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Perry Planning Commission - Agenda
Monday, June 13, 2016

CALL TO ORDER

ROLL

INVOCATION

APPROVAL OF MINUTES FROM May 09, 2016 MEETING

ANNOUNCEMENTS

The Campaign Notice, per O.C.G.A. 36-67A-3

Please turn cell phones off

PUBLIC HEARING (Planning Commission Decision)

- 1). #V-16-07 650 Pine Ridge Street

INFORMATIONAL HEARING (Planning Commission Recommendation)

- 1). #R-16-01 NW Corner of Mack Thompson Road and U.S. Hwy 41

OLD BUSINESS

- 1). Parking lot improvements – Mr. Gilmour

NEW BUSINESS

- 1). Review and approval of the final plat for Legacy Park Phase II – a portion of Section 1 and all of Section 2
- 2). 604 General Courtney Hodges Blvd. – relief of Design Committee decision
- 3). Discussion of use table in form based code for General Courtney Hodges Blvd. corridor
- 4). Discussion of examining areas in the City for form based code

OTHER MATTERS

ADJOURN

All meetings of the Perry Planning Commission are held at Perry City Hall located at 1211 Washington Street, Perry in Council Chambers at 6pm unless otherwise posted.

Perry Planning Commission
Minutes - May 09, 2016

CALL TO ORDER: Chairman Poole called the meeting to order at 6:00pm.

ROLL: Chairman Poole; Commissioners Beeland, Clarington, Jefferson, Mehserle, Williams, and Yasin were present.

STAFF: Christine Sewell – Recording Clerk and Dan Bass – Building Inspector

GUESTS: Mr. Jim Lay, Mr. Keith Newton, Mr. Phil Gentry, Ms. Linda Sorrow, Mr. Josh Waters, and Mr. Donald Golder.

INVOCATION: was given by Commissioner Jefferson

APPROVAL OF MINUTES FROM April 25, 2016 MEETING: Commissioner Jefferson motioned to approve the minutes as submitted; Commissioner Clarington seconded all in favor and was unanimously approved.

ANNOUNCEMENTS: Chairman Poole referred to the Campaign Notice, per O.C.G.A. 36-67A-3 posted and to please turn cell phones off.

OLD BUSINESS - None

NEW BUSINESS

1). 807 Washington Street residential historic district review

Mr. Bass advised the request was for repair of a detached carport with vinyl siding, which was not original to the main dwelling and estimated to have been erected in the 1980's and on the main dwelling recoat the existing roof with a black finish that has faded over time.

Mr. Lay the property owner's son-in-law reiterated the request and advised the house and carport are in need of repair. In respect to the carport there is a lot of vegetative growth which will be removed and the current exterior siding is damaged and peeling away, some structural work will be done before replacing with the vinyl siding, which will match the main dwelling as best as possible as it is anticipated the main dwelling will be painted in the future. Mr. Lay advised the roof is currently black and will be painted the same color with a more durable product.

Commissioner Yasin motioned to approve the vinyl siding replacement on the carport building; Commissioner Jefferson seconded; all in favor and was unanimously approved.

Commissioner Mehserle motioned to approve the roof coating on the main dwelling; Commissioner Yasin seconded; all in favor and was unanimously approved.

2). Plat approval – The Woodlands of Houston Phase 3 Section No. 1

Ms. Sewell advised the plat is being submitted for approval; it is noted there are items still to be completed by Mr. Newton and it would not be released until items are completed. Commissioner Williams motioned to approve the plat as submitted pending City staff approval for release; Commissioner Yasin seconded; all in favor and was unanimously approved.

Also before the board was a clarification request from Chief Building Official Steve Howard in regards to the park requirements. The board on March 20, 2014 approved the rezoning request for the development and at that time there was reference to the installation of two parks. The previous director had provided Mr. Newton a description of the required parks either a park with benches or a playground based on the boards decision. Staff is requesting a location approval for the parks and the types of parks to be provided by Mr. Newton.

Mr. Newton provided the board with copies of the current subdivision and was requesting to provide a passive park with benches and a mulched walking trail at the intersection of Woodlands Blvd. and Grandview Lane. Mr. Newton also provided a layout of the current subdivision and its various phases advising a second park which will include a playground would be provided at a later date in the currently undeveloped section of the subdivision.

Commissioner Williams motioned for the installation of a passive park with benches and a mulch walkway be placed at the intersection of Woodlands Blvd. and Grandview Lane in (30) days; Commissioner Jefferson seconded; all in favor and was unanimously approved.

Commissioner Yasin motioned for installation of a second park with playground equipment with its current location undetermined at this time, but to be installed before final plat approval for the Woodlands Section 2; Commissioner Clarington seconded; all in favor and was unanimously approved.

PUBLIC HEARING (Planning Commission Decision)

INFORMATIONAL HEARING (Planning Commission recommendations to City Council)

1). #SE-16-01 1906 Tucker Road

Ms. Sewell read the applicants' request which was for a special exception to allow for a cattle operation in the R-2, Two Family Residential District, along with staff responses.

Chairman Poole opened the public hearing at 6:20pm and called for anyone in favor. Mr. Gentry the applicant reiterated the request. Ms. Sorrow and Mr. Golder were both in favor. Chairman Poole called for anyone opposed; there being none the hearing was closed at 6:22pm.

Commissioner Mehserle motioned to recommend approval of the application as submitted to Mayor & Council; Commissioner Yasin seconded; all in favor and was unanimously approved.

OTHER MATTERS – none

ADJOURN: there being no further business to come before the board the meeting was adjourned at 7:00pm

STAFF REPORT

CASE NUMBER: V-16-07

APPLICANT: Charles Irby and Wynelle T. Shelton

REQUEST: A variance to the lot size requirement for an R-1 classification.

LOCATION: 650 Pine Ridge Street

ADJACENT ZONING/LAND USES:

Parcel: R-1	-Single Family Dwelling
North: R-1	-Single Family Dwelling
South: R-1	-Single Family Dwelling
East: R-1	-Single Family Dwelling
West: R-1	-Single Family Dwelling

SECTION OF ORDINANCE BEING VARIED: Section 90 Minimum Lot Area and Lot Width and Maximum Lot Coverage. Section 90.1 Single and Two Family Residential Dwelling Units

CONDITIONS NECESSARY FOR A VARIANCE:

1. *Are there any special conditions resulting in a hardship?* The existing lot size does not conform to the standards required today.
2. *Is the hardship the result of the applicant's own actions?* No, the existing lot was platted in 1957 and does not conform to today's standards
3. *Can the violation be remedied by other means?* There is no violation. The lot was made non-conforming when the City adopted zoning ordinances in the early 1980s
4. *Is request the minimum needed to remedy the violation?* The request is the minimum needed to allow the subdivision of the lot by the owner
5. *Was the violation deliberate, intentional, or the result of negligence?* There is no violation.

6. *Will the request be detrimental to the use and enjoyment of neighboring properties?*
The request should not be detrimental to the use and enjoyment of surrounding properties
7. *Has a variance been previously granted?* There are no records of a Variance being granted for this lot.

REQUEST ANALYSIS: The applicant is requesting a 24'x84' section of this lot to be added to the adjacent property he owns to the East

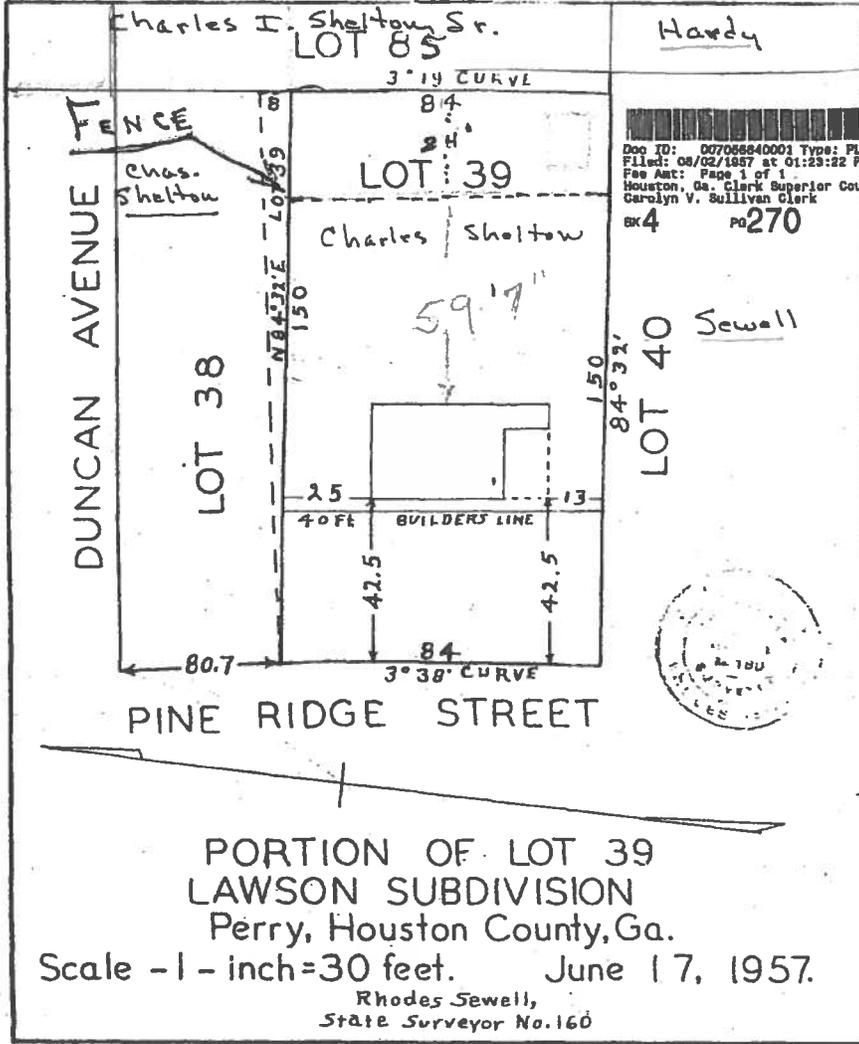
STAFF CONCLUSIONS: The applicants are the owner of 650 Pine Ridge Street and the property adjacent to the rear. The request is to re-plat a portion of the lot at 650 Pine Ridge and combine it with lands they own at 637 Hillcrest Ave. The Hillcrest Ave. address is the applicant's personal home. The lot is currently non-conforming due to its lot size being less than the 15,000 square feet required in a R-1 zone and the lot width being less than the required 90 feet width in a R-1 zone. The property is 84' x150'. The dwelling on the property meets the required setbacks of 30' on the front, 10' feet on the sides and 30' on the rear.

The variance if approved would allow the lot to be 84'x126'. The setbacks are still conforming the lot size changes from 12,600 square feet to 10,584 square feet. Staff has no objections to the requested variance.

EXHIBIT "A"

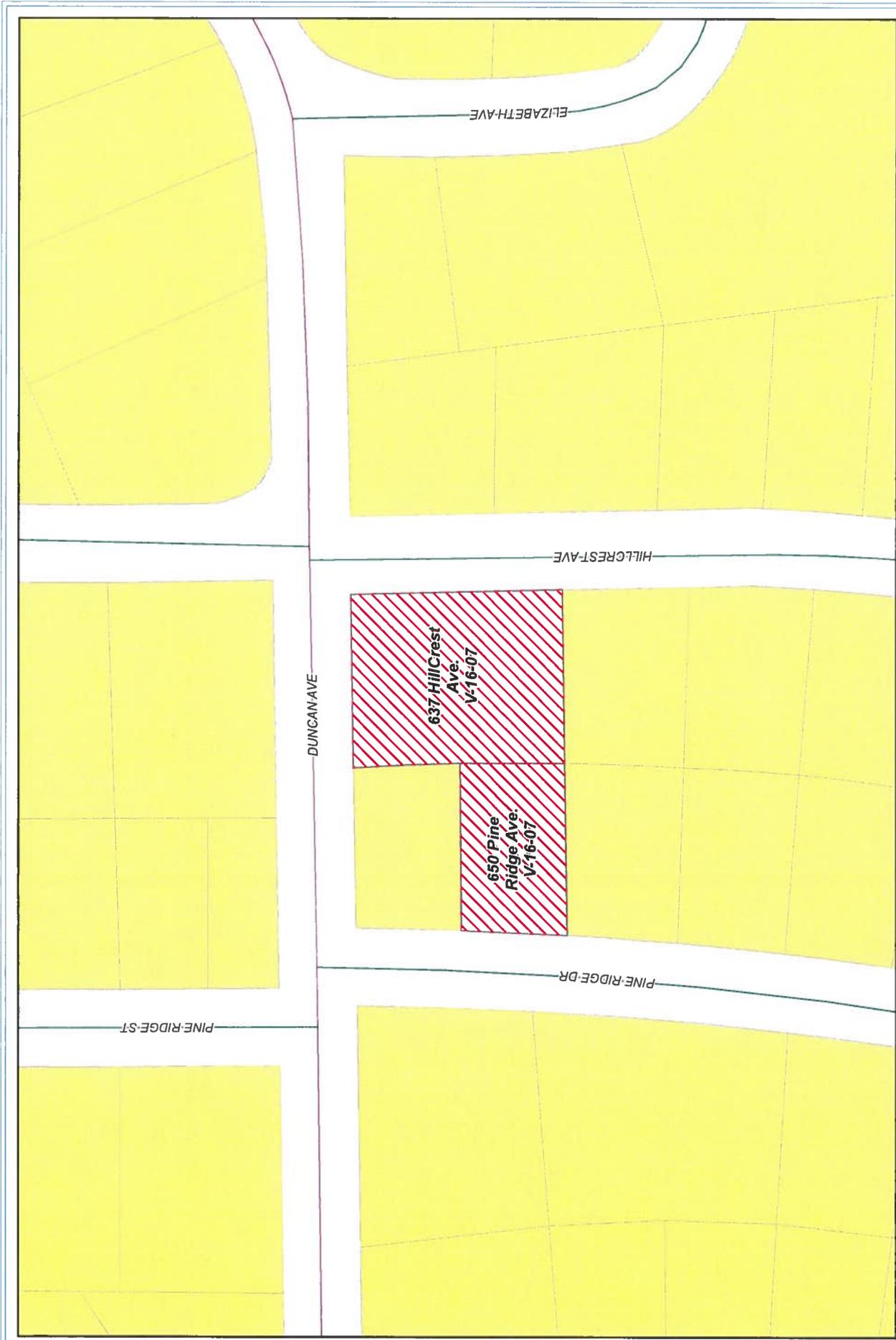
The Applicants are the owners of adjoining properties located at 650 Pine Ridge Street and 637 Hillcrest Avenue as shown on Exhibit B. The applicants wish to relocate the property line of the property at 650 Pine Ridge Street moving the back property line in 24 feet and adding this area to their property at 637 Hillcrest Avenue.

Recorded Aug. 2, 1957



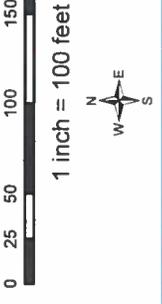
PORTION OF LOT 39
LAWSON SUBDIVISION
Perry, Houston County, Ga.
Scale - 1 - inch = 30 feet. June 17, 1957.

Charles I. Shelton Sr.
650 Pine Ridge



Legend

LC	C1	C2	C3	M1	M2	GU	IN	M1	R1	R2	R2A	R3	PUD	RAG	RMH
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City of Perry Zoning Review
Case: V-16-07

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STAFF REPORT

CASE NUMBER: R-16-01

APPLICANT: Teramore Development LLC

REQUEST: Rezone and annex two tracts from Houston County R-1 & C-1 to City of Perry C-2

LOCATION: Northwest Corner of Hwy 41 North and Mack Thompson Road. HC 30A-12 and 13. There are no current street addresses for Tract 13 and 14 of Ruzza Estate.

ADJACENT ZONING/LANDUSES:

Parcel: Tract 13 HC C-1; Tract 14 HC- RAG	Vacant Land
North: HC C-2	Vacant Land
South: HC C-2	Night Club
East: City of Perry C-2 and HC RAG	Vacant Land/ Single Family
West: HC RAG	Vacant Land

STANDARDS GOVERNING ZONE CHANGES:

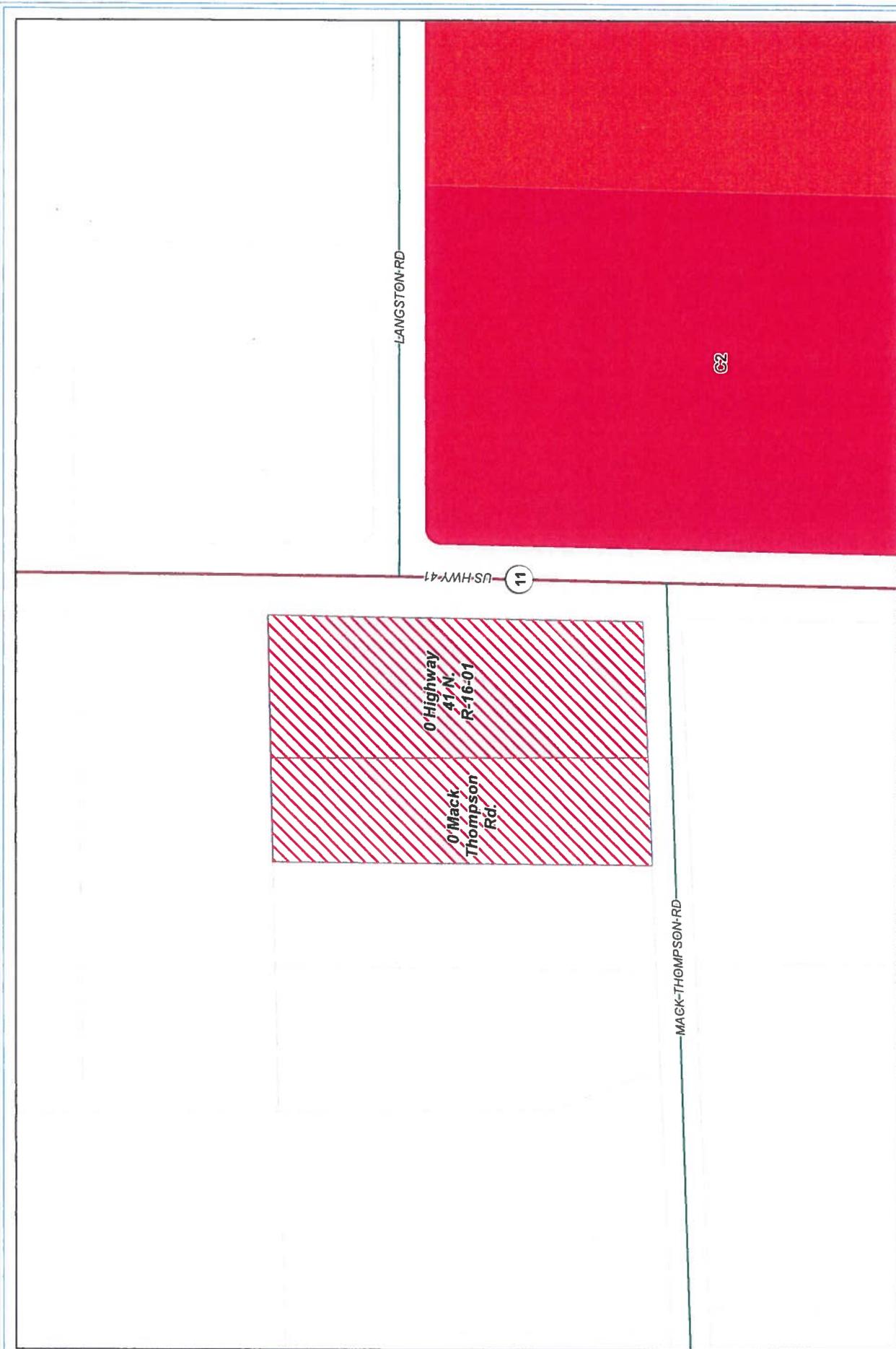
1. *The suitability of the subject property for the zoned purposes. The property is currently zoned Houston County C-1 and Houston County RAG. The area is transitioning and has commercial across Mack Thompson Rd. There is a vacant tract in the City on the East side of Hwy 41 that is zoned C-2. There is a Houston County C-2 zoning on the adjacent Northern tract.*
2. *The extent to which the property values of the subject property are diminished by the particular zoning restrictions. Staff believes the current zoning does diminish the property values. Without annexation and rezoning the property will not be able to connect to City utilities. Without those utilities development of the property will continue to linger.*
3. *The extent to which the destruction of property values of the subject property promotes the health, safety, morals or general welfare of the public. The destruction of property values does not promote public welfare.*
4. *The relative gain to the public as compared to the hardship imposed upon the individual property owner. The public will be provided a closer place to shop. If approved there will be no hardship to the owner. If the property is not rezoned and annexed there will be no development.*
5. *Whether the subject property has a reasonable economic use as currently zoned. The tract currently zoned C-1 has reasonable use however the tract zoned RAG does not afford a reasonable use for a dwelling given the adjacent property is being used as a night club.*
6. *The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property. The property has been vacant for twenty plus years.*

7. *Whether the proposed rezoning will be a use that is suitable in view of the uses and development of adjacent and nearby property.* There are currently two commercial uses in close proximity which are the nightclub and a commercial repair garage. The vacant land to the East is currently zoned City of Perry C-2. The proposed use is suitable to the surrounding area.
8. *Whether the proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property.* The proposed rezoning should not adversely affect the nearby properties. The proposed rezoning is not expected to affect the usability of nearby properties. The surrounding uses will be able to continue.
9. *Whether the zoning proposal is in conformity with the policies and intent of the land use plan.* The Character Area Map from 2007 depicts this area as Suburban Residential. In October of 2007 a large tract on the East side of Hwy 41 and Langston Road and HWY 41 intersection was rezoned to City of Perry C-2. This area around the Langston Road and is not developing as Urban Residential as depicted by the 2007 Character Map.
10. *Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.* The proposal will allow the development to be served with sanitary sewer instead of septic tank and should result in a section of an unpaved street being improved.
11. *Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.* The applicant requested annexation to connect to City utilities. The City does not allow connection without annexation.

STAFF CONCLUSIONS:

The applicant wants to rezone and annex two tracts comprising a total of 5.30 acres from Houston County RAG and C-1 to City of Perry C-2. The use will be commercial retail sales. The applicant needs to connect to City utilities to make this a viable development. Staff feels the lot size and proposed use is appropriate for the area.

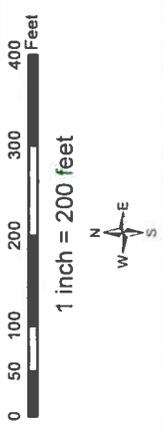
Staff has no objections to the C-2 rezoning and annexation.



City of Perry Zoning Review

Case: R-16-01

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Legend

C3	M2	R2
LC	GU	R2A
C1	IN	R3
C2	M1	RAG
		RMH



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OFFICE OF THE CITY MANAGER

MEMORANDUM

TO: Planning Commission
FROM: Lee Gilmour, City Manager
DATE: May 17, 2016
REFERENCE: Amending PLO Development Requirements

Following up on previous discussions, the Administration recommends the hard surface paving requirement be removed if:

1. Property is located in a district other than C-2.
2. No parking in front of structure.
3. At least ten (10) feet paved drive from intersection with street for all access points.
4. Proper base gravel or equal parking lot.
5. No service trucks (i.e. solid waste) use parking area.

Additionally, gravel or equal parking area may be allowed by special exception of the Planning Commission if:

1. Parcel is not in C-1 or C-2 districts.
2. Site will not be active four (4) out of seven (7) days in standard week.
3. All access points have paved driveway no less than ten (10) feet from intersection with the street.
4. No service trucks (i.e. solid waste) use the parking area.

The intent of these changes is to:

1. Encourage preservation of older structures being converting to other uses. The main example is a residential house to a commercial use.
2. Reduction of stormwater sheetflow management.



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Department of Community Development

TO: Perry Planning Commission

FROM: Christine Sewell – Administrative Assistant 

DATE: June 2, 2016

RE: June 13, 2016 Agenda item

Attached is the use table from the recently adopted form based code for the General Courtney Hodges Blvd. Corridor.

The uses in red are proposed changes; the black is what was originally approved.

Please review and be prepared to discuss at the June 13th meeting.

Thank you.

86.1.1. Use Table Key

- A. Permitted Use (P). Indicates a use is permitted in the respective district. The use is also subject to all other applicable requirements of the Perry Land Development Ordinance.
- B. Special Exception (SE). Indicates a use may be permitted in the respective district only where approved by the City Council in accordance with Section 172 of the Perry Land Development Ordinance. Special exceptions are subject to all other applicable requirements of the Perry Land Development Ordinance, including any applicable use standards, except where the use standards are expressly modified by the City Council as part of the special exception permit approval.
- C. Use Not Permitted (blank). An empty cell indicates that a use is not permitted in the respective district.

Key: P = Permitted Use	SE = Special Exception Required	Blank Cell = Use Not Permitted		
Use Category	Form Based Zoning Districts			
Specific Use	IMU	MUC	NMU	FBR
Accessory Uses				
Accessory building	P	P	P	P
Additional dwellings on a single lot		SE	SE	SE
Dogs and cats	P	P	P	P
Drive-in uses, any	P	SE	SE	
Dwellings in an existing commercial building	P	SE	SE	
Fall-out shelters	P	P	P	P
Home Offices	P	P	P	P
Home swimming pools	P	P	P	P
Horses, ponies and fowl		SE	SE	SE
Live-Work	P	P	P	P
Residential businesses	P	P	SE P	SE
Satellite dish antennas	P	P	P	P
Commercial Uses				
Adult entertainment establishments				
Amusement enterprises including the provision of stage entertainment excluding arcade games.	P			
Amusement enterprises, such as miniature and Par-3 golf, golf driving ranges, skating rinks, excluding go-karts	P	P	P	P
Appliance stores including radio and television service	P	P	P	
Art and antique shops	P	P	P	P
Auto auctions	P	P	P	
Automobile repair garages, mechanical and body	P	P	P	
Automobile service stations	P	P	SE	
Automobiles, recreational vehicles, horse trailer sales and mobile homes sales	P	SE	SE	
Bakeries employing more than ten (10) persons	P	P	P	
Bakeries employing not more than ten (10) persons	P	P	P	
Banks	P	P	P	P
Barber and beauty shops	P	P	P	P

Key: P = Permitted Use	SE = Special Exception Required	Blank Cell = Use Not Permitted		
Use Category	Form Based Zoning Districts			
Specific Use	IMU	MUC	NMU	FBR
Bed and Breakfast Inns	SE	SE	SE	SE
Bicycle stores	P	P	P	P
Boat sales, indoor and outdoor	P	P	SE	
Book, stationary, camera or photographic supply stores	P	P	P	SE
Bowling alleys	P	P	P	
Building and lumber supply, retail	P	P	P	
Billiard rooms	P	P		
Café, grill, and lunch counters	P	P	P	P
Car washes	P	SE	SE	
Clothing, shoe, millinery, dry goods, and notion stores	P	P	P	P
Coin-operated amusement machines which provides the opportunity for rewards including, but not limited to, free games, free replays, any merchandise, prizes, toys, gift certificates, points, tokens, vouchers, tickets or novelties.	P	P	SE	
Confectionery stores	P	P	P	P
Dress making and tailoring shops	P	P	P	P
Drug stores	P	P	P	SE
Dry cleaning and laundry establishments including pick-up stations	P	P	P	SE
Electrical supplies	P	P	P	
Farm and garden supplies	P	P	P	SE
Finance, insurance, and real estate offices	P	P	P	P
Florist, nursery and gift shops	P	P	P	P
Furniture, home furnishing, including office furniture and equipment stores	P	P	P	
Grocery, fruit, vegetable, meat markets, delicatessen, catering, and supermarkets	P	P	P	
Hardware and paint stores	P	P	P	
Heating and plumbing equipment	P	P	P	
Hotels	P	P	SE	
Ice cream stores	P	P	P	P
Jewelry stores	P	P	P	P
Massage Parlors as part of a salon/spa facility	P	P	P	
Motels	P	P	SE	
Motorcycle stores	P	P	P	
Nightclubs, bars and taverns	P	P	SE	
Office use	P	P	P	
Parking garages, Commercial	P	SE		SE
Parking Lot, Commercial		P	SE	
Printing, blue printing, book binding, Photostatting, lithography and publishing establishments	P	P	P	
Restaurants	P	P	P	SE
Retail or commercial use where there is no processing or treatment of material goods	P	P	P	
Sale of souvenirs, gifts, novelties, pottery and sundries tailored to the tourist business.	P	P	P	P
Self-service laundry	P	P	P	P

Key: P = Permitted Use SE = Special Exception Required Blank Cell = Use Not Permitted				
Use Category	Form Based Zoning Districts			
Specific Use	IMU	MUC	NMU	FBR
Self-storage warehouse or facility	P	P	P	
Shoe repair shops	P	P	P	P
Shopping centers > 50,000 sf	SE P	SE P	SE	
Single tenant retail buildings >35,000 sf	SE P	SE P	SE	
Sporting goods	P	P	P	
Tattoo Parlor				
Theaters	P	P		
Tire sales	P	P	SE	
Batteries, and other automotive accessories excluding tires	P	P	P	
Trade shops including sheet metal, roofing, upholstering, electrical, plumbing, Venetian blind, cabinet making and carpentry, rug and carpet cleaning, and sign painting	P	P	SE	
Undertaking or mortuary establishments	P	P	SE	
Veterinary hospitals or clinics	P	P	P	
Industrial Uses				
Bottling works for soft drinks	P			
Building and lumber supply establishments, wholesale	P			
Clothing and garment manufacturing	P			
Contractors storage and equipment yards				
Dairy products, processing				
Development of natural resources including the removal of minerals and natural materials together with necessary building, machinery and appurtenances related thereto				
Establishments for the manufacture, repair, assembly, or processing of materials similar in nature to those listed in Section 82.1.(6) which are not objectionable by reason of smoke, dust, odors, bright lights, noise or vibrations, or which will not contribute to the congestion of traffic.	P			
Frozen dessert and milk processing plants				
Ice plant	P			
Laboratories for testing materials, chemical analysis and photography processing	P			
Manufacture and assembly of scientific, optical and electronic equipment	P	P		
Manufacture of musical instruments and parts	P	P	SE	
Manufacture of souvenirs and novelties	P	SE		
Manufacture of toys, sporting and athletic goods	P	SE		
Wholesale warehouses	P			
Open Use				
Agriculture, forestry, livestock and poultry production				
Farm Winery	SE	SE	SE	
Produce and farmers markets	P	P	P	
Recreational vehicle parks	SE P	SE		
Temporary tents for revivals	SE	SE	SE	
Temporary use including the sale of Christmas trees, carnivals, church bazaars, sale of seasonal fruit and vegetables from roadside	P	P	P	

Key: P = Permitted Use SE = Special Exception Required Blank Cell = Use Not Permitted				
Use Category	Form Based Zoning Districts			
Specific Use	IMU	MUC	NMU	FBR
stands				
Public/Institutional Uses				
Ambulance service	P	P		
Business and trade schools	P	P	SE	
Clubs and lodges, provided that food service facilities are limited to their members and guests	SE P	SE P	SE	
Family personal care homes	SE P	SE P	SE P	P
Golf, swimming, tennis, or country clubs, privately owned and operated community clubs or associations, athletic fields, parks, and recreation areas	P	P	P	
Group personal care homes	SE P	SE P	SE	SE
Halfway houses and drug rehabilitation centers	SE	SE		
Hospitals, sanitariums, clinics, convalescent or nursing homes	SE P	SE		
Kindergartens, play schools and day care centers and homes	P	P	P	P
Places of assembly including auditoriums, stadiums, coliseums and dance halls.	P	P	SE	
Places of worship and related accessory buildings	SE P	SE P	SE	SE
Places of worship with attendant education and recreational buildings	P	P	SE	SE
Private clubs, fraternal orders or lodges.	P	P	P	
Public and private schools, libraries, excluding business and trade schools	P	P	P	SE
Public utilities such as electrical substations, telephone exchanges, and similar uses.	P	P	P	SE
Public utility structures and buildings	P	P	P	P
Public utility structures and buildings, including electric and natural gas, substations, telephone exchanges, radio and television stations, and similar structures for the storage of supplies, equipment or service operations when properly screened as required in Section 76.	P	P	P	
Residential Uses				
Multi-family dwelling	P	P	P	P
Single-family dwellings		SE	P	P
Townhouses	P	P	P	P
Two-family dwelling (duplex)	P	P	P	P
Transportation Uses				
Bus and railroad terminal facilities	P			
Bus Stations	P	P -	P -	P -
Truck terminals	P			