and spoke about easements for drainage. He began with talking about item 12, that it is subject to an easement for drainage. He stated there are 11 power company easements and some utility easements on the property. He pointed out that none of the easements are shown on this proposed design, and that should be concerning to the Board. He stated there is notably the drainage easement and he asked if the owners are aware of the existence of this easement. He stated if he were on the Planning board, he would want to know what the drainage easements are, who benefits from it, where it is and how will it be impacted or altered by the proposed development?

He also spoke on the Colonial Pipeline easement and pointed out the easement was a part of the green space. He went on to say the Planning and Zoning needs to be sure Colonial Pipeline has been approached correctly by the developer and has Colonial Pipeline been contacted and made aware of this new development. He educated the board on the explosion of the Colonial Pipeline in Shelby County due to construction. He recommended they board consider the safety of this development and be sure all engineers have reviewed and covered all aspects of these easements. John Jett responded as it pertains to the pipeline. He confirmed they will coordinate with the pipeline because they will be crossing there easement. It is a standard and they are required to follow those rules, which they intend to do.

Leon Ashford spoke on his thoughts in regards to the new development. He echoed that there are so many unanswered questions, it is the responsibility of the Planning and Zoning to make sure all information and answers are on the table to make a respectable decision.

Another representative and rider for El Gezira Riding Academy shared her thoughts and asked the Planning Board to listen to everyone who has spoken tonight. One of the things she is wondering about is if this property is a sale. Bill Grey responded that this is not a sale; they are representing Mr. Rashid in the zoning process. She asked the Planning Board to be transparent during this process. She mentioned again how there is flooding on the property. She also spoke on the Colonial Pipeline case and shared her experience with that. She stated more information is vital to make proper decisions.

Members of the community shared their thoughts and concerns about how fast this process is going and shared thoughts about spending money on the front end the put some concerns at ease. Most asked the board to slow down and get answers.

Nathan Bird encouraged citizens to come to all the Planning and Zoning Board meetings and hold them accountable for their decisions and be informed of what is going on and what they are doing.

Mr. Allen shared his concerns on traffic and retail related issues. He encouraged the board to explore other options and hear other proposals.

Mayor Perkins shared his thoughts and assured everyone they are heard. He understands the concerns and wants the answers to the questions as well. He expressed the need for rooftops in the community in order to bring in more retail and availability to our citizens. He addressed the need for a grocery store and his concerns about not having one. He addressed the school situation and expressed how other schools have wonderful facilities and resources for their students and his family comes back to our schools where the facilities are less desirable and the resources are not available. He shared experiences in his own family and concerns he has for the future of Harpersville's children. He shared that there are people that would live here and want to live here but there are no housing options and these sub division will help provide that. He did mention he wants a balance for the community as well. He stated we should and we will hold the developers accountable. He explained the process and said IF the application is approved the developers will still have to revise the plat map and get the studies done to bring before the board again. He explained if these studies are not completed or these test fail the project then stops and they

cannot move forward. He went on to explain if the project does not move on the land will revert to its original zoning. He stated he spoke to Dr. Brooks as well; Mayor Perkins confirmed ~~a~~ they do not build the school and hope the people will come. The current schools will have to overflow in order for a new school to be considered but it is nothing new. All schools around us went through the same thing before their new facilities were built. He added that Vincent is the oldest school in Shelby County and the children deserve a new facility. He wants to do all he can to help the schools and help the parks. He stated he loves Harpersville. His family was brought to Harpersville as enslaved people. He chooses to raise his family in Harpersville because he loves it and this Town is close to his heart.

Irfan Totonji with Golden Eagle shared with members of the board and others present during the public hearing, He wanted to clarify and let everyone know he loves Alabama and loves Harpersville. He has been involved with El Gezira Riding Academy for more than twenty years but it is time to fly and grow. He shared that Harpersville needs development. All communities around Harpersville are growing and our citizens deserve a school, they deserve commercial options and places to eat with their families. Golden Eagle are making positive changes to the area and want to protect it. He reassured they are here to improve the Town and are here for the long run. They are prepared to run all the studies and test and will do everything they need to develop a community all can be proud of. He will protect the Town when it comes time to design and during the engineering process. He asked for the community to trust him and Mr. Rashid will do what is right to protect Harpersville and help it grow.

As there was no additional questions or comments, Mayor Perkins made a motion to close the public hearing and enter back into regular session. Board member Martin Dates seconded the motion. Regular session continued at 7:51 p.m.

Board Member Della Pender made motion to delay the re-zoning application by three months Council member Dates seconded the motion. The motion to delay the re-zoning application by three months passed by roll call vote, with the Town Clerk noting it was unanimous.

Paul Brooks	-	YES
Martin Dates	-	YES
Dale Glasscock	-	YES
Angela Hicks	-	YES
Earl Kidd	-	YES
Della Pender	-	YES
David Sanders	-	YES
Mayor Theoangelo Perkins	-	YES

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David Sanders made an announcement the re-zoning application has been delayed from making any decision for three months.

REQUEST TO ADDRESS THE BOARD – None

OLD BUSINESS – NONE

NEW BUSINESS - NONE

ANNOUNCEMENTS

1. The next meeting of the Harpersville Town Council will be held at The Harpersville Community Center with a Work Session on Monday, October 2, 2023 at 5:00pm., with the regular Council meeting to follow at 5:30 p.m.
2. The next meeting of the Harpersville Water Board will be held at the Harpersville Community Center with a Work Session on Monday October 09, 2023 at 4:30 p.m., with a regular board meeting to follow at 5:00 p.m.
3. The next meeting of the Harpersville Planning and Zoning Board will be held at The Harpersville Community Center on Monday, October 16, 2023 at 6:15p.m.
4. Harpersville Day 2023 is scheduled for September 30, 2023 8am – 3pm. For information on how to become a vendor / sponsor or information about the car show, contact the Town Clerk.

ADJOURNMENT

Being no further business. Motion was made by Paul Brooks to adjourn. Board member Glasscock seconded the motion. The motion passed unanimously by voice vote of all those present. Chairman Sanders declared the same passed. Time of adjournment was 7:53 PM.

Mayor, Theoangelo Perkins