TOWN OF
HARPERSVILLE
RICH PAST • BRIGHT FUTURE
FOUNDED 1815

# PLANNING & ZONING MEETING
## Harpersville Town Hall
## July 17, 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 6:18PM. Invocation was led by Board Member Della Pender.

### 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 July 17, 2023 Planning and Zoning Agenda. Board member Paul Brooks 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 June 20, 2023 Planning and Zoning Minutes. Board member Della Pender made the motion to approve the minutes from June 20, 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** –

Mayor Perkins made a motion to recess the Planning & Zoning Board meeting and to go into public hearing. Board Della Pender seconded the motion. The motion passed by unanimous voice vote of those members present, and the meeting was recessed at 6:30 p.m.

Ben Watson with Live Oak Engineering introduced himself as did Brad Adair with Adair Land. Mr. Watson presented the proposed sub-division plat map for Garrett Farms. Mr. Watson described the proposed development will be a 148 lot sub division on RG zoned property. It will have 60ft minimum lots or 6000 sq. ft. minimum lots. He stated they have a density of 3.38 and the meeting cut will be at the entrance that already exists. Mr. Watson informed those present that Live Oka is still working on approval with al dot for access. Mr. Watson spoke on the 33 acres of wetlands on creek and back is off limits and will not be part of the development. He plans to build detention/retention pond on 4 acres. Live Oak plans to have the pond be an amenity for the development and will be developed for visual aesthetics. He ensured the water will be directed to go under the railroad tracks and 280 and drain to the existing wetlands. Ben stated all water drainage will be addressed properly. Mr. Watson stated all traffic will be internal as no city streets will be tied into the development other than highway 280. There is an existing left turn lane on 280 that will be utilized and Live Oka plans to put in right turn lane to handle traffic off Highway 280. Mr. Watson addressed that they are working with Enviro Systems to have sewer pump stations and that they currently ends at burger king. Enviro Systems have committed to run appreciate lines to the new development. At this time Ben Watson opened the floor to questions.

Board Member Paul Brooks wanted clarification on the entrance from highway 280. Mr. Watson confirmed it will be the first median cut that already exists.

Mayor asked for more information regarding the wetlands. Mr. Watsons stated there are 33 acres that is considered wet lands and will not part of the development. They will development a storm water easement that will connect into the wetlands but no development will be in that area.

William Carter wanted confirmation as to if this property is zoned the same as Harpers Creek. Ben Watson stated it was RG which is the same as Harpers Creek. Ben said although its different developer Live Oak will produce a similar product as that of Harpers Creek. For example the same style and size lots. Mr. Watson said the price point will be slightly higher as their goal price point is around $300,000 and that will be market driven.

Mickey Bird asked if the pond they are building will overflow into the wetlands. Mr. Watson confirmed it will. He said there will be a 60 inch pipe that connects the pond to the wetlands and Mr. Watson pointed that area out on the map displayed during the meeting.

Barbra Adkins had question and comments regarding the proposed pond. She shared that her recommendation would be for the pond to have a fountain in the middle for aesthetics purposes and to keep it from becoming stagnate. She stated she is concerned for the Towns overall goal of having less developments like Harpers Creek and more middle class open acre housing. She is

also worried about the ability to sustain water service. She asked Mr. Watson what services would be offered in order to have amenities from an aesthetics stand point. Ben took her recommendation and agreed. He implemented that he is not in the position to dictate what will be in place and that it would be up to the HOA to address. He did ensure her that the pond will have a pond management company to involve to maintain the pond.

Mickey Bird asked Mr. Watson to address water capability. Ben stated that issues has been in discussion and he allowed Mayor Perkins to answer the question. Mayor Perkins confirmed that water capacity will not be an issue. Mr. Carter also informed Mr. Bird that the Water Board had an engineer look into the water system and Harpersville will be able to handle more developments for the Town. Mr. Carter also explained the Water Board is exploring the option of tying into another well but at this time Harpersville has water capacity to sustain this development.

Selena Spates asked what the plan will be for the standing water behind some of the current residence homes. Mr. Watson stated Live Oak plans fix that issue completely. There are plans to remove the standing water and have it drain to the right of way. Ben confirmed all the standing water will be removed.

Barbra Adkins asked about the amenities and wanted to know more about their plan. Ben stated there will be common areas for a playground and other spaces for the HOA to decide. He explained that he cannot say to what extent. He stated Live Oak has committed to sell 148 house and they will put in items necessary to support their development. There will be 5 acres dedicated to common area and will be used for amenity space. Mayor Perkins mentioned that the development was originally for 160 – 165 homes and Harpersville strongly suggestion to Live Oak that they bring the number of homes down and open up common area. Mrs. Adkins asked if there is money in the development budget to make it a park like space or will it just be vacant land. Brad Adair stepped in and stated their intention is to sell the lots, they want it to be space people want to come to. He stated the common areas are still awaiting approval for what amenities to include but it will be included with the development. Mrs. Adkins just wanted to ensure those plans are carried through.

Board member Paul Brooks asked if residence will have access to the pond. Mr. Watson stated there will be about 1 ½ mile walking trail around the pond. Mr. Brooks asked if the houses up against the pond will have open access. Ben replied the walking trail will not be on any private property and will all be a common area.

Harold Wortham requested the elevation of the pond and south of 280 as he is concerned with flooding. Ben stated they plan to move two hundred thousand and thirty yards of dirt to push so the water gets in and out properly. He stated the pond will be down 12ft lower to hold the water and the point is below 280. Mr. Watson stated the initial question pertains to the construction drawings in which were not presented during this meeting. But he ensured the water is being address and will not be an issue. He also informed Mr. Wortham that the Pond will be designed to handle the 100 year storm event.

Mickey Bird asked what he plans to do about the hill behind his house. Ben stated the will be taken down as that is where a lot of the dirt will come from. Nathan Bird wanted clarification on how that will affect their property and will they end up with any vertical slops or will there be some sort of retaining wall. Ben confirmed they will grade completely on the property and there are no plans for any vertical slops

Randy Spates wanted more information on the 30ft buffer around the property lines. Specifically wants to know what he will see when he walks out his back door. What is Live Oak planning to do to lessen the blow of seeing woods verses new houses? Ben confirmed that Harpersville has a required landscape buffer that will have to be address. All he can commit to is the minimum requirement at this time. Ben did say HOA will be maintaining this area instead of the each individual home owner and that is to ensure it will remain pleasing. Mr. Spates asked if the 30ft buffer will go all the way around. Ben showed where it corners the property up to the cul-de-sac. Mr. Spates wanted clarification on if there will be a buffer between common areas and property lines. David Sanders confirmed there is a buffer requirement Live Oak will have to follow.

Mickey Bird asked why this was changed from 41 acres where before it was 82. Ben explained they had 83 acres re-zoned to RG and only 43 of the aces will be for the sub-division. Mr. Bird asked who the developer is and Brad Adair answered LGI. Nathan Bird asked if there is another development in the area from them. Ben stated they developed Lexington Park in Montevallo.

David Sanders asked about the cosmetics of the homes LGI builds. Brad stated that each development has its own plans so he cannot speak on that. All he can say he is looking to build $300,000 homes. Barba Adkins asked if we know what will be built such as brick fronts or what kind of frontage the homes will have. They answered Live Oak does not have that information at this time. Mr. Hayes spoke on this topic and suggested the Town ask who is doing to erosion and buffer work. Ben stated they have set aside $12, 000 per acre for erosion. Mr. Hayes ensured the members of the meeting to rest assure with Live Oak allowing that kind of money they will have really good results. This will help the water drainage as well.

Nathan Bird wanted to know what the difference is with wetlands in areas and around the map. Ben explained that the way the core defines them is an isolated wetland not connected to the stream system is not considered jurisdictional wetlands therefore the US Government does not have to manage it. Ben informed Mr. Bird that Live Oak had to get permission from the Core to run the lines to these wetlands.

Kristina Knowles asked if there a projection on the build out or phases. Ben stated they plan to be pushing dirt within the next 90 -120 days. He stated the first round should take around 9 months to complete and the entire project has a projected goal of 16- 24 months. He explained once the first nine houses are done and begin to sell the next phases with from there. He reminded everyone that this project will be market driven. Mrs. Knowles wanted to know where phase one would start. Ben stated phase one is getting the pond in.

Paul Brooks asked what the right of way from railroad tracks is and how close they are to the housing. Ben confirmed there is a 40ft from the right of way to the track. He stated the track has a 100ft right of way therefore there will be 120ft from track to house.

Mr. Brooks asked if the Town engineer has review the plat map. David Sanders confirmed that Milton has given full approval except for Al Dot and Enviro System. Live Oak is requesting a conditional approval while they wait on sewer and AL Dot. Mr. Sanders stated nothing will begin until Live Oak has approval from them. Ben stated he is hoping to have approval within 20 days but he cannot control that timeline.

Barbra Adkins implement that from a town plan standpoint; does this development alien with the town plan and have they looked at the demographics as to if we need more developments like this. She asked does the Town need this type verses a larger lot development. Mr. Sanders referred to the comprehension sketch plan and stated this property was in the future land use map and was designated for this kind of development. He said everything is in order to follow the sketch plan.

Chairman Sanders called for last questions. And entertained a motion for conditional approval.

Mayor Perkins moved to approve the plat map with the condition of AL Dot and Enviro System approval. Dale Glasscock seconded the motion. By roll call vote. Motion passed.

| | | |
|---|---|---|
| Paul Brooks | - | YES |
| Martin Dates | - | YES |
| Dale Glasscock | - | YES |
| Angela Hicks | - | YES |
| Earl Kidd | - | NOT PRESENT |
| Della Pender | - | ABSTAIN |
| Angela Tait Macon | - | NOT PRESENT |
| David Sanders | - | ABSTAIN |
| Mayor Theoangelo Perkins | - | YES |

The motion to approve the plat map under conditional approval from Al DOT and Enviro Systems passed, with the Town Clerk noting there were five (5) Yes votes, and two (2) abstentions.

David Sanders entertained a motion to come out of public hearing. Mayor Perkins moved and Dale Glasscock seconded.

**REQUEST TO ADDRESS THE BOARD** – None

**OLD BUSINESS** –

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**NEW BUSINESS** –

1. Portrait Homes re-zoning application

Robin Hayes was present and brought a re-zoning application before the board. This property is cornered on Rock School Road and Highway 280, same side as the Church of Christ. Mrs. Hayes explained the property location and informed the board that it is currently zoned Agriculture and R1. Robin is proposing the property be re-zoned to RG on the parcel furthers from the church. The Parcel closed to the Church RT and B1 / B2. She plans to have retail and business on the frontage which is the 280 side of the parcel and next to that have a sub-division with about 99 homes. Robin explained she has the property under contract and before she closes she wanted to make sure the Planning and Zoning board would be in favor of re-zoning. She has not put an official plan together but they have a drafted idea. Mr. Brooks asked about access entrances. Robin stated the access entrance would be off of Rock School Road for the sub-division and the retail/business would have access off of Hwy 280. She explained Portrait Home is a "mom and pop" business and this project would bring about 15 – 20 homes a year. The entirety would be around a 10 -15 year project. David asked if this was three separate parcels. Robins confirmed this was 2 parcels she is wanting to have re-zoned. Mr. Sanders explained the Planning and Zoning board does not currently have a mixed used district right now. Robin asked if they could do the right side as residential and business and the left side RG – to take the RT out completely. David stated that the future land map has this property as low density. Mayor Perkins suggested she possible divide the property in order to get all the zones she is trying to have. Robin's goal is to help Harpersville grow and would love to see a grocery store, restaurant and pharmacy. She plans to assist in getting these business to come into Harpersville and work closely with Mayor Perkins. Mickey Bird asked about sewage along Rock School Road. Mayor Perkins confirmed the lines are out there and Enviro Systems is on board with providing the service. Robin expressed how much she loved Harpersville and she keeps coming back. She feels this is really where she wants to start her next development, she has built two homes in Farmingdale to get a feel for the area. Mayor Perkins implemented that Harpersville needs the roof tops in order to bring in the businesses and Portrait Homes can assist us in reaching our goal. The Town of Harpersville understands there has to be a balance and will make sure that happens. Mayor Perkins thinks the idea of what Portrait Homes is trying to accomplish is good for the Town. David asked what the time lines on closing the property is. Robins stated she needs to close within 30 days. David asked for thoughts and Mayor Perkins suggested we send to public hearing. David stated we cannot grant what she is asking due to not having a mixed use district. Mayor Perkins stated we could if she divides the parcels and then request the re-zone. Mickey asked what the price point Robin is building at is. She stated her goal would be to start in the $300,000 price point but it will be market driven. David Sanders spoke on the RT (Town Homes) zone and Mayor Perkins made the suggestion to just remove that portion and focus on the businesses and RG with no town homes. Robin said she was willing to do that. Robin will do three parcels as she is very open to accommodating what the Town wants. Robin recapped that she will be requesting B1/B2 on the frontage of 280 and RG on the rest. Mr. Brooks asked what her back up plan was if she could not get access from 280. Robin stated she hasn't thought about that but she is very confident she will get access. David asked if she could look into it and Robin stated she would.

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Board member Della Pender moved to send the Portrait Homes re-zoning application to public hearing. Mayor Perkins seconded the motion. The motion to send to public hearing passed by roll call vote, with the Town Clerk noting there were seven (7) Yes votes with no one opposing.

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|---|---|---|
| Paul Brooks | - | YES |
| Martin Dates | - | YES |
| Dale Glasscock | - | YES |
| Angela Hicks | - | YES |
| Earl Kidd | - | NOT PRESENT |
| Della Pender | - | YES |
| Angela Tait Macon | - | NOT PRESENT |
| David Sanders | - | YES |
| Mayor Theoangelo Perkins | - | YES |

**ANNOUNCEMENTS**

1. The next meeting of the Harpersville Town Council will be held at The Harpersville Community Center with a Work Session on Monday, August 07, 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, August 14, 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, August 21, 2023 at 6:15p.m.
4. The Planning and Zoning Board will hold a public meeting to provide an informational presentation regarding the proposed Town Center Overlay District on July 18th, 2023 at 6:15pm
5. The Town of Harpersville will host a senior luncheon Thursday, July 20th, 2023 from 11:30 – 1:00 p.m. at the Harpersville Community Center

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**ADJOURNMENT**

Being no further business. Motion was made by David Sanders to adjourn. Board member Martin Dates seconded the motion. The motion passed unanimously by voice vote of all those present. Chairman Sanders declared the same passed. Time of adjournment was 7:41 PM.

Mayor, Theoangelo Perkins

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