TOWN OF
HARPERSVILLE
RICH PAST • BRIGHT FUTURE
FOUNDED 1815

PLANNING & ZONING MEETING
Harpersville Town Hall
August 21, 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 6:20PM. Invocation was led by Chairman Sanders.

RECORD OF ATTENDANCE

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

APPROVAL OF AGENDA
Approval of the August 21, 2023 Planning and Zoning Agenda. Board member Earl Kidd made the motion to approve the agenda. Board member Martin Dates 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 July 17, 2023 Planning and Zoning Minutes. Mayor Theo Perkins made the motion to approve the minutes from July 17, 2023 as written. Board member Paul Brooks seconded the motion. The motion passed unanimously by voice vote of all those present. Chairman Sanders declared the same passed.

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PUBLIC HEARING –

Board member Paul Brooks made a motion to recess the Planning & Zoning Board meeting and to go into public hearing. Board member Dale Glasscock seconded the motion. The motion passed by unanimous voice vote of those members present, and the meeting was recessed at 6:26 p.m.

1. Re-Zoning application for Portrait Homes. Corner of Rock School Road and Highway 280.

Engineer Jeremy Sharit introduced himself and began discussing the plot plan for the proposed subdivision by Portrait Homes. Mr. Sharit proposed the first phase being 67 residential garden homes with an average of 20 homes built per year. They are evaluating this project to be a total of 6 – 8 years. Once the homes are established and begin to grow they will plan to start work on the commercial. The entrance for both will come off Rock School Road. They will have to a lot of improvements on Rock School Road and an additional right of way would be required per Shelby County Highway Department. All improvements to the road would be a benefit for everyone traveling the road. Range of the homes would range between $250,000 – $300,000 but they are still doing research on the market. They confirmed it will be on a current available sewer system and PH would run their lines. They have a storm water designed and will be maintained. They showed the common areas and spoke about the possibility of a retention pond. They will not put any drainage or additional water over flow on surrounding properties.

Board member Brooks – How many homes – First area 67 lots. 266 total – what size lots – 60 x 100 is the smallest is both sides.

David Coutta asked about the retaining pond and water runoff. Jesse Hayes, Erison Specialist, answered the question and spoke about the erosion. He mentioned the creek will be protected and specified his plan on water drainage and run off. David asked about the buffer and he said he has about 50 - 60 foot buffer. Creek and adjacent homes will be protected. He ensured there will be no run off, mud slide or anything similar. Maintained and secured throughout the project

Mr. Coutta asked about the additional access on Rock School. He mentioned that for most ~~that~~ this is the only way in and out for current-residents. He asked if they would experience any road closures. Yes – done based on required on Shelby County regulations – the road will not be shut down.

Mike Altizer shared a concern of this development being similar to Chelsea Park. He is worried about the traffic pulling on and off 280. Specifically in the morning with school traffic. Jesse answered and expressed that Chelsea Park is a higher volume of homes, nearly 3000. This development is just 1/3 of Chelsea Park. Mike said with one access on and off 280 is going to be a disaster. He asked for the studies showing that this is going to be doable and allowed. Jeremy mentioned that traffic studies will be done and is required for the design of the road. Mike asked why the traffic study is not done prior to getting started. Robin expressed tonight was just focused on getting the property re-zoned. All studies and required research will be done properly and a lot can change during the planning phases to make sure everything goes the way it needs

to. She also said this is another reason she is doing the slow growth and it will not hit all of the area at one time. She mentioned again this is a nearly 10 year development.

David Coutta asked is there a reason why an egression lane couldn't be put on northern part of the development off Highway 280. Near the cross over to Old 280. Robin stated they were asked by the Highway Department not to put another access on Hwy 280. Robin mentioned down the road the Highway Department may see a need for a red light or some kind of improvement but at this time it is not in the plan. Jeremy did state they will have acceleration lanes added. They have spoken to the transportation department but they are still discussing the specifications. He visions there will be a lane added that will run down 280. Three 12 ft. lanes and will merge back to two lanes. Turning lanes added and proper storage coming in and out to ensure traffic flow.

Barbra Adkins asked what the rules are the landscaping requirements and signage on 280 and in the development. She also asked if there were specific requirements to prevent the common areas to stay a wet field or "eye sore" for the community. David answered that at this time they only have to provide the area. He sated most developers will work with us and include anything we deem necessary for the areas. Donna Delimater interjected and mentioned she is still seeing problems with her road in the Smith Douglas development and she stated she disagrees with the answer Mr. Sanders provided.

Nathan Bird asked if this would be similar to Garrett Farms as it pertains to the required buffers. David stated yes, it would be the same.

David Hallmark asked about the Sharpe curve on Rock School and is there a plan to straighten it. Jeremy sated they would follow the County requirements.

Mike Altizer asked about the proposed commercial building fronting 280. He wanted to know if that access would also be off of Rock School Road. Jeremy stated yes, that is the plan in place at this time. Mike asked if they thought business would come in knowing there would be no access off the major highway. Jeremy said the idea behind the thought was to minimize the traffic on and off 280 and cut back on the issue you may find in Chelsea or Hoover with too many 280 access. They want to be able to access a service road in order to assist with traffic flow. He feels a service road would help with future developments as well, not just Portrait Homes. Mike stated it's already very difficult to get on and off Rock School Road and on 280 with the resident out there now. Jeremy said when it's all said and done and Shelby County is done with their requirements and the traffic study, they may find that during peak hours the traffic is heavier. They can go to the state and request a traffic light be installed. There was a comment about Chelsea Park and their need for a traffic light. It was asked if they can't get one, what make PH believe ~~e~~ the State will grant on for Harpersville? Jeremy said he couldn't speak on why Chelsea does not have a light. He expressed there are a lot of factors that go into making those decisions and it would be possible that Harpersville could get a light before Chelsea Park. The number of homes is not always the determining factor.

Member of the audience asked what the estimated impact on the road is and how many more cars he thinks will be added to daily travel. Jeremy said when the traffic study is done they look at the peak hours of traffic volume. It was asked, how many cars per household would they project?

Robin said it would be about 3 bedroom homes so they would imagine 2 per home. Jeremy explained the traffic studies does not look an automobiles per home. The study will measure peak hours, for example it could be from 7:30am – 9am and data is collected from those peak hours. Heidi Lee made the statement that with 300 homes with 2 vehicles per home it would be roughly 3000 trips added to the road per day. Jeremy responded that it won't necessarily be during the peak hours of each day. Mrs. Lee then stated it would still have a large impact with the amount of cars added. There was no further comment on the matter. Jeremy did not agree with the estimate that was mentioned.

Mike asked about this proposed development and he understands there is another proposed development coming up across 280. He brought up Harpers Creek as well. All three are all garden homes. He asked why we are approving all the garden homes in a farming community. He expressed that this does not fit our vision for growing Harpersville that was discussed a few years ago. Mike asked if there is really that large of a market of people looking to buy garden homes in the country. Robin Hayes was confident that answer is yes.

Brooks asked about the size of the homes and price range. Robin stated the plans are not finalized. She has some proposed to be 2000 sq ft. She does have some that are 1400 ~~and~~ - 2700 sq ft. She does have an architect in house and they will build what they feel is necessary for the area. The price range will start around $250,000 and will be market driven. Paul asked how long it would take to build. Robing stated about 6-7 years. He asked if Robin believes she can sell that many homes and she replied yes. She did mention that LGI did their projections for the development that was in a previous meeting she attended. Robin stated LGI is projecting selling 8 homes per month and Robin is projecting only selling 6-8 home per month as well. She is getting a lot of feedback and calls now regarding the homes. Paul brought up the Garrett Farms development that was passed or approved and the fact they are building 146 new homes. He asked Robin what gives her the idea that Harpersville is going to experience that amount of growth. Robin said she is working with real estate brokers and agents. She mentioned Harpers Creek and how they were selling the homes before they were fully built. She stated people want to come to Harpersville and she can see the growth. Robin stated she would not have gone after this land or put a contract on it if she didn't expect the development being successful.

Mike asked about impact studies to ensure the schools can handle the impact coming with all the different developments coming to the area. He also asked about the Police and Fire Departments and asked if we have the infrastructure to handle the growth. David Sanders confirmed the school systems will be fine. Mr. Brooks has ensured the elementary and high schools in Vincent can handle the growth. He mentioned CVA has property to expand if needed. Donna Delimater asked where this information can be found in writing. David stated at this time is has all been in conversation and discussion. Donna stated that verbal conversation would not hold up in a court of law and she would like to see numbers, statistics, and studies for the community to visual see. Broxton Sanders intervened and stated she was speaking to government officials and they are available to anyone at any given time.

Mike made the statement he wasn't against new developments but he would be more comfortable to see studies done ahead of time to ensure Harpersville can handle the rapid growth.

Real estate agent asked what this is going to add to property taxes. Mayor Perkins stated the property taxes coming in will add hundreds of thousands of dollars to the tax base of Harpersville. He spoke on the school impact as well. He stated he has spoken to the superintendent and principals and they said they can handle this. Mayor Perkins said our schools need this. He confirmed he has not only worked in the school but his own children are attending these schools right now. He said Chelsea said they are able to provide everything they do to their kids because of the rooftops in the City. Harpersville has been trying to get businesses and grocery stores for the citizens and the answer is always that Harpersville does not have enough roof tops. He stated that our people are going to Chelsea, Childersburg and farther spending their tax dollars providing to the other cities. This is going to help Harpersville in many ways. He believes he can see balance and hold the developers feet to the fire. Make sure they are following everything that is required. He also stated that Shelby County will not allow anything to be missed or passed. They will also have to go through he State of Alabama and they will not be able to get what they need without meeting specific requirements set forth by all the divisions PH will have to go through. Mayor Perkins also emphasized how Hwy 55 and Hwy 43 has red lights but not the homes that Chelsea Park has. He was confident that the fact we have Hwy 62 and Old 280 being across from this development, it would most likely require a red light too. Mayor Perkins likes the idea of another entrance off of 280 coming in and out of the neighborhood. He will push Robin to find out if they can make that happen.

David Coutta asked about the water supply and asked if there was enough water to furnish all the new homes. Mayor Perkins stated right now we can handle the impact. He sated the Water Department is working on making sure the Town continues to have enough water to supply to Town. He sated the Water Board is having the well tested to allow pumping more water per minute. Mayor stated they believe the well we have now can triple what is being pumped now. On September 5th our well will be tested to increase the gallons per minutes we are permitted to pump. We are currently permitted to pump 5 million gallons per month now. We are permitted to pump 10 million a month. If all goes well we will be permitted to pump 17 million gallons per month. Mayor Perkins also mentioned that our Engineer is working on a study on pressure and we should have those results soon. If the study shows a larger impact than expected, Mayor Perkins stated Harpersville is connected to Shelby County and we can tie into Vincent. If there is a problem we can still have access to water.

It was commented that people in the area do not mind driving 10 – 15 minutes down the road to go to the grocery store. She feels it is worth driving to maintain the lifestyle Harpersville gives. The question she had was how all the new homes fits into the plan we have for Harpersville. She also asked about the retail space and how it was supposed to go in the Town Center area. David stated the plat Robin is proposing does not follow the Future Land Use Map. He went on the say that plan is not an official document. Mayor Perkins entered that retail will go in the downtown area but there are other places it's needed. He went on to add having a downtown main street has been his dream and that this retail will have small shops and help maintain the downtown feel. A grocery store was not in the plan for the Town Center and we need areas for these bigger business to come. She asked how it works as far as what retail companies we have come in. She asked what the plan is once the buildings are built. Robin answered that she is working with

different retails companies and she has interest but she can't guarantee who would purchase the space and who would come in.

Paul Brooks asked again about the access off 280. He wanted to know if she has checked in with the State (ALDOT) in order to get an access. Robin stated they plan to first work with the county to get the access off Rock School Road. She has not talked to the State about access yet because they want to have all access points off Rock School Road. Paul wanted Robin to point out where on the map the access would be to the businesses. There was a comment about trucks coming in and out to stock the retail stores and they wanted to know if that has been considered. Robin stated if it's required of the store to have delivery trucks then they would access through Rock School Road. There was concern for dumpsters and parking as well.

A member of the audience addressed her concern about what this will bring to the people already living on Rock School Road. She stated she moved to her home because of the peace it offered and how quiet it is. She ensured she was for growth of the town but feels it shouldn't come to the detriment of an entire neighborhood and change an entire road. There was concern about the number of houses coming and how it will change the feel of the area.

Heidi Lee asked about the zoning. Robin stated it is currently zoned A1. Mrs. Lee asked if she thought about the possibility of adding one acre homes to the area and keeping it zoned A1. Robin stated that is not what her company builds or focuses on but there are companies that would consider that. She also stated the property was for sale and presented to her for the possibility of building a sub-division. She did not choose the area to punish Rock School Road.

There was another comment about the busses pulling out onto 280. There was a concern about the busses not being able to come into the development and the kids potentially having to come out to Rock School Road near 280 to board to busses. She stated as a teacher and mother she would not want to send her kids to the end road.

There was a question asked on how much of this would raise property taxes for current residents. Robin stated it should not raise the tax but would provide funding for more Police, Fire, and School etc. She sated this would actually bring revenue in.

Mike asked about the current sewer line Robin had mentioned earlier. Robin stated there is not a sewer line that runs out there now. Mike asked where they are running it from. Robin stated she spoke to Enviro Systems and they are using a pump station that has not been touched. She stated she will tie into a line that is not ~~be~~ on any else's sewer lines. Mike asked where the pump station is and Robin pointed out on the map about where it was. She stated she will run her new lines from the vacant pump station. They asked if she has permission to tie into that station and Robin confirmed yes, she does. Mike asked if the sewer can handle the growth. Robin stated it can handle 3000 new homes and she is only using 300. Mike asked if she has received right of way to run the line through the currently property owners and she said yes.

Heidi Lee asked about how the zoning would work if this passes but somewhere along the line falls through and the development doesn't happen, would the property stay zoning or would it revert back to the original zoning. David Sanders stated it would be re-zoned for a year and if

nothing is done to the property it would revert back to the original zoning. Heidi asked if someone else came in within the year would they have to go through this same process or would they get to by-pass the re-zoning phase. David confirmed if someone else was to buy it within a year all they would have to do is present a plat plan for approval. It will only revert back to the original zoning if nothing is done to the property within one full year of it being re-zoned.

Barbra Adkins asked what the next step would be if this is approved. David sated if the approval to be re-zoned is passed in tonight's Planning and Zoning meeting it would then go before the Town Council for approval and officially re-zoned. If that happens Portrait Homes will come back to the Planning and Zoning Board and present a plat plan for approval. During that meeting they would have to show all the ALDOT, Sewer, Water etc. for the developments. David also mentioned he would not allow a work permit until all documentation has been received. Barbra wanted confirmation that tonight is not allowing them to move forward. David stated this was only to re-zone the property.

David Sanders made a last call for questions. The crowd voiced their opposition of the development and wanted to make sure the board knows they do not want it to come to town. David Coutta expressed he would like the City to wait until we have proper study of the traffic on and off 280 and the impact this will have on Rock School Road.

Mayor Perkins made motion to approve the re-zoning of the 100 acres proposed by Portrait Homes and send to City Council. Council member Dates seconded the motion. The motion to approve the re-zoning and send to council passed by roll call vote, with the Town Clerk noting there were five (5) Yes votes with three (3) opposing votes.

Paul Brooks	-	NO
Martin Dates	-	YES
Dale Glasscock	-	NO
Angela Hicks	-	YES
Earl Kidd	-	YES
Della Pender	-	YES
David Sanders	-	NO
Mayor Theoangelo Perkins	-	YES

David Sanders made an announcement the re-zoning application will now go before the Town Council on Tuesday, September 5, 2023.

2. Over Lay District

Maria Hines introduced herself as the Senior Planner with the Regional Planning Commission of Greater Birmingham. She stated the business for tonight is to ask the Planning and Zoning Board to recommend to the Council to approve the Harpersville Town Center Overlay District. Maria explained that an overlay district is a zoning tool to create a special zoning "layer" placed on top of the base. (Primary) zoning district. The overlay district would allow the Town Center to be built like a traditional "downtown". The area for this district is currently zoned H-E; R-1 and B-1. The intent is to promote the general health, safety and welfare to the Harpersville Community and to implement the goals and actions that were in the Town Center Master Plan that was adopted in September of 2021. Maria presented a map to the board that shows the Town Center boundary that is also represented in the Harpersville Town Master Plan. In total, this includes 16 properties and 37 property owners. Each of the property owners have been contacted by the Town of Harpersville and a work session was held in May 2023 followed by a Public Meeting in July. Since the public meeting, four (4) changes have been made to the Overlay District. Maria went on to explain the changes. Mrs. Hines opened the floor to questions.

A question was asked about what kind of grocery stores would be permitted in the Town Center. Maria answered that any grocery store that is smaller than 30,000 sq ft and any storage and parking would have to be in the back of the building. Any displays would have to be inside the building. A question was asked about dumpsters and Maria clarified that dumpsters would have to be in the rear and will require a screening on all four sides.

Joe Clinton asked about what other business would be permitted in the area. Mrs. Hines stated it would be easier to list what is not allowed and went on to state the following would not be allowed in the Town Center: Mobile Homes, Package Stores, Single Family Homes, CBD / Vape shops, Lodging and Hotels are restricted to 32 rooms, auto sales, etc.

Mr. Clinton also asked about Ride Share or Uber business coming into the Town. Maria stated that was not something she could regulate in the overlay district and it would be a question for the Town Council.

Mr. Darby asked about the limit someone could stay in a bed and breakfast or Hotel. He stated he noticed it specified a 14-day limit. His question was how it was determined that 14 was a long enough time to limit someone to stay in a room. Maria stated that was best practice and that nothing restricts Harpersville from moving rooms or checking out to check back in, but the 14 days came from a standard. The Town cannot regulate short-term rentals at this time; therefore, all that can be done is to limit the days someone can stay in order to have more turnover.

David Sanders made a last call for questions and entertained a motion to approve the Overlay District with amendments. Paul Brooks made a motion to approve the Overlay district with amendments and Earl Kidd seconded the motion. David Sanders called for a roll call vote.

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

Chairman Sanders declared the motion has passed to approve the Overlay District with amendments. Mr. Sanders stated the topic will be sent to the Town Council.

David Sanders entertained a motion to close the public hearing and enter back into regular session. Mayor Perkins moved to close public hearing and Martin Dates Seconded. The board closed the public hearing at 7:45pm and re-entered into regular session.

REQUEST TO ADDRESS THE BOARD – None

OLD BUSINESS – NONE

NEW BUSINESS

1. Golden Eagle re-zoning application. John Jett from Insite Engineering in attendance to make presentation on the behalf of the owner. As well as James Cassidy and Matt Golab

Mr. Jett introduced himself to the board and all present. Mr. Jett announced they are proposing a re-zoning for 470 acres, more or less, for the horse farm along Highway 280. Mr. Jett presented a map and showed areas of their proposed plan and the current zones. Mr. Jett pointed out the types of homes for specific areas, common areas, and a portion of land that is intended to be donated to the Town. Barbra Adkins asked if the donated land is buildable. Mr. Jett stated yes, that was the intent but it would be up to the Town as to what is built. A question was asked about what kind of homes were proposed. Mr. Jett stated this development will be broken into phases and there will be multiple different styles so they are not all the same. A question was asked about sidewalks and Mr. Jett explained the idea behind the proposal will be 15 ft lanes with a median in between with another 10ft sidewalk so citizens can run and they want to make it more of an accessible community for walking, running, and trails to where everything is connected but separate too. Mr. Jett stated they are proposing 806 single-family homes and 280 town homes. A question was asked about the timeline. Mr. Jett answered to the best he can, he stated it is dependent on a lot of factors. A question was asked about entrances. Mr. Jett stated it will depends on the results of the road study but ideally, they would like to have one from Highway 62, Old Highway 280 and Highway 280.

Martin Dates motioned to take the re-zoning application proposed by Golden Eagle to public hearing. Della Pender seconded the motion. By roll call vote, motion passed. Roll call results as follows.

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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

David Sanders declared the motion passed and the re-zoning will go to public hearing on September 18, 2023.

2. Board Members

David Sanders made an announcement Angela Tait has resigned from the Planning and Zoning Board.

ANNOUNCEMENTS

1. The next meeting of the Harpersville Town Council will be held at The Harpersville Community Center with a Work Session on Tuesday, September 05, 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, September 11, 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, September 18, 2023 at 6:15p.m. with a public hearing to consider a re-zoning.
4. The 9th annual Harpersville Day Celebration is scheduled for September 30, 2023 8AM – 3PM

ADJOURNMENT

Being no further business. Motion was made by Della Pender to adjourn. Board member Paul Brooks seconded the motion. The motion passed unanimously by voice vote of all those present. Chairman Sanders declared the same passed. Time of adjournment was 8:10 PM.

Mayor, Theoangelo Perkins