

MINUTES
PERRY PLANNING COMMISSION
August 11, 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; Terre Walker; Lawrence Clarrington.

Commissioners Absent: Jim Mehserle; Patricia Jefferson, Todd Barker

Staff Present: Mike Beecham, Director of Community Development; Harold Deal, Assistant City Engineer; Barbara Crisler, Recording Secretary.

Guests/Speakers: Danielle Bodony; applicant for the rezoning; Patricia Nelson, of Perry; Elizabeth Baker of 1306 Swift Street; Adam Dukes, of ZT3 Placemaker, Inc. engineer for the Perry Hotels; Jack Smith, developer of Lake Forest subdivision; Clay Smith, developer of the Lake Forest subdivision.

Press: None Present.

3. Invocation: Commissioner Cosey gave the invocation.

4. Approved July 28, 2008 Minutes as Amended: Chairman Beeland recommended the minutes be amended as follows: Change the word “minimum” to read “maximum” in the sentences - Several months ago we reviewed an OC, Office Commercial rezoning request, and at that time we considered changing the “maximum” size requirement for buildings in an OC district. The Commissioners’ discussed some possible size limitation requirements and concurred to have section 81.5 OC, Office Commercial district remain the same and possibly consider reviewing the “maximum” size requirement at a future date. Commissioner Cosey motioned to approve the minutes as amended. Commissioner Clarrington 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. Informational Hearing:

1) Recommendation for Approval – Rezoning Application #R-08-009: Chairman Beeland presented a request from Danielle and Ed Bodony, applicant; and Edward and Kathrine Blount, owner, to rezone a total of 0.427 acres from City of Perry R-3, Multi-Family Residential District to City of Perry LC, Limited Commercial District for property located at 1207 Swift Street. Mike Beecham reviewed and explained the conditions of the application. Chairman Beeland opened the floor for comments in favor or in opposition.

Comments in Favor

Danielle Bodony stated I have been a resident of Perry for eleven years and operated a business in Perry for seven years. I have a husband and three children in Perry schools and I am involved with my church and teach Wednesday night bible study. “I give back to the community by being involved with the downtown merchants association as well as the Joanna McAfee foundation. The different types of portraits that I do are weddings, High School seniors, children and school photography. I have a studio located in downtown Macon which I use for large groups. The business that I do is strictly by word of mouth, so I would not need a sign on the front of the building. Parking would not be an issue I have plenty of parking in the back of the building, there would not be any street parking. I welcome any and all of you to come to my studio and see the type of work that I do and the type of business that I run”. This studio would not pose negatively on the neighborhood. The portrait studio is something I would do temporarily while my kids are in school, after that my husband and I plan on downsizing and moving into the residence to live.

Comments in Opposition

Patricia Nelson living in the area stated this area has been a residential area for a long time. There are all kinds of places to put this business into instead of this historic residential area. Swift Street has been a historic area for a long time and this type of business would be detrimental to the area.

Elizabeth Baker of 1306 Swift Street stated I like Danielle and I know she would do a good job but, my main opposition and the opposition of my neighbors is that commercial development is being brought on Swift Street especially on this residential area. When you drive down Swift Street you get a sense of community. There is another LC rezoning request in the house across the street which will be coming at the next meeting. If this Limited Commercial zoning gets approved it makes it that much harder to keep out the rezoning across the street, and the next one that comes along. “It is very difficult to encourage people to move in on your street and become your neighbor when they ask what could be next door to them. Myself and my neighbors would be interested in rezoning our homes to R1, Single-Family Residential District”.

Chairman Beeland opened the floor for rebuttal comments.

Mrs. Bodony stated I’ve heard the comments and we are planning to live in the house. Driving by you would not even notice it was a business; we will enhance the landscaping and gardening and maintain the appearance of the house. There are other successful business on Swift Street that no one knows they’re there. I will not have a negative impact on the neighborhood.

Mr. Beecham explained the uses in the LC district as well as the option of applying for a residential home occupation and the fact that Mrs. Bodony would have to be living in the home at the time.

Chairman Beeland stated this is a historical district and we have to consider the other many uses allowed in this LC district because if the property is ever sold the zoning remains with the property and something else would be allowed to operate in this residential area.

Commissioner Walker “a point I would like to make is there are only three streets remaining in Perry with any significant amount of historical homes. We have

Washington Street with two blocks, we have Evergreen Street with two blocks, and we have Swift Street with about two blocks. From a point of preserving the historical residential character of Perry, this is what people come to see. To see these charming old homes on these streets are what I think is a draw for Perry. As far as tourism, I would really hate to see that destroyed in anyway”.

Commissioner Cosey asked Mrs. Bodony if she owned the home or when do you anticipate buying the home.

Mrs. Bodony stated the contract is contingent upon this rezoning. I can’t get an residential occupational license until I move in but, I can’t move in unless I’m zoned so I can move my business in there”.

Commissioner Cosey stated once you move you can apply for a home occupation, the zoning would not change. Also where is your current business.

Mrs. Bodony I understand that, but if I move in and you don’t grant me the business in my home then I would own two houses and no business. My current business is on Washington Street and Mrs. Baker used to be my landlady. She would be able to attest to the small amount of traffic I would generate, probably two or three a week.

Commissioner Clarington stated if we allow the zoning of this property to be changed and you open up this business, the concerns are what would happen if you sell this property, which would open up the opportunity for anyone to have several different types of commercial businesses other than a photography studio.

At this time, Commissioner Walker motioned to give a formal recommendation of denial to Mayor and City Council of the LC rezoning request. Commissioner Cosey seconded the motion. The motion carried unanimously.

7. New Business:

- 1) Approval Preliminary Plat with a condition – Perry Hotels – Kenny Patel – off Sam Nunn Blvd, along I-75 – Adam Dukes, ZT3 Placemaker Studio, Inc. Mike Beecham presented a preliminary plat for Perry Hotels. Mike Beecham explained about the preliminary plat containing 9.70 acres and located at the corner of I-75 and Sam Nunn Blvd. The property has six lots, a common area to be used for the regional detention pond for the entire site, and a private road which will lead to the first phase where they will build a Comfort Inns & Suites. One other parcel will be the second phase for a LaQuinta Inns & Suites. The other parcels are for future commercial development. Adam Dukes with ZT3 Placemaker Studio, Inc. stated we are working on the site plans for the entire site which will be submitted within the next few weeks. Also, the area a little further north will be a temporary emergency access (depicted the location on the layout) which will later become the permanent private road entrance making the original private road the secondary access.

Commissioner Walker stated my concern is when people come off I-75 and turn onto Highway y 341 the detention pond for this site will be the very first thing they see and in my opinion it needs to be aesthetically pleasing at this access point.

Mr. Beecham when the site plans are submitted I will be bring the architectural design standards to you for approval and at that time you can review the area around the detention pond.

The Commissioners discussed matters such as the requirement for a fence surrounding the detention pond and whether the pond will be a wet detention pond. The location of the pond was discussed and the aesthetic appeal of the pond coming off I-75 and driving

on Highway 341. Further discussion included the maintenance of the pond after the site is developed.

Mr. Dukes informed the Commissioners that they will be submitting a landscape plan with a tree survey to meet the tree replacement requirement. Mr. Beecham stated the plans will have to meet the new stormwater requirements which will address the detention pond during the review.

After a brief discussion, Mr. Beecham stated that the Commissioners could require conditions on the preliminary plat approval. At this time, Commissioner Cosey motioned to approve the Preliminary Plat for Perry Hotels as submitted with the condition of when the construction site plans are submitted, the plans would be brought back to the Commissioners for the review of the screening for detention pond area. Commissioner Clarington seconded the motion. The motion carried unanimously.

- 2) Discussion of the Temporary Turnarounds – Lake Forest Subdivision, LeClay, Inc.- Jack Smith. Mike Beecham explained to the Commissions that presently, we require a paved temporary turnaround at the end of the streets in place of a regular cul-de-sac. This allows the developer to remove the temporary paving and extend the road at a later date. The PLDO requires a temporary turnaround consisting of a tack coat with one inch (1”) of asphalt. I have been told that in practice the asphalt has to be a minimum of one and a half inches (1 ½”) of asphalt to stand up to traffic. Mr. Jack Smith developer of the Lake Forest subdivision is requesting the city to allow a gravel turnaround since the temporary paving will be removed at a later date. His position is that the paving is an unnecessary burden. He feels that the gravel will accomplish the same as the temporary paving at a lower cost.

Harold Deal, Asst City Engineer stated it is the Public Works department contention to require temporary turnarounds to have asphalt in order for school buses, garbage trucks, and emergency vehicles to have a hard surface to turnaround. Our other concern is the maintenance of the turnaround for the duration during the period of time the residential structures are being constructed.

Clay Smith, developer of Lake Forest subdivision stated school buses and garage trucks have traveled on dirt roads for pick ups and drop offs. We have developed in several other areas that only require gravel turnarounds which have held up, and the Lake Forest subdivision will be an on going development which we will maintain and have no intention of leaving. Also asphalt turnarounds have an added expense which at a later date the asphalt has to be removed and disposed of.

Jack Smith, developer of Lake Forest subdivision states before I came tonight I received some updated information. If I was to pave these two temporary turnarounds would require approximately 50 tons of asphalt at a cost of \$8,800 to \$9,500 for each turnaround. Now, at the advice from the EPD, I would have to dispose of this hazardous material at the land fill, the landfill charges approximately \$75.00 per ton which is about an additional \$5,000 to \$6,000 which adds up to about \$15,000 in asphalt only for each turnaround for you to have a temporary turnaround that we are going to maintain. “I have done this for twenty years, as a developer, I have never had one that I didn’t maintain at any time. We develop in phases and we know where we are going in this next phase, and for us to put asphalt down doesn’t make sense economically. I would appreciate a variance or an opportunity to have gravel turnarounds and have the responsibility to maintain it.

Clay Smith added that “we have the utmost responsibility because we want it to be maintained for the life blood of our product”.

Chairman Beeland asked the Smith’s the length of time the temporary turnaround would be in place before the road is extended to the next phase.

Clay Smith “that would depend upon the market, we would hope to start construction in about a year. Give us the opportunity to prove to you what we do”.

Jack Smith “it doesn’t make sense for us to be trying to market properties there and not keep our property maintained. I had two temporaries at 96 that stayed there for four years they were built with 6 ½ inches of rock just like these were and once they get settled they are just about hard as asphalt”.

After a brief discussion, Commissioner Walker motioned to approve the gravel temporary turnarounds to remain and be maintained subject to the City and Planning Commission revisit the status of the Lake Forest temporary turnarounds in two years from this meeting date. Commissioner Cosey seconded the motion. The motion carried unanimously.

Discussion for an amendment to the PLDO: Section 144.6 – Temporary Turnarounds.

Mr. Mike Beecham presented for discussion amending Section 144.6 – Temporary Turnarounds. Mr. Beecham discussed with the Commission several options of whether the city should require all temporary turnarounds to be paved, allow gravel temporary turnarounds, and require a letter of credit and the time limit for these allowances.

After a brief discussion, the Commissioners concurred and directed Mr. Beecham to bring an amendment for review with the items that were discussed at the next scheduled meeting.

8. Adjournment: There being no further business to come before the Perry Planning Commission, Chairman Beeland adjourned the meeting at 7:15 P.M.

PERRY PLANNING COMMISSION ATTENDANCE SHEET

Monday

August 11, 2008

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

<u>NAME:</u>	<u>ADDRESS:</u>
1. Adam Dukes	300 mulberry St. / Suite 503 / macon 3120
2. Shawnah Nelson	1313 Georgia Ave Perry
3. Tim Clark	1212 Swift St Perry
4. Poris Clark	1212 Swift St. Perry
5. Clay Smith	1208 Cater Dr
6. Jack Smith	6011 Bonyon Rd
7. J R Moore	1304 Swift + St.
8. Lillie Burt	960 Key St
9. Patricia Nelson	PO Box 332, Perry
10. Elizabeth Baker	1306 Swift St Perry

CHAIRMAN

SECRETARY
