

**MINUTES**  
**PERRY PLANNING COMMISSION**  
April 14, 2008  
**6:00 P.M.**

1. Call to Order: Chairman Beeland called the meeting to order at 6:00 PM.

2. Roll:

Commissioners Present: Martin Beeland, Chairman; Paul Cosey; Jim Mehserle; Todd Barker; Terre Walker; Lawrence Clarington.

Commissioners Absent: Patricia Jefferson.

Staff Present: Barbara Crisler, Planning Technician; Harold Deal, Assistant City Engineer; Joni Ary, Secretary.

Staff Absent: Mike Beecham, Director of Community Development.

Guests/Speakers: Neil Koelbl of 731 Adams Road, Fayetteville, GA; Ted Waddle, Jr. 104 Meadowridge Drive, Warner Robins GA.; Rick Saunders of Saunders Engineering Consultants.

Press: None Present.

3. Invocation: Commissioner Walker gave the invocation.

4. Approved March 24, 2008 Minutes: Chairman Beeland recommended the minutes be approved as submitted. Commissioner Cosey motioned to approve the minutes as submitted. Commissioner Clarington seconded the motion and the motion carried unanimously.

5. The Campaign Notice, per O.C.G.A. 36-67A-3: Chairman Beeland referred to the notice posted on the door of the City Council Chambers.

6. New Business: *Change to the Agenda*

1) Tabled Final Plat – Walker Farm Subdivision, Phase 1 – off Highway 341 North – The Knight Group – Neil Koelbl. Barbara Crisler presented the final plat for Walker Farm Subdivision, Phase 1. This subdivision is being developed following the PUD development standards containing 16.24 acres with 42 lots. The engineering reports have been completed and approved. Chairman Beeland opened the floor for discussion. Harold Deal stated the above referenced subdivision has been inspected by the City of Perry Public Works Department and has been found to meet the requirements of acceptance. However, late Friday, April 11, 2008 the adjacent property owner, Mr. Tanner called the city stating that this development was releasing water onto his property. I contacted the developer and his engineer along with the City's consulting engineer. I met with Rick Saunders at the site to examine possible solutions to resolve this issue. The plan was to pipe the water out of this depressed area for approximately

\$17,000. I contacted Mr. Koelbl and informed him of our findings and he agreed to the resolution to this problem. Later this afternoon I received an email from Mr. Koelbl stating “after consulting with our counsel, we have decided that we need a bit longer to review all possible options”.

I would recommend that this plat not be approved until this issue is resolved.

Chairman Beeland asked is the ponding area a developed pond or a natural low area.

Mr. Deal stated Mr. Tanner informed him that someone tried to develop his property and have that area as their detention pond but the area would not hold water.

There was discussion in regards to the location of the low area in comparison with the Walker Farm detention pond, where the piping would be placed and best utilized, and the pre and post development runoff rates and if the size of the pipe is the correct size. Chairman Beeland opened the floor for comments from The Knight Group.

Neil Koelbl, developer stated the city met with the consulting engineer this morning and was later inform that “we were requested to install a 24” storm drain onto this man’s property about 250’ long”. We designed our subdivision placing the detention pond in this area due to the fact that this area is a low common area on the property line shared by the two properties. Everything has been designed and installed in accordance with the City of Perry specifications, and has been approved by the Public Works department. We should not be held responsible for this problem on his property. I have not violated any ordinance and have done everything that was asked of us to complete this phase and meet the regulations and specifications of the city and bring this project into compliance. Is there a possibility for us to work together to get this resolved, I think there is but, I feel The Knight Group should not fund the fix to this problem.

Commissioner Cosey asked if this development was creating additional amounts of water flowing to this common low area.

Mr. Koelbl yes, with the nature of this development and impervious surfaces we were required to build a detention pond. The flow rates have to be equal or less in the post development as it compared to pre development. We designed and have gone through a thorough review process and have met all of the City’s requirements and specifications.

Commissioner Mehserle based on the water flow information you gave us the post development runoff is about half of what it was pre development, is that correct?

Rick Saunders explained the allowable release rate of the volume of water that flows from this site. The water runoff is less than what it was before but the total volume of the water is higher. The volume of water is greater and it is released at a slower rate over a longer period of time.

There was further discussion on the issue of the low area and how to resolve the matter.

Mr. Deal my concern is one (1) year from now when it comes time for the city to accept the maintenance of this phase of Walker Farm subdivision and the liability of the city.

Commissioner Barker agreed with Mr. Deal. We must consider the ramifications the city might face at the one year acceptance of this subdivision phase. We have the obligation to protect the interests of the city. We should consider the option of possibly tabling this final plat approval until we get a legal opinion from the city attorney on what the city may have to face in the future.

Mr. Koelbl I have complied with all of the city ordinances and regulations and strongly feel that this final plat should be approved based on the approval from the city, staff and the public works department. I would be willing to meet with Mr. Tanner and talk to him to discuss provisions to resolve this matter.

After a further discussion, Commissioner Mehserle motioned to approve the Final Plat for Walker Farm Subdivision, Phase 1. Commissioner Clarrington seconded the motion. The motion failed with a vote of two (2) in favor and three (3) opposed. Commissioner Cosey motioned to table this final plat approval for the purpose of attaining a legal opinion from the city attorney of the City's liability at the time when the one year maintenance agreement expires. Commissioner Barker seconded the motion. The motion carried with a vote of three (3) in favor and two (2) opposed.

- 2) Approved Correction to the Final Plat – Wooden Eagle Subdivision, Phase 2 – off Lake Joy and Sandefur Roads – USA Land Development, LLC, developer . Barbara Crisler presented the final plat for Wooden Eagle Subdivision, Phase 2. It was discovered that the length of the side property lines are not correct, therefore the lot size does not meet the size requirement approved in the PUD standards. Chairman Beeland opened the floor for discussion. Ted Waddle is here to explain some options to correct the issue. Ted Waddle explained the south boundary line of the second phase for lots from Lot 12, Block A to the intersection of Amherst Street are too short and the lots are less than the required minimum lot size. I am asking for consideration of reducing the right-of-way from 60 feet to 55 feet and possibly move some of the side property lines to meet the minimum square footage of 6,000 feet. I need some guidance in how to remedy this problem.

There was some discussion on the change to the right-of way on the south side of Wooden Eagle Trail, the placement of the utilities in the right-of-way, having a 5' utility easement behind the proposed new right-of-way line, and the placement of utility poles, transformer etc.

After a brief discussion, Commissioner Mehserle motioned to allow Waddle & Company to make the following changes to the final plat for Wooden Eagle Subdivision, Phase 2 for the purpose of reconfiguring these lots to conform with the development standards that were approved. 1) reduce the right-of-way of Wooden Eagle Trail from lots 12, block A to the intersection of Amherst Street; 2) place a 5' utility easement behind the new property line of the south side of Wooden Eagle Trail; and (3) Flint Energies must be notified and approved the change to the right-of-way. This final plat will be brought back before the Planning Commission members for approval at a future scheduled meeting. Commissioner Cosey seconded the motion. The motion carried unanimously.

7. Informational Hearing: Change to the Agenda

1) Recommendation of Approval for an amendment to the PLDO: Section 106.10 – Temporary Political Signs - Amendment Application - # A-003-0408.

Barbara Crisler presented the discussion in amending Section 106.10 – Temporary Political Signs. Mrs. Crisler informed the Commission that Mr. Beecham discovered that OCGA 21-2-3 as referenced in Section 106.10 has been repealed and renumbered to OCGA 16-7-58. This is an amendment to simply change the state code reference number in the PLDO. At this time, Commissioner Cosey motioned to give a favorable recommendation to Mayor and City Council of approval in amending Section 106.10. Commissioner Walker seconded the motion. The motion carried unanimously.

8. Adjournment: There being no further business to come before the Perry Planning Commission, Chairman Beeland adjourned the meeting at 7:10 P.M.

**PERRY PLANNING COMMISSION ATTENDANCE SHEET**

Monday

April 14, 2008

**\*\*\*PLEASE SIGN IN\*\*\***

<b>NAME:</b>	<b>ADDRESS:</b>
1. <u>Ted Wass</u>	<u>104 MEADOWIDGE DR WARNER ROBINS, GA 31093</u>
2. <u>Neil Hoeltel</u>	<u>731 Adams Rd Fayetteville, GA 30236</u>
3. <u>Jane Kark</u>	<u>200 Bristol Street, Perry</u>
4. <u>Lille Bunte</u>	<u>960 Key St Macon</u>

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**CHAIRMAN**

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**SECRETARY**

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