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June 7, 2022

COUNCIL AGENDA
PERRY EVENTS CENTER
1121 MACON ROAD, PERRY, GA 31069

6:00 PM

To join the meeting by Facebook: Use this URL - facebook.com/cityofperryga
This will allow you to view and hear the meeting.

1. Call to Order: Mayor Randall Walker, Presiding Officer.
2. Roll.
3. Invocation and Pledge of Allegiance to the Flag: Mayor Randall Walker
4. Recognition(s) / Presentation(s): Mayor Randall Walker
 - 4a. Introduction of Devin McCracken, PT Logistics Technician – Chief S. Lynn.
 - 4b. Recognition of Annie Warren for 15 years of service – Mr. L. Gilmour.
 - 4c. Special Events Application:
 1. Perry Chamber of Commerce’s request for the City’s support for its Freedom Fireworks event on July 4, 2022 – Ms. M. Schuyler.
 - 4d. New Business Announcement – Ms. A. Hardin
- Keith and Mary Wilcots
5. Citizens with Input.
 - Matters not on the agenda
6. Public Hearing: Mayor Randall Walker

The purpose of this Public Hearing is to provide any interested parties with an opportunity to express their views and concerns in accordance with O.C.G.A. 36-66-4 and 36-81-5.

- 6a. RZNE-0056-2022. Applicant, Curtis D. Harris, request the rezoning of property from M-2, General Industrial to C-2, General Commercial. The property is located at 1829 Macon Road; Tax Map No. 0P0400 009000 – Ms. H. Wharton.

- 6b. SUSE-0057-2022. Applicant, Anjebhai Patel, request a Special Exception to allow multi-family development. The property is located at 200 and 200A Valley Drive; Tax Map No. oP0380 016000 and oP0380 077000 – Ms. H. Wharton.
- 6c. RZNE-0058-2022. Applicant, Wingate Custom Homes, request the rezoning of property from R-AG, Residential Agricultural District to PUD, Planned Unit Development. The property is located at 1824 Houston Lake Road and 1904 Hwy 127; Tax Map No. oP0490 062000 and oP0490 061000 – Ms. H. Wharton.
- 6d. TEXT-0049-2022. Applicant, The City of Perry, request text amendment to the LMO Sections 3-2.2, 4-1.2, 4-3.1, 5-1.1, 5-1.2, 5-2.1 and 5.5 to establish a townhouse zoning district and to modify townhouse development standards – Ms. H. Wharton.
- 6e. Public Hearing for FY 2023 Operating Budget for the City of Perry – Mr. L. Gilmour.
7. Review of Minutes: Mayor Randall Walker
 - 7a. Council’s Consideration – Minutes of the May 17, 2022 pre council meeting, May 17, 2022 council meeting and May 23, 2022 special called meeting. *(Council Member Bynum-Grace was absent from the May 23, 2022 meeting; Mayor Pro Tempore King was absent from the May 17 and May 23, 2022 meetings.)*
8. Old Business: Mayor Randall Walker
 - 8a. Ordinances for Second Reading(s) and Adoption:
 1. **Second Reading** of an amended ordinance to amend Code Section 2-2.2 of the LMO by revising the Public Notice Requirements – Mr. B. Wood.
9. Any Other Old Business:
 - 9a. Mayor Randall Walker
 - 9b. Council Members
 - 9c. City Attorney Brooke Newby
 - 9d. City Manager Lee Gilmour
 - 9e. Assistant City Manager Robert Smith
10. Community Partner(s) Update(s):
11. New Business: Mayor Randall Walker
 - 11a. Matters referred from June 6, 2022 work session and June 7, 2022 pre council meeting.

11b. Special Exception Application 0057-2022 – Mr. B. Wood.

11c. Ordinance(s) for First Reading(s) and Introduction:

1. **First Reading** of an ordinance to rezone property from M-2, General Industrial to C-2, General Commercial. The property is located at 1829 Macon Road; Tax Map No. 0P0400 009000 – Mr. B. Wood. *(No action required by Council)*
2. **First Reading** of an ordinance to rezone property from R-AG, Residential Agricultural District to PUD, Planned Unit Development. The property is located at 1824 Houston Lake Road and 1904 Hwy 127; Tax Map No. 0P0490 062000 and 0P0490 061000 – Mr. B. Wood. *(No action required by Council)*
3. **First Reading** of an ordinance to amend Sections 3-2.2, 4-1.2, 4-3.1, 5-1.1, 5-1.2, 5-2.1, and 5-5 of the LMO relative to Townhouse Districts and Development Standards - Mr. B. Wood. *(No action required by Council)*
4. **First Reading** of an ordinance adopting the FY 2023 Operating Budget for the City of Perry – Mr. L. Gilmour. *(No action required by Council)*

11d. Resolution(s) for Consideration and Adoption:

1. Resolution approving the P-Card credit limit increase and designating persons of power with Synovus Bank – Mr. M. Worthington.

11e. Approval of the Purchase and Sale Agreement for 1524 Houston Lake Road – Ms. B. Newby.

12. Council Members Items:

13. Department Heads/Staff Items:

14. General Public Items:

15. Mayor Items:

16. Adjourn.



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Special Events Application Submission Procedures

Thank you for your interest in hosting an event in the City of Perry. The primary person of contact, application process, and applicable fees will vary depending on the type of event, desired location, and other event details.

Please reference the information below to ensure that you are connecting with the correct person/department before proceeding with your Special Event Application.

If you are unsure how to proceed, please contact Special Events at 478-954-5758.

DO NOT SUBMIT A SPECIAL EVENTS APPLICATION FOR THE FOLLOWING EVENTS/VENUES:

FOOTRACES & PARADES: *This application is not to be used for footraces or parades.* To learn more or to request the use of streets or public spaces for a footrace (5k, 10k, etc.) or parade, please contact the Perry Police Department:

Captain Alan Everidge: alan.everidge@perry-ga.gov

EVENTS AT ROZAR PARK & CREEKWOOD PARK: *This application is not to be used for events hosted at Rozar Park or Creekwood Park.* To learn more or to request the use of Rozar Park or Creekwood Park, please contact the Perry Leisure Services Department:

Brianna Jenkins, Leisure Services Secretary: brianna.jenkins@perry-ga.gov

Nancy Graham, Leisure Services Supervisor: nancy.graham@perry-ga.gov

EVENTS AT THE PERRY EVENTS CENTER: *This application is not to be used for events hosted at the Perry Events Center.* To learn more or to request the use of the Perry Events Center, please contact Public Works:

Nathalie Rumph, Public Works Executive Secretary: nathalie.rumph@perry-ga.gov

A SPECIAL EVENTS APPLICATION IS REQUIRED FOR THE FOLLOWING EVENTS/VENUES:

EVENTS IN HISTORIC DOWNTOWN PERRY: For consideration of a special event hosted within the Historic Downtown District, please submit your application to **both**:

Anya Turpin, Special Events: anya.turpin@perry-ga.gov

Alicia Hartley, Downtown Manager: alicia.hartley@perry-ga.gov

ALL OTHER EVENTS: For consideration of all other events, please submit your application to:

Anya Turpin, Special Events Manager: Anya.turpin@perry-ga.gov



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Special Events Application Summary

PLEASE PRINT ANSWERS CLEARLY OR SUBMIT ELECTRONICALLY

For consideration of a special event hosted *within the Historic Downtown District*, application and all affiliated documentation should be submitted to **both**: anya.turpin@perry-ga.gov and alicia.hartley@perry-ga.gov

For consideration of a special event hosted *outside of Historic Downtown District*, application and all affiliated documentation should be submitted to: anya.turpin@perry-ga.gov

Upon receipt, your application will be forwarded to Department Heads from our Police Department, Fire Department, and Public Works Department. Following tentative approval from the Department Heads, **all applications must be presented before Mayor and Council at a City Council meeting for formal consideration. Council Meetings are held on the 1st and 3rd Tuesday of the month at 6 PM at the Perry Events Center (1121 Macon Road).** The applicant, or another appointed representative from the sponsoring organization or business, must be present to present the application and answer any questions that Mayor, Council, or other City of Perry staff members may have.

Upon approval from Mayor and Council, the applicant, or another appointed representative from the sponsoring organization or business, **must be present to review the details of the application at a Special Events Meeting, held the 3rd Wednesday of each month at 1:30 PM at the Perry Events Center.**

Event Name: Freedom Fireworks

Sponsoring Organization or Business: Perry Chamber of Commerce

Applicant Name: Maggie Schuyler

Phone: 478-987-1234 Alternative Phone: 478-338-0569

Street Address: 900 Carroll Street

City / State / Zip: Perry, Ga 31069

Email: maggie@perrygachamber.com

If this event benefits a non-profit organization, please share which one: Perry Area Chamber of Commerce

Is this a first-time event? No If held before, when and where? July 3, 2021 at GNFA

Brief event summary: The purpose of the event is to bring another "quality of life" option to the Perry Area, honor our hometown heroes, and celebrate freedom.

Event Date(s): July 4, 2022

Event Hours: Start | 4pm End | 10pm

Set Up: Date | July 4, 2022 Time | 4pm-6pm Break Down: Date | July 4, 2022 Time | 9-10pm

Anticipated Attendance: 400 participants/10,000 spectators

Briefly describe event activities (Please include the purpose of the event and how it would benefit the City of Perry and its residents: The purpose of the event is to bring another "quality of life" option to the Perry Area, honor our hometown heroes, and celebrate freedom. Events like these make Perry a great place to live and help spotlight Perry in our surrounding communities. They also help our development authorities to recruit business to the Perry area by providing one of the key elements used in attracting industry and small businesses. Events like these help to make Perry a great place to live, play, and do business.

Will items or services be sold at this event? Yes If yes, please describe: Freedom Fireworks will be held at GNFA in the West gate parking area, as in the past. The event will be free to the public. Cox Catering will be providing food vendors. We will have live music and a kid's play area.

Will this event have amplified sound? Yes If yes, please describe: A band will be performing on the stage and then music will be broadcast via the PA system during the fireworks.

Is admission to this event free? Yes If no, please explain proposed admission rates and procedures: _____

Will vendors sell food? Yes If yes, please describe: Cox catering will provide concessions for purchase.

If the event includes live music, please share the performers names, social media, website information: Velvet City Band, <https://www.velvetcitysound.com>, <https://www.facebook.com/velvetcitydance/>

Are **ROAD CLOSURES** requested for this event? _____

If yes, please state the roads you are requesting to close:

(STREET) _____ from ____ AM/PM to ____ AM/PM on (DATE) _____

(STREET) _____ from ____ AM/PM to ____ AM/PM on (DATE) _____

(STREET) _____ from ____ AM/PM to ____ AM/PM on (DATE) _____

(STREET) _____ from ____ AM/PM to ____ AM/PM on (DATE) _____

(STREET) _____ from ____ AM/PM to ____ AM/PM on (DATE) _____

(STREET) _____ from ____ AM/PM to ____ AM/PM on (DATE) _____

Will the event organizer provide portable restroom facilities? Yes

Please describe your proposed plan for restroom facilities and sanitation for this event: _____

PUBLIC SAFETY: Will you be requesting police/security for this event? Yes

If yes, please describe your proposed event security plan, including proposed number of officers requested and proposed hours of service. *Should the Perry Police Department determine that the officers will be required for your event, off-duty officers may be hired at a rate set by the Chief of Police per hour for the duration of the event, with a minimum of three hours.*

The Chamber will discuss fire safety plan with Perry Police Department and follow as suggested.

FIRE & EMERGENCY SERVICES: Please describe your plan for providing emergency medical services. *If Emergency Medical or Fire Protection Services are determined to be required for your event, off-duty members can be hired at a rate set by the Fire Chief per member, per hour. The Chief of Fire and Emergency Services reserves the right to set the staffing minimums based upon the specifics of the event, including, but not limited to the type of event, anticipated attendance, time of the year and areas affected.*

Will work with the fire department to determine need.

INCLEMENT WEATHER PROCEDURES: The City of Perry Chief of Fire and Emergency Services or his/her designee may determine that weather conditions are too dangerous and cancel or temporarily postpone the event at any time, at their discretion. Refunds are not guaranteed in the event of a cancellation due to inclement weather. When lightening or thunder occurs, please advise participants to seek shelter inside of a car or building. Please wait a minimum of 30 minutes before proceeding.

DEPARTMENT OF PUBLIC HEALTH: The City of Perry DOES NOT scheduled inspections from the Health Department. Event Organizers and vendors are responsible for completing all applicable documentation ahead of the event and for scheduling any required inspections by the Houston County Health Department. It is advised that Event Organizers corroborate the details of their event with the Health Department at least two weeks prior to their event.

Physical Address: 98 Cohen Walker Drive, Warner Robins, GA 31088 | Phone: (478) 218-2000

EVENT ADVERTISING: The City of Perry encourages Event Organizers to connect with the Perry Area Convention & Visitors Bureau to promote their event to residents and tourists through online marketing and at the Perry Welcome Center.

Physical Address: 101 General Courtney Hodges Blvd, Perry, GA 31069 | Phone: (478) 988-8000

CERTIFICATE OF LIABILITY INSURANCE FORM: Certificate of Liability Insurance in the amount of \$1,000,000.00 must be filed with the City of Perry at least 30 days prior to the event on a standard ACORD form. The City of Perry must be listed as an additional insured with respect to general liability and alcohol liability if

alcohol will be served. Check the policy document for required general liability and alcohol liability minimum coverage amounts.

Will ALCOHOL be sold at this event? No

If no, please continue to Page 6. If yes, please describe the proposed process and complete the following sections.

TERMS & CONDITIONS: *The vendor is responsible for submitting the Alcohol Beverage Catering Quantity & Destination Report. Additionally, application for the State Special Event Permit (if necessary) is the responsibility of the vendor and must be applied for a minimum of 10 days prior to the event. The vendor will need a letter of approval from the sponsor. Serving beverages in glass containers is prohibited at events. Event organizer is responsible to inform participating vendors not to allow glass containers to enter the event footprint. Event organizer is responsible to ensure all participating vendors will stop the sale of alcohol one hour prior to the scheduled end of the event. The sale of alcohol and mixed drinks requires excise reporting. If alcohol is to be sold, a Special Event Alcohol Permit is required, and a copy of the State License must be provided at least 60 days prior to the scheduled date of the event. I hereby agree that as a condition to the issuance of a Special Event Alcohol Permit, the business owner/sponsor of the event shall indemnify and hold the City of Perry harmless from claims, demand, or cause of action which may arise from activities associated with the event. I hereby solemnly swear, subject to criminal penalties for false swearing, that the statements and answers made by me to the foregoing questions in this application for a Special Event Alcohol Permit are true, and no false or fraudulent statement or answer is made herein to procure the granting of such a permit. I hereby state and understand that should a complaint be filed against the owner/sponsor of the event for violation of any regulation associated with the application for the City of Perry Alcoholic Beverage Catering License, the permit issues for the event will immediately become void and will not be reissued for the same location.*

Licensee's Name: _____

Licensee's Signature: _____ Date: _____

Name of Business Serving Alcohol: _____

Name of Licensee: _____ License Number: _____

Street Address: _____

City / State / Zip Code: _____

Phone: _____ Email: _____

Proposed Hours of Alcohol Sales: _____

Please provide the following documentation (as applicable to event):

State Alcohol Caterer's License Occupational Tax Certificate State Special Events Permit

Special Events Alcohol Permit Alcohol Beverage Catering Quantity & Destination Report

Will you be requesting CITY RESOURCES for this event? Yes

If yes, in as much detail as possible, please use the checklist below to mark your proposed needs:

City Resources Requested (Please note, fees may apply):

- Stage - 16 FT Depth by 20 FT Width with Light Bar, Steps, and Shade Canopy
- Access to Electricity - Electric Needs: _____
- Police Department - Road Closure Support
- Police Department - Event Security | Number of Officers Requested: _____
- Fire Department - Portable Lighting Towers | Number of Towers Requested: _____
- Fire Department - First Aid Tent/Services
- Sanitation - Trash Receptacles | Number of Bins Requested: _____
- Digital Traffic Sign – Requested Message: _____
- Other: _____

POTENTIAL SERVICE FEES: *I understand that my organization may incur an additional charge(s) for the use of City services such as road closures, staffing, sanitation services, utilities, and otherwise. A formal estimate of estimated service costs will be provided to me by City of Perry staff within 10 business days of my application submission with no obligation on my end to proceed should the estimate not align with my event budget.*

Signature of Applicant: Maggie Schuyler

Date: 5-5-2022

Conditional upon approval of the proposed event and subject to the granting of all permits required by the City of Perry, the City of Perry authorizes _____ (Special Event Organizer/Applicant) to utilize the site(s) known as _____ for the purposes of conducting the event and activities described within this Special Events Application. The Special Events Organizer/Applicant agrees that the City of Perry assumes no responsibility of liability for any defects or other conditions on the site of the event on City of Perry property, whether the conditions are known or unknown to either party and/or discoverable by either party. The Special Events Organizer/Applicant agrees to assume the risk for all defects and/or conditions, whether these defects and/or other conditions are dangerous and/or whether these defects or other conditions are discoverable by either party and/or known or unknown to either party. The Special Events Organizer/Applicant shall indemnify and hold the City of Perry and its officers, agents, and employees harmless and free from all claims, including but not limited to personal injury, property damage, alleged to have arisen or resulted wholly or partially from the exercise of any of the rights granted herein to the Special Events Organizer/Applicant. This indemnification and hold harmless agreement include, but is not limited to, the payment of all attorney fees, expenses, costs, judgement, and other expenses that may be incurred by the City of Perry, its officers, employees or agents as a result of any and all such claims.

Signature of Applicant: Maggie Schuyler

Date: 5-5-2022

If alcohol is being served, an additional Special Event Alcohol Permit is also required at the time of the application's submittal. If the application is approved, the fee will be credited towards the permit fee. An application must be submitted in time to be included on a Perry City Council meeting agenda for consideration at least 60 days prior to the proposed date(s) of the event. The Event Permit Fee will be due following Council's approval of the event. If the event is denied, no Event Permit Fee is required.

SUPPORT MATERIALS: All applicants are STRONGLY ENCOURAGED to submit one or more of the following supporting materials for internal consideration of approval:

- Proposed Event Map
- Proposed Flyer, Poster, Etc.
- Proposed Event Schedule

Upon submission of a completed Special Events Application packet, the appropriate representative for the City of Perry will distribute the packet to the appropriate Department Heads for review. Upon their approval, the representative will then work with the applicant to arrange for the event to be presented before Perry City Council as an agenda item for discussion in as timely a manner as possible. The applicant will be asked to be present at the council meeting to present their event and to answer and address any questions, concerns or otherwise that City Leadership, or the public, may have. The Event Permit Fee will be due following Council's approval of the event unless a fee waiver is granted. If the event is denied, no Event Permit Fee is required.

I, the undersigned representative, have read the rules and regulations referenced in this application and am duly authorized by the organized to submit this application on its behalf. The information herein is complete and accurate.

Signature of Applicant: Maggie Schuyler Date: 5-5-2022

INTERNAL NOTES:

Application Received By: _____ Date: _____

Police Department Notes: _____

Estimate for Police Department Services Required: _____

- Recommend Denial
- Recommend Approval
- Recommend Approval, with Conditions: _____

Public Works Department Notes: _____

Estimate for Public Works Department Services Required: _____

- Recommend Denial
- Recommend Approval
- Recommend Approval, with Conditions: _____

Fire Department Notes: _____

Estimate for Fire Department Services Required: _____

- Recommend Denial
- Recommend Approval
- Recommend Approval, with Conditions: _____

Council Presentation Date: _____ **Special Events Meeting Date:** _____



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Department of Economic Development

To: Mayor & Council

From: Ashley Hardin, CEcD,

Date: 6/1/2022

Re: New Business Announcement

Per Mayor & Council's 2023 Strategic Plan for new business recruitment, supporting entrepreneurs and create an ecosystem where entrepreneurs can thrive and council's direction to assisting minority-owned businesses, Keith and Mary Wilcots will be announcing the opening of a new Filipino and Asian restaurant at 1214 Washington St.

City Economic Development staff helped facilitate the following:

1. Site location identification.
2. Connecting Keith to the UGA SBDC and to a restauranter/consultant from Columbus, GA.
3. Informed the property owner and restaurateur of the incentives available such as the natural gas incentive reimbursement program, façade grants and gap financing programs (if needed) and the rural zone program.

Rural zone tax credits will be available with new job creation, the investment and rehabilitation of the property.

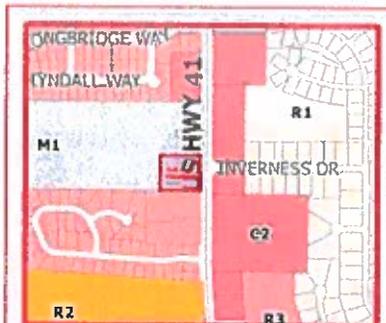


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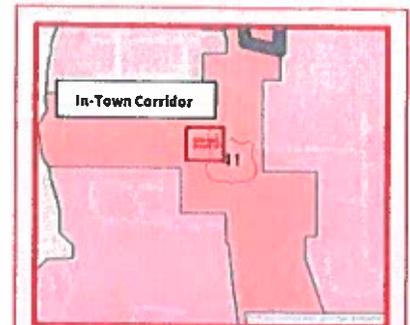
Summary for Zoning Case: RZNE-0056-2022	
Property Location:	1829 Macon Road
Tax Map No:	0P0400 009000
Acres:	1.99
Request:	Rezone from M-2, General Industrial to C-2, General Commercial
Planning Commission Recommendation:	Approval (no conditions)



Aerial Map



Zoning Map



Character Areas



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STAFF REPORT

May 5, 2022

CASE NUMBER: RZNE-0056-2022

APPLICANT: Curtis D. Harris

REQUEST: Rezone from M-2, Industrial District, to C-2, General Commercial District

LOCATION: 1829 Macon Road; Tax Map No. 0P0400 009000

BACKGROUND INFORMATION: The subject property is currently zoned for industrial uses. The applicant indicates the current M-2 zoning allows for “limited use” and is requesting a zoning classification of C-2 “for the opportunity to use for commercial office space.”

STANDARDS GOVERNING ZONE CHANGES:

1. The existing land uses and zoning classification of nearby properties.

	Zoning Classification	Land Uses
North	M-1, Wholesale and Light Industrial	Light industrial, church, and ambulance service
South	R-3, Multi-family residential	Duplexes
East	C-2, General Commercial	Office and nursing facility
West	M-1	Light industrial

2. **The suitability of the subject property for the zoned purposes.** The 1.99-acre parcel does not appear to be large enough to accommodate most of the uses allowed under the current zoning designation.
3. **The extent to which the property values of the subject property are diminished by the particular zoning restrictions.** The size of the property does not appear to lend itself for redevelopment as an industrial site. The existing buildings on the property are not designed to accommodate industrial uses.
4. **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 industrial zoning designation of the property does not appear to promote the health, safety, morals, or general welfare of the public.
5. **The relative gain to the public as compared to the hardship imposed upon the individual property owner.** There does not appear to be any gain to the public for the property to remain zoned for industrial uses.
6. **Whether the subject property has a reasonable economic use as currently zoned.** Because of the size of the parcel and the design of the buildings existing on the property, it does not appear that a reasonable economic use could be made of the property under the current industrial zoning.

7. **The length of time the property has been vacant as zoned considered in the context of land development in the vicinity of the property.** The buildings on the site appear to have been constructed as a motel in the 1950' or 1960's. The property has been zoned M-2 since at least 1995.
8. **Whether the proposed rezoning will be a use that is suitable in view of the uses and development of adjacent and nearby property.** Except for the adjacent 24-acre tract which is zoned for wholesale and light industrial uses, surrounding uses include offices, day care, nursing care, self-service storage, and various residential uses. The C-2 zoning classification permits uses consistent with the development pattern of surrounding properties.
9. **Whether the proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property.** Uses permitted in the C-2 district should not adversely affect the use or usability of adjacent or nearby properties. Development and design standards must be complied with when the use of the property changes.
10. **Whether the zoning proposal is in conformity with the policies and intent of the land use plan.** The 2022 Joint Comprehensive Plan Update indicates the subject property is within an 'In Town Corridor' character area. The In Town Corridor character area calls for redevelopment of older sites with human-scaled mixed use and commercial developments. Land uses suggested for an In Town Corridor are commercial, residential, mixed-uses, and public/institutional uses.
11. **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 subject property fronts on US Hwy 41, a major north-south arterial road. Utilities are currently available at the property. Commercial development should not impact the capacity of schools.
12. **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.** Since the designation of the property as M-2, the Macon Road corridor has developed with more commercial, office and residential uses and no new industrial uses. The recently adopted 2022 Comprehensive Plan anticipates the corridor becoming more commercial, residential, and mixed-use.

STAFF RECOMMENDATION: Staff recommends approval of the requested C-2, General Commercial District, zoning classification.

PLANNING COMMISSION RECOMMENDATION: At an informational hearing held May 9, 2022, the Planning Commission recommends approval of the requested zoning change of C-2, General Commercial District.


 Eric Z. Edwards, Chairman of the Planning Commission

5/11/22
 Date



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Application # RZNE
0056-2022

Application for Rezoning

Contact Community Development (478) 988-2720

Applicant/Owner Information

*Indicates Required Field

	*Applicant	*Property Owner
*Name	CURTIS D. HARRIS	ROLYAT INC
*Title	PRESIDENT	OWNER
*Address	104 TURTLE DOVE CT WREGBA3108	1412 RUSSELL PKWY STE-A-22
*Phone	478-396-7698	920-543-5286
*Email	harriscurtis2009@gmail.com	rolyat.inc@gmail.com

Property Information

*Street Address or Location	1829 Macon Rd
*Tax Map Number(s)	0P0400 009000
*Legal Description	
A. Provide a copy of the deed as recorded in the County Courthouse, or a metes and bounds description of the land if a deed is not available;	
B. Provide a survey plat of the property;	

Request

*Current Zoning District	M-2	*Proposed Zoning District	C-2
*Please describe the existing and proposed use of the property Note: A Site Plan or other information which fully describes your proposal may benefit your application. - Property is currently zoned M-2 with limited use. Requesting re-zoned to C-2 for opportunity to use for commercial office space.			

Instructions

- The application and fee (made payable to the City of Perry) must be received by the Community Development Office no later than the date reflected on the attached schedule.
- *Fees:
 - Residential - \$140.00 plus \$16.25/acre (maximum \$1,700.00)
 - Planned Development - \$160.00 plus \$16.25/acre (maximum \$3,000.00)
 - Commercial/Industrial - \$245.00 plus \$22.65/acre (maximum \$3,170.00)
- *The applicant/owner must respond to the 'standards' on page 2 of this application (The applicant bears the burden of proof to demonstrate that the application complies with these standards). See Sections 2-2 and 2-3.1 of the Land Management Ordinance for more information. You may include additional pages when addressing the standards.
- The staff will review the application to verify that all required information has been submitted. The staff will contact the applicant with a list of any deficiencies which must be corrected prior to placing the application on the planning commission agenda.
- Rezoning applications require an informational hearing before the planning commission and a public hearing before City Council. Public hearing sign(s) will be posted on the property at least 15 days prior to the scheduled hearing dates.
- *The applicant must be present at the hearings to present the application and answer questions that may arise.
- *Campaign Notice required by O.C.G.A. Section 36-67A-3: Within the past two years has the applicant made either campaign contributions and/or gifts totaling \$250.00 or more to a local government official? "Applicant" is defined as any person who applies for a rezoning action and any attorney or other person representing or acting on behalf of a person who applies for a rezoning action. Yes ___ No
If yes, please complete and submit a Disclosure Form available from the Community Development office.

8. The applicant and property owner affirm that all information submitted with this application, including any/all supplemental information, is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.

9. Signatures:

*Applicant <i>Curtis J. Hayes</i>	*Date 4/8/22
*Property Owner/Authorized Agent By: <i>[Signature]</i> (KOLYAT INC)	*Date 4/8/22

Standards for Granting a Rezoning

The applicant bears the burden of proof to demonstrate that an application complies with these standards.

Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district?

- (1) The existing land uses and zoning classification of nearby property;
- (2) The suitability of the subject property for the zoned purposes;
- (3) The extent to which the property values of the subject property are diminished by the particular zoning restrictions;
- (4) The extent to which the destruction of property values of the subject property promotes the health, safety, morals or general welfare of the public;
- (5) The relative gain to the public as compared to the hardship imposed upon the individual property owner;
- (6) Whether the subject property has a reasonable economic use as currently zoned;
- (7) 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;
- (8) Whether the proposed zoning will allow uses that are suitable in view of the uses and development of adjacent and nearby property;
- (9) Whether the proposed zoning will adversely affect the existing use or usability of adjacent or nearby property;
- (10) Whether the zoning proposal is in conformity with the policies and intent of the Comprehensive Plan;
- (11) Whether the zoning proposal will result in a use which will cause an excessive burden upon existing streets, transportation facilities, utilities, or schools; and
- (12) 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.

Standards for Granting a Rezoning Submittal

(1) The existing land uses and zoning classification of nearby property.

Majority of nearby properties are currently zoned C-2 including a duplex rental (C-3); day care (C-3); automobile repair w/contractor's office with on-site storage and fabrication; and religious institution (M-1); insurance co; storage facility, governmental contracting, US Post Office (all commercial offices).

(2) The suitability of the subject property for the zoned purposes.

The property lends itself to commercial office space based on the current location and building layout and 1829 Macon Road property with its easy access, lots of space, retail/office space for new and existing business is exceptionally suitable for the rezoning for C-2 purposes.

(3) The extent to which the property values of the subject property are diminished by the particular zoning restrictions.

There would **NOT** be any diminishment to existing property values by the particular zoning restrictions of C-2. As a majority of nearby properties are currently zoned C-2; rezoning of 1829 Macon Road to C-2 would compliment the surrounding area in addition to increasing consumer count and enhancing economic value of the City of Perry.

(4) The extent to which the destruction of property values of the subject property promotes the health, safety, morals, or general welfare of the public.

There would **NOT** be any diminishment to existing property values or health, safety, morals, or general welfare of the public by the particular zoning restrictions of C-2. As majority of nearby properties are currently zoned C-2; rezoning of 1829 Macon Road to C-2 would compliment the surrounding area in addition to increasing consumer count and enhancing economic value of the City of Perry.

(5) The relative gain to the public as compared to the hardship imposed upon the individual property owner.

Rezoning will provide more commercial business options than are currently available in the surrounding area. In fact it will provide additional business services that the city is lacking and its current citizens are forced to commute to/patronize other businesses in surrounding cities for such services.

As a majority of nearby properties are currently zoned C-2; rezoning of 1829 Macon Road to C-2 would compliment the surrounding area in addition to increasing consumer count and enhancing economic value of the City of Perry.

Standards for Granting a Rezoning Submittal

(6) Whether the subject property has a reasonable economic use as currently zoned.

As currently zoned, property has overall limited use and economic value. Rezoning would exponentially increase property use/value and economic value for City of Perry once rezoned to C-2.

(7) 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 consistently enhancing its exterior/interior and grounds in the last 6 years to accommodate commercial office space. Based on the current location and building layout and 1829 Macon Road property is exceptionally suitable for the rezoning for C-2 purposes. While the surrounding properties have already been rezoned to C-2; this has remained M-2 with no historical data.

(8) Whether the proposed zoning will allow uses that are suitable in view of the uses and development of adjacent and nearby property.

The property lends itself to commercial office space based on the current location and building layout and 1829 Macon Road property is exceptionally suitable for the rezoning for C-2 purposes. As majority of nearby properties are currently zoned C-2; rezoning of 1829 Macon Road to C-2 would compliment the surrounding area in addition to increasing consumer count and enhancing economic value of the City of Perry. The property aesthetics will remain in high value and rezoning will be an added enhanced and upscale atmosphere.

(9) Whether the proposed zoning will adversely affect the existing use or usability of adjacent or nearby property.

The proposed zoning will **NOT** adversely affect the existing use or usability of adjacent or nearby property. As a majority of nearby properties are currently zoned C-2; rezoning of 1829 Macon Road to C-2 would compliment the surrounding area in addition to increasing consumer count and enhancing economic value of the City of Perry. The property aesthetics will remain in high value and rezoning will result in an enhanced and upscale atmosphere.

Standards for Granting a Rezoning Submittal

(10) Whether the zoning proposal is in conformity with the policies and intent of the Comprehensive Plan.

1829 Macon Road rezoning proposal aligns itself with the intent of the Comprehensive Plan of the City to promote the health, safety, morals, or general welfare of the public and enhance the economic value of the City of Perry.

The property lends itself to commercial office space based on the current location and building layout and 1829 Macon Road property is exceptionally suitable for the rezoning for C-2 purposes. As a majority of nearby properties are currently zoned C-2; rezoning of 1829 Macon Road to C-2 would compliment the surrounding area in addition to increasing consumer count and enhancing economic value of the City of Perry. The property aesthetics will remain in high value and rezoning will result in an enhanced and upscale atmosphere.

(11) Whether the zoning proposal will result in a use which will cause an excessive burden upon existing streets, transportation, facilities, utilities, or schools.

This zoning proposal will **NOT** result in a use which will cause an excessive burden upon existing streets, transportation, facilities, utilities, or schools. Its easy access, lots of space, retail/office space for new and existing business is easily accessible from either direction of Macon Road. It is exceptionally suitable for the rezoning for C-2 purposes. In fact it will provide additional business services that the city is lacking and its current citizens are forced to commute to/patronize other businesses in surrounding cities for such services.

(12) 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 property lends itself to commercial office space based on the current location and building layout and 1829 Macon Road property is exceptionally suitable for the rezoning for C-2 purposes. As a majority of nearby properties are currently zoned C-2; rezoning of 1829 Macon Road to C-2 would compliment the surrounding area in addition to increasing consumer count and enhancing economic value of the City of Perry. The property aesthetics will remain in high value and rezoning will result in an enhanced and upscale atmosphere. 1829 Macon Road is exceptionally suitable for the rezoning for C-2 purposes.

1829 Macon Road rezoning proposal aligns itself with the intent of the Comprehensive Plan of the City to promote the health, safety, morals, or general welfare of the public and enhance the economic value of the City of Perry.

99980
Frick's Bohan, LLC
466 South Houston Lake Road
Suite A
Warner Robins, GA 31088

Doc ID: 014158200002 Type: GLR
Recorded: 01/27/2016 at 03:06:04 PM
Fee Amt: \$83.00 Page 1 of 2
Transfer Tax: \$71.00
Houston, Ga. Clerk Superior Court
Carolyn V. Sullivan Clerk

BK 7059 PG 265-266

WHGM File No.: P16-034

(Above space for recording officer use.)

EXECUTOR'S DEED UNDER POWER OF SALE

STATE OF GEORGIA
COUNTY OF HOUSTON

THIS INDENTURE, made this 21ST day of January, 2016, between

J. HALL SCHENCK, JR.,
as Executor of the Last Will & Testament of
J. HALL SCHENCK, SR.

late of the State of Georgia, and County of Houston, of the First Part (hereinafter called "Grantor")
and

ROLYAT, INC.,
a Georgia Corporation

of the State of Georgia and County of Houston, of the Second Part (hereinafter called "Grantee");
the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where
the context requires or permits:

WITNESSETH: That the said Grantor, acting under and by virtue of the power and
authority contained in said Will, the same having been duly probated in solemn form on July 8, 2004
in the Probate Court of Houston County, Georgia, for and in consideration of SEVENTY-ONE
THOUSAND AND NO/100 (\$71,000.00) DOLLARS, in hand paid, at and before the sealing and
delivery of these presents (the receipt of which is hereby acknowledged), has granted, bargained,
sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said Grantee:

All that tract or parcel of land lying and being in the 10th Land District of Houston
County, Georgia, being a part of Land Lot No. 51 therein and consisting of 1.988
acres, more or less, in the southeast corner of that 26.6 acre tract of land conveyed
from Mrs. Paulline S. Long to Walter R. Gordon and Mrs. Theresa H. Gordon by
deed dated June 1, 1950, and recorded in Deed Book 70, Page 137, Clerk's Office,
Houston Superior Court, said 26.6 acre tract of land being fully shown by plat of
survey of same made by T.F. Flournoy, Surveyor, on May 22, 1950, a copy of said
plat being of record in Map Book 2, Page 334, Clerk's Office, Houston Superior
Court.

The land hereby conveyed is further described as fronting east 275 feet on the Perry
to Macon paved highway known as U.S. Highway 41, and extending back in a westerly
direction with uniform width for a distance of 315 feet. Said land is bounded on the
north and west by other land in said 26.6 acre tract belonging to Walter R. Gordon and
Mrs. Theresa H. Gordon, on the east by US Highway 41 right of way, and on the south
by land of Mrs. Paulline S. Long in Land Lot No. 51. Said described land is fully shown
by plat of survey of same made by George C. Forester, Registered Surveyor No. 759,
on May 30, 1953, a copy of said plat being of record in Map Book 3, Page 90, Clerk's
Office, Houston Superior Court. Said land has such shape, metes, bounds, courses and

BOOK 7059 PAGE 266

Said property is sold subject to all easements and rights of way of record and all other applicable zoning and other municipal ordinances.

Street Address: 1829 Macon Road, Perry, Georgia

Tax Parcel No.: P04-009

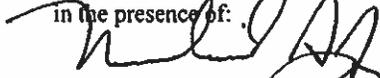
Deed Reference: Deed Book 81, Page 52, Clerk's Office, Houston Superior Court

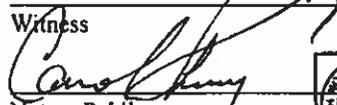
TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members, and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever, IN FEE SIMPLE: in as full and ample manner as the same was held, possessed and enjoyed, or might have been held, possessed and enjoyed, by the said deceased.

IN WITNESS WHEREOF, the Grantor, acting in his capacity as Executor, has hereunto set their hands and seals, the day and year first above written.

 (SEAL)
J. HALL SCHENCK, JR., as Executor of the
Last Will and Testament of J. HALL
SCHENCK, SR., Deceased

Signed, sealed and delivered
in the presence of:

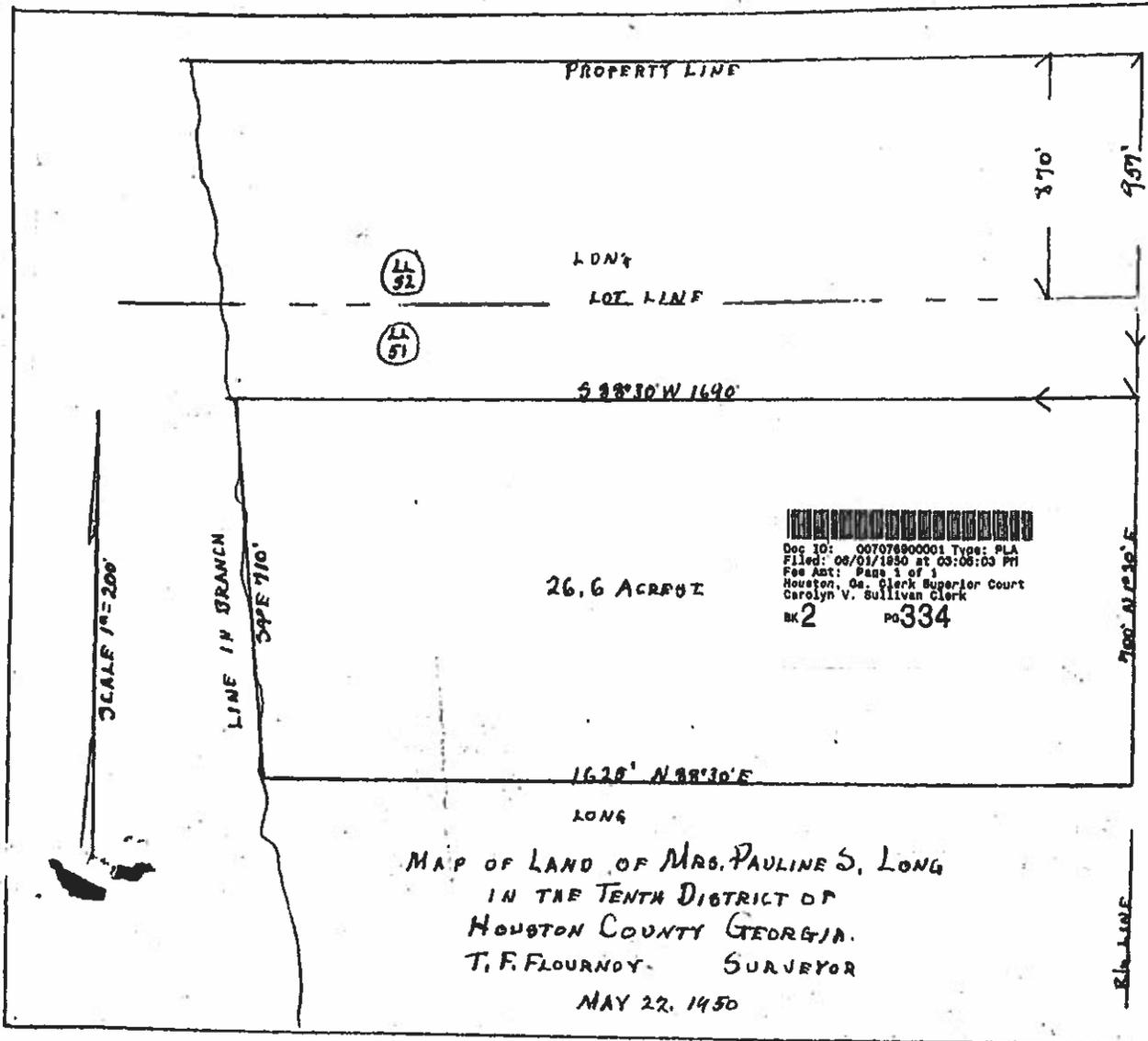


Witness


Notary Public

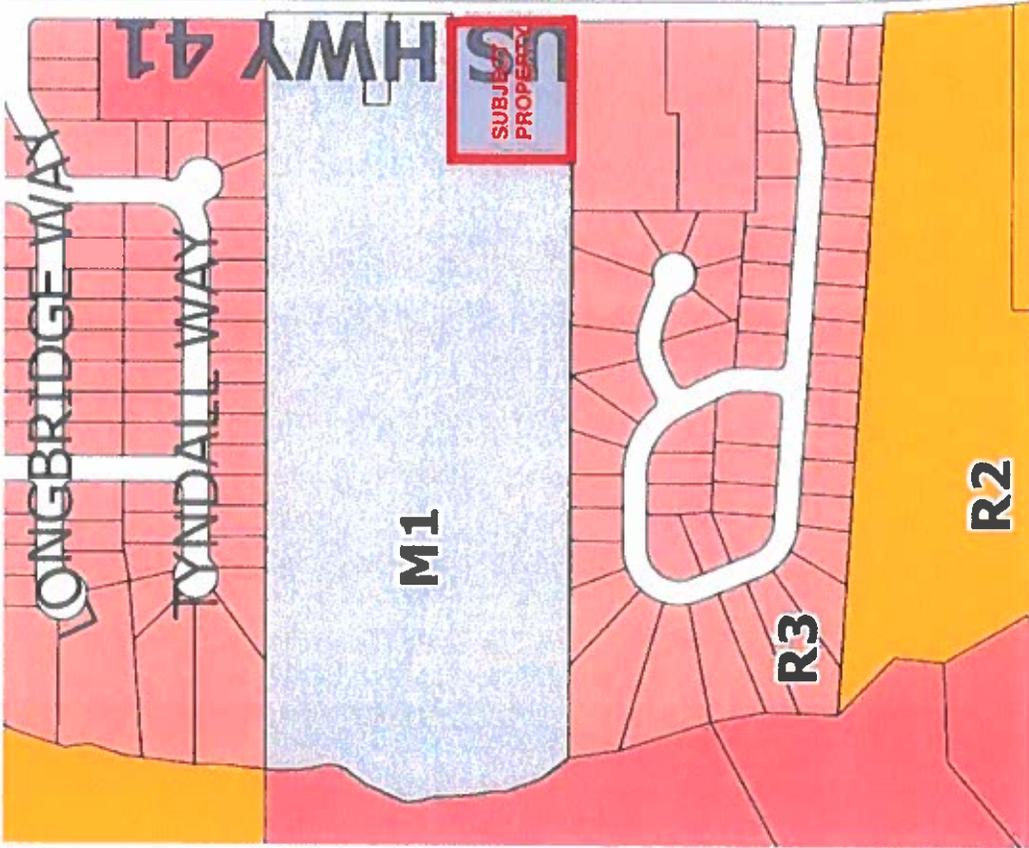
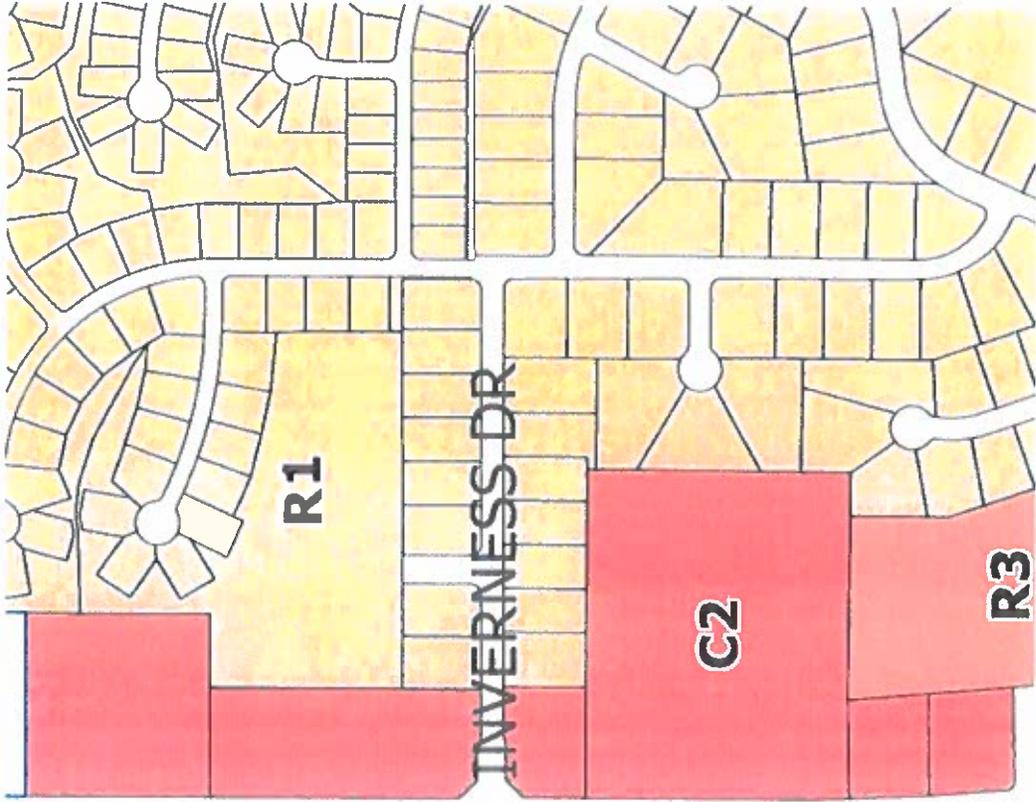
 CAROL PERRY
Notary Public
STATE OF GEORGIA
My Comm. Exp. 8/24/17

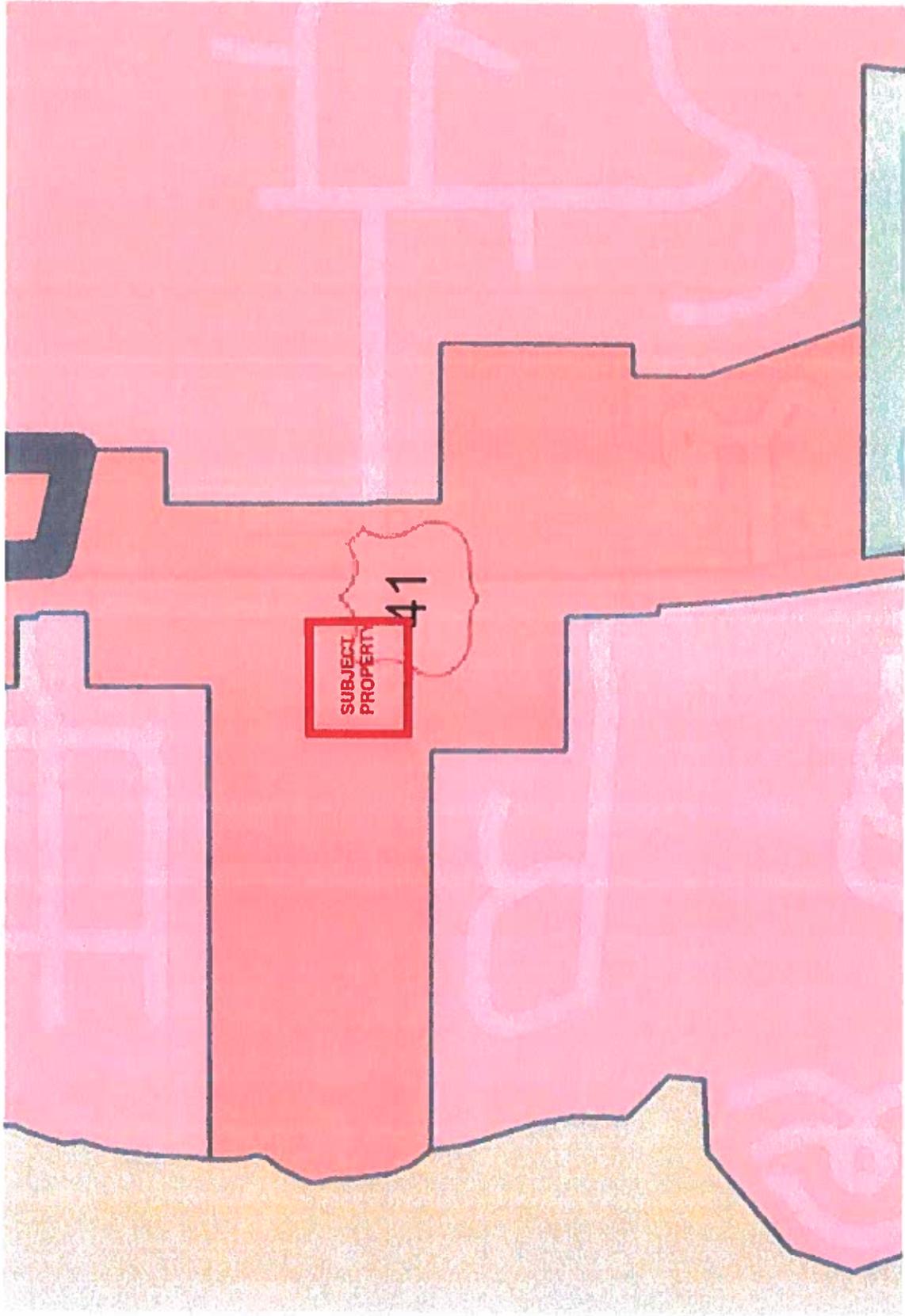
Bound 6/1/50



MAP OF LAND OF MRS. PAULINE S. LONG
 IN THE TENTH DISTRICT OF
 HOUSTON COUNTY GEORGIA.
 T. F. FLOURNOY SURVEYOR
 MAY 22, 1950







SUBJECT
PROPERTY

41



Where Georgia comes together.

Summary for Zoning Case: SUSE-0057-2022	
Property Location:	200 and 200A Valley Drive
Tax Map No:	0P0380 016000 and 0P0380 077000
Acres:	5.57
Request:	Special Exception for Multi-Family Development (Adaptive reuse of underutilized motels)
Planning Commission Recommendation:	<p style="text-align: center;">Approval with Conditions:</p> <ol style="list-style-type: none">1. The proposed development must meet the requirements for parking, landscaping, and design guidelines as reflected in the Land Management Ordinance.2. The buildings and site of the proposed development must comply with all applicable building codes, fire codes, and stormwater regulations.3. Maximum density shall not exceed 162 units.4. Special Exceptions SUSE-0170-2021 and SUSE-0171-2021 are voided.



Aerial Map



Zoning Map



Character Areas



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STAFF REPORT

From the Department of Community Development

May 4, 2022

CASE NUMBER: SUSE-0057-2022
APPLICANT: Anjebhai Patel
REQUEST: A Special Exception to allow multi-family development
LOCATION: 200 and 200A Valley Drive; Tax Map No. 0P0380 016000 and 0P0380 077000

REQUEST ANALYSIS: (Note: The applicant for the prior special exceptions granted for these properties backed out of the contract to purchase the properties. This special exception, if granted, will supersede and void SUSE-0170-2021 and SUSE-0171-2021.)

The applicant intends to redevelop both the Fairbridge Inn Express motel and Derby Inn motel (both previously Holiday Inn) into a cohesive multi-family property. In total, there will be 162 new, market rate apartment units developed within the existing buildings. The units will include a mix of studio apartments and one-bedroom apartments, all fully furnished. The applicant provided a preliminary conceptual design that includes a common area for tenants and other onsite amenities. Also, the conceptual plan reflects a restaurant and bar use within the amenity center (former Green Derby restaurant). The applicant has demonstrated a need for additional market rate housing in Perry within the one-bedroom and studio apartment layout format. The applicant also provided a multi-family market report to support this application.

The overall density of the proposal is 29.1 units per acre (162 units / 5.57 acres).

The properties within this area have deferred maintenance and are rarely productively used. The applicant suggests that converting this motel into market rate apartments will return the property to its highest and best use.

STANDARDS FOR SPECIAL EXCEPTIONS:

1. *Are there covenants and restrictions pertaining to the property which would preclude the proposed use of the property?* There are no known covenants or restrictions on the subject property.
2. *Does the Special Exception follow the existing land use pattern?*

	Zoning Classification	Land Uses
Subject	C-1, Highway Commercial	Motel
North	C-1, Highway Commercial	Motel
South	C-1, Highway Commercial	Motel
East	I-75	Transportation
West	C-1, Highway Commercial	Undeveloped

3. *Will the Special Exception have an adverse effect on the Comprehensive Plan?* The Character Areas Map of the 2022 Joint Comprehensive Plan identifies the property within the "Redevelopment" character area. The Valley Drive corridor is specifically mentioned within the Comprehensive Plan, and the suggested development pattern of "greyfield redevelopment that converts vacant or underutilized commercial strips to mixed use" is relevant to this application.
4. *Will adequate fire and police protection be available?* The use of the property as a multi-family development will have a similar or reduced impact on fire and police protection. Currently, there are 200 motel units between the two motels. The applicant is proposing to develop 162 residential units, a reduction of 38 units.
5. *Will the proposed use be of such location, size, and character that it is not detrimental to surrounding properties?* The proposed use as a multi-family development is not expected to be detrimental to surrounding properties. Multi-family is consistent and appropriate within the C-1, highway commercial district. Further, with a reduction in number of total units, multi-family is expected to be less intense than hospitality use. The applicant states that the proposed development will be a tasteful upgrade to the aesthetics of the exterior and interior of the property.
6. *Will the use interfere with normal traffic, pedestrian or vehicular, in the neighborhood?* The applicant indicates that pedestrian and vehicular traffic is expected to remain unchanged for the proposed use. There is no expected increased burden on existing streets which will serve the development.
7. *Will the use result in an increase in population density overtaxing public facilities?* The proposed multi-family development is not anticipated to overtax the existing public facilities. The reduction in units may decrease the burden placed on public facilities including water, sanitary sewer, and stormwater infrastructure. The Houston County Board of Education has been notified of this proposed development. Staff is not aware of any excess burden placed on educational facilities.
8. *Will the use create a health hazard or public nuisance?* The proposed multi-family development is not expected to create a health hazard or public nuisance.
9. *Will property values in adjacent areas be adversely affected?* The applicant states that the proposed revitalization of the subject properties into a multi-family development will enhance the value of surrounding properties. The applicant cites the proposed development's ability to support and serve local businesses and provide housing for the workforce for a diverse set of industries nearby.
10. *Are there substantial reasons a permitted use cannot be used at this property?* There is no demonstrated evidence that the proposed use cannot be permitted within the C-1, highway commercial district.

STAFF RECOMMENDATION: Based on review of the criteria, Staff recommends approval of the special exception, with the following conditions:

1. The proposed development must meet the requirements for parking, landscaping, and design guidelines as reflected in the Land Management Ordinance.
2. The buildings and site of the proposed development must comply with all applicable building codes, fire codes, and stormwater regulations.
3. Maximum density shall not exceed 29.1 units per acre.
4. Special Exceptions SUSE-0170-2021 and SUSE-0171-2021 are voided.

PLANNING COMMISSION RECOMMENDATION: Following an informational hearing held on May 9, 2022, the Planning Commission recommends approval of the special exception, with the following conditions

1. The proposed development must meet the requirements for parking, landscaping, and design guidelines as reflected in the Land Management Ordinance.
2. The buildings and site of the proposed development must comply with all applicable building codes, fire codes, and stormwater regulations.
3. Maximum density shall not exceed 162 units.
4. Special Exceptions SUSE-0170-2021 and SUSE-0171-2021 are voided.


Eric Z. Edwards, Chairman of the Planning Commission

5/11/22
Date



Where Georgia comes together.

Application for Special Exception
 Contact Community Development (478) 988-2720

Application # SUSE
0057-2022

Applicant/Owner Information

*Indicates Required Field

	*Applicant	*Property Owner
*Name	Anjebhal Patel	GA, Perry Valley Dr LLC (Anjebhal Patel is GP owner in LLC)
*Title	Project Owner	Owner/ Member
*Address	400 Galleria pkwy, Ste 1140, Atlanta, GA 30339	400 Galleria pkwy, Ste 1140, Atlanta, GA 30339
*Phone	770.560.0482	770.560.0482
*Email	JDHJohn@hotmail.com	JDHJohn@hotmail.com

Property Information

*Street Address (i) 200 Valley dr (ii) 200A Valley Dr	Perry, GA
*Tax Map Number(s) (i) 0P0380 016000 (ii) 0P0380 077000	*Zoning Designation (i) C1 (ii) C1

Request

*Please describe the proposed use: Property is currently approved for 120 Dwellings under existing C1 zoning with tenant amenities and restaurant-bar in front. We are requesting everything to be exactly same just higher density of 162 dwellings. The dwellings to be 'Rent-only' never for 'sale' or 'individual ownership'.

Instructions

1. The application and *\$92.00 fee (made payable to the City of Perry) must be received by the Community Development Office or filed on the online portal no later than the date reflected on the attached schedule.
2. *The applicant/owner must respond to the 'standards' on page 2 of this application (The applicant bears the burden of proof to demonstrate that the application complies with these standards). See Sections 2-2 and 2-3.5 of the Land Management Ordinance for more information. You may include additional pages when describing the use and addressing the standards.
3. *For applications in which a new building, building addition and/or site modifications are proposed, you must submit a site plan identifying such modifications.
4. The staff will review the application to verify that all required information has been submitted. The staff will contact the applicant with a list of any deficiencies which must be corrected prior to placing the application on the planning commission agenda.
5. Special Exception applications require an informational hearing before the planning commission and a public hearing before City Council. Public notice sign(s) will be posted on the property at least 15 days prior to the scheduled hearing dates.
6. *The applicant must be present at the hearings to present the application and answer questions that may arise.
7. The applicant and property owner affirm that all information submitted with this application, including any/all supplemental information, is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.
8. *Signatures:

*Applicant		*Date	4-8-22
*Property Owner/Authorized Agent	Anjebhal Patel (GA Perry Valley Dr LLC)	*Date	4-8-22

Standards for Granting a Special Exception

The applicant bears the burden of proof to demonstrate that an application complies with these standards.

Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district?

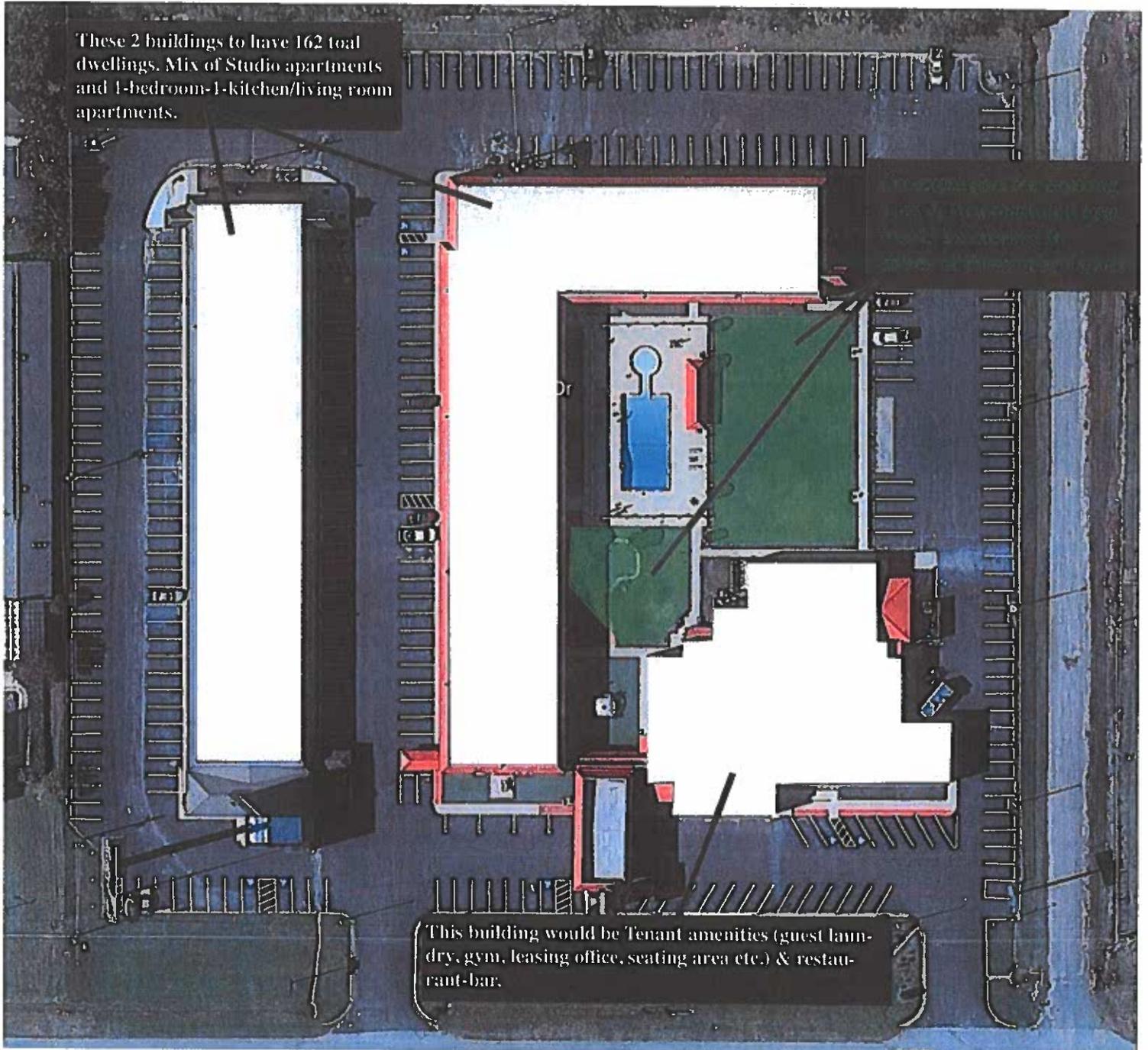
- (1) The existing land use pattern.
- (2) Whether the proposed use is consistent with the Comprehensive Plan.
- (3) Whether all proposed structures, equipment or material will be readily accessible for fire and police protection.
- (4) Whether the proposed use will be of such location, size, and character that, in general, it will be in harmony with the appropriate and orderly development of the area in which it is proposed to be situated and will not be detrimental to the orderly development of adjacent properties or a deterrent to the improvement of adjacent properties in accordance with the zoning classification of such properties, the existing land use pattern or the Comprehensive Plan.
- (5) Whether, in the case of any use located in, or directly adjacent to, a residential district or area:
 - (a) The nature and intensity of operations will be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection therewith will not be hazardous or inconvenient to, or incongruous with, said residential district or area, or conflict with the normal traffic of the neighborhood; and
 - (b) The location and height of buildings, and other structures, and the nature and extent of screening, buffering or landscaping on the site will be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings in conformance with existing zoning districts and development pattern.
- (6) Whether the proposed use will increase the population density resulting in the increase or overtaxing of the load on public facilities such as schools, utilities, streets, etc.; or approval of the use would encourage adjacent areas to develop at higher densities than provided in the comprehensive plan resulting in the overtaxing of such public facilities.
- (7) Whether the proposed use will cause a health hazard, a public safety problem, or create a nuisance or cause excessively increasing traffic and associated congestion; create a drainage problem; generate unnecessary disturbance due to noise, the emission of smoke or other contaminants, odor, electrical interference, or cause pollution to land, air and/or water.
- (8) Whether the proposed change will adversely affect property values in adjacent areas.
- (9) Whether there are substantial reasons why the property cannot be used for a permitted use in the district where the property is located.

Site Plan: Layout of apartment and Amenities building

- 162 dwellings in the two buildings as shown and 3rd front building for restaurant-bar and tenant amenities.

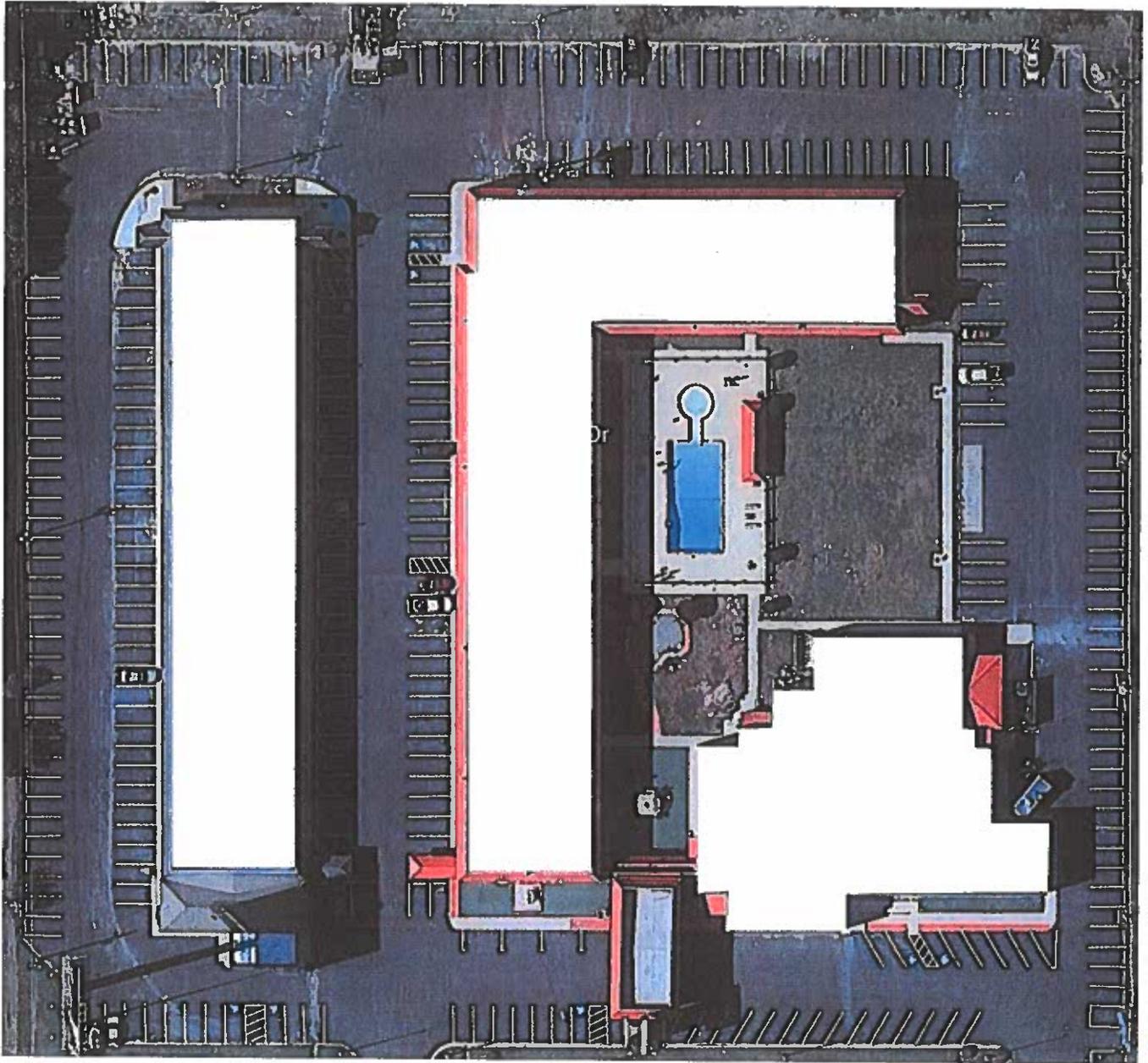
These 2 buildings to have 162 total dwellings. Mix of Studio apartments and 1-bedroom-1-kitchen/living room apartments.

This building would be Tenant amenities (guest laundry, gym, leasing office, seating area etc.) & restaurant-bar.



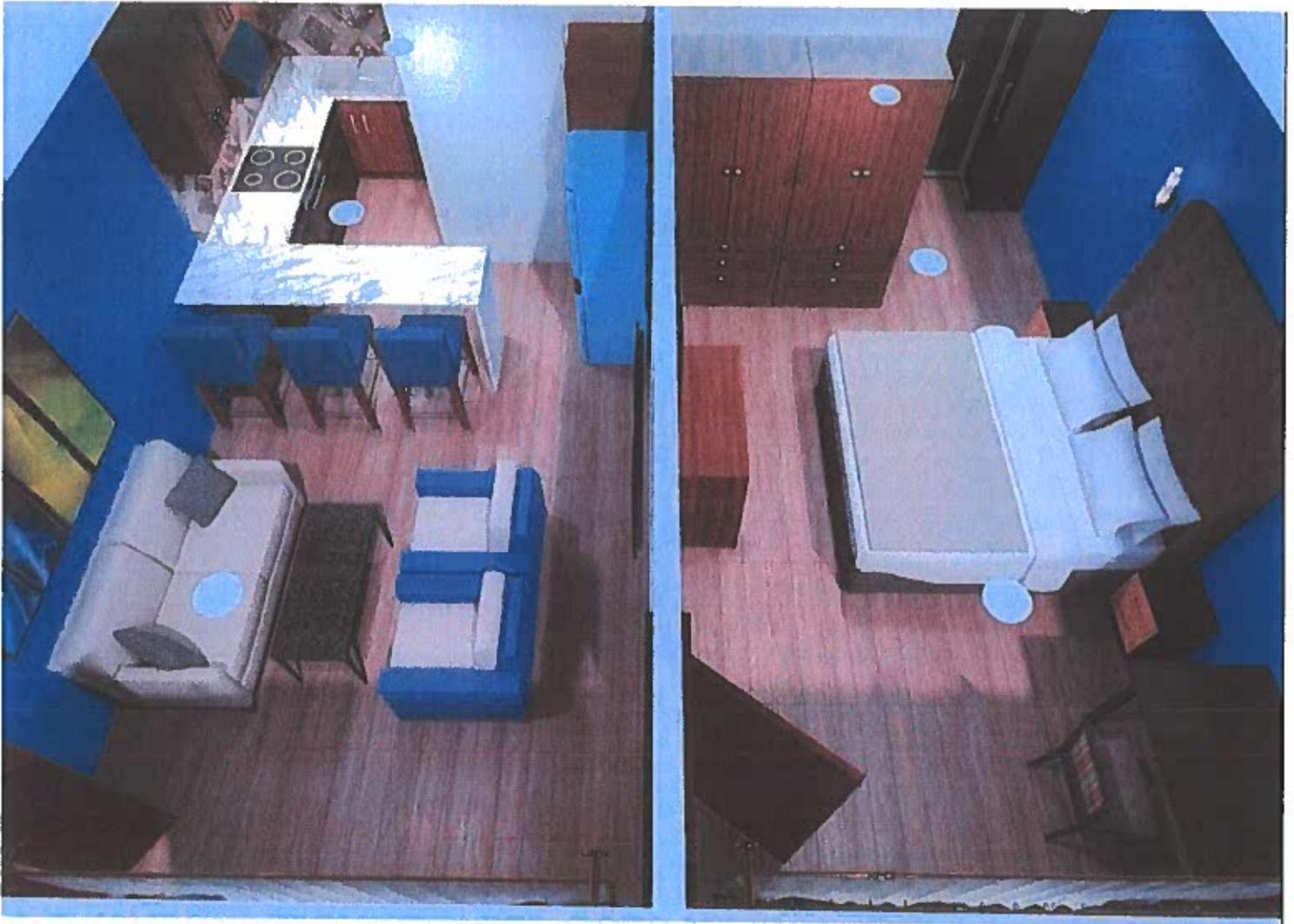
Site Plan: Consideration for (i) Parking & (ii) Emergency vehicle drive-around & reach to buildings

- Current 320 parking spots to remain same. Current 2 entrances from city road to remain same.
- New sprinkler system would be added. Current layout permits all emergency vehicle driver around and near building reach – there are proper concrete walkways in front of ALL units.



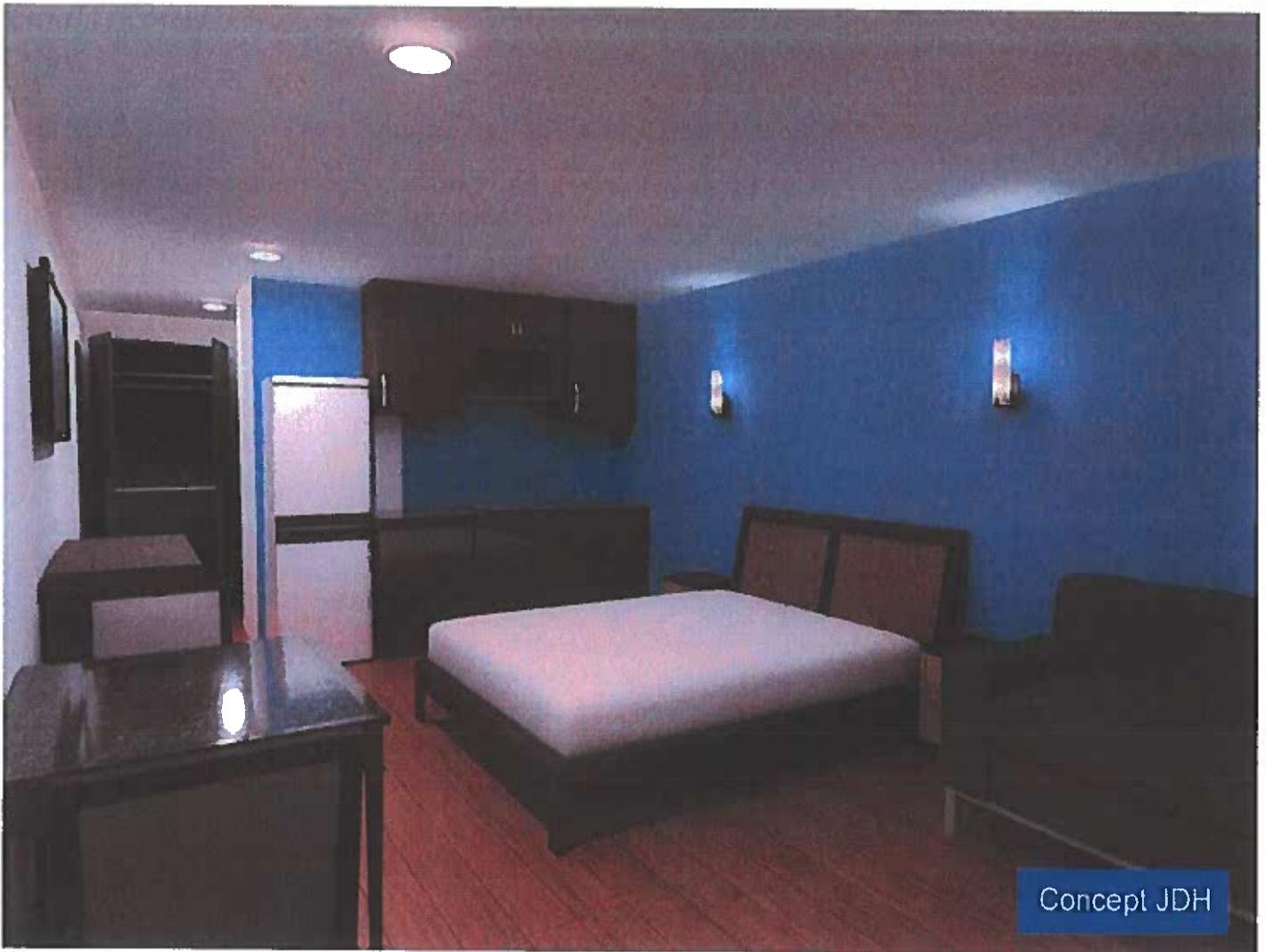
Site Plan: 1-BR-1-Kitchen/Living room Apartment drawing

- Even though this is conceptual drawing, i.e. location of sinks/ appliances may change when architect and engineer looks into current MEP conditions, we give commitment to quality.
- Commitment to have actual PLYWOOD cabinet (not particle board or MDF). All kitchens to have actual stone top countertops (Quartz/ granite), not plastic or laminate wood. All apartments will get brand new bed frames (solid metal, high weight capacity, with storage space underneath), and brand-new mattresses. All apartments will have Good WIFI signal and Smart TV. All appliances will be stainless steel finish. All lighting will be energy efficient LED Type.
 - All this is to give assurance that even though these units are targeted for lower rent ranges, the quality for tenants will NOT be subpar.



Site Plan: Studio Apartment conceptual drawing

- Even though this is conceptual drawing, i.e. location of sinks/ appliances may change when architect and engineer looks into current MEP conditions, we give commitment to quality.
- Commitment to have actual PLYWOOD cabinet (not particle board or MDF). All kitchens to have actual stone top countertops (Quartz/ granite), not plastic or laminate wood. All apartments will get brand new bed frames (solid metal, high weight capacity, with storage space underneath), and brand new mattresses. All apartments will have Good Wifi signal and Smart TV. All appliances will be stainless steel finish. All lighting will be energy efficient LED Type.
 - All this is to give assurance that even though these units are targeted for lower rent ranges, the quality for tenants will NOT be subpar.



Responses towards Standards of Granting a Special Exception

1. Existing land use pattern

- a. Existing land use and zoning is C-1 commercial. This already permits multi-family apartments.

2. Weather the proposed use is consistent with Comprehensive Plan.

- a. Yes, proposed use is consistent with Comprehensive Plan. The most recent Houston County Joint comprehensive plan, City of Perry section, it notes that city needs variety of housing. This would allow citizens to have variety of housing. There is nothing in city quite like this.
- b. These would be fully furnished, all utilities included modern apartments.
- c. While these are affordable in rent terms, these are not section-8 apartments.
- d. These apartments are aimed at
 - i. citizens who would like economic rent but still want all amenities like pool, gym, WIFI – so they can rent these while they put together enough savings for larger houses.
 - ii. Helping current and future Fortune 1000 company type corporates to allow their construction/ training manager/ staff managers to have a proper apartment till they can buy a house when project reaches that stage
 - iii. Citizens who may be younger and 'single' and working on any of the retail sales/ service shops in the vicinity
 - iv. Possibly veterans or their family, Robbins base, this is affordable and they can spend time being close to family.
 - v. Occasionally, victim of domestic abuse or house destroying peril (fire/ flood) who needs affordable place to stay for a few months while they can figure out their more permanent living situation.

3. Weather all proposed structures, equipment or material will be readily accessible for fire and police protection.

- a. Yes it will be. The building will get new sprinkler system AND there is enough parking and 'road space' in between to allow all emergency vehicles to have proper reach.

4. Whether the proposed use will be of such location, size, and character that, in general, it will be in harmony with the appropriate and orderly development of the area in which it is proposed to be situated and will not be detrimental to the orderly development of adjacent properties or a deterrent to the improvement of adjacent properties in accordance with the zoning classification of such properties, the existing land use pattern or the Comprehensive Plan.

- a. Yes, the location size and character of renovation will be in harmony for orderly development of the area. The exterior beautification through paint, trim, addition of lighting, parking lot seal stripe, landscaping upgrade etc. will be a good thing for the

area. Interior use as apartment, tenant amenities, restaurant-bar area will also be renovated and nice.

- b. This would not be detrimental to any adjacent properties or a deterrent for future improvement of the same (adjacent properties).

5. **(A). Whether, in the case of any use located in, or directly adjacent to, a residential district or area: The nature and intensity of operations will be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection therewith will not be hazardous or inconvenient to, or incongruous with, said residential district or area, or conflict with the normal traffic of the neighborhood; and**

- a. The pedestrian and vehicular traffic to & from the property will NOT be hazardous or inconvenient.
- b. Each building has concrete walkway in front of it and ample of driving space on the lot.
- c. The traffic from studio and loft apartment is usually lesser then transient hotel-motel traffic. So the vehicular traffic would be less.

5. **(B) Whether, in the case of any use located in, or directly adjacent to, a residential district or area: The location and height of buildings, and other structures, and the nature and extent of screening, buffering or landscaping on the site will be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings in conformance with existing zoning districts and development pattern.**

- a. Yes, the location & height of the building will NOT hinder or discourage appropriate development and use of adjacent land and buildings.
- b. There is not change in height or location of buildings.

6. **Whether the proposed use will increase the population density resulting in the increase or overtaxing of the load on public facilities such as schools, utilities, streets, etc.; or approval of the use would encourage adjacent areas to develop at higher densities than provided in the comprehensive plan resulting in the overtaxing of such public facilities.**

- a. While going from 120 to 162 density does increase the density of 'dwellings' the ultimate increase in load on public facilities would NOT be significant. This is true due the fact that the physical 212 rooms of building will stay same. Instead of 120 dwellings made of 92 apartments of 1-BR-living/kitchen + 28 Studio units, the 162 dwellings will be made of about 108 studio units and about 50 larger 1-Br-livin/ kitchen type units. The exact mix ratio will be determined when architect will make building renovation plans and take in consideration structure wall, egress route, electrical panel capacities etc.

7. **Whether the proposed use will cause a health hazard, a public safety problem, or create a nuisance or cause excessively increasing traffic and associated congestion; create a drainage problem; generate unnecessary disturbance due to noise, the emission of smoke or other contaminants, odor, electrical interference, or cause pollution to land, air and/or water**

- a. The proposed increase in density will NOT cause any health hazard or public safety problem. These rentable apartments would be fully renovated with expensive furniture and cabinets. Tenants usually go through a formal application and screening process. In

100% of recent projects where we have converted motels into apartments, we have seen only decrease in any sort of police, fire, emergency service calls.

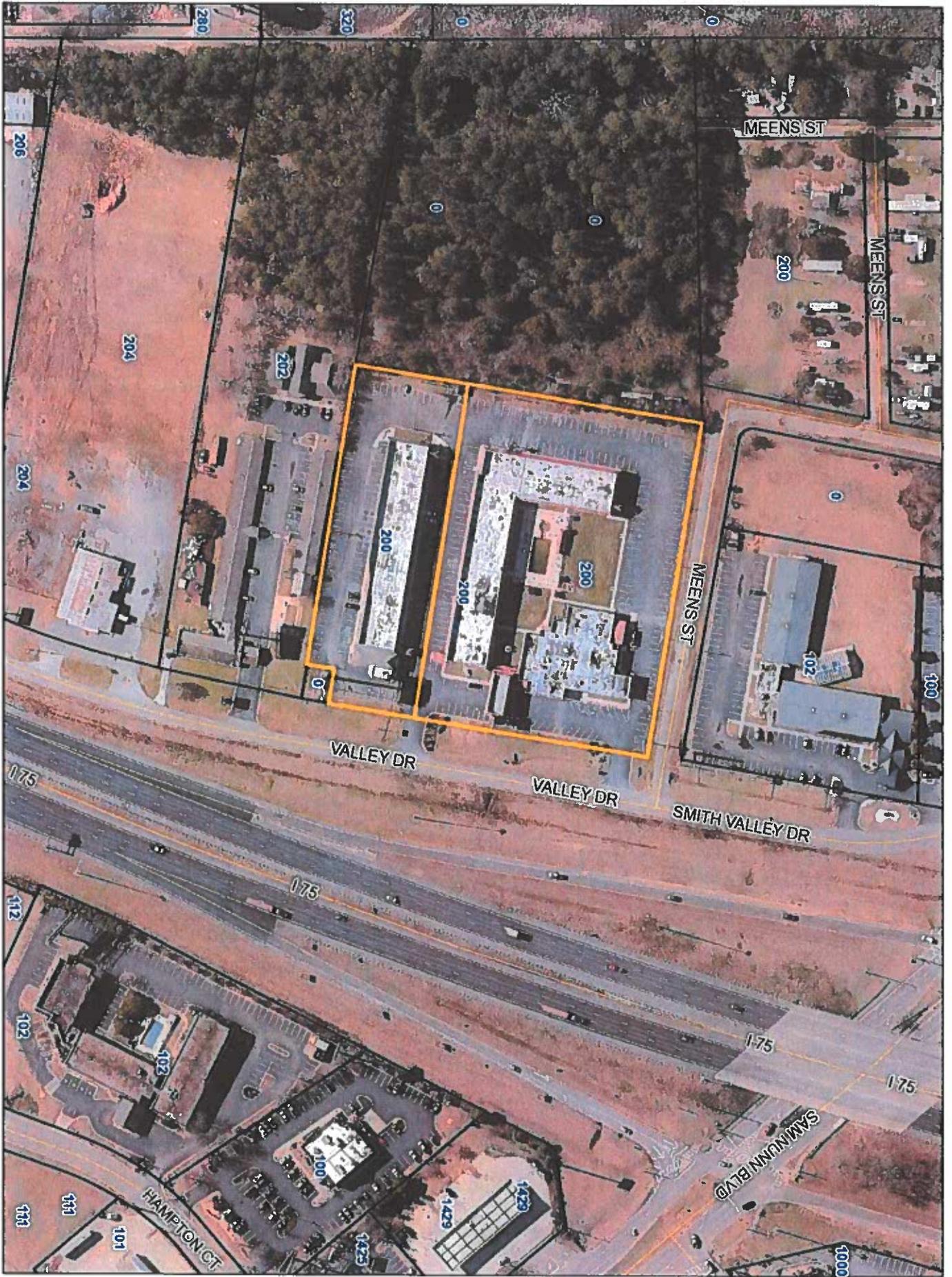
- b. The leasing agreement usually (and will certainly) contain clause of tenant responsibilities such as not leaving trash bags outside doors (only into dumpsters) OR music too loud past certain hours of day (management is usually equipped with decibel reader). The leasing agreement limits number of tenants allowed to stay and number of tenants permitted at any time (thus prohibiting 'parties').
 - i. All of this is same as previous use where a hotel guest is asked to be responsible, but here there is legal agreement and management is in better position because Tenants are not 'carefree hotel guest who can do whatever and can just leave tomorrow'.
- c. The proposed increase in density will NOT cause traffic or drainage problem, as these buildings were designed and operated as 200 room hotel (some suites, some manager office out of 212 rooms), the traffic and sewer/ trash usage will only decrease. 25 hotel guests in a calendar month staying in hotel room makes more trash then a 30 day tenant.

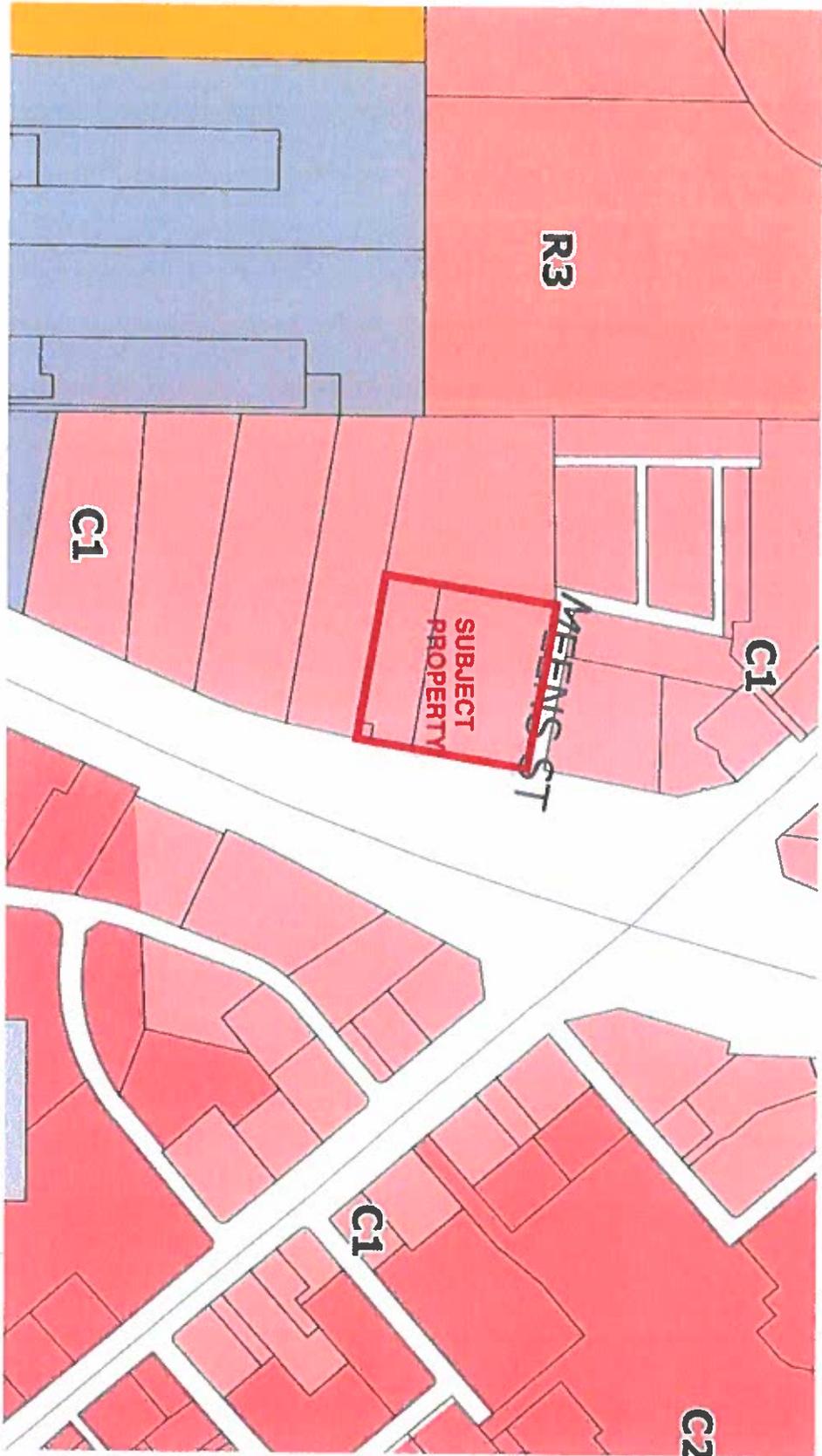
8. **Whether the proposed change will adversely affect property values in adjacent areas.**

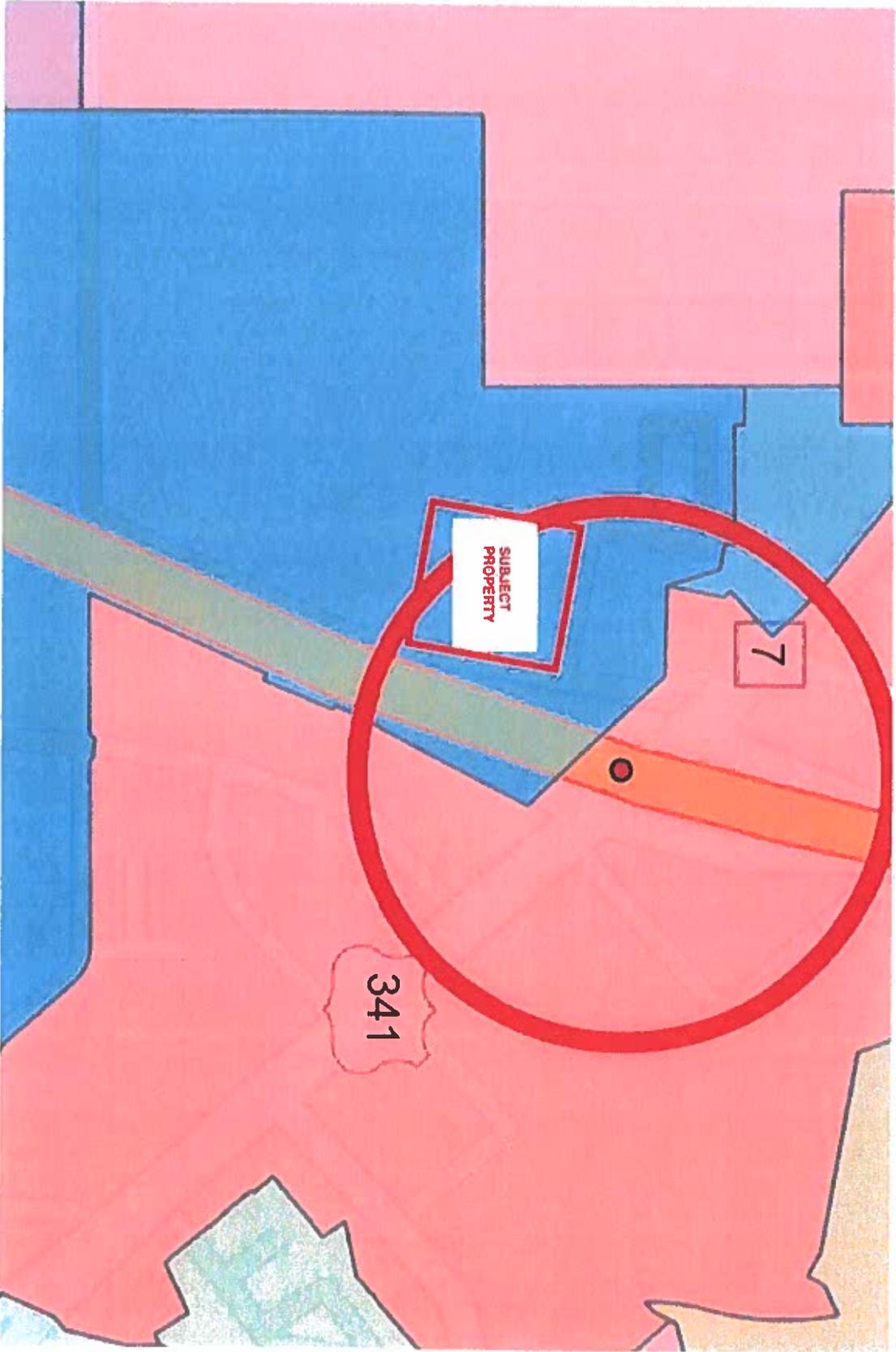
- a. Proposed increase in density would NOT adversely affect property values.

9. **Whether there are substantial reasons why the property cannot be used for a permitted use in the district where the property is located.**

- a. This is permitted use. The reason property cannot be used for currently approved 120 dwelling density as it would defeat the purpose and uniqueness of it.
- b. More apartments of higher size would mean higher rent rate would be required. This would take away from its affordability for citizens or corporates.
- c. The current 120 dwellings would mean only 28 studios and 92 1-Br apartments. 28 is too small number of studio units which is usually the affordable rent unit.
- d. Just like having a 200 dwelling density (even though possible) would be detrimental to uniqueness and affordability of property, 120 is negative too. 162 is a perfect sweet spot where ~50% rooms (105 rooms) used for studio and 50% rooms (105 rooms) used for 1-BR-kitchen/Living Room style apartment.









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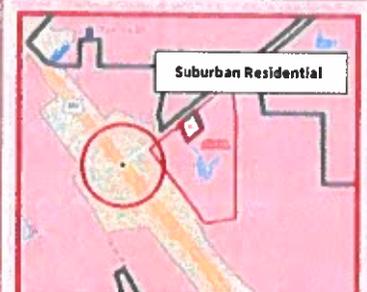
Summary for Zoning Case: RZNE-0058-2022	
Property Location:	1824 Houston Lake Road and 1904 Hwy 127
Tax Map No:	0P0490 062000 and 0P0490 061000
Acres:	84.78
Request:	Rezone from RAG, Residential Agriculture District, to PUD, Planned Unit Development
Planning Commission Recommendation:	<p style="text-align: center;">Approval with Conditions:</p> <ol style="list-style-type: none"> 1. The applicant's Zoning Plan shall be the approved PUD Plan for the property. 2. The Zoning Plan shall be revised prior to final approval by City Council to remove the 20' buffers. These buffer areas shall be incorporated into the adjacent lots. (UPDATED) 3. The zoning standards applied to the PUD shall be revised in the following way prior to final approval by City Council: <ol style="list-style-type: none"> a. Rear setbacks for front-loaded single-family lots 146-161 and lots 215-219 shall be 35 feet. (UPDATED) b. Street rights-of-way shall be a minimum of 60 feet wide. (UPDATED) c. Street widths shall be at least 20 feet wide for two-way travel lanes and 8 feet for parallel on-street parking spaces. (UPDATED) d. Alleys shall have a minimum 20-foot right-of-way and pavement width. (See TYP street section) e. Signs shall comply with standards established in the Land Management Ordinance for the C-3, Central Business District. (UPDATED) 4. Within the open space, the developer shall construct and furnish a pocket park(s) consistent with plans approved by the Planning Commission. 5. ADA-compliant sidewalks shall be installed as indicated on the Zoning Plan. 6. Street trees shall be installed as indicated on the Zoning Plan. 7. Standards not specifically addressed for the commercial portion of the plan shall comply with C-3 requirements; townhouse areas shall comply with RTH requirements; and single-family residential areas shall comply with R-3 requirements. 8. The zoning plan shall be revised to address the Brock family's concern along their east property line. (Added buffer adjacent to Brock property)



Aerial Map



Zoning Map



Character Areas



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STAFF REPORT

From the Department of Community Development

May 5, 2022

CASE NUMBER: RZNE-0058-2022

APPLICANT: Wingate Custom Homes

REQUEST: Rezone from R-Ag, Residential-Agricultural District, to PUD, Planned Unit Development

LOCATION: 1824 Houston Lake Road and 1904 Hwy 127; Tax Map No. 0P0490 062000 and 0P0490 061000

BACKGROUND INFORMATION: The subject properties consist of 84.78 total acres and are currently zoned R-Ag, Residential-Agricultural District. The 3.19-acre parcel was developed as a single-family residence in the 1950's. The remaining 81.59-acre tract has been used for agricultural purposes. The applicant proposes a mix of commercial and single-family detached and attached residential uses in the PUD, Planned Unit Development zoning classification. The design of the PUD reflects a neo-traditional neighborhood like what would be allowed under a form-based code.

A PUD is required to set its own development standards, like would be established for a typical zoning district. The applicant has proposed a set of development standards for this PUD. Planning Staff has recommended additional development standard for the PUD, which are either not addressed by the applicant or addressing staff concerns. See attached PUD Standards.

The proposal calls for 45,000 square feet of commercial space in a mixed-use center at the main entrance aligning with the intersection of Lake Joy Road and Houston Lake Road. A total of 284 residential dwelling units will include 119 rear-loaded townhouse units, 86 front-loaded single-family detached units, and 79 rear-loaded single-family detached units. The proposed residential density equates to 3.3 dwelling units per acre. 32.51 acres, or 38.34 percent of the property is proposed as open space.

Streets and rights-of-way widths were not addressed in the application. Based on the City's form-based code standards, staff recommends street rights-of-way be 60 feet; street widths be 28 feet (20' for travel lanes, 8' for parking); alleys to have a 20-foot right-of-way and pavement width.

In addition to the main entrance aligned with Lake Joy Road, a secondary entrance is provided further east onto Hwy 127. The site is designed to accommodate two future access points onto the adjoining property to the west. Sidewalks are indicated on at least one side of all streets. Sidewalks are provided on both sides of the street where residential lots or commercial development front both sides of a street.

925 total parking spaces are provided for the residential uses including 357 on-street spaces. 214 total parking spaces are provided for the commercial center with 34 of those spaces being on-street. The number of commercial parking spaces will accommodate restaurant uses.

A 20'-wide buffer is proposed where the development abuts residential properties in the Sugarloaf subdivision and other existing single-family properties. Because of concerns about maintenance of a narrow buffer, staff recommends these buffers be eliminated and the space incorporated into the adjoining lots and their rear setback.

STANDARDS GOVERNING ZONE CHANGES:

1. The existing land uses and zoning classification of nearby properties.

	Zoning Classification	Land Uses
North	C-2, General Commercial; C-2 (County) and RAG (Count)	Undeveloped, retail/warehouse, single-family residences
South	R-3, Multi-family Residential District	Single-family residences
East	R-Ag, Residential-Agricultural and R-3, Multi-family Residential Districts	Single-family residences, event venue, farmland
West	C-2, General Commercial District	Self-service storage and undeveloped

2. **The suitability of the subject property for the zoned purposes.** The subject properties are suitable for residential development.
3. **The extent to which the property values of the subject property are diminished by the particular zoning restrictions.** The R-Ag zoning of the properties requires a five-acre minimum lot size will limit the number of developable lots.
4. **The extent to which the destruction of property values of the subject property promotes the health, safety, morals, or general welfare of the public.** Given the higher density of commercial and residential developments existing or allowed surrounding the properties, limiting these properties to 5-acre tracts does not appear to promote the health, safety, morals, or general welfare of the public.
5. **The relative gain to the public as compared to the hardship imposed upon the individual property owner.** The public does not appear to gain by maintaining the current zoning of the properties.
6. **Whether the subject property has a reasonable economic use as currently zoned.** The properties can be developed for residential/agricultural uses on 5-acre minimum lots.
7. **The length of time the property has been vacant as zoned considered in the context of land development in the vicinity of the property.** The properties were annexed into the City of Perry in 2019. They have been used for single residence and agriculture since at least the 1950's.
8. **Whether the proposed rezoning will be a use that is suitable in view of the uses and development of adjacent and nearby property.** The properties are located near the intersection of Houston Lake Road and Perry Parkway. Commercial development along these major roads, and existing single- and multi-family developments adjacent to or near the property indicate that the proposed uses are consistent with the character of the vicinity.
9. **Whether the proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property.** The layout of the proposed development aligns single-family residential uses adjacent to existing single-family developments. Commercial uses and townhouses are proposed along Houston Lake Road/Hwy 127 and commercially zoned properties to the west. Since the uses of the proposed development are situated adjacent to like uses, there should not be any adverse impacts to existing or future uses on adjacent properties.

10. **Whether the zoning proposal is in conformity with the policies and intent of the land use plan.** The subject properties are within the “Suburban Residential” character area in the 2022 Joint Comprehensive Plan Update and at the edge of a “Commercial Node” located at the intersection of Houston Lake Road and Perry Parkway. Suggested development patterns within the Suburban Residential character area include: “Location of a mix of housing densities and types, including single-family, townhomes, multi-family, and mixed-use,” and “Commercial development within identified nodes that support suburban residents.”

The Commercial Nodes are intended “to provide a mix of retail and service establishments to support residential within the suburban residential and gateway corridor character areas...Commercial nodes provide for a balance of housing and employment opportunities through their ability to support more dense development and mixed uses to support daily needs and specialized services. Commercial nodes should support walkable, bike-friendly connections to nearby neighborhoods and multi-family developments.”

11. **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 proposed development should not cause an excessive or burden on existing community facilities:
- Infrastructure – Water and sewer service is available at the subject property.
 - Roads – Houston Lake Road/Highway 127 is a 5-lane arterial connecting Perry and Warner Robins. Perry Parkway is a 4-lane divided highway creating a bypass around Perry’s downtown core.
 - Education – The Houston County School District was advised of the proposal. Staff is not aware of any burdensome impacts on schools.
12. **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.** With continued population growth, there is more interest in commercial developments along Perry Parkway and residential development throughout the Perry area.

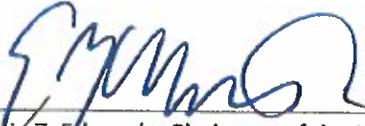
STAFF RECOMMENDATION: Staff recommends approval of the zoning change with the following conditions:

1. The applicant’s Zoning Plan shall be the approved PUD Plan for the property.
2. The Zoning Plan shall be revised prior to final approval by City Council to remove the 20’ buffers. These buffer areas shall be incorporated into the adjacent lots.
3. The zoning standards applied to the PUD shall be revised in the following way prior to final approval by City Council:
 - a. Rear setbacks for front-loaded single-family lots 146-161 and lots 215-219 shall be 35 feet.
 - b. Street rights-of-way shall be a minimum of 60 feet wide.
 - c. Street widths shall be at least 20 feet wide for two-way travel lanes and 8 feet for parallel on-street parking spaces.
 - d. Alleys shall have a minimum 20-foot right-of-way and pavement width.
 - e. Signs shall comply with standards established in the Land Management Ordinance for the C-3, Central Business District.
4. Within the open space, the developer shall construct and furnish a pocket park(s) consistent with plans approved by the Planning Commission.
5. ADA-compliant sidewalks shall be installed as indicated on the Zoning Plan.
6. Street trees shall be installed as indicated on the Zoning Plan.

7. Standards not specifically addressed for the commercial portion of the plan shall comply with C-3 requirements; townhouse areas shall comply with RTH requirements; and single-family residential areas shall comply with R-3 requirements.

PLANNING COMMISSION RECOMMENDATION: Following an informational hearing held on May 9, 2022, the Planning Commission recommends approval of the special exception, with the following conditions:

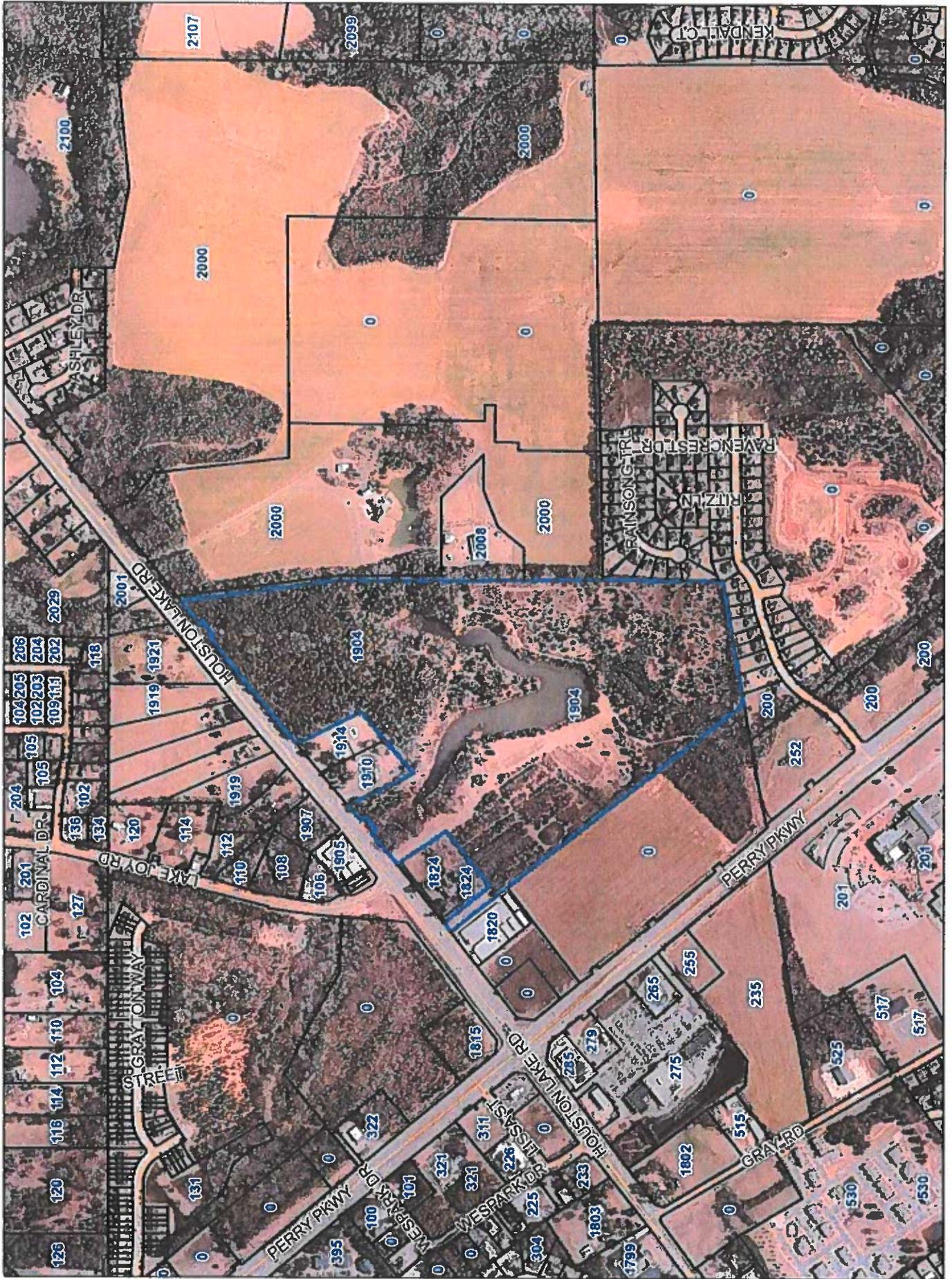
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5. ADA-compliant sidewalks shall be installed as indicated on the Zoning Plan.
6. Street trees shall be installed as indicated on the Zoning Plan.
7. Standards not specifically addressed for the commercial portion of the plan shall comply with C-3 requirements; townhouse areas shall comply with RTH requirements; and single-family residential areas shall comply with R-3 requirements.
8. The zoning plan shall be revised to address the Brock family's concern along their east property line.

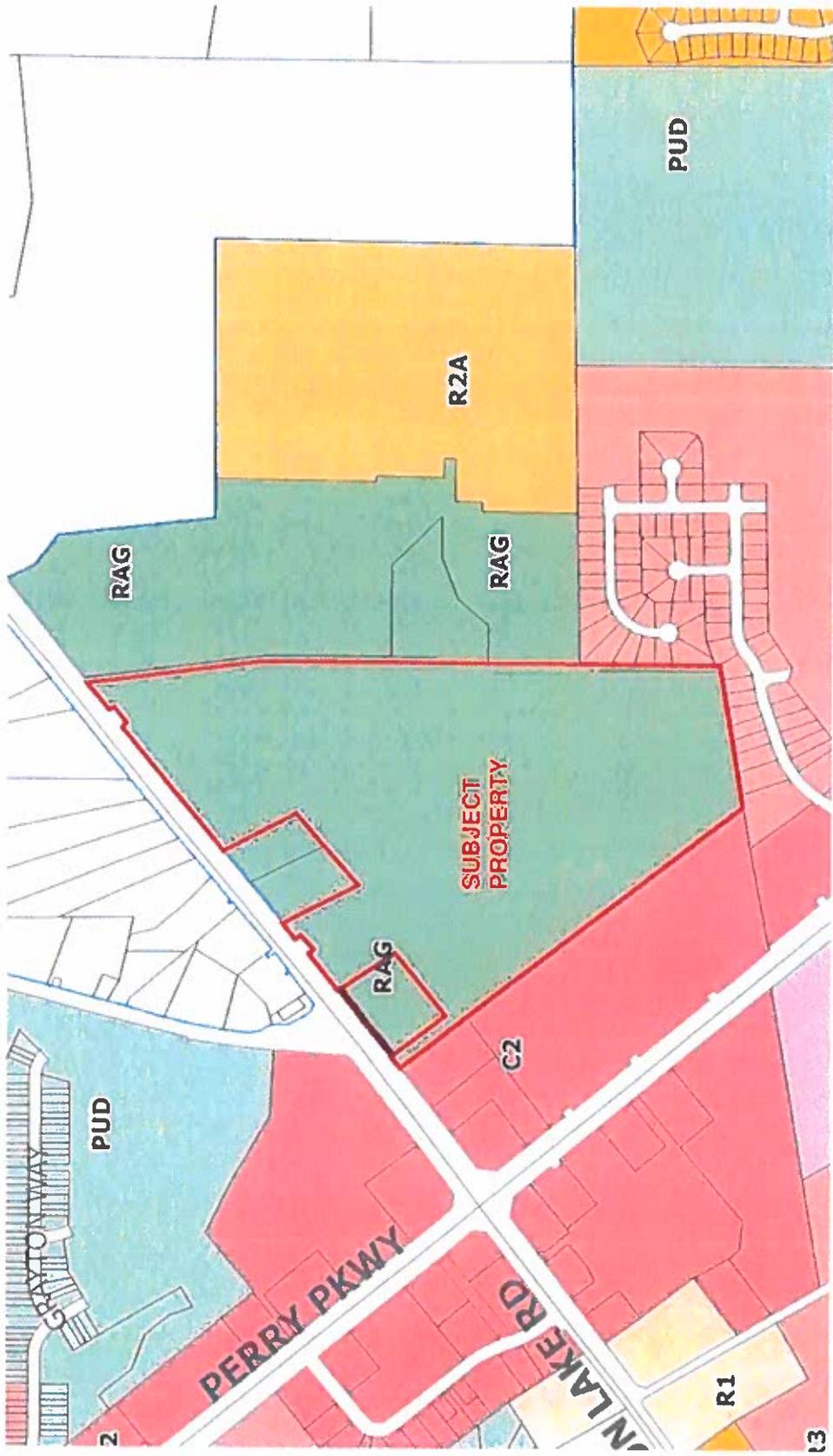


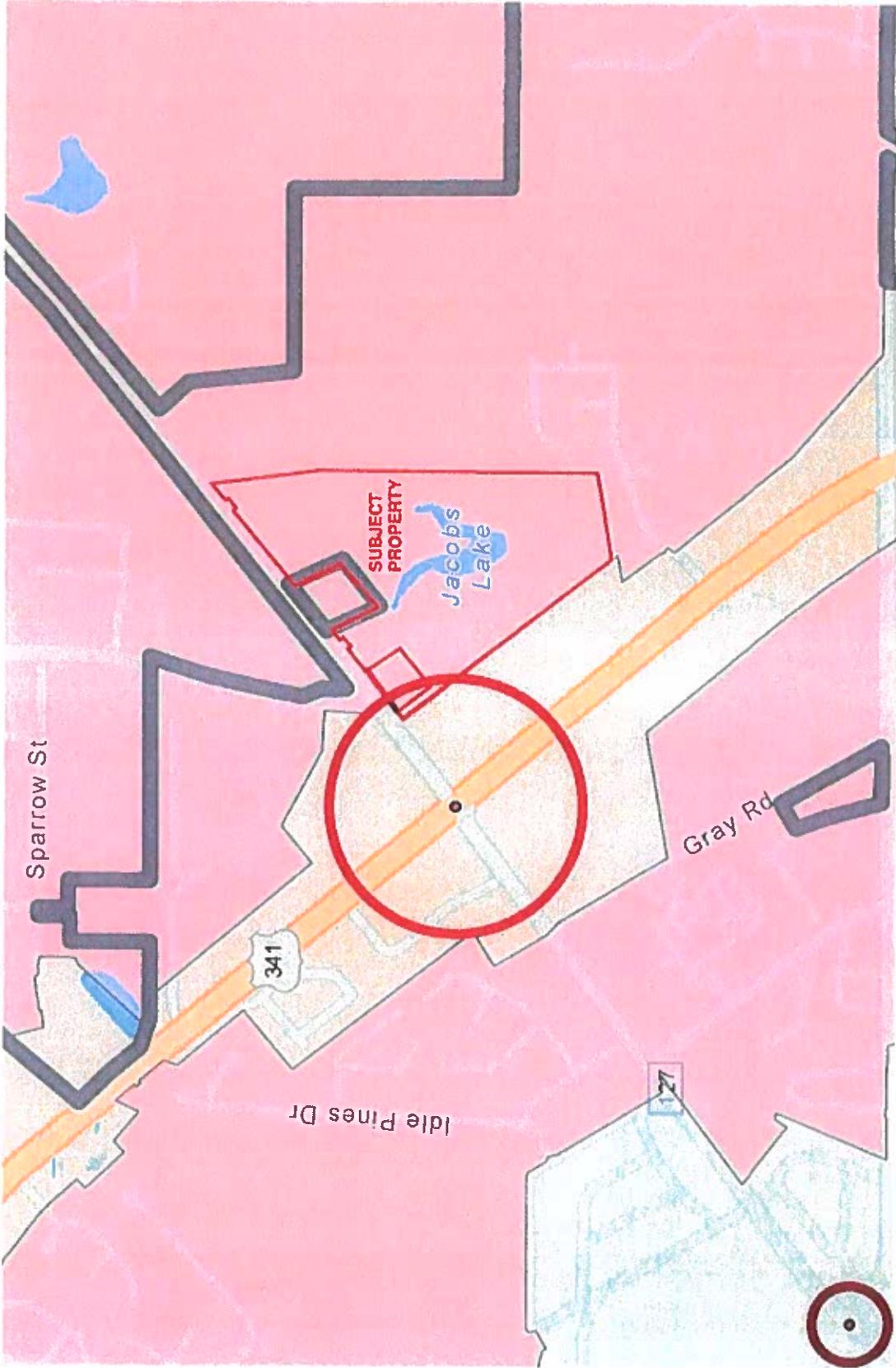
Eric Z. Edwards, Chairman of the Planning Commission



Date



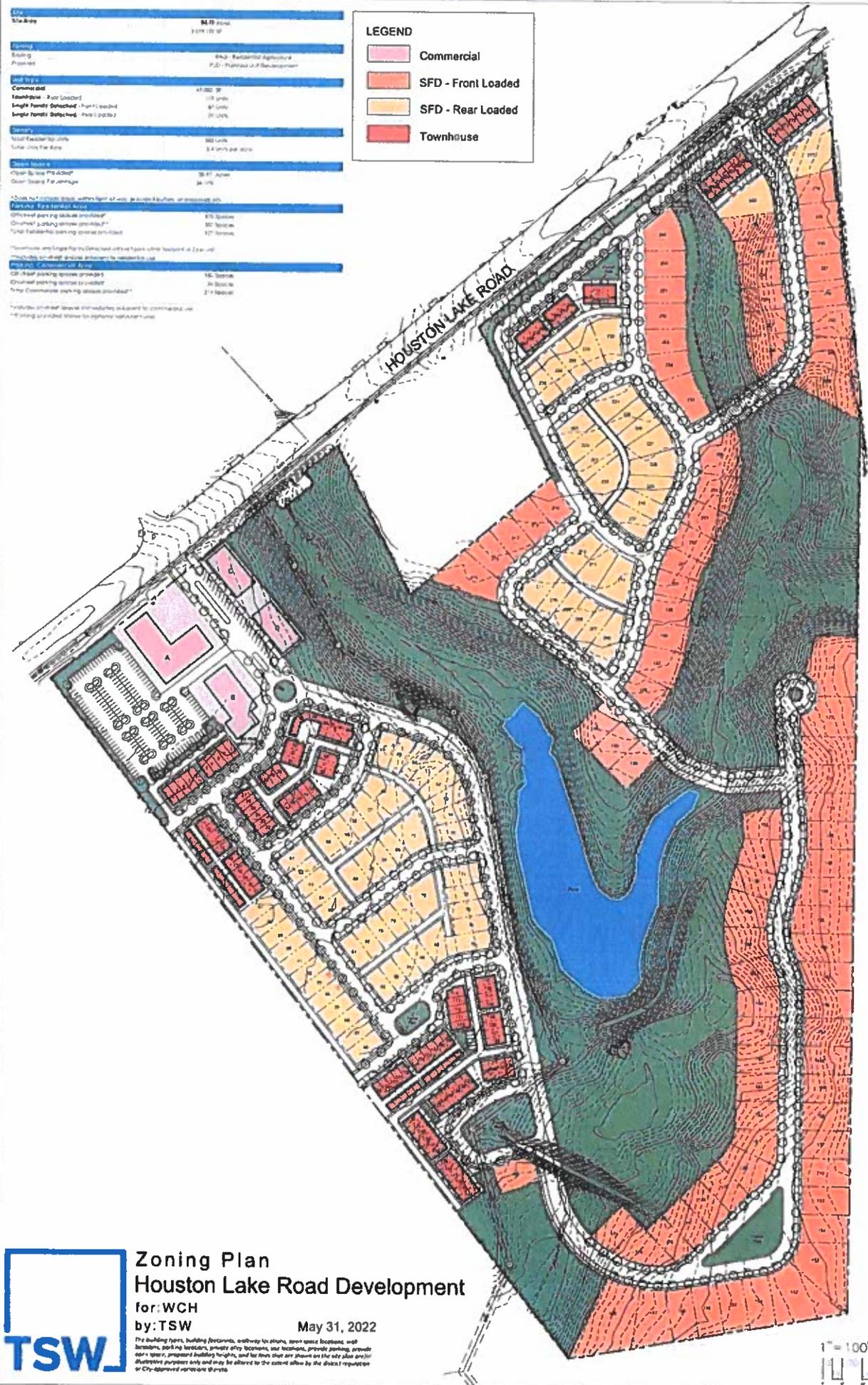




Site	64.19 Acres
Site Area	2,071,151 SF
Planning	
Building	483 - Residential Agricultural
Process	P.D. - Planned Unit Development
Land Use	
Commercial	47,000 SF
Townhouse - Rear Loaded	128 Units
Single Family Detached - 1/2 Acre Lot	84 Units
Single Family Detached - 1/4 Acre Lot	20 Units
Design	
Total Resident Units	232 Units
Total Units for Sale	234 Units per 2022
Design Details	
Open to Sky Pavement	28,471 Acres
Open to Sky Pavement	34.1%
*Does not include open surface light of view, drainage ditches, or easements.	
Parking - Rear loaded units	
Off-street parking spaces provided	875 Spaces
On-street parking spaces provided	500 Spaces
Total Available parking spaces provided	1375 Spaces
*Townhouse and Single Family Detached units are subject to City of WCH	
*Includes on-street and off-street parking for residential use	
Parking - Commercial Use	
Off-street parking spaces provided	15 Spaces
On-street parking spaces provided	34 Spaces
Total Commercial parking spaces provided	49 Spaces
*Includes on-street and off-street parking for commercial use	
**Off-street parking spaces for commercial use	

LEGEND

- Commercial
- SFD - Front Loaded
- SFD - Rear Loaded
- Townhouse



**Zoning Plan
Houston Lake Road Development**

for: WCH
by: TSW
May 31, 2022

The building types, building footprints, setbacks, lot areas, open space locations, wall locations, parking locations, priority city locations, use locations, provide parking, provide use in space, proposed building heights, and lot lines that are shown on this site plan are illustrative purposes only and may be altered for the current allow by the project requirements or City-approved revisions thereto.

1" = 100'

**Houston Lake Road
 Development - South
 Zoning Plan - South
 Perry, Georgia**

www.tsw-esign.com



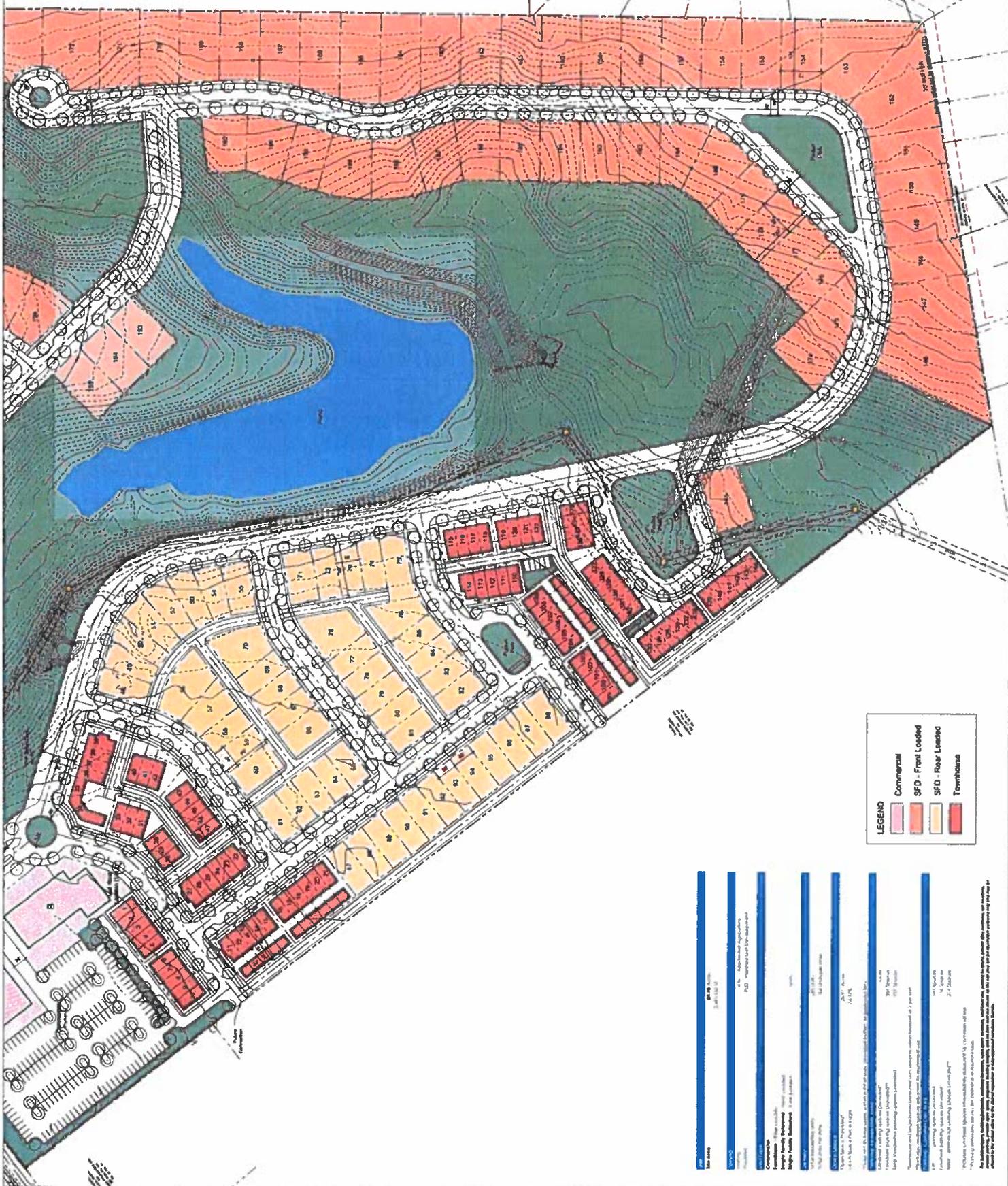
1" = 50'



Changes to zoning, setbacks, easements, etc. shall be shown on a separate sheet. The zoning plan shall be used in conjunction with the zoning ordinance and the zoning map.

Houston Lake Rd
 Development; Zoning Plan
 Perry, Georgia

Project Number: 1506
 Date: 1/10/10
 Drawn by: [Name]
 Checked by: [Name]
 May 31, 2012



LEGEND

- Commercial
- SFD - Front Loaded
- SFD - Rear Loaded
- Townhouse

NOTES:

1. All setbacks shall be measured from the finished ground surface.
2. All easements shall be shown on a separate sheet.
3. All easements shall be shown on a separate sheet.
4. All easements shall be shown on a separate sheet.
5. All easements shall be shown on a separate sheet.
6. All easements shall be shown on a separate sheet.
7. All easements shall be shown on a separate sheet.
8. All easements shall be shown on a separate sheet.
9. All easements shall be shown on a separate sheet.
10. All easements shall be shown on a separate sheet.

REVISIONS:

NO.	DATE	DESCRIPTION
1	1/10/10	Initial Design
2	1/10/10	Revised Design
3	1/10/10	Final Design

APPROVED:

 [Name]
 [Title]

DATE: 1/10/10

PUD Standards for Houston Lake Road Development

Houston Lake Road Development // 04.18.2022

REVISED 5/31/2022

0P0490 061000 & 090490 062000 Rezoning Application
Perry, Georgia

1. Dimensional standards:

a. Minimum lot size for each type of use

i. SFD – Rear Loaded

1. 4,000sf lot

ii. SFD – Front Loaded

1. 5,500sf lot

iii. TH

1. 1,200sf lot

b. Minimum lot width for each type of use

i. SFD – Rear Loaded

1. 35' at ROW

ii. SFD – Front Loaded

1. 55' at ROW

iii. TH

1. 20' at ROW

c. Setbacks for each type of use

i. SFD – Rear Loaded

1. Front: 10'
2. Side: 5'
3. Rear: 5'

ii. SFD – Front Loaded

1. Front: 15'
2. Side: 5'
3. Rear: 15'*

*35' rear setback shall apply to units that directly abut existing SFD units not included in this development, this includes the following units: 146-161 and 215-219.

iii. TH

1. Front: 10'
2. Side: 0'
3. Rear: 5'

d. Minimum house size

- i. 1,300sf

e. Proposed building heights – commercial

- i. 1 floor / 20' max

2. Street and ROW widths

- a. Reference TYP section exhibit dated May 31, 2022
- b. Alley notes: The 20' Alley Clear Zone is provided with a 15' solid surface drive with 2.5' of compacted gravel to each side.

3. Standards for proposed signs – height, location, character

- a. Shall comply with standards established in the Land Management Ordinance for the C-3, Central Business District.

4. **Proposed allowable/restricted uses for commercial properties**
 - a. Allowable/restricted uses for commercial properties to match current C-3 regulation.
5. **Proposed building materials and character for commercial properties**
 - a. Character: Mercantile
 - b. TYP Material palette: Brick, stucco, hardy board, and stone
6. **Location, height, and material of any fences, walls, screens, plants, and landscaping**
 - a. Landscape Plan to be determined. If required for rezoning, applicant request item be listed as a condition. Landscape plans to be submitted for approval once developed.
7. Open Space: Within the open space, the developer shall construct and furnish a pocket park(s) consistent with plans to be approved by the Perry Planning Commission.
8. Sidewalks: ADA-compliant sidewalks shall be installed as indicated on the Zoning Plan (approved PUD Plan).
9. Street Trees: Street trees shall be installed as indicated on the Zoning Plan (approved PUD Plan).
10. Standards not specifically addressed for the commercial portion of the plan shall comply with C-3 district requirements; townhouse areas shall comply with RTH district standards; and single-family areas shall comply with the R-3 district standards.



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Application # RZNE
#0058-2022

Application for Rezoning

Contact Community Development (478) 988-2720

Applicant/Owner Information

*Indicates Required Field

	*Applicant	*Property Owner
*Name	Wingate Custom Homes	AYERS FARMS INC
*Title	Organization	Organization
*Address	817 GA-247 Unit 10, Kathleen, GA 31047	1444 Sam Nunn Blvd, Perry, GA 31069
*Phone	(478) 322-0028	
*Email	info@wchhome.com	

Property Information

*Street Address or Location	1824 Houston Lake Rd & 1904 HWY 127, Perry, GA 31069
*Tax Map Number(s)	0P0490 061000 & 090490 062000
*Legal Description	A. Provide a copy of the deed as recorded in the County Courthouse, or a metes and bounds description of the land if a deed is not available; B. Provide a survey plat of the property;

Request

*Current Zoning District	R-AO	*Proposed Zoning District	PUD
*Please describe the existing and proposed use of the property Note: A Site Plan or other information which fully describes your proposal may benefit your application.			
Existing property use appears to be limited to single-family dwelling ownership. Proposed property use would be townhomes, detached single-family homes, and mixed use commercial space.			

Instructions

- The application and fee (made payable to the City of Perry) must be received by the Community Development Office no later than the date reflected on the attached schedule.
- *Fees:
 - Residential - \$140.00 plus \$16.25/acre (maximum \$1,700.00)
 - Planned Development - \$160.00 plus \$16.25/acre (maximum \$3,000.00)
 - Commercial/Industrial - \$245.00 plus \$22.65/acre (maximum \$3,170.00)
- *The applicant/owner must respond to the 'standards' on page 2 of this application (The applicant bears the burden of proof to demonstrate that the application complies with these standards). See Sections 2-2 and 2-3.1 of the Land Management Ordinance for more information. You may include additional pages when addressing the standards.
- The staff will review the application to verify that all required information has been submitted. The staff will contact the applicant with a list of any deficiencies which must be corrected prior to placing the application on the planning commission agenda.
- Rezoning applications require an informational hearing before the planning commission and a public hearing before City Council. Public hearing sign(s) will be posted on the property at least 15 days prior to the scheduled hearing dates.
- *The applicant must be present at the hearings to present the application and answer questions that may arise.
- *Campaign Notice required by O.C.G.A. Section 36-67A-3: Within the past two years has the applicant made either campaign contributions and/or gifts totaling \$250.00 or more to a local government official? "Applicant" is defined as any person who applies for a rezoning action and any attorney or other person representing or acting on behalf of a person who applies for a rezoning action. Yes No
If yes, please complete and submit a Disclosure Form available from the Community Development office.

8. The applicant and property owner affirm that all information submitted with this application, including any/all supplemental information, is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.

9. Signatures:

Applicant	Date
Property Owner/Authorized Agent	Date
<i>Agree's Farm, Inc. By [Signature]</i>	5-25-22

Standards for Granting a Rezoning

The applicant bears the burden of proof to demonstrate that an application complies with these standards.

Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district? **Please see attached document, "1904 HWY 127 REZONING STANDARDS COMMENTS"**

- (1) The existing land uses and zoning classification of nearby property;
- (2) The suitability of the subject property for the zoned purposes;
- (3) The extent to which the property values of the subject property are diminished by the particular zoning restrictions;
- (4) The extent to which the destruction of property values of the subject property promotes the health, safety, morals or general welfare of the public;
- (5) The relative gain to the public as compared to the hardship imposed upon the individual property owner;
- (6) Whether the subject property has a reasonable economic use as currently zoned;
- (7) 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;
- (8) Whether the proposed zoning will allow uses that are suitable in view of the uses and development of adjacent and nearby property;
- (9) Whether the proposed zoning will adversely affect the existing use or usability of adjacent or nearby property;
- (10) Whether the zoning proposal is in conformity with the policies and intent of the Comprehensive Plan;
- (11) Whether the zoning proposal will result in a use which will cause an excessive burden upon existing streets, transportation facilities, utilities, or schools; and
- (12) 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.

1904 HWY 127 REZONING STANDARDS COMMENTS

(1) The existing land uses and zoning classification of nearby property;

Existing land use does not include potential rezoning obstacles. Nearby properties' zoning classifications include R-3, C-2, R-AG, and PUD. Rezoning this parcel to PUD would align with past rezoning initiatives in this area.

(2) The suitability of the subject property for the zoned purposes;

The subject property is well-suited for the potential rezoning. Preliminary analysis suggests that existing soils and topography will be conducive to earth-moving operations, drainage, and construction of foundation pads and roadways.

(3) The extent to which the property values of the subject property are diminished by the particular zoning restrictions;

Under the current zoning classification, the subject property's values are severely diminished as the property cannot be developed to the extent that a PUD zoning classification would allow.

(4) 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 subject property value, along with nearby property values, are very likely to increase upon development completion. Property value destruction, if any, will be minimal.

(5) The relative gain to the public as compared to the hardship imposed upon the individual property owner;

The subject property owner is a willing seller; no hardship will be imposed upon him. The public will enjoy additional commercial space and homeownership rates.

(6) Whether the subject property has a reasonable economic use as currently zoned;

The subject property has relatively little economic value as currently zoned when compared to potential PUD zoning economic value.

(7) 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;

According to publicly available historical satellite imagery, adjacent properties rezoning and development were completed circa 2007.

(8) Whether the proposed zoning will allow uses that are suitable in view of the uses and development of adjacent and nearby property;

Adjacent and nearby properties' zoning classifications include R-3, C-2, R-AG, and PUD. Rezoning this property to PUD would allow potential uses and development very similar to those of the immediate area's past rezoning initiatives.

(9) Whether the proposed zoning will adversely affect the existing use or usability of adjacent or nearby property;

Because the proposed zoning classification will limit development standards to those of the similar, adjacent C-2 and R-3 parcels' standards, no adverse effects are expected.

(10) Whether the zoning proposal is in conformity with the policies and intent of the Comprehensive Plan;

The zoning proposal is in conformity with the policies and intent of the Comprehensive Plan, especially with the "Economic Development" section's goal #s 2 and 4, as well as the "Housing" section's goal #s 1 and 3. Additional businesses and housing will improve economic development opportunities and homeownership rates, respectively.

(11) Whether the zoning proposal will result in a use which will cause an excessive burden upon existing streets, transportation facilities, utilities, or schools; and

A Jan. 28th discussion with Chad McMurrian revealed that, at the time construction operations would begin, the proposed rezoning and subsequent development would not over-burden infrastructure.

(12) 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.

There are no existing or changing conditions of which interested parties have been made aware that would provide additional support for approval or disapproval.



Doc ID: 016276990003 Type: GLR
 Recorded: 11/25/2020 at 03:57:56 PM
 Fee Amt: \$1,175.00 Page 1 of 3
 Transfer Tax: \$1,150.00
 Houston, Ga. Clerk Superior Court
 Carolyn V. Sullivan Clerk

BK **8886** PG **72-74**

After recording return to:

File No.: P20-450

WALKER HULBERT GRAY & MOORE, LLP

P. O. Box 1770 / 909 Ball Street
 Perry, Georgia 31069
 Attorney: JOHN W. HULBERT

STATE OF GEORGIA
 COUNTY OF HOUSTON

WARRANTY DEED

THIS INDENTURE, Made the 24th day of November, in the year two thousand twenty (2020), between

MICHAEL CHADWYCK JACOBS, as to a 12.5% undivided interest;
ANNALEE HANNER, formerly known as Annalee Jacobs Thomson, as to a 12.5% undivided interest;
KAY JACOBS ROWELL, as to a 25% undivided interest;
BEVERLY MALONE, formerly known as Beverly Jacobs O'Dell, as to a 25% undivided interest; and
MARCILLA JACOBS HEATH, as to a 25% undivided interest

as party or parties of the first part, hereinafter called Grantor, and

AYER'S FARMS, INC.
 a Georgia corporation

duly incorporated and existing under the laws of the State of Georgia, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of Other Good and Valuable Considerations and Ten (\$10.00) and NO/100 ----- DOLLARS, before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, alienated, conveyed and confirmed and by these presents does grant, bargain, sell, alien, convey or confirm unto the said Grantee, ALL OF THE FOLLOWING DESCRIBED PROPERTY, to-wit:

All that tract or parcel of land situate, lying and being in Land Lots 110, 114 and 115 of the 10th Land District of Houston County, Georgia, and being known and designated as PARCEL 0P0490 061000, COMPRISING 81.59 ACRES; and PARCEL 0P049 062000, COMPRISING 3.19 ACRES, as more particularly shown and designated on a plat of survey entitled "RETRACEMENT SURVEY - LANDS OF KAY J. ROWELL" prepared by Spencer H. Johnson, Georgia Registered Land Surveyor No. 3171, dated November 4, 2020 and recorded in Plat Book 82, Page 56, Clerk Office, Houston Superior Court. Said plat and the recorded copy thereof are hereby made a part of this description by reference thereto.

This conveyance is made subject to all zoning ordinances, easements and restrictions of record affecting said bargained premises.

Deed References: Deed Book 1428, Page 575; Deed Book 1428, Page 574; Deed Book 1428, Page 573; Deed Book 1428, Page 572; and in Deed Book 1428, Page 571, said Clerk's Office

Houston County Tax Map Parcel Nos.: P0490 061000 and P0490 062000

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

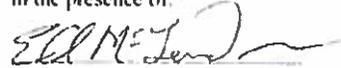
AND THE SAID Grantor warrants and will forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

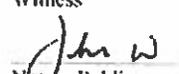


MICHAEL CHADWYCK JACOBS (Seal)

Signed, sealed and delivered
in the presence of:



Witness

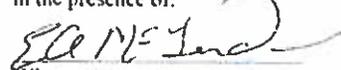

Notary Public
My Commission Expires _____
(Notary Seal)



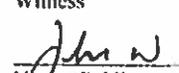


ANNALEE HANNER, formerly known as
Annalee Jacobs Thomson (Seal)

Signed, sealed and delivered
in the presence of:



Witness


Notary Public
My Commission Expires _____
(Notary Seal)



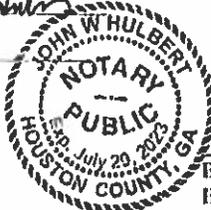
[ADDITIONAL SIGNATURES ON NEXT PAGE]

Kay Jacobs Rowell (Seal)
KAY JACOBS ROWELL

Signed, sealed and delivered
in the presence of:

EAM L
Witness

John W Hulbert
Notary Public
My Commission Expires
(Notary Seal)

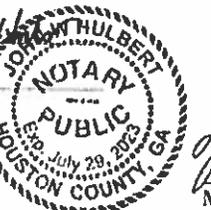


Beverly Malone (Seal)
BEVERLY MALONE, formerly known as
Beverly Jacobs O'Dell

Signed, sealed and delivered
in the presence of:

EAM L
Witness

John W Hulbert
Notary Public
My Commission Expires
(Notary Seal)

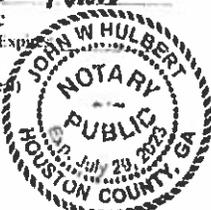


Marcilla Jacobs Heath (Seal)
MARCILLA JACOBS HEATH

Signed, sealed and delivered
in the presence of:

EAM L
Witness

John W Hulbert
Notary Public
My Commission Expires
(Notary Seal)





Where Georgia comes together.

Summary for Zoning Case: TEXT-0049-2022

Highlights of Text Amendment:

- Establishes an RTH, Residential Townhouse District
- Establishes minimum lot area, lot width, maximum building coverage, maximum height, and minimum setbacks for the overall development in the RTH district
- Establishes maximum density of six dwelling units per acre in the RTH district
- Establishes minimum house size
- Outside of a PUD or a form-based zoning district, townhouse development permitted only in RTH and Downtown Development Overlay District
- Maintains current minimum lot area and width for individual townhouse lots
- Updates standards for townhouses to address:
 - Common open space and its location
 - Parking – rear-loaded garages/driveways only
 - Sidewalks – required on both sides of internal streets
 - Architectural standards – materials, varied design of individual facades

Planning Commission Recommendation:

Approval



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STAFF REPORT

From the Department of Community Development
May 5, 2022

CASE NUMBER: TEXT-0049-2022
APPLICANT: The City of Perry
REQUEST: Modifications to Land Management Ordinance to establish a townhouse zoning district and to modify townhouse development standards. Sections of the Land Management Ordinance being modified are 3-2.2, 4-1.2, 4-3.1, 5-1.1, 5-1.2, 5-2.1, and 5-5.

STAFF ANALYSIS: Over the past few months, the City of Perry has experienced increased interest by developers to build townhome developments. Until recently, townhomes have not been proposed often, and there are very few townhome projects within the City of Perry. As the City is receiving more proposals for townhomes, planning staff has recognized a need to create a separate townhouse zoning district and establish more detailed standards for townhouse developments in the City of Perry. These proposed standards are intended to encourage townhouse developments that suit the character of Perry and provide a high-quality neighborhood atmosphere. The proposed amendment is consistent with the direction provided by the Planning Commission in its February and March Work Sessions.

Highlights of the text amendment:

- Establishes an RTH, Residential Townhouse District
- Establishes minimum lot area, lot width, maximum building coverage, maximum height, and minimum setbacks for the overall development in the RTH district
- Establishes maximum density of six dwelling units per acre in the RTH district
- Establishes minimum house size
- Outside of a PUD or a form-based zoning district, townhouse development permitted only in RTH and Downtown Development Overlay District
- Maintains current minimum lot area and width for individual townhouse lots
- Updates standards for townhouses to address:
 - Common open space and its location
 - Parking – rear-loaded garages/driveways only
 - Sidewalks – required on both sides of internal streets
 - Architectural standards – materials, varied design of individual facades

STANDARDS FOR GRANTING A TEXT AMENDMENT:

1. Whether, and the extent to which, the proposed amendment is consistent with the Comprehensive Plan.
The goal of the Housing Element of the 2022 Joint Comprehensive Plan is to “Provide for a variety of housing types and densities throughout Houston County”.
2. Whether, and the extent to which, the proposed amendment is consistent with the provisions of this chapter and related city regulations.
The proposed amendment is consistent with the format of the Land Management Ordinance.

3. Whether, and the extent to which, there are changed conditions from the conditions prevailing at the time that the original text was adopted.

Since the current standards for townhouse development were originally established, development patterns in Perry have changed. The standards for townhouse development are being modified to address current expectations for all development in the City.

4. Whether, and the extent to which, the proposed amendment addresses a demonstrated community need.

As the demand for various housing types continues, the standards for townhouses need to be consistent with the values and expectations of the community.

5. Whether, and the extent to which, the proposed amendment is consistent with the purpose and intent of the zoning districts in this chapter, will promote compatibility among uses, and will promote efficient and responsible development within the city.

The Purpose and Intent of the Land Management Ordinance include:

- Prevent the overcrowding of land, to avoid undue concentration of population, and to lessen congestion in the streets.
- Promote quality housing, preserve neighborhoods, and encourage a diversity of housing options.
- Encourage appropriate urban development and redevelopment.
- Regulate the density and distribution of populations and the uses of buildings, structures, and land for trade, industry, residence, recreation, agriculture...
- Facilitate the adequate provision or availability of ... affordable housing... to enhance the health safety, and welfare of its citizens.

6. Whether, and the extent to which, the proposed amendment will result in logical and orderly development pattern.

In addition to updated development standards to address density, character, and open space, the amendment establishes a new townhouse zoning district. City Council will have more control over the location of townhouse developments.

7. Whether, and the extent to which, the proposed amendment will result in beneficial impacts on the natural environment and its ecology, including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, and wetlands.

The amendment establishes standards which will provide a more even distribution of open space and usable pocket greenspaces throughout the development.

8. Whether, and the extent to which, the proposed amendment will result in development that is adequately served by public facilities and services (roads, potable water, sewerage, schools, parks, police, fire, and emergency medical facilities).

City Council will be able to evaluate the impact of townhouse developments on public facilities and services with individual zoning applications.

STAFF RECOMMENDATION: Staff recommends approval of the proposed text amendment.

PLANNING COMMISSION RECOMMENDATION: Following an informational hearing held on May 9, 2022, the Planning Commission recommends approval of the proposed text amendment.


Eric Z. Edwards, Chairman, Planning Commission

5/11/22
Date

PROPOSED TEXT AMENDMENT:

PROPOSED TEXT AMENDMENT:

Add subsection (X) to Sec. 3-2.2

3-2.2. *Establishment of zoning districts and specific purposes.*

- (X) *RTH, Residential Townhouse District.* The RTH zoning district is intended for townhouse dwellings with a maximum density of 6 units per acre in areas where public water supply and sewerage facilities are available or can be obtained and where there is convenient access to collector streets, arterial streets, or state highways. This zoning district is intended exclusively for townhouse dwelling units, customary accessory uses and structures.

Replace Sec. 4-3.1 (A) as follows:

- (A) *Townhouse.* Within the districts permitting townhouses, the following requirements shall apply:
- (1) Minimum lot area. For fee-simple townhouses, each lot shall have a minimum area of 2,000 square feet.
 - (2) Minimum lot width. Each lot shall have a minimum width of 20 feet.
 - (3) Maximum building coverage. Building coverage shall not exceed 80% of any individual lot.
 - (4) Minimum townhouse square footage. The minimum heated floor area for a townhouse unit shall be 1,200 square feet.
 - (5) Units per building. There shall be at least three (3) units and no more than eight (8) units per building of attached townhouse units.
 - (6) Building separation. Townhouse buildings shall be separated by a minimum of 20 feet. Architectural features, such as chimneys, eaves, sills, cornices, and corbels, may be allowed to extend up to two (2) feet into the building separation requirement.
 - (7) Building orientation. The front of a townhouse shall not face the rear of another dwelling structure within the development or on adjoining properties unless differences in terrain and elevation would provide effective visual separation.
 - (8) Common open space.
 - a. A minimum of 30 percent of the overall townhouse development land area shall be provided as common open space. The open space shall include pocket greenspaces such as parks, squares, courtyards, community gardens or similar usable common areas.
 - b. At least 60 percent of all townhouse units shall face or be located within 200 feet of a pocket greenspace.
 - c. The minimum size of an individual pocket greenspace shall be 8,000 square feet with a minimum dimension of 40 feet.
 - d. The average size of all pocket greenspace within a townhouse development shall be 1,000 square feet per townhouse unit in the development.
 - e. Surface stormwater facilities shall not be placed in a pocket greenspace.
 - f. Common open space shall be owned and maintained by a homeowners' association.
 - g. The required common open space and pocket greenspace may be reduced or waived by the Planning Commission if the townhouse development is in the Downtown Development Overlay District and is located within one-quarter (¼) mile walking distance of a public park.
 - (9) Parking.
 - a. The minimum number of parking spaces for each townhouse unit shall be two (2) primary spaces, excluding garages, plus 0.25 spaces per townhouse for guest parking. Primary parking spaces shall be located within 100 feet of the townhouse they are intended to serve. Guest parking spaces shall be located no more than 400 feet from any townhouse unit.
 - b. All townhouses shall be designed with a rear entry garage and driveway accessed via a street, alley, or private common driveway. Garages and driveways shall not be located on the front elevation or accessed from the front of the lot.
 - c. Except for tapered aprons, driveway widths shall not be expanded beyond the width of the garage face.

- d. Parking of boats, RV's, trailers, and utility trailers shall be prohibited in a townhouse development unless an area specially designated for such parking is provided. Such parking area shall be in addition to the minimum number of parking spaces required.
- (10) Sidewalks. ADA compliant sidewalks shall be provided within the public right-of-way on both sides of all streets in a townhouse development. Pocket greenspaces shall be accessible via ADA compliant sidewalks.
- (11) Architectural standards.
- a. There shall be a minimum of three different exterior elevations in a townhouse development.
 - b. No more than two contiguous dwellings that form a part of a single building shall have the same setback or roof line. Said setback and roof line shall be varied by a minimum of two (2) feet.
 - c. Required exterior building materials shall be brick, stone, and/or natural wood or fiber cement siding. Split-faced concrete block, stucco, or granite block may be used on no more than 20 percent of any elevation.
 - d. Material or color changes should occur at a change of plane.
 - e. Private, usable open space, such as balconies, decks, patios, etc., shall be provided contiguous to each dwelling unit. The area of such open space provided for each unit shall not be less than ten (10) percent of the floor area of the unit served. The location and number of square feet shall be clearly indicated on the site plan. Private open space shall not count toward the required common open space.
 - f. Windows shall be provided on the side elevation of end units in a townhouse building.

Replace Table 5-1-1 in Sec. 5-1.1 as follows:

5-1.1 *Single- and two-family residential dwelling units.* Within use districts permitting single- and two-family residential dwelling units, the minimum lot areas, minimum lot widths, minimum house size and maximum lot coverage in Table 5-1-1 shall apply. These figures for minimum lot area and minimum lot width do not apply to lots of record.

	Minimum Lot Area (Sq. Feet)	Minimum Lot Width (Measured at Building Line)	Minimum House Size (Heated Sq. Feet) ⁶	Maximum Lot Coverage of Buildings (Percent)
R-Ag Residential-Agricultural	5 acres	300'	1,200	25
R-1 Single-Family Residential	15,000 ^{1,3,4}	90'	1,200	25
R-2A Single-Family Residential	12,000 ^{1,3,4}	80'	1,200	25
R-2 Two-Family Residential				
Single-family detached	12,000 ^{1,3,4}	80'	900	25
Two-Family (Duplex)	10,000 ^{1,3,4}	85'	n/a	25
R-3 Multi-Family Residential⁷				
Single-family detached	9,000 ^{1,3,4}	70'	900	35
Single-Family Townhouses	2,000 ²	20'	n/a	40
Two-Family (Duplex)	8,000 ^{1,3,4}	75'	n/a	35
Multi-Family Dwellings	See Table 5-1-2			
RTH Residential Townhouse	2,000²	20'	1,200	80
R-MH Residential Manufactured Homes				
Single-family detached	9,000 ^{3,4}	70'	n/a	35
Manufactured home subdivision ⁵	9,000 ^{3,4}	70'	n/a	35
Manufactured home park	See Section 4-3.1(B)			
<p>1 New lots abutting platted residential lots may have larger minimum size requirements. See Section 5-1(A)(1) below.</p> <p>2 The minimum area for a townhouse development in RTH is 10,000 square feet.</p> <p>3 Lots served by private septic tank and well shall be a minimum area of 63,340 square feet and width of 150 feet.</p> <p>4 Lots served by private septic tank and public water shall be a minimum area of 32,670 square feet and width of 100 feet.</p> <p>5 The minimum area for a manufactured home subdivision is ten (10) acres.</p> <p>6 House size less than the minimum may be allowed by Special Exception.</p> <p>7 The R-3 standards apply to non-residential zoning districts which allow residential uses.</p> <p>*See Appendix A for requirements in Form Based Code districts.</p>				

Replace Table 5-1-2 in Sec. 5-1.2 as follows:

5-1.2 *Multifamily residential dwelling units.* Multi-family residential developments shall meet the requirements in Table 5-1-2. All multifamily dwelling units shall be connected to a public sewer.

Zoning District	Maximum Dwelling Units per Acre	Minimum Lot Width (measured at building line)	Maximum Lot Coverage of Buildings (Percent)
R-3, RMH	8	85	40
RTH	6	110	40
LC, OC, IN	12	85	40
C-1, C-2	20	85	40
C-3	No maximum	0	100
IMU, MUC, NMU, FBR	See Appendix A for requirements in Form Based Code districts.		

Replace Table 5-2-1 in Sec. 5-2.1 as follows:

5-2.1. *Minimum building setbacks.* Minimum building setbacks are established in Table 5-1-3.

Zoning District	Front Yard		Rear Yard	Side Yard		
	Arterial/ Collector Streets	Minor Streets		Interior Lot	Corner Lot	
					Arterial/ Collector Streets	Minor Streets
R-Ag Residential-Agricultural	50'	50'	25'	15'	50'	50'
R-1 Single-Family Residential	40'	30'	35'	10'	40'	30'
R-2A Single-Family Residential	40'	25'	25'	8'	40'	25'
R-2 Two-Family Residential	40'	25'	25'	8'	40'	25'
R-3 Multi-Family Residential						
One- and two-family Multifamily	40'	25'	25'	8'	40'	25'
RMH Residential Manufactured Home Multifamily	40'	25'	25'	a	40'	25'
Manufactured home parks	(See Section 4-3.1(B))					
RTH Residential Townhouse	40'	25'	25'	10'	40'	25'
C-1 Highway Commercial District Residential	40'	25'	25'	a	40'	25'
Commercial or mixed-use	40'	25'	b	b	40'	25'
C-2 General Commercial District ³ Residential	40'	25'	25'	a	40'	25'
Commercial or mixed-use	40'	25'	b	b	40'	25'
C-3 Central Business District (CBD) Residential	10'	10'	b	b	10'	10'
Commercial or mixed-use	none	none	b	b	none	none
LC Limited Commercial District ³	40'	25'	b	b	40'	25'
OC Office Commercial District ³	40'	25'	b	b	40'	25'
IN Institutional District ³	40'	25'	b	b	40'	25'
M-1 Wholesale & Light Industrial	50'	50'	b	b	50'	50'
M-2 Industrial	50'	50'	b	b	50'	50'

a. Eight (8) feet plus two (2) additional feet for each story (floor) above two (2) stories, but not exceeding twenty (20) feet; and when dwelling unit faces side yard, the dwelling unit shall not be less than twenty (20) feet from the side lot line.

b. None, except when abutting residential district and then not less than twenty-five (25) feet.

1 See Appendix A for requirements in Form Based Code districts

2 Setbacks for accessory structure are 5 feet from rear and interior side property lines, unless the otherwise required setback listed

above is less. (Also see Sec. 4-4.2(E))

3 Single- and two-family dwellings in nonresidential districts shall comply with the setbacks established for such uses in the R-3 zoning district.

4 A 25' building setback is required along the external side and rear boundaries of a townhouse development. The minimum front setback for townhouses abutting a pocket greenspace is 10'.

Replace Table 5-5-1 in Sec. 5-5 (B) as follows:

(B) *Maximum building height.* Maximum building heights are established in Table 5-5-1.

Zoning District and Use	Maximum Building Height (in feet)
Single-family and two-family residential in any district	35
Non-residential uses in R-Ag, R-1, R-2, R-2A, R-3 and RMH	40
Multi-family residential in R-3	40
RTH	40
C-1, C-2	50
C-3, LC, OC, IN	40
M-1, M-2	50
IMU, MUC, NMU, FBR	See Appendix A for requirements in Form Based Code districts.

*Maximum building height for accessory structures is provided in Section 4-4.2(E).

Replace Table 4-1-1 in Sec. 4-1.2 as follows:

4-1.2. *Table of uses.*

(Next Page)

Use Category	Use Type	Zoning Districts																	Additional Regulations (Sections)					
		Residential							Nonresidential							Form Based Code 2								
		R-Ag	R1	R2A	R2	R3	RTH	RMH	OC	IN	C1	C2	C3	LC	M1	M2	GU	IMU		MUC	NMU	FBR		
Retail Sales and Services	Automobile parts store									P	P								P	P	P			
	Bank, financial institution, ATM									P	P	P	S						P	P	P			
	Bar, nightclub									P	P	P							P	P	P			
	Barber shop, beauty shop									P	P	P	P						P	P	P			
	Casino or gambling establishment									C													4-3.3(C)	
	Civic club																		P	P				
	Convenience store										P	P							P	P	S		4-3.3(A)	
	Convention and exhibition facility										P								P					
	Event venue	S									P	P	P						P	P	P			
	Farmers' market	S									P	P	P	S					P	P	S			
	Flea market										P					P								
	Fortune telling										P													
	Funeral home, mortuary										P	P								P	P	P		
	Grocery store										P	P								P	P	P		
	Health club, spa										P	P	P	P						P	P	P		
	Indoor entertainment facility, general										P	P	S							P	P	P		
	Kennel or veterinary clinic, indoor and outdoor										P	P								P	P	P		
Kennel or veterinary clinic, indoor only										P	P								P	P	P			
Landscape nursery										P					P									
Liquor store										P	P ¹								P					
Photography, art, dance studio or gallery											P	P	S						P	P	P	S		
Personal services, all other										P	P ¹	P ³	S ³					P ³	P ³	P ³				
Prefabricated building display and sales										P					P				P	S				
Retails sales and services, all other										P	P ¹	P ³	S ³	P	P			P ³	P ³	P ³				
Retail tenant exceeding 35,000 square feet										P	S								P	P			6-6.2	
Sexually oriented business										P					P	P							4-3.3(E)	
Shopping center exceeding 50,000 square feet										P	P								P	P			6-6.2	



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Application # TEXT-049-2022

Application for Text Amendment

Contact Community Development (478) 988-2720

Applicant Information

*Indicates Required Field

Applicant	
*Name	Bryan Wood for the City of Perry
*Title	Director of Community Development
*Address	1211 Washington Street, Perry, GA 31069
*Phone	478-988-2714
*Email	bryan.wood@perry-ga.gov

Request

*Please provide a summary of the proposed text amendment:

Modify the Land Management Ordinance to establish a townhouse zoning district and to modify townhouse development standards. Sections of the LMO being modified are 3-2.2, 4-1.2, 4-3.1, 5-1.1, 5-1.2, 5-2.1, and 5-5.

Instructions

1. The application, fee (made payable to the City of Perry), and proposed text of the amendment must be received by the Community Development Office no later than 4:30 pm on the date reflected on the attached schedule.
2. Fees: Actual cost of required public notice.
3. The applicant must state the reason for the proposed text amendment. See Sections 2-2 and 2-3.2 of the Land Management Ordinance for more information.
4. The staff will review the application to verify that all required information has been submitted. The staff will contact the applicant with a list of any deficiencies which must be corrected prior to placing the application on the planning commission agenda.
5. Text amendment applications require an informational hearing before the planning commission and a public hearing before City Council.
6. The applicant must be present at the hearings to present the application and answer questions that may arise.
7. Campaign Notice required by O.C.G.A. Section 36-67A-3: Within the past two years, have you, the applicant, made either campaign contributions and/or gifts totaling \$250.00 or more to a local government official? Yes ___ No X
If yes, please complete and submit the attached Disclosure Form.
8. The applicant affirms that all information submitted with this application, including any/all supplemental information is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.
9. Signatures:

*Applicant		Bryan Wood, Director of Community Development, for the City of Perry	*Date	3/29/2022
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Standards for Amendments to the Text of the Land Management Ordinance

In reviewing an application for an amendment to the text of the ordinance and acting on said application, the planning commission and city council may consider the following standards:

- (1) Whether, and the extent to which, the proposed amendment is consistent with the Comprehensive Plan.

A goal of the Housing Element of the 2022 Joint Comprehensive Plan is to "Provide for a variety of housing types and densities throughout Houston County.

- (2) Whether, and the extent to which, the proposed amendment is consistent with the provisions of this chapter and related city regulations.

The proposed amendment is consistent with the format of the Land Management Ordinance.

- (3) Whether, and the extent to which, there are changed conditions from the conditions prevailing at the time that the original text was adopted.

Since the current standards for townhouse development were originally established, development patterns in Perry have changed. The standards for townhouse development are being modified to address current expectations for all development in the City.

- (4) Whether, and the extent to which, the proposed amendment addresses a demonstrated community need.

As the demand for various housing types continues, the standards for townhouses need to be consistent with the values and expectations of the community

- (5) Whether, and the extent to which, the proposed amendment is consistent with the purpose and intent of the zoning districts in this chapter, will promote compatibility among uses, and will promote efficient and responsible development within the city.

The Purpose and Intent of the LMO include:

- Prevent the overcrowding of land, to avoid undue concentration of population, and to lessen congestion in the streets.
- Promote quality housing, preserve neighborhoods, and encourage a diversity of housing options.
- Encourage appropriate urban development and redevelopment.
- Regulate the density and distribution of populations and the uses of buildings, structures, and land for trade, industry, residence, recreation, agriculture, ...
- Facilitate the adequate provision or availability of ...affordable housing... to enhance the health, safety, and welfare of its citizens.

- (6) Whether, and the extent to which, the proposed amendment will result in logical and orderly development pattern.

In addition to updated development standards to address density, character, and open space, the amendment establishes a new townhouse zoning district. City Council will have more control over the location of townhouse developments.

- (7) Whether, and the extent to which, the proposed amendment will result in beneficial impacts on the natural environment and its ecology, including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, and wetlands.

The amendment establishes standards which will provide a more even distribution of open space and usable pocket greenspaces throughout the development.

(8) Whether, and the extent to which, the proposed amendment will result in development that is adequately served by public facilities and services (roads, potable water, sewerage, schools, parks, police, fire, and emergency medical facilities).

City Council will be able to evaluate the impact of townhouse developments on public facilities and services with individual zoning applications.

Revised 6/14//21

Planning Commission Minutes
May 09, 2022

1. Call to Order: Chairman Edwards called the meeting to order at 6:01pm.
2. Roll Call: Chairman Edwards; Commissioners Coody, Jefferson, Mehserle, Moody, and Ross were present. Commissioner Butler was absent.

Staff: Bryan Wood – Community Development Director, Holly Wharton – Community Planner, Ashley Hardin - Economic Development Manager, and Christine Sewell – Recording Clerk.

Guests: Chad Bryant, Dylan Wingate, Lee Wingate, Curtis Harris, Jack James, Scott & Cindy Ritchie, Mark Makwana, Ryan Snodgrass, and Alonzo & Dana Brock.

3. Invocation: was given by Commissioner Mehserle
4. Approval of Minutes from meeting on April 11, 2022, and April 25, 2022, work session.

Commissioner Jefferson motioned to approve the minutes as presented; Commissioner Moody seconded; all in favor and were unanimously approved.

5. Announcements – Chairman Edwards referred to the notices as listed.
 - Per O.C.G.A. 36-67A-3 if any opponent of a rezoning or annexation application has made campaign contributions and/or provided gifts totaling \$250 or more within the past two years to a local government official who will consider the application, the opponent must file a disclosure statement.
 - Policies and Procedures for Conducting Zoning Hearings are available at the entrance.
 - Please place cell phones on silent mode.

6. Citizens with Comments – None

7. Old Business
Public Hearing (Planning Commission decision)

VAR-0034-2022. Variance to reduce the setback at 1117 Cottage Lane. The applicant is Dylan Wingate for WCH Homes. (*Postponed from April 11, 2022*) (*Applicant has requested to withdraw application*). Ms. Wharton advised the applicant has withdrawn the application.

VAR-0037-2022. Variance to reduce setback at 1123 Cottage Lane. The applicant is Dylan Wingate for WCH Homes. (*Postponed from April 11, 2022*)

Ms. Wharton read the applicants' request, which was for a variance to reduce the front yard setback from 25 feet to 20 feet, 6 inches due to the inability to fit the proposed home on the parcel while accommodating a sewer easement along the rear of the property. The requested variance would place the home outside the sewer easement, but only by a few inches. Because of the shape of the lot the front right corner of the house requires the variance. The front left corner of the house will exceed the minimum front setback. A mathematical formula used to determine how close excavation can occur to a structure of the type being proposed, the house

should be located approximately 4.8 feet from the sewer easement to allow for future maintenance without causing structural damage to the house.

Chairman Edwards opened the public hearing at 6:10pm and called for anyone in favor of the request. The applicant, Mr. Dylan Wingate, advised, the request was for the sewer easement and with the placement and depth for future maintenance should not be an issue.

Chairman Edwards called for anyone opposed; there being none the public hearing was closed at 6:11pm.

Chairman Edwards asked if the standards were met for the variance; Ms. Wharton advised yes, but the proximity of the sewer easement was the issue. Commissioner Mehserle asked if the development was a PUD; Mr. Wood advised it was and the plat was approved before his tenure and had originally been an R-3 under another developer before the final plat and now with another builder there are different house plans, which is a modification for the setbacks from eight feet to five feet. Commissioner Mehserle asked who determined the path of the sewer easement; Mr. Wood was not certain, but it was listed on the final plat.

Commissioner Moody motioned to approve as submitted with the staff condition that the applicant shall provide a site plan which places the house five (5) feet from the boundary of the sewer easement on the property, which results in a variance which is larger than the requested five feet, with the front right corner of house being approximately 15-18 feet from the front property line; Commissioner Coody seconded; all in favor of approval with Commissioner Mehserle abstaining from vote.

8. New Business

Public Hearing (Planning Commission decision)

PLAT-0044-2022. Preliminary plat for Remington Chase Phase 2. The applicant is Chad Bryant.

Ms. Wharton read the applicants' request, which was for preliminary plat approval. The properties are zoned R-2, Two-family Residential District and the specifications meet the minimum requirements for this district. The required 40' building setback along Gurr Road is not identified. Stormwater facilities which would serve this phase of development are not indicated on this plat. Lots 33 and 107 appear to have topographic challenges based on this preliminary plat. Based on the Perry Pathways Plan recently adopted by City Council, ADA-compliant sidewalks must be installed along at least one side of the internal subdivision streets, and along the Gurr Road frontage of the development. Street trees are required to be installed in subdivisions per subsections 6-3.1(B) and 6-3.3 of the Land Management Ordinance and should be placed within the right-of-way. Based on Council policy, a pocket park(s) totaling at least 39,200 square feet (0.88 acres) in area is appropriate for a subdivision of this size. While the preliminary plat shows a 0.12-acre pocket park on lot 300, the size is not adequate per City Council policy standards. City Council may pursue the purchase of multiple lots to develop and maintain a pocket park in the subdivision. Staff recommends approval of the proposed preliminary plat with the following conditions:

1. Stormwater facilities which serve this subdivision shall be identified on the construction plans.

2. The developer shall submit proof that Lot 33 and Lot 107 are buildable due to topographic challenges.
3. The final plat shall include the required 40-foot building setback line along Gurr Road.
4. The developer shall install ADA-compliant sidewalks along the Gurr Road frontage of the project and on at least one side of all internal streets.
5. Street trees shall be installed within the rights-of-way of the internal streets and along the Gurr Road frontage.
6. The property owner shall grant an easement in favor of the City of Perry for landscape installation and/or maintenance along Gurr Road in support of the City of Perry's green corridor initiative.
7. Developer shall submit evidence of Houston County E911 approval of street names.
8. No single-family homes without adjusting site plan to meet dimensional standards as defined in the Land Management Ordinance.

Chairman Edwards opened the public hearing at 6:21pm and called for anyone in favor of the request. The applicant Mr. Chad Bryant reiterated the request and was amendable to the staff conditions. Chairman Edwards called for anyone opposed; there being none the public hearing was closed at 6:22pm.

Commissioner Mehserle motioned to approve of the preliminary plat as submitted, along with staff conditions; Commissioner Coody seconded; all in favor and was unanimously approved.

Informational Hearing (Planning Commission recommendation – Scheduled for public hearing before City Council on June 7, 2022)

RZNE-0056-2022. Application to rezone property at 1829 Macon Road from M-2, General Industrial District to C-2, General Commercial District. The applicant is Curtis Harris.

Mr. Wood read the applicants' request, which was to rezone from M-2, General Industrial District to C-2, General Commercial District. The property is currently zoned for industrial uses and the applicant indicates the current M-2 zoning allows for limited use and is requesting a zoning classification of C-2 for the opportunity to use for commercial office space, along with staff responses.

Chairman Edwards opened the public hearing at 6:31pm and called for anyone in favor of the request. The applicant, Mr. Curtis Harris, reiterated the request. Chairman Edwards called for anyone opposed. Mr. Jack James stated the property was zoned M2 when the owner purchased and they should have known the limitations of the zoning classification and the uses allowed under C2 would not be desirable for the area. He stated that despite the size of the property, the property can be used for some of the uses allowed in M2. He also raised concern about traffic on Macon Road.

There being no further comment for or against; Chairman Edwards closed the public hearing at 6:35pm.

Chairman Edwards asked the applicant if he had specific plans for the property. Mr. Harris stated there are no specific uses contemplated other than office commercial. Mr. Wood suggested to the Commission that given Mr. Harris's answer, OC, Office Commercial District, may be an appropriate

zoning classification. Mr. Harris stated he prefers the C2 classification to be consistent with other properties on Macon Road.

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

SUSE-0057-2022. Special exception for 200 and 200A Valley Drive. The applicant is Anjebhai Patel.

Ms. Wharton advised the applicant intends to redevelop both the Fairbridge Inn Express motel and Derby Inn motel (both previously Holiday Inn) into a cohesive multi-family property. In total, there will be 162 new, market rate apartment units developed within the existing buildings. The units will include a mix of studio apartments and one-bedroom apartments, all fully furnished. The applicant provided a preliminary conceptual design that includes a common area for tenants and other onsite amenities. Also, the conceptual plan reflects a restaurant and bar use within the amenity center (former Green Derby restaurant). The applicant has demonstrated a need for additional market rate housing in Perry within the one-bedroom and studio apartment layout format. The applicant also provided a multi-family market report to support this application. The overall density of the proposal is 29.1 units per acre (162 units / 5.57 acres). The properties within this area have deferred maintenance and are rarely productively used. The applicant suggests that converting this motel into market rate apartments will return the property to its highest and best use. Ms. Wharton further noted the applicant for the prior special exceptions granted for these properties backed out of the contract to purchase the properties and this special exception, if granted, will supersede and void SUSE-0170-2021 and SUSE-0171-2021. Staff recommends approval with the following conditions:

1. The proposed development must meet the requirements for parking, landscaping, and design guidelines as reflected in the Land Management Ordinance.
2. The buildings and site of the proposed development must comply with all applicable building codes, fire codes, and stormwater regulations.
3. Maximum density shall not exceed 162 units.
4. Special Exceptions SUSE-0170-2021 and SUSE-0171-2021 are voided.

Chairman Edwards opened the public hearing at 6:47pm and called for anyone in favor of the request. The applicant, Mr. Mark Makwana advised the previous buyer had backed out of the project and his intention is to have the units at market rate. Currently it is approved for 120 units, but the increase will allow for half as studio units and the other half as one bedroom; the intention is to revamp a subpar property.

Chairman Edwards called for anyone opposed; there being none the public hearing was closed at 6:49pm.

Commissioner Coody inquired what the average rents were; Mr. Makwana advised \$850 to \$950 to include utilities and they are furnished. Commissioner Moody felt the application provides affordable housing as outlined in the strategic plan and the current property is not being utilized to its best use; Chairman Edwards concurred.

Commissioner Moody motioned to recommend approval of the application as submitted to Mayor & Council with the outlined conditions to include a limit of 162 units; Commissioner Jefferson seconded; all in favor and was unanimously recommended for approval.

RZNE-0058-2022. Application to rezone property at 1824 Houston Lake Road and 1904 Hwy 127 from R-AG, Residential Agricultural District to PUD, Planned Unit Development. The applicant is Wingate Custom Homes.

Mr. Wood read the applicants' request which was to rezone from R-Ag, Residential-Agricultural District, to PUD, Planned Unit Development. The properties consist of 84.78 total acres and are currently zoned R-Ag, Residential-Agricultural District. The 3.19-acre parcel was developed as a single-family residence in the 1950's. The remaining 81.59-acre tract has been used for agricultural purposes. The applicant proposes a mix of commercial and single-family detached and attached residential uses in the PUD, Planned Unit Development zoning classification. The design of the PUD reflects a neo-traditional neighborhood like what would be allowed under a form-based code. A PUD is required to set its own development standards, like would be established for a typical zoning district. The applicant has proposed a set of development standards for this PUD. Planning Staff has recommended additional development standard for the PUD, which are either not addressed by the applicant or addressing staff concerns and are provided. The proposal calls for 45,000 square feet of commercial space in a mixed-use center at the main entrance aligning with the intersection of Lake Joy Road and Houston Lake Road. A total of 284 residential dwelling units will include 119 rear-loaded townhouse units, 86 front-loaded single-family detached units, and 79 rear-loaded single-family detached units. The proposed residential density equates to 3.3 dwelling units per acre. 32.51 acres, or 38.34 percent of the property is proposed as open space. Streets and rights-of-way widths were not addressed in the application. Based on the City's form-based code standards, staff recommends street rights-of-way be 60 feet; street widths be 28 feet (20' for travel lanes, 8' for parking); alleys to have a 20-foot right-of-way and pavement width. In addition to the main entrance aligned with Lake Joy Road, a secondary entrance is provided further east onto Hwy 127. The site is designed to accommodate two future access points onto the adjoining property to the west. Sidewalks are indicated on at least one side of all streets. Sidewalks are provided on both sides of the street where residential lots or commercial development front both sides of a street. 925 total parking spaces are provided for the residential uses including 357 on-street spaces. 214 total parking spaces are provided for the commercial center with 34 of those spaces being on-street. The number of commercial parking spaces will accommodate restaurant uses. A 20'-wide buffer is proposed where the development abuts residential properties in the Sugarloaf subdivision and other existing single-family properties. Because of concerns about maintenance of a narrow buffer, staff recommends these buffers be eliminated and the space incorporated into the adjoining lots and their rear setback. Staff recommends approval of the zoning change with the following conditions:

1. The applicant's Zoning Plan shall be the approved PUD Plan for the property.
2. The Zoning Plan shall be revised prior to final approval by City Council to remove the 20' buffers. These buffer areas shall be incorporated into the adjacent lots.
3. The zoning standards applied to the PUD shall be revised in the following way prior to final approval by City Council:
 - a. Rear setbacks for front-loaded single-family lots 146-161 and lots 215-219 shall be 35 feet.
 - b. Street rights-of-way shall be a minimum of 60 feet wide.

- c. Street widths shall be at least 20 feet wide for two-way travel lanes and 8 feet for parallel on-street parking spaces.
 - d. Alleys shall have a minimum 20-foot right-of-way and pavement width.
 - e. Signs shall comply with standards established in the Land Management Ordinance for the C-3, Central Business District.
4. Within the open space, the developer shall construct and furnish a pocket park(s) consistent with plans approved by the Planning Commission.
 5. ADA-compliant sidewalks shall be installed as indicated on the Zoning Plan.
 6. Street trees shall be installed as indicated on the Zoning Plan.

Chairman Edwards opened the public hearing at 7:10pm and called for anyone in favor of the request. Mr. Ryan Snodgrass with TSW Group on behalf of the applicant and engineer for the project advised the project will create a mixed-use development with townhomes, single family, and commercial. The developer sees this as a catalyst for Perry and concurs with the conditions outlined in the staff report and will work with them. Mr. Snodgrass provided a Power Point depicting a similar development in Woodstock, GA, along with some potential designs for the residential and commercial components. He further noted the layout is guided by the natural environment and will try to utilize the existing lake for stormwater management.

Chairman Edwards called for anyone opposed. Mr. Alonzo Brock is the northern property adjacent to the development and is concerned there would be no buffer between them. Mr. Wood advised, because the buffer would be narrow its nature, it is proposed to be removed and could be included into their lot. Mrs. Brock was concerned with school overcrowding, impact on their utilities, property value, and the townhomes being two story.

Mr. Scott Ritchie had a concern regarding traffic and the need for a traffic light, water runoff and would like to keep the buffer for sound deterrence, as they have a barn wedding venue on their property.

Chairman Edwards called for any further comment; there being none, the public hearing was closed at 7:25pm.

Mr. Wood advised the Board of Education had been notified and provided no comment; Hwy 127 is a state route, and the applicant may apply for a traffic signal during their process for curb cuts. Chairman Edwards asked how many entries; Mr. Snodgrass advised two; one off Houston Lake Road and two future ones on the undeveloped land. Commissioner Coody asked about the parking spaces off the residential properties; Mr. Snodgrass advised they would be in the right-of-way. The Commission asked questions to ensure they understood the proposed development and its impact on surrounding properties. Commissioner Mehserle asked about trails in the open space. Mr. Snodgrass indicated those are intended but have not yet been designed. Mr. Wood pointed out that staff recommended a condition that park plans must be approved by the Commission.

Commissioner Mehserle motioned to recommend approval to Mayor & Council with the conditions as outlined by staff and to include modifications of a buffer for the Brocks property abutting the development; Commissioner Jefferson seconded; all in favor and was unanimously recommended for approval.

Chairman Edwards inquired if the revisions recommended could be done before the Council hearing; Mr. Wood advised they could be and would not have to be brought forth to the Commission and requested of the applicant to have to staff by June 1st.

TEXT-0049-2022. Text amendment to Sections 3-2.2, 4-1.2, 4-3.1, 5-1.1, 5-1.2, 5-2.1 and 5.5. To establish a townhouse zoning district and to modify townhouse development standards.

Mr. Wood advised the City has experienced increased interest by developers to build townhome developments. Until recently, townhomes have not been proposed often, and there are very few townhome projects within the City. As the City is receiving more proposals for townhomes, planning staff has recognized a need to create a separate townhouse zoning district and establish more detailed standards for townhouse developments in the City. The proposed standards are intended to encourage townhouse developments that suit the character of Perry and provide a high-quality neighborhood atmosphere. The proposed amendment is consistent with the direction provided by the Planning Commission in its February and March Work Sessions. Mr. Wood noted highlights of the text amendment:

- Establishes an RTH, Residential Townhouse District
- Establishes minimum lot area, lot width, maximum building coverage, maximum height, and minimum setbacks for the overall development in the RTH district
- Establishes maximum density of six dwelling units per acre in the RTH district
- Establishes minimum house size
- Outside of a PUD or a form-based zoning district, townhouse development permitted only in RTH and Downtown Development Overlay District
- Maintains current minimum lot area and width for individual townhouse lots
- Updates standards for townhouses to address:
 - Common open space and its location
 - Parking – rear-loaded garages/driveways only
 - Sidewalks – required on both sides of internal streets

Architectural standards – materials, varied design of individual facades

Chairman Edwards opened the public hearing at 7:43pm and called for anyone in favor of the text amendment; there being none he called for anyone opposed; there being none the public hearing was closed at 7:44pm.

The Commission expressed their appreciation for the collaboration between staff and the Commission in developing these standards.

Commissioner Coody motioned to recommend approval to Mayor & Council of the text amendment as presented; Commissioner Moody seconded; all in favor and was unanimously recommended for approval.

9. Other Business- None

10. Commission questions or comments – Commissioner Mehserle commented the variance approval raised a level of concern; the property during the development phase by the previous owner and not taking into account the easement on the property and a builder then trying to place a dwelling on an awkward parcel; Mr. Wood agreed, and it may be a standard to consider adding; as there can be variance requests unique to the property.

Adjournment: there being no further business to come before the Commission the meeting was adjourned at 7:51pm.

EXHIBIT B

FY23 OPERATING BUDGET SUMMARY

FUND	BEGINNING CASH	REVENUES	EXPENDITURES	OTHER FINANCING	ENDING CASH
GENERAL FUND	\$9,175,400	\$21,137,400	\$21,679,300	\$603,600	\$9,237,100
FIRE PROTECTION	\$76,100	\$3,091,100	\$3,419,400	\$320,000	\$67,800
HOTEL/ MOTEL	\$304,800	\$1,307,200	\$1,087,500	-	\$524,500
WATER/ SEWERAGE	\$3,996,800	\$9,287,600	\$10,448,600	\$253,200	\$3,089,000
GAS	\$1,264,700	\$4,778,400	\$4,545,200	\$(114,800)	\$1,383,100
SOLID WASTE	\$790,500	\$3,035,300	\$3,305,000	\$30,000	\$550,800
STORMWATER	\$273,200	\$942,500	\$873,900	\$(39,400)	\$302,400
TOTAL:	\$15,881,500	\$43,579,500	\$45,358,900	\$1,052,600	\$15,154,700

MINUTES
PRE COUNCIL MEETING
OF THE PERRY CITY COUNCIL
May 17, 2022
5:00 P.M.

1. Call to Order: Mayor Randall Walker, Presiding Officer, called to order the pre council meeting held May 17, 2022 at 5:00 p.m.

2. Roll:

Elected Officials Present: Mayor Randall Walker; Council Members Phyllis Bynum-Grace, Joy Peterson, Robert Jones and Riley Hunt and Darryl Albritton.

Elected Official Absent: Mayor Pro Tempore Willie King

City Staff: City Manager Lee Gilmour, City Attorney Brooke Newby, Assistant City Manager Robert Smith, and Recording Clerk Annie Warren.

Departmental Staffing: Brenda King – Director of Administration, Mitchell Worthington – Finance Director, Bryan Wood – Director of Community Development, Chief Steve Lynn – Perry Police Department, Chief Lee Parker - Fire and Emergency Services Department, Sedrick Swan – Director of Leisure Services, Ansley Fitzner – Public Works Superintendent, Holly Wharton – Community Planner, Alicia Hartley – Downtown Manager, Ashley Hardin- Economic Development Administrator, Amber Garrett – Communications Specialist, and Tabitha Clark – Communications Manager.

Media: William Oliver – Houston Home Journal

3. Citizens with Input: None

4. Items of Review/Discussion: Mayor Randall Walker

3a. Discussion of May 17, 2022 council meeting agenda.

4a. Introduction of Devin McCracken, PT Logistics Technician. Chief Lynn reported Mr. McCracken had a conflict and will not be at this evening's meeting.

4b. Downtown Perry Bicycle Ride Across America Georgia Welcome Concert. Ms. Hartley stated BRAG is scheduled for June 6, from 6pm – 9pm.

7a (1). Second reading of an ordinance to amend Code Section 6-1.6 of the LMO by adding Residential Driveway Requirements. Mr. Wood stated is a modification to clarify the city's authority to require corrections to damaged driveways in the are of a right-of-way that will be ultimately accepted by the city to eliminate any claims or risk on the city's part.

* Mayor Walker brought up the item, "Selection of a voting delegate for GMA 2022 Convention." Mayor Walker volunteered to be the voting delegate. Council Member Jones volunteered to be the alternate delegate. This item will be placed on Council's May 17 agenda under "Matters referred from May 17, 2022 pre council meeting."

10b (1). First reading of an amended ordinance to amend Code Section 2-2.2 of the LMO by revising the Public Notice Requirements. Mr. Wood stated this item came before Council at its last meeting for a first reading. The intent is to modify our ordinance to allow consistency with the State regulations in rezoning applications initiated by the city do not require posting of the signs on the property. Council asked staff to go back and provide for some notification to property owners. Mr. Wood referred to items C2 and D3 on the amended ordinance.

10c (1). Bid No. 2022-25 Demolition Services. Mr. Worthington presented for Council's consideration an award of bid for demolitions services at 1514 Houston Lake Road. Mr. Worthington stated his office received one responsive bid. Staff recommends awarding the bid to Southern Equipment LLC in the amount of \$9,000 and the funding source is 2018 SPLOST.

10d (1). Resolution authorizing the Mayor to execute and deliver a Lease Supplement and other related documents for FY 2022 Leased property. Ms. King stated this is a resolution authorizing Mayor Walker to execute and delivered a Lease Supplement as well as a resolution and wire transfer agreement and project account agreement.

11a. Downtown Perry South Gateway Project Grant Request. Ms. Wharton presented a PowerPoint of the Perry South Gateway Project Grant request.

5. Other Business – Supplemental Agenda Item(s):

5a. Acquisition of service truck for water utility system. Mr. Worthington stated there is a need to replace two service trucks for the water utility system. This vehicle onsite at Nextran Truck Centers and meets all specifications. Staff recommends purchasing this truck in the amount of \$72,560.60. Mayor asked that this item be added to Council's May 17 agenda.

6. Council Member Items:

Council Member Albritton asked if there have been any issues with the configuration at Five Points? Mayor Walker and Chief Lynn stated they were unaware of any issues. Council Member Albritton also inquired about the camera near Perry High School and Northside. Chief Lynn stated it is not operational at this time.

Council Member Peterson had several questions relative to Mr. McMurrian's monthly report. Ms. Newby answered Council Member Peterson's questions relative to the regional pond and Mr. Gilmour answered her questions relative to the sidewalk and Ms. Fitzner answered her question relative to the drainage next near Pineneedle Park.

Council Member Jones inquired about the status of EPD issues at the old Stanley property? Mr. Smith reported the city did not receive the grant for the clean-up. The city will reapply for the grant this fall.

Administration is recommending Council authorize a temporary position to serve at Creekwood Park Splash Pad. Mayor Walker stated this item will be added to Council's May 17 agenda.

Mayor Walker entertained a motion to go into executive session for real estate acquisition.

7. Executive Session entered at 5:31 p.m.: Council Member Jones moved to adjourn the pre council meeting and enter into executive session for the purpose of real estate acquisition. Council Member Hunt seconded the motion, and it carried unanimously.
8. Executive Session adjourned at 5:42 p.m.; Council pre council meeting reconvened. Council adjourned the executive session held May 17, 2022 and reconvened into the pre council meeting.
9. Adopted Resolution No. 2022-29 stated that the purpose of the executive session held on May 17, 2022, was to discuss real estate acquisition. Council Member Bynum-Grace moved to adopt a resolution stating the purpose of the executive session held on May 17, 2022 was to discuss real estate acquisition; Council Member Albritton seconded the motion, and it carried unanimously. *No action was taken. (Resolution No. 2022-29 has been entered in the City's official book of record).*
10. Adjournment: There being no further business to come before Council in the pre council meeting held on May 17, 2022, Council Member Jones motioned to adjourn the meeting at 5:47 p.m. Council Member Peterson seconded the motion, and it carried unanimously.

MINUTES
REGULAR MEETING OF THE PERRY CITY COUNCIL
May 17, 2022
6:00 P.M.

1. Call to Order: Mayor Randall Walker, Presiding Officer, called to order the regular meeting of the Perry City Council held May 17, 2022 at 6:00 p.m.

2. Roll.

Elected Officials Present: Mayor Randall Walker; Council Members Phyllis Bynum-Grace, Joy Peterson, Robert Jones and Riley Hunt and Darryl Albritton.

Elected Official Absent: Mayor Pro Tempore Willie King

City Staff: City Manager Lee Gilmour, City Attorney Brooke Newby, Assistant City Manager Robert Smith, and Recording Clerk Annie Warren.

Departmental Staffing: Brenda King – Director of Administration, Mitchell Worthington – Finance Director, Bryan Wood – Director of Community Development, Chief Steve Lynn – Perry Police Department, Chief Lee Parker - Fire and Emergency Services Department, Sedrick Swan – Director of Leisure Services, Ansley Fitzner – Public Works Superintendent, Holly Wharton – Community Planner, Alicia Hartley – Downtown Manager, Ashley Hardin- Economic Development Administrator, Amber Garrett – Communications Specialist, and Tabitha Clark – Communications Manager.

Media: William Oliver – Houston Home Journal

Guest(s)/Speaker(s): Hazel Jackson and Robbin Jackson

3. Invocation and Pledge of Allegiance to the Flag: Council Member Jones rendered the invocation and Council Member Hunt led the pledge of allegiance to the flag.

4. Recognition(s) / Presentation(s): Mayor Randall Walker

4a. Introduction of Devin McCracken, PT Logistics Technician. Chief Lynn stated Mr. McCracken had a conflict this evening and will introduced at the next council meeting.

4b. Special Events Application:

1. Downtown Perry Bicycle Ride Across Georgia (BRAG) Welcome Concert
Ms. Hartley presented the special event application. Administration recommended Council approve an off-site alcohol license. Council Member Bynum-Grace motioned to approve the special events application and off-site alcohol license; Council Member Albritton seconded the motion and it carried unanimously.

Ms. Hartley provided an update on the wine tasting event, 500 tickets were sold and 463 actually checked in.

5. Citizens with Input.

- Matters not on the agenda

Ms. Hazel Jackson, Perry, GA, expressed her disappointed of the street closing of Houston Lake Drive.

Mr. Robbin Jackson, Perry, GA, inquired about the cost of Houston Lake Drive/Sunshine Avenue project. Mr. Gilmour stated the repair was approximately \$240,000.

6. Review of Minutes: Mayor Randall Walker

6a. Council's Consideration – Minutes of the May 2, 2022 work session, May 3, 2022 pre council meeting, and May 3, 2022 council meeting. *(Council Member Jones was absent from the May 2, 2022 meeting; Mayor Pro Tempore King was absent from the May 2-3, 2022 meetings.)*

Council Member Peterson motioned to approve the minutes as submitted. Council Member Albritton seconded the motion and it carried with Council Member Jones abstaining from the May 2, 2022 meeting.

7. Old Business: Mayor Randall Walker

7a. Ordinances for Second Reading(s) and Adoption:

1. **Second Reading** of an ordinance to amend Code Section 6-1.6 of the LMO by adding Residential Driveway Requirements – Mr. B. Wood.

Adopted Ordinance No. 2022-17 to amend Code Section 6-1.6 of the LMO by adding Residential Driveway Requirements. Council Member Jones motioned to adopt the ordinance as submitted; Peterson seconded the motion and it carried unanimously. *(Ordinance 2022-17 has been entered into the City's official book of record.)*

8. Any Other Old Business:

- 8a. Mayor Randall Walker – none
- 8b. Council Members – none
- 8c. City Attorney Brooke Newby - none
- 8d. City Manager Lee Gilmour - none
- 8e. Assistant City Manager Robert Smith - none

9. Community Partner(s) Update(s): none

10. New Business: Mayor Randall Walker

10a. Matters referred from May 17, 2022 pre council meeting.

1. Selection of a voting delegate for 2022 GMA Conference. Mayor Walker stated this is an annual election and the recommendation is Mayor Walker as the voting delegate and Council Member Jones as the alternate. Council Member Jones moved to approve as submitted; Council Member Hunt seconded the motion the motion and it carried unanimously.
2. Authorize the purchase of a service truck for water utility system. Mr. Worthington stated he is asking for permission to purchase a service truck for water utility system. Council Member Jones motioned to authorize the purchase of a service truck for water utility system from Nextran in the amount of \$72,560.60. The funding source is Water & Sewerage Fund via GMA Lease. Council Member Hunt seconded the motion and it carried unanimously.
3. Authorize temporary position for Creekwood Park Splash Pad. Administration stated the need to have an attendant to assist the public at Creekwood Park Splash Pad. Council Member Bynum-Grace motioned to approve the temporary position at Creekwood Park Splash Pad as presented; Council Member Peterson seconded the motion and it carried unanimously.

10b. Ordinance(s) for First Reading(s) and Introduction:

1. **First Reading** of an amended ordinance to amend Code Section 2-2.2 of the LMO by revising the Public Notice Requirements – Mr. B. Wood. *(No action required by Council)*

10c. Award of Bid(s):

1. Bid No. 2022-25 Demolition Services – Mr. M. Worthington

Mr. Worthington presented for Council's consideration an award of bid for demolitions services at 1514 Houston Lake Road. Mr. Worthington stated his office received one responsive bid. Staff recommends awarding the bid to Southern Equipment LLC in the amount of \$9,000 and the funding source is 2018 SPLOST. Council Member Albritton motioned to award the to Southern Equipment in the amount of \$9,000 and the funding source is 2018 SPLOST; Council Member Jones seconded the motion and it carried unanimously.

10d. Resolution(s) for Consideration and Adoption:

1. Resolution authorizing the Mayor to execute and deliver a Lease Supplement and other related documents for FY 2022 leased property - Ms. B. King.

Adopted Resolution No. 2022-30 authorizing the Mayor to execute and deliver a Lease Supplement and other related documents for FY 2022 leased property. Council Member Albritton motioned to adopt the resolution as presented; Council Member Peterson seconded the motion and it carried unanimously. (Resolution No. 2022-30 has been entered into the City's official book of record.)

11. Other Business – Supplemental Agenda Item(s):

- 11a. Downtown Perry South Gateway Project Grant Request – Ms. H. Wharton.
Council Member Jones motioned to move forward with the grant application; Council Member Peterson seconded the motion and it carried unanimously.

12. Council Members Items:

Council Members Bynum-Grace and Jones attended the Bike Rodeo and thoroughly enjoyed it.

Council Member Albritton – Kudos to Ms. Turpin for “Art in the Park” and to Ms. Fitzner, the park looked great.

Council Member Peterson recognized Ms. Clark for being named President for the National Association of Government Communicators.

13. Department Heads/Staff Items:

Mr. Wood announced the city will be receiving \$400,000 CHIP Grant this fall.

Chief Lynn reported his office received a \$10,000 check from Flint Energies.

Mr. Swan – Houston County Bike Rodeo had 200 attendees
- Scoreboards have been connected

14. General Public Items:

Ms. Hazel Jackson reminded everyone to register the kids for vacation reading club on May 23 at the Perry Public Library.

15. Mayor Items:

- May 23, Special Called Work Session
- June 6, Work Session
- June 7, Pre council and Council

16. Adjournment: There being no further business to come before Council in the regular meeting held on May 17, 2022, Council Member Jones motioned to adjourn the meeting at 6:45 p.m.; Council Member Albritton seconded the motion, and it carried unanimously.

**MINUTES
SPECIAL CALLED MEETING
OF THE PERRY CITY COUNCIL
May 23, 2022
5:00 pm.**

1. Call to Order: Mayor Randall Walker, Presiding Officer, called to order the special called meeting held on May 23, 2022, at 5:00 pm.

2. Roll:

Elected Officials Present: Mayor Randall Walker. Council Members Riley Hunt, Robert Jones, Joy Peterson, and Darryl Albritton.

Elected Officials Absent: Mayor Pro Tempore Willie King and Council Member Phyllis Bynum-Grace

Staff: City Manager Lee Gilmour, City Attorney Brooke Newby, Assistant City Manager Robert Smith, and Recording Clerk Annie Warren

City Departmental Staffing: Captain Alan Everidge – Perry Police Department, Captain Heath Dykes – Perry Police Department, Brenda King – Director of Administration, Mitchell Worthington – Finance Director, Bryan Wood – Director of Community Development, Chief Lee Parker – Fire and Emergency Services Department, Sedrick Swan – Director of Leisure Services, Ansley Fitzner – Public Works Superintendent, and Tabitha Clark – Communications Manager.

Press: William Oliver – Houston Home Journal.

Guest(s): none

3. Citizens with Input: none

4. Items of Review/Discussion: Mayor Randall Walker

4a. Departmental Budget Hearings

1. Perry Police Department

Captain Everidge reviewed the Perry Police Department FY 2023 budget and requested Council's consideration of the following items:

- Taser Upgrade
- Pole Camera
- License Plate Reader
- Body-Worn Cameras
- Logistics Technician – Full Time

Council had several questions for Captain Everidge and thanked him for his presentation.

2. Perry Fire and Emergency Services Department

Chief Parker discussed with Council the Perry Fire and Emergency Services Department budget, response status, and future needs. Chief Parker requested Council's consideration of the following items:

- Fire Inspector
- Three Firefighters
- Hurst Rescue Tools
- All Terrain Vehicle
- Quint Apparatus
- Fire Chief SUV
- Training Facility Equipment
- Forcible Entry prop

Chief Parker also referenced the strategic plan goals to support his requests.

3. Department of Leisure Services

Mr. Swan presented for Council's consideration the following items for the Department of Leisure Service FY 2023 budget:

- Youth Baseball Expansion
- Youth Soccer Expansion
- Instructors Pay
- Adult Athletics

Mr. Swan also discussed the fee waiver, and leisure camps.

4. Department of Community Development. Mr. Wood stated he was fine with the recommended budget, and the position funded. The position not funded was the Assistant Engineering personnel. Mr. Wood stated in the near future we need to look at that position because of the number of capital projects coming onboard.

4b. Office of the City Manager

1. Discussion of 427 Stonegate Trail designation. Mr. Gilmour referred Council to the BoardPaq package that included a map. Administration directed Council to the blue triangle on the map. Administration recommended Council authorize the square at the intersection of Daisy Drive and Stonegate Trail to be used as park and the remaining two triangles be designated greenspace. Council authorized Administration to explore and bring back to Council.

4c. Finance Department

1. Request to increase organization-wide credit limit to \$250,000.
Mr. Worthington presented for Council's consideration a request to increase the organization-wide credit limit from \$150,000 to \$250,000 and adopt a resolution designating authorized persons of power. Council concurred to moved forward with the request to increase organization-wide credit limit to \$250,000 and adopt a resolution designating authorized person of power.

5. Council Member Items.

Council Members Peterson and Jones attended the Go, Go Gov event at Wooden Eagle Park on May 21.

Council Member Jones had an inquiry on Wooden Eagle Trail of having a sidewalk.

Mr. Gilmour stated at the last Food Truck Friday, there were solicitors just outside the boundary of the food truck event. Mr. Gilmour suggested Council take a look at legal measures prohibiting solicitation within that boundary of that city event. Council concurred with Administration's suggestion to explore and come back to Council.

6. Department Head/Staff Items:

Mr. Worthington stated a 2022 Ford Explorer is available for \$31,000 to replace the City Manager's vehicle that is slated to be replaced in the FY 2023 budget. Mr. Worthington asked for Council's concurrence to contact the dealer to hold the vehicle until approval at future meeting. Council concurred with Mr. Worthington's recommendation.

Mr. Swan reported the Lake Forest HOA has been discussing a neighborhood park. Mr. Gilmour recommended Council take a look and see what is available.

Mayor Walker entertained a motion to go into executive session for real estate acquisition.

7. Executive Session entered at 6:30 p.m.: Council Member Hunt moved to adjourn the special called meeting and enter into executive session for the purpose of real estate acquisition. Council Member Albritton seconded the motion, and it carried unanimously.

8. Executive Session adjourned at 6:40 p.m.; Council special called meeting reconvened. Council adjourned the executive session held May 23, 2022 and reconvened into the special called meeting.

9. Adopted Resolution No. 2022-31 stated that the purpose of the executive session held on May 23, 2022, was to discuss real estate acquisition. Council Member Peterson moved to adopt a resolution stating the purpose of the executive session held on May 23, 2022 was to discuss real estate acquisition; Council Member Albritton seconded the motion, and it carried unanimously. No action was taken. (*Resolution No. 2022-31 has been entered in the City's official book of record*).

10. Adjournment: There being no further business to come before Council in the special called meeting held on May 23, 2022, Council Member Jones motioned to adjourn the meeting at 6:41 p.m. Council Member Peterson seconded the motion, and it carried unanimously.

AN ORDINANCE OF THE COUNCIL OF THE CITY OF PERRY, GEORGIA, FOR THE PURPOSE OF AMENDING APPENDIX A, LAND MANAGEMENT ORDINANCE, OF THE CODE OF THE CITY OF PERRY, ARTICLE 2, ADMINISTRATION; AMENDING SECTION 2-2, PROCEDURES RELATIVE TO POSTING OF HEARING NOTICES FOR AMENDMENTS INITIATED BY THE CITY; TO REPEAL ALL CODE PROVISIONS, ORDINANCES, OR PARTS THEREOF, IN CONFLICT HERewith; AND FOR OTHER PURPOSES

THE COUNCIL OF THE CITY OF PERRY HEREBY ORDAINS that the Land Management Ordinance of the Code of the City of Perry is amended as follows:

1.

By amending **Section 2-2.2(C)** of **Section 2-2. Procedures** to read as follows:

(C) Informational hearings.

- (1) For an informational hearing, except for amendments to the official zoning map initiated by the City, the administrator shall cause to have posted in a conspicuous place on the property involved in an application a minimum of one (1) "informational hearing" sign for every one thousand (1,000) feet of road frontage, each of which shall be not less than six (6) square feet in area and shall include the date, time, place and purpose of the informational hearing. Such signs shall be posted on the subject property at least fifteen (15) days prior to but not greater than forty-five (45) days before the informational hearing.
- (2) For amendments to the official zoning map initiated by the City, the administrator shall send written notice by first-class mail to the property owner(s) of record affected by the amendment at least fifteen (15) days prior to the informational hearing. The notice shall include the date, time, place, and purpose of the informational hearing. A copy of the mailed notice shall be maintained in the office of the administrator for public inspection during normal business hours.
- (3) Informational hearings for a text amendment to the ordinance are not subject to the sign posting requirements outlined in section (C)(1) above.
- (4) The planning commission shall hold an informational hearing and shall make a recommendation to City Council. A report of planning commission's recommendation accompanying a summary of the proceedings of the hearing shall be submitted to mayor and council.
- (5) The applicant bears the burden of proof to demonstrate that an application complies with applicable approval standards of this chapter.
- (6) Any person may appear at a hearing and submit testimony, either individually, or as a representative of a person or an organization.
- (7) The planning commission's recommendation shall be for approval, approval with conditions, approval with modifications, or denial of the application. For zoning amendments, the commission may include recommendations for conditions or limitations on uses appropriate to ameliorate the impact on the surrounding area and may recommend a less intense use or intermediate zoning classification. Where the applicant does not agree to such conditions or limitations on uses, the recommendation shall be interpreted as a recommendation for denial.
- (8) The commission shall have forty-five (45) days from the date of the informational hearing at which the application was first heard within which to submit a report to

the council. If the commission fails to submit a report within the forty-five (45) day period, it shall be deemed to have recommended approval of the application.

- (9) The planning commission may continue a hearing to a fixed date, time, and place, subject to the time restriction for submitting a report on an application to city council as listed above in section (C)(8).

2.

By amending **Section 2-2.2(D)** of **Section 2-2. Procedures** to read as follows:

(D) Public hearings.

- (1) The council shall hold a public hearing thereon provided that legal notice has been published in a newspaper of general circulation in the city no less than fifteen (15) days and no more than forty-five (45) days prior to the public hearing. Such published notice shall comply with the provisions of O.C.G.A. §36-66-4.
- (2) For a public hearing, except for amendments to the official zoning map initiated by the City, the administrator shall cause to have posted in a conspicuous place on the property involved in an application, a minimum of one (1) "public hearing" sign for every one thousand (1,000) feet of road frontage, each of which shall be not less than six (6) square feet in area and shall include the date, time, place and purpose of the public hearing. Such signs shall be posted on the subject property at least fifteen (15) days prior to but not greater than forty-five (45) days before the public hearing.
- (3) For amendments to the official zoning map initiated by the City, the administrator shall send written notice by first-class mail to the property owner(s) of record affected by the amendment at least fifteen (15) days prior to the public hearing. The notice shall include the date, time, place, and purpose of the public hearing. A copy of the mailed notice shall be maintained in the office of the administrator for public inspection during normal business hours. Upon final action taken by City Council, the administrator shall provide written notification, by first-class mail or email, if available, to the affected property owner(s) of the action taken by council.
- (4) The council shall hold a public hearing at the earliest possible time under the time limits spelled out above to consider the application.
- (5) The recommendations of the commission shall be read aloud into the minutes at the public hearing.
- (6) The applicant bears the burden of proof to demonstrate that an application complies with applicable approval standards of this chapter.
- (7) Any person may appear at a hearing and submit testimony, either individually, or as a representative of a person or an organization.
- (8) The council shall act on the application within forty-five (45) days from the date of the public hearing by approving or disapproving the recommendation, by approving it with conditions, by approving it with modifications, by approving a less intense use or intermediate zoning classification, or by remanding the matter with instructions to the planning commission. For zoning amendments, the council may include conditions or limitations on uses appropriate to ameliorate the impact on the surrounding area and may approve a less intense use or intermediate zoning classification. Where the applicant does not agree to such conditions or limitations on uses, the application will be denied.
- (9) Following remand, upon resubmission by the commission, the council shall hold a public hearing as described above and take final action on the request.

(10) City council may continue any hearing to a fixed date, time, and place, subject to the time restriction for acting on an application as listed above in section (D)(8).

BE IT FURTHER ORDAINED that all ordinances and Code sections, or parts thereof, in conflict with the foregoing are expressly repealed; and that should any provision of this ordinance be rendered invalid by any court of law, the remaining provisions shall continue in force and effect until amended or repealed by action of this governing authority.

SO ENACTED this 7th day of June, 2022.

CITY OF PERRY, GEORGIA

By: _____
Randall Walker, Mayor

Attest: _____
Annie Warren, City Clerk

1st Reading: May 3, 2022
Amended 1st Reading: May 17, 2022
2nd Reading: June 7, 2022

ORDINANCE

THE COUNCIL OF THE CITY OF PERRY HEREBY ORDAINS that the zoning is changed from City of Perry M-2. General Industrial District to City of Perry C-2. General Commercial District, and the city's zoning map is amended accordingly relative to property of ROLYAT, INC., described as follows:

All that tract or parcel of land lying and being in the 10th Land District of Houston County, Georgia, being a part of Land Lot No. 51 therein and consisting of 1.988 acres, more or less, in the southeast corner of that 26.6 acre tract of land conveyed from Mrs. Paulline S. Long to Walter R. Gordon and Mrs. Theresa H. Gordon by deed dated June 1, 1950, and recorded in Deed Book 70, Page 137, Clerk's Office, Houston Superior Court, said 26.6 acre tract of land being fully shown by plat of survey of same made by T. F. Flournoy, Surveyor, on May 22, 1950, a copy of said plat being of record in Map Book 2, Page 334, Clerk's Office, Houston Superior Court.

The land hereby conveyed is further described as fronting east 275 feet on the Perry to Macon paved highway known as U.S. Highway 41, and extending back in a westerly direction with uniform width for a distance of 315 feet. Said land is bounded on the north and west by other land in said 26.6 acre tract belonging to Walter R. Gordon and Mrs. Theresa H. Gordon, on the east by US Highway 41 right of way, and on the south by land of Mrs. Paulline S. Long in Land Lot No. 51. Said described land is fully shown by plat of survey of same made by George C. Forester, Registered Surveyor No. 759, on May 30, 1953, a copy of said plat being of record in Map Book 3, Page 90, Clerk's Office, Houston Superior Court. Said land has such shapes, metes, bounds, courses and distances as are shown on said plat. Said plat and the recorded copy thereof are hereby made a part of this description by reference thereto.

Deed Reference: Book 7059, Pages 265-266
Tax Map Parcel: 0P0400 009000

SO ENACTED this 21st day of June, 2022.

CITY OF PERRY, GEORGIA

BY: _____
RANDALL WALKER, Mayor

ATTEST: _____
ANNIE WARREN, City Clerk

1st Reading: June 7, 2022
2nd Reading: June 21, 2022

ORDINANCE

THE COUNCIL OF THE CITY OF PERRY HEREBY ORDAINS that the zoning is changed from City of Perry R-AG, Residential Agricultural District, to City of Perry PUD, Planned Unit Development District, and the city's zoning map is amended accordingly relative to the properties of **AYER'S FARMS, INC.**, described as follows:

All that tract or parcel of land situate, lying and being in Land Lots 110, 114 and 115 of the 10th Land District of Houston County, Georgia, and being known and designated as PARCEL 0P0490 061000, comprising 81.59 ACRES; and PARCEL 0P0490 062000, COMPRISING 3.19 ACRES, as more particularly shown and designated on a plat of survey entitled "RETRACEMENT SURVEY – LANDS OF KAY J. ROWELL" prepared by Spencer H. Johnson, Georgia Registered Land Surveyor No. 3171, dated November 4, 2020 and recorded in Plat Book 82, Page 56, Clerk's Office, Houston Superior Court. Said plat and the recorded copy thereof are hereby made a part of this description by reference thereto.

**Deed Reference: Book 8886, Pages 72-74
Tax Map Parcels: 0P0490 061000; 0P0490 062000**

Said property is rezoned subject to the following condition:

- I. The applicant's Zoning Plan and zoning standards applied to the PUD, as revised to be consistent with the Planning Commission's conditions, copies of which are attached hereto as Exhibit "A", shall be the approved PUD Plan and zoning standards for the property.

SO ENACTED this 21st day of June, 2022.

CITY OF PERRY, GEORGIA

BY: _____
RANDALL WALKER, Mayor

ATTEST: _____
ANNIE WARREN, City Clerk

1st Reading: June 7, 2022
2nd Reading: June 21, 2022

Site	48.76 Acres
Site Area	2,075,192 SF
Zoning	R42 - Residential Agriculture
Planning	PUD - Planned Unit Development
Unit Type	45,000 SF
Commercial	114 Units
Townhouse - Rear Loaded	87 Units
Single Family Detached - Front Loaded	79 Units
Single Family Detached - Rear Loaded	79 Units
Density	383 Units
For 1/2 Acre Per Acre	3.4 Units per acre
Open Space	38.17 Acres
Open Space Percentage	34.1%

*Does not include garages, within right-of-way, attached buffers, or prohibited lots.

Parking - Residential Area	
On-street parking spaces provided*	100 Spaces
On-premise parking spaces provided**	257 Spaces
Total Residential parking spaces provided	357 Spaces

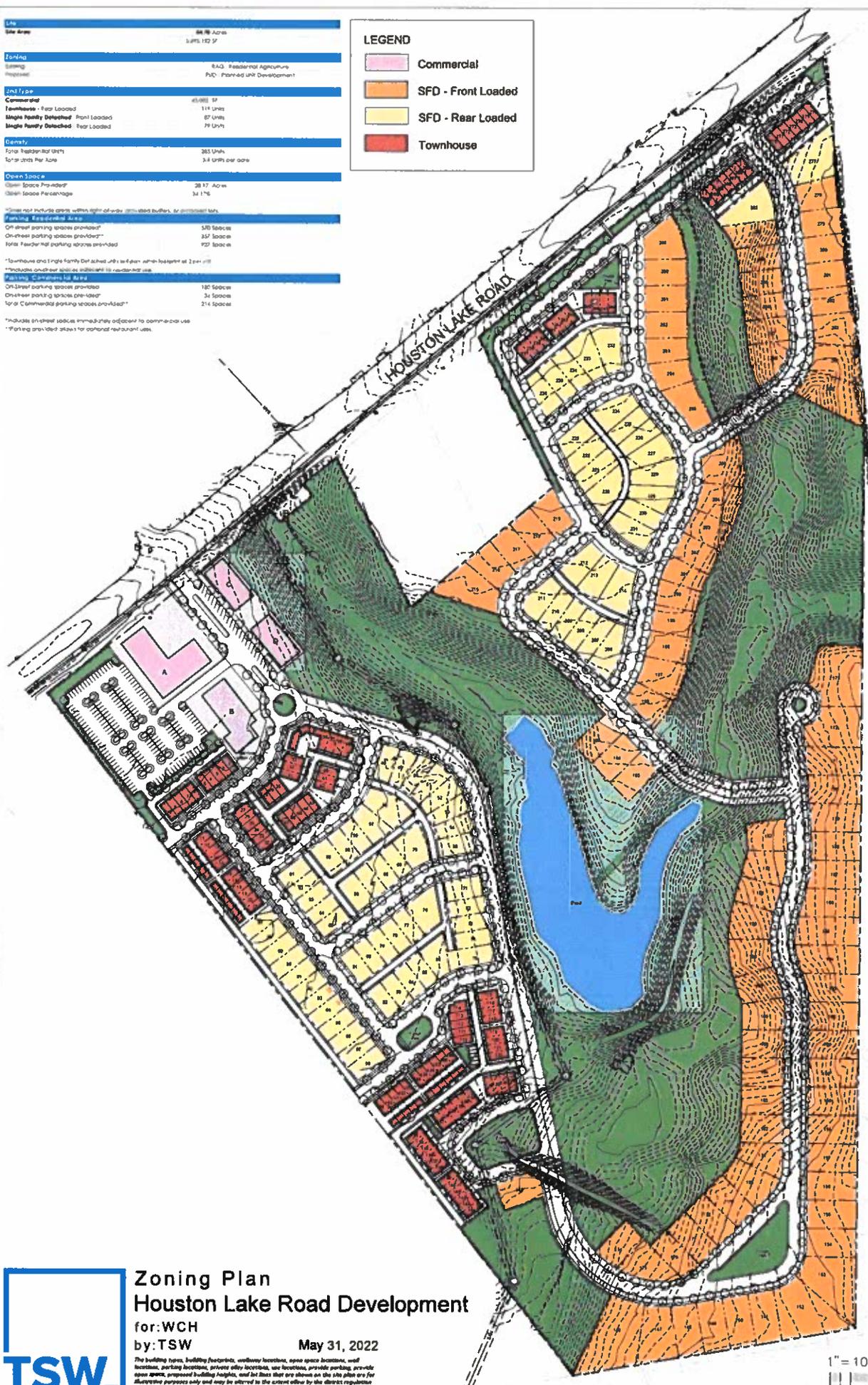
*Townhouse and Single Family Detached units will have a minimum of 2 per unit.
**Includes on-premise parking adjacent to residential use.

Parking - Commercial Use Area	
On-street parking spaces provided	180 Spaces
On-premise parking spaces provided**	34 Spaces
Total Commercial parking spaces provided**	214 Spaces

*Includes on-street spaces immediately adjacent to commercial use.
**Parking provided allows for optional restaurant uses.

LEGEND

- Commercial
- SFD - Front Loaded
- SFD - Rear Loaded
- Townhouse



Zoning Plan
Houston Lake Road Development
 for: WCH
 by: TSW
 May 31, 2022

The building types, building footprints, outdoor locations, open space locations, and locations, parking locations, private alley locations, use locations, provide parking, provide open space, proposed building heights, and lot lines that are shown on the site plan are for illustrative purposes only and may be altered to the extent allow by the district regulations or City-approved variations drawings.

1" = 100'



TSW

1447 Peachtree Street NE, Suite 800
Atlanta, Georgia 30309
Phone: 404.873.6730

www.tsw-design.com

**Houston Lake Road Development
Zoning Plan - North
Perry, Georgia**

1" = 50'

North Arrow

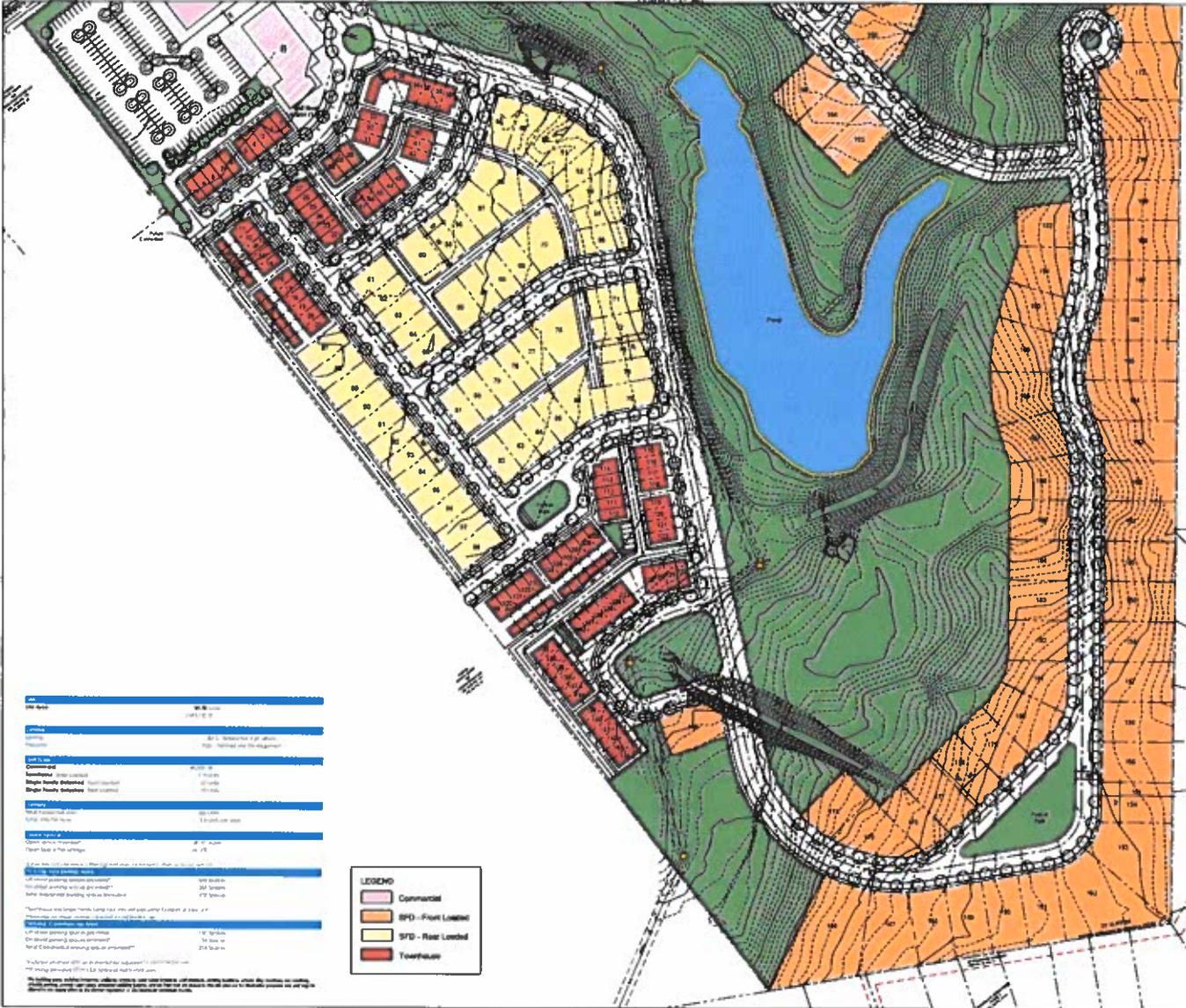
PROJECT INFORMATION

Project Name: Houston Lake Rd Development: Zoning Plan Perry, Georgia

Scale: 1" = 50'

North Arrow

Sheet Number: 1 of 2



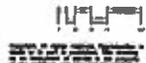
TSW

1447 Piedmont Street, NE
 Suite 200
 Atlanta, Georgia 30309
 Phone: 404.511.1133

www.tsw-engine.com

**Houston Lake Road
 Development
 Zoning Plan - South
 Perry, Georgia**

1" = 50'



DATE: 05/31/2022
 TIME: 10:00 AM
 USER: JCH

PROJECT: Houston Lake Rd Development; Zoning Plan
 Perry, Georgia
 JOB NO: 2022-001

DATE: 05/31/2022
 TIME: 10:00 AM
 USER: JCH

PROJECT: Houston Lake Rd Development; Zoning Plan
 Perry, Georgia
 JOB NO: 2022-001

DATE: 05/31/2022
 TIME: 10:00 AM
 USER: JCH

DATE: 05/31/2022
 TIME: 10:00 AM
 USER: JCH

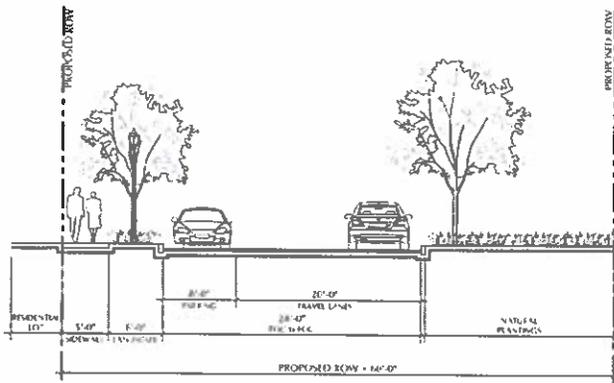
ITEM	DESCRIPTION	DATE
1	Initial Plan	05/31/2022
2	Revised Plan	05/31/2022
3	Final Plan	05/31/2022
4	As Shown	05/31/2022

LEGEND

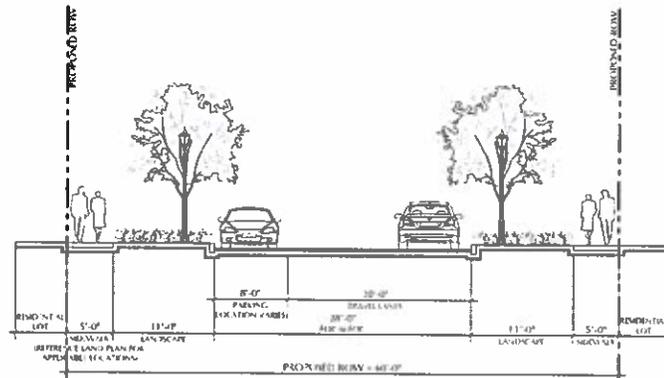
[Pink Box]	Commercial
[Orange Box]	SFD - Front Loaded
[Yellow Box]	SFD - Rear Loaded
[Red Box]	Townhouse

Street sections shown are for illustrative purposes only and may be altered to the extent allow by the district regulation or City approved variations thereto

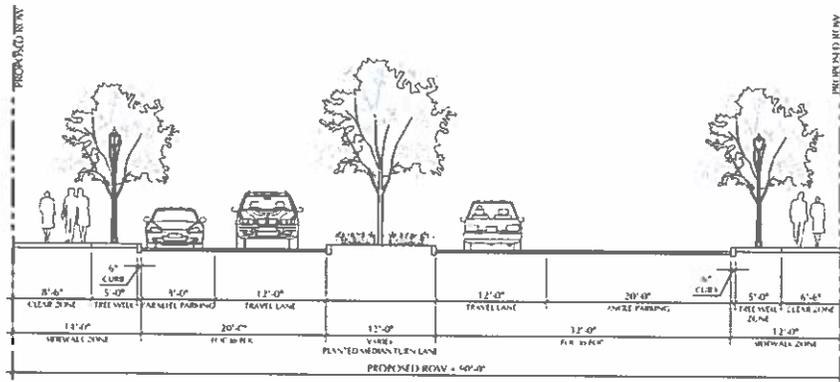
EXHIBIT "A", 004



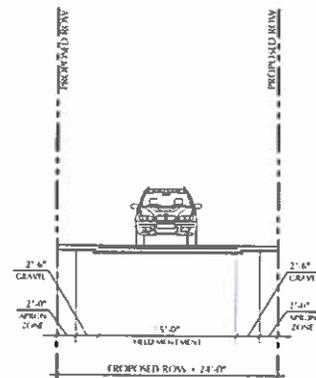
RESIDENTIAL - PARK ADJACENT
TYP SECTION // ST-60-28



RESIDENTIAL
TYP SECTION // ST-60-28



COMMERCIAL
TYP SECTION // ST-90-20/32



ALLEY - RESIDENTIAL
TYP SECTION // AL-24-15

**Houston Lake Road
Development
TYP. Street Sections**
Perry, Georgia

1" = 10'
Copyright for rights reserved. Reproduction or
distribution in any form is prohibited. This drawing
is the property of TSW and shall not be used in
any other project without the written consent of
TSW.
Houston Lake Rd
Development, Sections
Perry, Georgia
WCH
PROJECT NUMBER: 156
DRAWN BY: TSW
CHECKED BY: TSW
DATE: 11-18
ISSUING DATE:
May 31, 2022
1 of 1

EXHIBIT "A", 005

PUD Standards for Houston Lake Road Development

Houston Lake Road Development // 04.18.2022

REVISED 5/31/2022

0P0490 061000 & 090490 062000 Rezoning Application
Perry, Georgia

1. Dimensional standards:

a. Minimum lot size for each type of use

- i. SFD – Rear Loaded
 1. 4,000sf lot
- ii. SFD – Front Loaded
 1. 5,500sf lot
- iii. TH
 1. 1,200sf lot

b. Minimum lot width for each type of use

- i. SFD – Rear Loaded
 1. 35' at ROW
- ii. SFD – Front Loaded
 1. 55' at ROW
- iii. TH
 1. 20' at ROW

c. Setbacks for each type of use

- i. SFD – Rear Loaded
 1. Front: 10'
 2. Side: 5'
 3. Rear: 5'
- ii. SFD – Front Loaded
 1. Front: 15'
 2. Side: 5'
 3. Rear: 15'*

*35' rear setback shall apply to units that directly abut existing SFD units not included in this development, this includes the following units: 146-161 and 215-219.

- iii. TH
 1. Front: 10'
 2. Side: 0'
 3. Rear: 5'

d. Minimum house size

- i. 1,300sf

e. Proposed building heights – commercial

- i. 1 floor / 20'max

2. Street and ROW widths

- a. Reference TYP section exhibit dated May 31, 2022
- b. Alley notes: The 20' Alley Clear Zone is provided with a 15' solid surface drive with 2.5' of compacted gravel to each side.

3. Standards for proposed signs – height, location, character

- a. Shall comply with standards established in the Land Management Ordinance for the C-3, Central Business District.

EXHIBIT "A", 006

- 4. Proposed allowable/restricted uses for commercial properties**
 - a. Allowable/restricted uses for commercial properties to match current C-3 regulation.
- 5. Proposed building materials and character for commercial properties**
 - a. Character: Mercantile
 - b. TYP Material palette: Brick, stucco, hardy board, and stone
- 6. Location, height, and material of any fences, walls, screens, plants, and landscaping**
 - a. Landscape Plan to be determined. If required for rezoning, applicant request item be listed as a condition. Landscape plans to be submitted for approval once developed.
- 7. Open Space: Within the open space, the developer shall construct and furnish a pocket park(s) consistent with plans to be approved by the Perry Planning Commission.**
- 8. Sidewalks: ADA-compliant sidewalks shall be installed as indicated on the Zoning Plan (approved PUD Plan).**
- 9. Street Trees: Street trees shall be installed as indicated on the Zoning Plan (approved PUD Plan).**
- 10. Standards not specifically addressed for the commercial portion of the plan shall comply with C-3 district requirements; townhouse areas shall comply with RTH district standards; and single-family areas shall comply with the R-3 district standards.**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF PERRY, GEORGIA, FOR THE PURPOSE OF AMENDING APPENDIX A, THE LAND MANAGEMENT ORDINANCE, OF THE CODE OF THE CITY OF PERRY, TO PROVIDE FOR A RESIDENTIAL TOWNHOUSE DISTRICT; TO REPEAL ALL CODE PROVISIONS, ORDINANCES, OR PARTS THEREOF, IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES

THE COUNCIL OF THE CITY OF PERRY HEREBY ORDAINS that the Land Management Ordinance of the Code of the City of Perry is amended as follows:

1.

By amending **Section 1-13 – Definitions**, to revise the definition of “*dwelling, single-family attached (townhouse)*” to read as follows:

Dwelling, single-family attached (townhouse) means a group of three (3) or more attached dwelling units each located on a separate lot in which each unit extends from foundation to roof and with a yard or public way on not less than two sides. This use type is regulated under the “household living” use category in article 4. use regulations.

2.

By amending **Section 3-2.2 – Establishment of zoning districts and specific purposes**, by adding a new subsection (X) *RTH, Residential Townhouse District*, said section to read as follows:

(X) *RTH, Residential Townhouse District*. The RTH zoning district is intended for townhouse dwellings with a maximum density of 6 units per acre in areas where public water supply and sewerage facilities are available or can be obtained and where there is convenient access to collector streets, arterial streets, or state highways. This zoning district is intended exclusively for townhouse dwelling units, customary accessory uses and structures.

3.

By amending **Section 4-1.2 – Table of uses**, to replace **Table 4-1-1, Table of Uses**, with a revised table, a copy of which is attached hereto as Exhibit “A” and incorporated herein by reference.

4.

By amending **Section 4-3.1 – Residential Uses**, by replacing subsection (A) *Townhouse* to read as follows:

- (A) *Townhouse*. Within the districts permitting townhouses, the following requirements shall apply:
- (1) Minimum lot area. For fee-simple townhouses, each lot shall have a minimum area of 2,000 square feet.
 - (2) Minimum lot width. Each individual townhouse lot shall have a minimum width of 20 feet. The minimum lot width for a townhouse development is 110 feet.
 - (3) Maximum building coverage. Building coverage shall not exceed 80% of any individual townhouse lot. Maximum building coverage of an overall townhouse development is 40%.
 - (4) Minimum townhouse square footage. The minimum heated floor area for a townhouse unit shall be 1,200 square feet.
 - (5) Units per building. There shall be at least three (3) units and no more than eight (8) units per building of attached townhouse units.

- (6) Building separation. Townhouse buildings shall be separated by a minimum of 20 feet. Architectural features, such as chimneys, eaves, sills, cornices, and corbels, may be allowed to extend up to two (2) feet into the building separation requirement.
- (7) Building orientation. The front of a townhouse shall not face the rear of another dwelling structure within the development or on adjoining properties unless differences in terrain and elevation would provide effective visual separation.
- (8) Common open space.
 - a. A minimum of 30 percent of the overall townhouse development land area shall be provided as common open space. The open space shall include pocket greenspaces such as parks, squares, courtyards, community gardens or similar usable common areas.
 - b. At least 60 percent of all townhouse units shall face or be located within 200 feet of a pocket greenspace.
 - c. The minimum size of an individual pocket greenspace shall be 8,000 square feet with a minimum dimension of 40 feet.
 - d. The average size of all pocket greenspace within a townhouse development shall be 1,000 square feet per townhouse unit in the development.
 - e. Surface stormwater facilities shall not be placed in a pocket greenspace.
 - f. Common open space shall be owned and maintained by a homeowners' association.
 - g. The required common open space and pocket greenspace may be reduced or waived by the Planning Commission if the townhouse development is in the Downtown Development Overlay District and is located within one-quarter (¼) mile walking distance of a public park.
- (9) Parking.
 - a. The minimum number of parking spaces for each townhouse unit shall be two (2) primary spaces, excluding garages, plus 0.25 spaces per townhouse for guest parking. Primary parking spaces shall be located within 100 feet of the townhouse they are intended to serve. Guest parking spaces shall be located no more than 400 feet from any townhouse unit.
 - b. All townhouses shall be designed with a rear entry garage and driveway accessed via a street, alley, or private common driveway. Garages and driveways shall not be located on the front elevation or accessed from the front of the lot.
 - c. Except for tapered aprons, driveway widths shall not be expanded beyond the width of the garage face.
 - d. Parking of boats, RV's, trailers, and utility trailers shall be prohibited in a townhouse development unless an area specially designated for such parking is provided. Such parking area shall be in addition to the minimum number of parking spaces required.
- (10) Sidewalks. ADA compliant sidewalks shall be provided within the public right-of-way on both sides of all streets in a townhouse development. Pocket greenspaces shall be accessible via ADA compliant sidewalks.
- (11) Architectural standards.
 - a. There shall be a minimum of three different exterior elevations in a townhouse development.
 - b. No more than two contiguous dwellings that form a part of a single building shall have the same setback or roof line. Said setback and roof line shall be varied by a minimum of two (2) feet.
 - c. Required exterior building materials shall be brick, stone, and/or natural wood or fiber cement siding. Split-faced concrete block, stucco, or granite block may be used on no more than 20 percent of any elevation.
 - d. Material or color changes should occur at a change of plane.
 - e. Private, usable open space, such as balconies, decks, patios, etc., shall be provided contiguous to each dwelling unit. The area of such open space provided for each unit shall not be less than ten (10) percent of the floor area of the unit served. The location and number of square feet shall be clearly indicated on the site plan. Private open space shall not count toward the required common open space.

- f. Windows shall be provided on the side elevation of end units in a townhouse building.

5.

By amending Section 5-1.1 – Single- and two-family residential dwelling units. to replace Table 5-1-1, Minimum Lot Area and Lot Width, Minimum House Size, Maximum Density, and Maximum Lot Coverage* with the following table:

Table 5-1-1: Minimum lot area, lot width, and maximum lot coverage for single- and two-family dwellings*				
	Minimum Lot Area (Sq. Feet)	Minimum Lot Width (Measured at Building Line)	Minimum House Size (Heated Sq. Feet) ⁶	Maximum Lot Coverage of Buildings (Percent)
R-Ag Residential-Agricultural	5 acres	300'	1,200	25
R-1 Single-Family Residential	15,000 ^{1,3,4}	90'	1,200	25
R-2A Single-Family Residential	12,000 ^{1,3,4}	80'	1,200	25
R-2 Two-Family Residential				
Single-family detached	12,000 ^{1,3,4}	80'	900	25
Two-Family (Duplex)	10,000 ^{1,3,4}	85'	n/a	25
R-3 Multi-Family Residential⁷				
Single-family detached	9,000 ^{1,3,4}	70'	900	35
Two-Family (Duplex)	8,000 ^{1,3,4}	75'	n/a	35
Multi-Family Dwellings	See Table 5-1-2			
RTH Residential Townhouse	2,000 ²	20'	1,200	80
R-MH Residential Manufactured Homes				
Single-family detached	9,000 ^{3,4}	70'	n/a	35
Manufactured home subdivision ⁵	9,000 ^{3,4}	70'	n/a	35
Manufactured home park	See Section 4-3.1(B)			
1 New lots abutting platted residential lots may have larger minimum size requirements. See Section 5-1(A)(1) below. 2 The minimum area for a townhouse development in RTH is 10,000 square feet. 3 Lots served by private septic tank and well shall be a minimum area of 63,340 square feet and width of 150 feet. 4 Lots served by private septic tank and public water shall be a minimum area of 32,670 square feet and width of 100 feet. 5 The minimum area for a manufactured home subdivision is ten (10) acres. 6 House size less than the minimum may be allowed by Special Exception. 7 The R-3 standards apply to non-residential zoning districts which allow residential uses. *See Appendix A for requirements in Form Based Code districts.				

6.

By amending Section 5-1.2 – Multifamily residential dwelling units. to replace Table 5-1-2, Multi-Family Residential Maximum Density, Minimum Lot Width, and Maximum Lot Coverage (All multi-family residential developments exceeding six (6) units require a special exception) with the following table:

Table 5-1-2: Multi-Family Residential maximum density, lot width, and maximum lot coverage (All multi-family residential developments exceeding 6 units requires a special exception)			
Zoning District	Maximum Dwelling Units per Acre	Minimum Lot Width (measured at building line)	Maximum Lot Coverage of Buildings (Percent)
R-3, RMH	8	85	40
RTH	6	110	40
LC, OC, IN	12	85	40
C-1, C-2	20	85	40
C-3	No maximum	0	100
IMU, MUC, NMU, FBR	See Appendix A for requirements in Form Based Code districts.		

By amending Section 5-2.1 – Minimum building setbacks, to replace Table 5-2-1, Minimum Building Setbacks with the following table:

Zoning District	Front Yard		Rear Yard	Side Yard		
	Arterial/ Collector Streets	Minor Streets		Interior Lot	Corner Lot	
					Arterial/ Collector Streets	Minor Streets
R-Ag Residential-Agricultural	50'	50'	25'	15'	50'	50'
R-1 Single-Family Residential	40'	30'	35'	10'	40'	30'
R-2A Single-Family Residential	40'	25'	25'	8'	40'	25'
R-2 Two-Family Residential	40'	25'	25'	8'	40'	25'
R-3 Multi-Family Residential						
One- and two-family	40'	25'	25'	8'	40'	25'
Multifamily	40'	25'	25'	a	40'	25'
RTH Residential Townhouse	40'	25' ⁴	25' ⁴	10' ⁴	40'	25'
RMH Residential Manufactured Home						
Multifamily	40'	25'	25'	8'	40'	25'
Individual manufactured homes	40'	25'	25'	8'	40'	25'
Manufactured home parks	(See Section 4-3.1(B))					
C-1 Highway Commercial District						
Residential	40'	25'	25'	a	40'	25'
Commercial or mixed-use	40'	25'	b	b	40'	25'
C-2 General Commercial District ³						
Residential	40'	25'	25'	a	40'	25'
Commercial or mixed-use	40'	25'	b	b	40'	25'
C-3 Central Business District (CBD)						
Residential	10'	10'	b	b	10'	10'
Commercial or mixed-use	none	none	b	b	none	none
LC Limited Commercial District ³	40'	25'	b	b	40'	25'
OC Office Commercial District ³	40'	25'	b	b	40'	25'
IN Institutional District ³	40'	25'	b	b	40'	25'
M-1 Wholesale & Light Industrial	50'	50'	b	b	50'	50'
M-2 Industrial	50'	50'	b	b	50'	50'

a. Eight (8) feet plus two (2) additional feet for each story (floor) above two (2) stories, but not exceeding twenty (20) feet; and when dwelling unit faces side yard, the dwelling unit shall not be less than twenty (20) feet from the side lot line.

b. None, except when abutting residential district and then not less than twenty-five (25) feet.

1 See Appendix A for requirements in Form Based Code districts

2 Setbacks for accessory structure are 5 feet from rear and interior side property lines, unless the otherwise required setback listed above is less. (Also see Sec. 4-4.2(E))

3 Single- and two-family dwellings in nonresidential districts shall comply with the setbacks established for such uses in the R-3 zoning district.

4 A 25' building setback is required along the external side and rear boundaries of a townhouse development. The minimum front setback for townhouses abutting a pocket greenspace is 10'.

8.

By amending **Section 5-5 (B) – Maximum building height**, to replace **Table 5-5-1, Maximum Building Height** with the following table:

Zoning District and Use	Maximum Building Height (in feet)
Single-family and two-family residential in any district	35
Non-residential uses in R-Ag, R-1, R-2, R-2A, R-3 and RMH	40
Multi-family residential in R-3	40
RTH	40
C-1, C-2	50
C-3, LC, OC, IN	40
M-1, M-2	50
IMU, MUC, NMU, FBR	See Appendix A for requirements in Form Based Code districts.
*Maximum building height for accessory structures is provided in Section 4-4.2(E).	

BE IT FURTHER ORDAINED that all ordinances and Code sections, or parts thereof, in conflict with the foregoing are expressly repealed; and that should any provision of this ordinance be rendered invalid by any court of law, the remaining provisions shall continue in force and effect until amended or repealed by action of this governing authority.

SO ENACTED this 21st day of June, 2022.

CITY OF PERRY, GEORGIA

By: _____
Randall Walker, Mayor

Attest: _____
Annie Warren, City Clerk

1st Reading: June 7, 2022
2nd Reading: June 21, 2022

EXHIBIT "A", 001

Table 4-1.1: Table of Uses

Key: "P" = Permitted Use; "S" = Special Exception Use; "C" = Conditional Use; Blank Cell = Prohibited Use

Use Category	Use Type	Zoning Districts																Additional Regulations (Sections)			
		Residential								Nonresidential						Form Based Code ²					
		R-Ag	R1	R2A	R2	R3	RTH	RMH	OC	IN	C1	C2	C3	LC	M1	M2	GU		IMU	MUC	NMU
Residential Uses																					
Household Living	Single Family dwelling, detached	P	P	P	P	P		P	P		P		P					S	P	P	
	Single Family dwelling, attached		P ⁴		P ⁴	P ⁴	P				P ⁴	P						P	P	P	P
	Two Family dwelling				P	P		P	P		P		P					P	P	P	P
	Multi-family dwelling < 7 units					P		P	P	P	P	P	P					P	P	P	P
	Multi-family dwelling > 6 units					S		S	S	S	S	S	S					P	S	S	S
	Manufactured home	P						P													
	Manufactured home park							P													
	Manufactured home subdivision							P													
	Dwelling in a commercial building								C	C	C	C	C	C	C	C		P	P	P	
Family personal care home	P	P	P	P	P	P	P	P	P	P	P		P				P	P	P	P	
Group Living	Boarding house									P	P ¹										
	All other uses					S		P	P	P	P					P	P	P			
Accessory Use	Residential Business	S	S	S	S	S	S	P	P	P	P	P	P				P	P	P	S	
Public and Institutional Uses																					
Community Service	All Uses	S	S	S	S	S		S	P	P	P	P	P	P			P	P	P	P	S
Day Care	Child learning center (19+ persons)	S			S	S		S	P	P		P						P	P	P	
	Group daycare home (7-18 persons)	S			S	S		S	P	P		P		P				P	P	P	
	Preschool	S			S	S		S	P	P	P	P	P	S			P	P	P	P	
Education	Business school							S	S	P	P	P					P	P			
	College or university							P	P	P	P						P	P	P	P	
	School, public or private	S	S	S	S	S		S	P	P	P	P					P	P	P	P	
	Trade school										P					P	P	P	P	P	P
Government	Detention facility																P				
	Emergency response facility									P	P				P	P	P	P			
	Maintenance, storage, and distribution facility														P	P	P				
	Police substation									P	P	P	P		P	P	P	P	P		
	Post office									P	P						P				

EXHIBIT "A", 002

Use Category	Use Type	Zoning Districts																Additional Regulations (Sections)					
		Residential							Nonresidential							Form Based Code ²							
		R-Ag	R1	R2A	R2	R3	RTH	RMH	OC	IN	C1	C2	C3	LC	M1	M2	GU		IMU	MUC	NMU	FBR	
Health Care	Hospital								P	P	P												
	Medical facility other than hospital								P	P	P	P	P	P									
Institutions	Religious institution	S	S	S	S	S	S		P	P	P	P	P	S					P	P	P	S	
	Congregate personal care home								P	P		P								P			
	Alternative/post incarceration facility										S						P						
	Rehabilitation facility										P	P ¹					P	P					
	All other uses								P	P	P	P							P				
Parks and open space	Cemetery, columbarium, mausoleum	S							P	P	P	P	P				P	P	P				4-3.2(A)
	Community Garden	P	S	S	S	S	S		P	P	P	P	S	P	P		P	P	P	P	P	P	
	Golf course	S	S	S	S	S	S				P						P	P	P				
	Park	P	P	P	P	P	P		P	P	P	P	P	P			P	P	P	P	P	P	
Transportation Terminals	Airport/heliport/landing strip															P	P						
	All other uses										P					P	P		P				
Utilities	Communication tower, freestanding	S							P	P	P	S				P	P	P	P				4-3.2(B)
	Communication tower on existing structure								P	P	P	P	P	P	P	P	P	P	P	P	P		4-3.2(B)
	Utility, major	S	S	S	S	S	S				P					P	P	P	P	P	P	S	
	Utility, minor	S	S	S	S	S	S				P	P				P	P	P	P	P	P	S	
Commercial Uses																							
Eating Establishments	Brewpub										P	P	P						P	P	P		
	Drive-in restaurant										P												
	Restaurant with drive-through window										P	P							P	P	S		
	Restaurant with indoor and outdoor seating and/or food service areas										P	P	P	S					P	P	P		
	Restaurant with indoor seating only										P	P	P	S					P	P	P		
	Restaurant with no seating										P	P	P						P	P	P		
Offices	All uses								P	P	P	P	P	S			P	P	P	P			
Outdoor Entertainment	All uses										P	S ¹							P	P			
Parking, commercial	Parking lot								P	P	P	P	P				P		P	S			
	Parking structure								S	S	P	P	P				P	P	P	S			

EXHIBIT "A", 003

Use Category	Use Type	Zoning Districts																Additional Regulations (Sections)				
		Residential							Nonresidential							Form Based Code ²						
		R-Ag	R1	R2A	R2	R3	RTH	RMH	OC	IN	C1	C2	C3	LC	M1	M2	GU		IMU	MUC	NMU	FBR
Retail Sales and Services	Automobile parts store										P	P						P	P	P		
	Bank, financial institution, ATM										P	P	P	S	P			P	P	P		
	Bar, nightclub										P	P	P					P	P	P		
	Barber shop, beauty shop										P	P	P	P				P	P	P		
	Casino or gambling establishment										C											4-3.3(C)
	Civic club											P	P					P	P			
	Convenience store										P	P						P	P	S		4-3.3(A)
	Convention and exhibition facility										P						P	P				
	Event venue	S									P	P	P					P	P	P		
	Farmers' market	S									P	P	P	S				P	P	S		
	Flea market										P				P							
	Fortune telling										P											
	Funeral home, mortuary								P	P		P						P	P	P		
	Grocery store										P	P						P	P	P		
	Health club, spa								P	P	P	P	P					P	P	P		
	Indoor entertainment facility, general										P	P	S					P	P	P		
	Kennel or veterinary clinic, indoor and outdoor										P	P					P	P	P			
	Kennel or veterinary clinic, indoor only										P	P						P	P	P		
	Landscape nursery										P				P							
	Liquor store										P	P ¹						P				
	Photography, art, dance studio or gallery											P	P	S				P	P	P	S	
	Personal services, all other										P	P ¹	P ³	S ³				P ³	P ³	P ³		
	Prefabricated building display and sales										P				P			P	S			
	Retails sales and services, all other										P	P ¹	P ³	S ³	P	P		P ³	P ³	P ³		
	Retail tenant exceeding 35,000 square feet										P	S						P	P			6-6.2
Sexually oriented business										P				P	P						4-3.3(E)	
Shopping center exceeding 50,000 square feet										P	P						P	P			6-6.2	

EXHIBIT "A", 004

Use Category	Use Type	Zoning Districts																	Additional Regulations (Sections)						
		Residential							Nonresidential							Form Based Code ²									
		R-Ag	R1	R2A	R2	R3	RTH	RMH	OC	IN	C1	C2	C3	LC	M1	M2	GU	IMU		MUC	NMU	FBR			
Self-service storage	All Uses																								
Vehicle sales and services	Automobile rental											P	S				P	P		P					4-3.3(F)
	Automobile sales											P	P ¹				P			P	S				4-3.3(F)
	Automobile repair											P	S ¹				P			P	S				4-3.3(A & F)
	Automobile service											P	P ¹							P	P	S			4-3.3(A & F)
	Automobile wash and detailing											P	P ¹							P	S	S			
	Boat/ recreational vehicle rental & sales											P					P			P	S				
	Taxicab service											P						P							
	Tire sales and installation											P	P ¹					P			P	P	P		
	Towing service																	P	P						
	Truck and trailer rental and sales												P					P			P	S			
Visitor Accommodations	Bed and breakfast inn	S	S	S	S	S		S	C	C		P	C						S	S	S	S			4-3.3(B)
	Campground											S													
	Hotel or motel											P	P	P					P	P	S				
	Recreational vehicle park											S													4-3.3(D)
	Short-term residential rental	S	S	S	S	S	S	S	P	P	P	P	P						P	P	P	S			
Service and Industrial Uses																									
Agricultural Operations	Farm winery	S										S	S ¹				P	P				S	S		
	Riding stable/academy	P										S	P ¹				P	P							4-3.4(A)
	All other uses	P	S	S	S	S		S				S	S ¹				P	P							4-3.4(A)
Industrial services	Contractor's office with on-site storage/fabrication											P					P	P		P	P	S			
	Truckstop or travel plaza											P					P	P							
	All other uses											P					P	P							
Manufacturing and production	Artisan production establishment											P					P	P		P					
	Brewery, distillery												P	S			P			P					
	Heavy manufacturing																	P							
	Light manufacturing, general											P					P	P		P					
Mining operations	All uses																	S							

EXHIBIT "A", 005

Use Category	Use Type	Zoning Districts																Additional Regulations (Sections)			
		Residential							Nonresidential							Form Based Code ²					
		R-Ag	R1	R2A	R2	R3	RTH	RMH	OC	IN	C1	C2	C3	LC	M1	M2	GU		IMU	MUC	NMU
Research and development	All uses								P		P	P	S		P	P		P	P	P	
Warehouse and freight movement	Outdoor storage lot										C				C	C		P	S		6-3.7(A)
	Truck or freight terminal										P				P	P		P			
	Warehouse														P	P					
Waste services	Junk yard																S				6-3.7(A)
	Recycling drop-off center														P	P	P				
	Waste disposal or treatment operation														S	S	P				
Wholesale sales	All uses													P	P		P				

1 – These uses are not permitted in the Downtown Development Overlay District. For "Personal services, all other" and "Retail sales and services, all other", the limitation applies only to massage parlors that are not part of a "health club/spa" or "medical facility other than hospital" and tattoo establishments.

2 – Uses in the Form Based Code districts are subject to standards of the Form Based Code in Appendix A of this chapter.

3 – Massage parlors that are not part of a "health club/spa" or "medical facility other than hospital" and tattoo establishments are not permitted.

4 – Townhouses are permitted only within the Downtown Development Overlay District within these base zoning districts.

**AN ORDINANCE ADOPTING
THE FISCAL YEAR 2023
OPERATING BUDGET**

WHEREAS, the Council has adhered to the provisions of O.C.G.A. 36-81-3, as amended: and

WHEREAS, Council held the budget public hearing on June 7, 2022; and

WHEREAS, per O.C.G.A 18-13-28, as amended, any increase in the occupational tax from FY- 2022 to FY- 2023 shall be used to pay administrative costs:

NOW, THEREFORE, THE COUNCIL OF THE CITY OF PERRY HEREBY ORDAINS that the Operating Budget of the City of Perry for Fiscal Year 2023 is adopted as follows:

Section 1 The General Fund revenue and expenditure appropriations are:

Revenue			
Taxes	\$		13,513,800
Licenses/Permits			978,700
Intergovernmental			6,400
Charge for Services			5,566,100
Fines/Forfeitures			778,200
Investment			5,000
Other Charges			<u>497,000</u>
Revenue Total	\$		21,345,200
Expenditures			
General Government			
Office of the City Council	\$		116,800
Office of the Mayor			15,100
Office of the Clerk			197,700
Office of the City Manager			896,000
Elections			100
Department of Administration			635,300
Finance Department			1,278,800
Office of the City Attorney			273,700
Information Technology			340,200
Employee Health/Dental			2,677,500
Perry Municipal Court			<u>678,900</u>
Category Total	\$		7,110,100
Public Safety			
Perry Police Department	\$		5,148,100
Perry Fire and Emergency Service Department			1,261,000
Houston County E - 911			<u>166,100</u>
Category Total	\$		6,575,200
Public Works			
Department of Public Works	\$		<u>2,821,600</u>
Category Total	\$		2,821,600
Health/Welfare			
Perry Volunteer Outreach	\$		3,900
Residential Utility Assistance			<u>110,800</u>
Category Total	\$		114,700

Recreation			
Department of Leisure Services	\$		686,700
Youth Subsidies Program			<u>10,000</u>
Category Total	\$		696,700
Housing/Economic Development			
Department of Community Department	\$		1,390,000
Perry Housing Team			3,900
Planning Commission			10,800
Office of Economic Development			134,700
Perry Area Chamber of Commerce			400
Middle Georgia Clean Air Coalition			5,200
21 st Century Partnership			14,300
Downtown Development Authority			
For the City of Perry			10,000
Perry-Houston County Airport			
Authority			44,600
Office of Special Events			123,100
Community Health/Housing Fair			<u>4,800</u>
Category Total	\$		1,741,800
Capital			
Fixed Assets	\$		<u>666,700</u>
Category Total	\$		666,700
Debt Service			
Principal	\$		1,455,500
Interest			<u>696,400</u>
Category Total	\$		2,151,900
Expenditures Total	\$		21,878,700
Other Financing			
Transfer – In	\$		326,400
Transfer – Out			(286,100)
Capital Leases			<u>569,700</u>
Other Financing Total	\$		610,000
Annual Gain/(Loss)	\$		76,500
Fund Balance			
Beginning	\$		7,196,100
Ending	\$		7,272,600

Section 2 The special revenue funds revenue and expenditure appropriations are:

FIRE PROTECTION UTILITY DISTRICT
SPECIAL REVENUE FUND

Revenues			
Charge for Services	\$		3,091,700
Investment			<u>200</u>
Revenue Total	\$		3,091,900
Expenditures			
Public Safety			
Support Services	\$		286,100
Perry Fire and Emergency Services			
Department			3,091,700
Residential Utility Assistant			<u>43,600</u>
Category Total	\$		3,421,400

Capital		
Fixed Assets	\$	<u>63,000</u>
Category Total	\$	63,000
Expenditure Total	\$	3,484,400
Other Financing		
Transfer – In	\$	329,700
Lease		<u>63,000</u>
Other Financing Total	\$	392,000
Annual Gain/(Loss)	\$	200
Fund Balance		
Beginning	\$	11,800
Ending	\$	12,000

HOTEL/MOTEL TAX
SPECIAL REVENUE FUND

Revenue		
Taxes	\$	1,307,000
Investment		<u>200</u>
Revenue Total	\$	1,307,200
Expenditures		
General Purpose		
Support Services	\$	95,200
Department of Public Works		264,700
Main Street Program		<u>120,200</u>
Section Total	\$	480,100
Tourism Promotion		
Perry Area Chamber of Commerce	\$	23,000
Perry Area Convention and Visitors		
Bureau Authority		<u>382,700</u>
Section Total	\$	405,700
Tourism Development		
Department of Public Works	\$	98,400
Office of Special Events		113,300
Perry Area Historical Society		16,600
Georgia National Fair		<u>10,000</u>
Section Total	\$	238,300
Expenditures Total	\$	1,124,100
Annual Gain/(Loss)	\$	183,100
Fund Balance		
Beginning	\$	334,500
Ending	\$	517,600

Section 3 The property funds revenue and expenditure appropriations are:

WATER AND SEWERAGE SYSTEM
REVENUE FUND

Revenues		
Charge for Services	\$	9,267,900
Investment		600
Other Charges		<u>19,100</u>
Revenue Total	\$	9,287,600

Expenditures			
Public Works			
Support Services	\$		837,200
Administration			18,100
Meters			1,129,000
Water Provision			1,629,500
Wastewater Treatment			1,721,700
Distribution/Collection			1,317,100
Residential Utility Assistance			12,000
Department of Public Works			100,600
Line Locates			<u>62,000</u>
Category Total	\$		6,827,200
Capital			
Fixed Assets	\$		<u>425,400</u>
Category Total	\$		425,400
Depreciation	\$		<u>1,722,600</u>
Category Total	\$		1,722,600
Debt Service			
Principal	\$		1,013,800
Interest			<u>455,600</u>
Category Total	\$		1,469,400
Expenditures Total	\$		10,444,600
Other Financing			
Transfer – In	\$		12,000
Transfer – Out			(172,200)
Leases			<u>425,400</u>
Other Financing Total	\$		265,200
Annual Gain/(Loss)	\$		(891,800)
Cash Balance			
Beginning	\$		3,888,500
Ending	\$		2,996,700

NATURAL GAS SYSTEM
REVENUE FUND

Revenues			
Charge for Services	\$		4,777,200
Investment			<u>1,200</u>
Revenue Total	\$		4,778,400
Expenditures			
Public Works			
Support Services	\$		412,000
Administration			167,800
Operations			623,100
Supply			3,244,000
Residential Utility Assistance			<u>5,000</u>
Category Total	\$		4,451,900
Depreciation	\$		<u>75,600</u>
Category Total	\$		75,600
Debt Service			
Principal	\$		12,400
Interest			<u>300</u>
Category Total	\$		12,700

Expenditures Total	\$	4,540,200
Other Financing		
Transfer – In	\$	5,000
Transfer – Out		<u>(114,800)</u>
Other Financing Total	\$	(109,800)
Annual Gain/(Loss)	\$	128,400
Cash		
Beginning	\$	1,418,800
Ending	\$	1,547,200

SOLID WASTE SYSTEM
REVENUE FUND

Revenue		
Charge for Services	\$	3,034,900
Investment		<u>400</u>
Revenue Total	\$	3,035,300
Expenditures		
Public Works		
Support Services	\$	343,400
Department of Public Works		2,744,800
Residential Utility Assistance		<u>42,000</u>
Category Total	\$	3,130,200
Capital		
Fixed Assets	\$	<u>30,000</u>
Category Total		30,000
Depreciation	\$	<u>74,300</u>
Category Total	\$	74,300
Debt Service		
Principal	\$	63,800
Interest		<u>6,700</u>
Category Total	\$	70,500
Expenditures Total	\$	3,305,000
Other Financing		
Transfer - In	\$	42,000
Lease		<u>30,000</u>
Other Financing Total	\$	72,000
Annual Gain/(Loss)	\$	(197,700)
Cash Balance		
Beginning	\$	804,300
Ending	\$	409,400

STORMWATER UTILITY SYSTEM
REVENUE FUND

Revenues		
Charge for Services	\$	<u>942,500</u>
Revenue Total	\$	942,500

Expenditures			
Public Works			
Support Services		\$	236,900
Administration			45,500
Department of Public Works			330,500
Department of Community			151,100
Department			8,200
Residential Assistance			<u>8,200</u>
Category Total	\$		772,200
Depreciation		\$	47,700
Category Total	\$		47,700
Debt Service			
Principal		\$	67,100
Interest			<u>1,900</u>
Category Total	\$		69,000
Expenditures Total	\$		888,900
Other Financing			
Transfer – In		\$	<u>8,200</u>
Transfer – Out			(39,400)
Other Financing Total	\$		(31,200)
Annual Gain/(Loss)	\$		22,400
Cash Balance			
Beginning		\$	262,900
Ending		\$	285,300

Section 4 The budget shown in Exhibit "A" for the Perry Area Convention and Visitors Bureau Authority is approved and hereby made a part of this ordinance.

Section 5 The positions of employment for FY-2023 are provided in Exhibit "B" hereby made a part of this ordinance.

Section 6 The compensation of the appointive officials and directors for FY- 2023 are provided in Exhibit "C" hereby made a part of this ordinance.

Section 7 All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 8 Should any part or parts of this ordinance be declared unenforceable the remaining part or parts shall retain the full effort of law.

Section 9 This ordinance is adopted with an effective date of July 1, 2022.

SO ORDAINED THIS _____ DAY OF MAY 2022.

CITY OF PERRY

By: _____
RANDALL WALKER, MAYOR

City Seal Attest: _____
ANNIE WARREN, CITY CLERK

EXHIBIT "A"

PERRY AREA CONVENTION AND VISITORS
BUREAU AUTHORITY
FY 2023 OPERATING BUDGET

Revenue		
Transfer from		
City	\$	382,700
Investment		<u>200</u>
Revenue Total	\$	382,900
Expenditures		
Operations	\$	353,600
Audit		4,100
Promotion of city events		<u>25,000</u>
Expenditures Total	\$	382,700
Annual Gain/(Loss)	\$	200

Exhibit "B"

FY 2023 Approved Positions

General Fund

General Government		
Office of the Council		
Mayor Pro Tempore		1
Council Members		<u>5</u>
	Office Total	6
Office of the Mayor		
Mayor		<u>1</u>
	Office Total	1
Office of the City Manager		
City Manager		1
Assistant City Manager		1
Secretary I		<u>1</u>
	Sub-total	3
Communications		
Communication Specialist I		1
Senior Communication Manager		<u>1</u>
	Sub-total	2
Personnel		
Personnel Manager II		1
Senior Personnel Technician		1
Personnel Technician I		<u>1</u>
	Sub-total	3
	Office Total	8
Office of the City Clerk		
City Clerk		<u>1</u>
	Office Total	1
Office of the City Attorney		
City Attorney		1
Legal Assistant II		<u>1</u>
	Office Total	2
Department of Administration		
Director's Office		
Director of Administration		<u>1</u>
	Sub-total	1
Division of Vehicle Maintenance		
Chief Mechanic		1
Vehicle Maintenance Manager I		1
Vehicle Maintenance Manager II		<u>1</u>
	Sub-total	3
	Department Total	4
Finance Department		
Accounting		
Accountant II		1
Accounting Technician I		1
Finance Director		1
Senior Accounting Technician		<u>1</u>
	Sub-total	4

Customer Service		
Customer Service Manager I		1
Customer Service Technician I		1
Customer Service Technician II		1
Customer Service Technician III		<u>1</u>
	Sub-total	4
Taxes/Licenses		
Tax/License Specialist II		1
	Sub-total	<u>1</u>
	Department Total	4
Perry Municipal Court		
Court Support		
Chief Municipal Court Clerk II		1
Municipal Court Clerk I		<u>1</u>
	Sub-total	2
Court		
Associate Judge		1
Chief Judge		<u>1</u>
	Sub-total	2
	Court Total	4
Public Safety		
Perry Police Department		
Chief's Office		
Chief of Police		1
Executive Secretary		1
Senior Secretary		<u>1</u>
	Sub-total	3
Certification		
Police Sergeant I		<u>1</u>
	Sub-total	1
Criminal Investigation Division		
Detective Sergeant II		1
Detective Sergeant Trainee		3
Executive Secretary II		1
Police Captain		1
Police Lieutenant		2
Police Officer I (PT)		<u>1</u>
	Sub-total	9
Evidence Room Management		
Property/Evidence Technician I (PT)		1
Property/Evidence Technician II		<u>1</u>
	Sub-total	2
Patrol		
Police Captain II		1
Police Corporal		2
Police Lieutenant I		1
Police Lieutenant II		3
Police Office I		17
Police Office II		4
Police Officer Trainee		3
Police Sergeant I		4
Senior Police Sergeant		<u>1</u>
	Sub-total	36

Records Management		
Terminal Agency Coordinator I		2
Terminal Agency Coordinator I (PT)		<u>1</u>
	Sub-total	3
School Programs		
Police Corporal		1
Police Officer I		1
Police Officer III		<u>1</u>
	Sub-total	3
School Crossing Guards		
School Crossing Guard (S)		3
Traffic Control Guard (S)		<u>2</u>
	Sub-total	5
Support Services		
Police Captain II		1
Police Logistics Technician I (PT)		<u>2</u>
	Sub-total	3
	Department Total	64
Perry Fire and Emergency Services Department		
Station 1 – Rescue		
Fire Sergeant I		1
Fire Sergeant II		2
Firefighter II		<u>3</u>
	Sub-total	6
Fire Marshall		
Fire Marshall		<u>1</u>
	Sub-total	1
Station 2 – Rescue		
Fire Lieutenant		1
Fire Sergeant II		1
Firefighter I		1
Firefighter II		<u>3</u>
	Sub-total	6
	Department Total	13
Public Works		
Department of Public Works		
Superintendent's Office		
Executive Secretary I		1
Public Works Superintendent		<u>1</u>
	Sub-total	2
Animal Control		
Animal Control Specialist I		<u>1</u>
	Sub-total	1
Animal Control Facility		
Animal Control Specialist II		<u>1</u>
	Sub-total	1
Street Maintenance		
Equipment Operator I		1
Equipment Operator III		1
Infrastructure Manager		1
Senior Equipment Operator		<u>2</u>
	Sub-total	5
Building Maintenance Operations		
Building Maintenance Manager II		1
Building Maintenance Technician I		1

Building Maintenance Technician II	1
Senior Building Maintenance Technician	<u>1</u>
Sub-total	4
City Hall	
Senior Custodian	<u>1</u>
Sub-total	1
Public Safety	
Building Custodian II	<u>1</u>
Sub-total	1
Worrall Center	
Building Custodian II	<u>1</u>
Sub-total	1
PBES Building	
Building Custodian II	<u>1</u>
Sub-total	1
Landscape Management	
Equipment Operator I	1
Equipment Operator II	3
Infrastructure Supervisor I	<u>1</u>
Sub-total	5
Department Total	22
Recreation	
Department of Leisure Services	
Director's Office	
Director of Leisure Services	1
Senior Secretary	<u>1</u>
	2
Athletic Operations	
Leisure Services Supervisor I	1
Recreation Specialist II	1
Scorekeeper (S)	<u>4</u>
Sub-total	6
Facilities Maintenance	
Recreation Specialist II	1
Recreation Technician II	<u>1</u>
Sub-total	2
Leisure Services Operations	
Leisure Services Supervisor I	<u>1</u>
Sub-total	1
Department Total	11
Housing/Economic Development	
Department of Community Development	
Director's Office	
Director of Community Development	1
Executive Secretary II	<u>1</u>
Sub-total	2
Engineering	
Engineering Services Manager II	<u>1</u>
Sub-total	1
Utility Inspections	
Utility/Construction Inspector II	1
Utility/Construction Inspector I	<u>1</u>
Sub-total	2

Building Inspections		
Building Inspector I		1
Building Inspector II		1
Building Inspector Trainee		1
Chief Building Official I		1
Permit Technician I		<u>1</u>
Sub-total		5
Code Enforcement		
Code Compliance Specialist I		1
Code Compliance Specialist II		<u>1</u>
Sub-total		2
Planning/Zoning		
Senior Community Planner		<u>1</u>
Sub-total		1
	Department total	13
Office of Economic Development		
Economic Development Administrator II		<u>1</u>
Office total		1
Office of Special Events		
Special Events Administrator I		<u>1</u>
Office total		1

**FIRE PROTECTION UTILITY DISTRICT
SPECIAL REVENUE FUND**

Public Safety

Perry Fire and Emergency Services Department

Chief's Office		
Executive Secretary I		1
Fire Chief		1
Senior Assistant Fire Chief		<u>1</u>
Sub-total		3
Station 1- Headquarters		
Fire Captain I		1
Fire Captain II		2
Fire Lieutenant II		1
Fire Sergeant I		3
Firefighter I		4
Firefighter II		5
Firefighter Recruit		1
Senior Firefighter		<u>1</u>
Sub-total		18
Fire Training		
Senior Fire Training Chief		<u>1</u>
Sub-total		1
Fire Prevention		
Senior Fire Prevention Chief		<u>1</u>
Sub-total		1
Station 2 – Davis Farm		
Fire Lieutenant I		3
Fire Lieutenant II		1
Firefighter II		4
Firefighter Recruit		<u>1</u>
Sub-total		9
	Department total	32

HOTEL/MOTEL TAX
SPECIAL REVENUE FUND

Department of Public Works			
Litter Control			
Equipment Operator I		2	
	Sub-total		2
Downtown Maintenance District			
Equipment Operator II		1	
	Sub-total		1
	Department total		3
Classic Main Street			
Downtown Manager I		1	
	Program total		1

WATER AND SEWERAGE SYSTEM
REVENUE FUND

Department of Public Works			
Easement Mowing			
Equipment Operator I		2	
	Department total		2

SOLID WASTE SYSTEM
REVENUE FUND

Department of Public Works			
Superintendent's Office			
Secretary II		1	
	Sub-total		1
Yard/Bulk Collection			
Equipment Operator I		1	
Senior Solid Waste Operator I		1	
Solid Waste Operator I		3	
Solid Waste Operator II		2	
Solid Waste Operator III		1	
Solid Waste Supervisor I		1	
	Sub-total		9
	Department total		10

STORMWATER UTILITY DISTRICT
REVENUE FUND

Department of Public Works			
System Maintenance			
Equipment Operator II		1	
Infrastructure Supervisor I		1	
	Sub-total		2
	Department total		
City Retention Ponds			
Equipment Operator I		1	
	Sub-total		1
	Department total		3
Department of Community Development			
Stormwater Inspections			
Stormwater Inspector II		1	
	Department total		1

Exhibit "C"
Appointive Officer/Director of Department
FY 2023 Compensation

Appointive Officer

Chief Judge	\$ 45,000	—	\$ 80,000
Associate Judge	25,000	—	60,000
City Attorney	89,200	—	140,000
City Manager	140,000	—	190,400
Assistant City Manager	102,600	—	150,500
City Clerk	69,000	—	103,400

DIRECTOR OF DEPARTMENT

Director of Administration	\$ 93,500	—	\$ 136,400
Finance Director	93,900	—	136,400
Chief of Police	95,500	—	141,400
Fire Chief/Director of Emergency Services	86,400	—	126,100
Public Works Superintendent	85,100	—	125,600
Director of Leisure Services	79,300	—	117,700
Director of Community Development	86,800	—	126,900

**A RESOLUTION OF THE COUNCIL OF THE CITY OF PERRY, GEORGIA,
APPROVING THE PURCHASE CARD CREDIT LIMIT INCREASE AND
DESIGNATING AUTHORIZED PERSON(S) OF POWER WITH SYNOVUS BANK**

WHEREAS, the City Council approved Synovus Bank ("Synovus") as the Purchase Card ("P-card") Vendor for the City of Perry, Georgia ("City") on January 5, 2021; and

WHEREAS, the City's current credit limit is \$150,000.00; and

WHEREAS, Administration recommends an increase of \$100,000.00 to a credit limit of \$250,000.00; and

WHEREAS, Synovus requires a resolution be passed authorizing individuals to act on behalf of the City and authorizing the exercise of certain powers such as opening a deposit account, endorsing checks, authorizing withdrawals/transfers and entering into a written lease for a safe deposit box; and

WHEREAS, a copy of the resolution form required by Synovus is attached hereto as Exhibit "A"; and

WHEREAS, Administration recommends authorizing the following persons to have financial transaction powers on behalf of the City with Synovus:

Mitchell Worthington, Finance Director
Robert Smith, Assistant City Manager
Lee Gilmour, City Manager
Brenda King, Director of Administration,

NOW, THEREFORE, BE IT RESOLVED, AND IT IS HEREBY RESOLVED, by the Council of the City of Perry that the City's request to increase its P-Card credit by \$100,000.00 to a limit of \$250,000.00 be presented to Synovus; and

BE IT FURTHER RESOLVED THAT, the form resolution required by Synovus is hereby adopted, a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference, authorizing the individuals identified above and listed therein to act on behalf of the City with regard to the City's P-Card.

So RESOLVED this 7th day of June, 2022.

CITY OF PERRY, GEORGIA

By: _____
RANDALL WALKER, MAYOR

Attest: _____
ANNIE WARREN, CITY CLERK

[CITY SEAL]

Exhibit "A"



AUTHORIZATION RESOLUTION FOR CHURCHES,
OTHER NONPROFIT ORGANIZATIONS AND OTHER
ORGANIZATIONS

TO: SYNOVUS BANK
(referred to in this document as the "Financial Institution")

BY: City of Perry
(referred to in this document as the "Organization")

1) ACCOUNT
INFORMATION

Employer Identification Number

Account number (if existing)

2) GOVERNING
DOCUMENTS

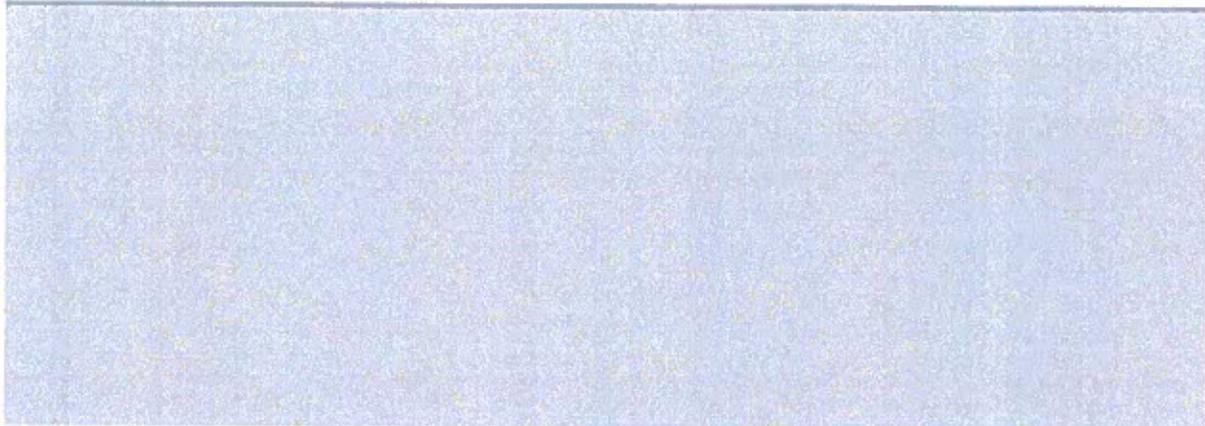
The undersigned certifies that the undersigned has delivered or, contemporaneously herewith, will deliver to the Financial Institution true, correct and complete copies of the Organization's organizational and governing documents (e.g., Articles of Incorporation or Organization, Bylaws, Operating Agreements) to the extent said documents exist and that the powers granted in this resolution are not in contravention with the Organization's governing documents.

3) AUTHORIZING
RESOLUTION

The undersigned hereby certifies that the following resolutions were properly adopted in accordance with the governing documents of the Organization

The governing body of the Organization hereby resolves that:

- a) The Financial Institution is designated as a depository for the funds of the Organization and to provide other financial services as provided for in this resolution.
- b) This resolution shall continue to have effect until express written notice of its rescission or modification has been received and accepted by the Financial Institution. Any and all prior resolutions adopted by the governing body of the Organization relating to the Financial Institution as governing the operation of the Organization's account(s), are, and shall continue (except as expressly modified hereby), in full force and effect, until the Financial Institution receives and acknowledges express written notice of its revocation, modification or replacement. Any revocation, modification or replacement of a resolution must be accompanied by documentation, satisfactory to the Financial Institution, establishing the authority for such changes.
- c) Any and all transactions by or on behalf of the Organization with the Financial Institution prior to the adoption of this resolution are hereby ratified, approved and confirmed.
- d) Any of the persons named in Section 4 below (each, an "Authorized Person") are, each independently and without the need of any other Authorized Person, authorized to make any and all contracts, agreements, stipulations and orders which they may deem advisable for the effective exercise of the powers indicated below, from time to time with the Financial Institution, concerning funds deposited with the Financial Institution, moneys borrowed from the Financial Institution or any other business transaction by and between the Organization and the Financial Institution subject to any restrictions stated below, or otherwise agreed to in writing.
- e) The Organization agrees to the terms and conditions of any account agreement, properly opened by any Authorized Person of the Organization. The Organization authorizes the Financial Institution, at any time, to charge the Organization for all checks, drafts, or other orders, for the payment of money, that are drawn on the Financial Institution.
- f) The Organization acknowledges and agrees that the Financial Institution may furnish at its discretion automated access devices to the Authorized Persons to facilitate the powers authorized by this resolution or other resolutions in effect at the time of issuance. The term "automated access device" includes, but is not limited to, credit cards, debit cards and automated teller machines (ATM).
- g) The Organization acknowledges and agrees that the Financial Institution may rely on alternative signature and verification codes issued to or obtained from the Authorized Persons named on this resolution. The term "alternative signature and verification codes" includes, but is not limited to, facsimile signatures on file with the Financial Institution, personal identification numbers (PIN), and digital signatures. The Financial Institution shall have no responsibility or liability for unauthorized use of alternative signature and verification codes unless otherwise agreed in writing. If a facsimile signature has been filed separately with the Financial Institution by the Organization, the Financial Institution is authorized to treat the facsimile signature as the signature of the Authorized Person(s) regardless of by whom or by what means the facsimile signature may have been affixed so long as it resembles the facsimile signature on file.



4) AUTHORIZED PERSON SIGNATURES The undersigned further certifies that each of the following persons are deemed Authorized Persons of the Organization and have all of the powers indicated in the "Powers Granted" section set forth below. Each Authorized Person may bind the Organization without the need of any other Authorized Person. The Financial Institution is hereby authorized to rely on any of the signatures subscribed hereto relating to transactions of any business on the Organization's account(s).

Name and Title or Position	Signature
A. Mitchell Worthington, Finance Director	
B. Lee Gilmour, City Manager	
C. Robert Smith, Assistant City Manager	
D. Brenda King, Director of Administration	
E.	

POWERS GRANTED

Description of Power

- 1) Exercise all of the powers listed or otherwise contemplated in this resolution.
- 2) Open any deposit or share account(s) in the name of the Organization.
- 3) Endorse checks and orders for the payment of money or otherwise withdraw or transfer funds on deposit with the Financial Institution.
- 4) Enter into a written lease for the purpose of renting, maintaining, accessing and terminating a safe deposit box in the Financial Institution.
- 5) Other:

5) EFFECT ON PREVIOUS RESOLUTIONS All prior resolutions of record at the Financial Institution remain in effect unless the Organization notifies Financial Institution as provided herein.

6) CERTIFICATION OF AUTHORITY The undersigned further certifies that the governing body of the Organization has, and at the time of adoption of this resolution had, full power and lawful authority to adopt the resolution and to confer the powers granted to the persons named above who have full power and lawful authority to exercise the same.

IN WITNESS WHEREOF, I (i) have subscribed my name and affixed the seal of the Organization on the date(s) set forth below and (ii) hereby certify that, in accordance with 18 USC § 1344 and other applicable law, that on the date(s) set forth below, I am fully authorized to act on behalf of the Organization and nothing herein is false, misleading or fraudulent nor intended to defraud the Financial Institution [and agree that to the extent the foregoing is false acknowledge that I will be held personally liable].

UNDERSIGNED

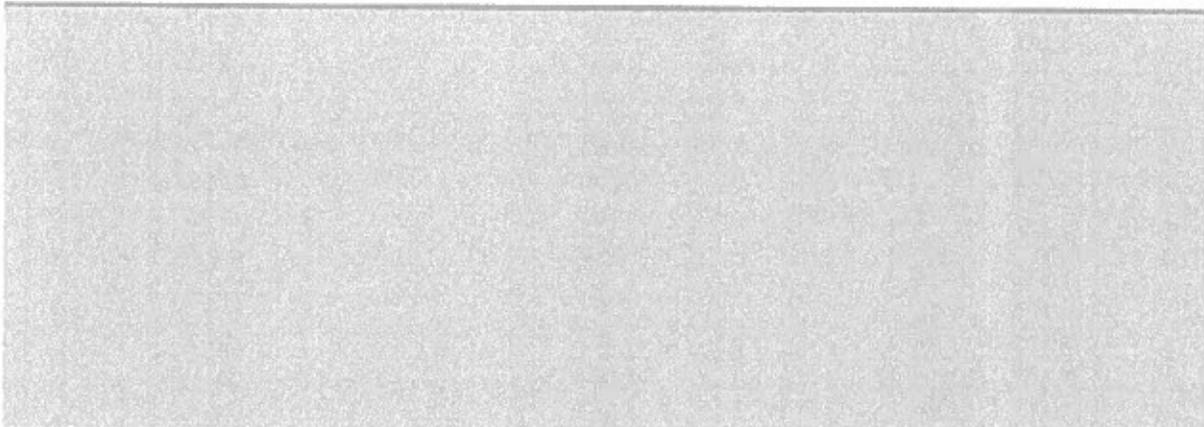
Signature: _____
 Name: _____
 Title: _____
 Date: _____

ATTEST BY ONE OTHER OFFICER

Signature: _____
 Name: _____
 Title: _____
 Date: _____

FOR FINANCIAL INSTITUTION USE ONLY

Acknowledged and received on _____ (date) by _____ (initials) This resolution is superseded by resolution dated _____.



PURCHASE AND SALE AGREEMENT

THIS AGREEMENT is made and entered into this ____ day of June, 2022 by and between:

**RONNIE RELEFORD and RUDINE H. RELEFORD, ("Sellers") and
CITY OF PERRY, GEORGIA ("Purchaser").**

1. PURCHASE AND SALE:

The Purchaser agrees to buy, and the Sellers agree to sell in fee simple, the parcel of land described as follows, (hereinafter referred to as the "Property").

All that tract or parcel of land lying and being in the 10th Land District of Houston County, Georgia, in the City of Perry, known and designated as Lot No. 3 in the Gray Subdivision according to a plat of survey made by Rhodes Sewell, Surveyor, on February 16, 1945, a copy of said plat being of record in Map Book 2, Page 90, Clerk's Office, Houston Superior Court. Said plat and the recorded copy thereof are incorporated herein by reference for all purposes.

**Houston County Tax Map Parcel No.: 0P0210 005000
Street Address: 1524 Houston Lake Road, Perry, GA 31069**

2. PURCHASE PRICE AND METHOD OF PAYMENT:

The purchase price for the Property shall be a total of thirty-eight thousand dollars **\$38,000.00**. In addition to the purchase price, the Purchaser agrees to pay the closing costs. The purchase price shall be paid in cash at closing.

3. WARRANTY OF TITLE:

At the time the sale is consummated, Sellers agree to convey good and marketable, fee simple title to Purchaser, which is hereby described as title which is insurable by a national title insurance company at its standard rates on an ALTA Owner Policy, without exception other than the following "Permitted Title Exceptions": (a) zoning ordinances affecting the Property; (b) general utility, sewer and drainage easements of record; (c) current city, state and county ad valorem property and sanitary taxes not yet due and payable; and (d) other easements, restrictions and encumbrances specified in this Agreement or any exhibit incorporated herein.

4. TITLE EXAMINATION:

The closing attorney shall examine title to the Property and furnish Sellers with a written statement of objections affecting the marketability of said title, other than the Permitted Title Exceptions, at least three (3) days prior to closing. Sellers shall have a reasonable time after receipt of such objections to satisfy all valid objections, and if Sellers fail to satisfy such valid objections within a reasonable time, then at the option of the Purchaser, evidenced by written notice to Sellers: (a) this Agreement shall be null and void, and all Earnest Money shall be promptly returned to Purchaser or (b) Purchaser shall waive such objections and proceed to closing in which event any such waived objection shall become a Permitted Title Exception. The date of closing under this Agreement shall be extended for a reasonable period of time so as to enable Sellers to satisfy such title objections.

5. CONDITION OF PROPERTY:

The Property is sold "AS IS", with all faults and defects, known or unknown.

6. REAL ESTATE AGENT AND COMMISSION:

Sellers state that none of the Property was listed for sale with a real estate agent or broker and that no commissions shall be due and owing at the time of closing. Sellers hereby agree to indemnify and hold Purchaser harmless from any liability relating to claims for real estate commission asserted by any agent or broker.

7. ASSIGNMENT:

This Agreement, and the rights and obligations hereunder, may not be assigned by Purchaser without the prior written consent of the Sellers, such consent not to be unreasonably withheld.

8. BINDING EFFECT:

This Agreement shall bind and inure to the benefit of Sellers and Purchaser, and their respective heirs, executors, legal representatives, successors and permitted assigns.

9. RESPONSIBILITY TO COOPERATE:

Sellers and Purchaser agree that such documentation as is reasonably necessary to carry out the terms of this Agreement shall be produced, executed, and/or delivered by such parties within the time required to fulfill the terms and conditions of this Agreement.

10. DEFAULT; REMEDIES:

10.1. If Sellers have failed to perform any of its undertakings hereunder by the date designated herein for such performance, Purchaser may extend, but shall not be obligated to extend, the required date of performance. If Sellers breach any of their covenants, agreements, representations or warranties contained in this Agreement, or if said representations and warranties are not true and correct on the date hereof and on the Closing Date, or if Sellers fail to perform any affirmative obligation or consummate the sale contemplated herein for any reason other than Purchaser's default, then provided that Purchaser is not in default hereunder and provided further that Purchaser has given Sellers ten (10) days written notice specifying the exact nature of such breach or failure, and if such breach or failure has not been cured within ten (10) days after the date such notice was delivered, Purchaser may declare this Agreement terminated, in which event all rights and obligations of the parties hereunder shall be terminated.

10.2. The exercise (or failure to exercise) of any one of Purchaser's or Sellers' rights or remedies under this Agreement shall not be deemed to be in lieu of, or a waiver of, any other right or remedy contained herein.

11. NOTICES:

Except as may otherwise be provided for in this Agreement, all notices required or permitted to be given hereunder shall be in writing, and shall be deemed delivered either

- A. In person,
- B. By overnight delivery service prepaid,
- C. By facsimile (fax) transmission, or
- D. U.S. Postal Service, postage prepaid, registered or certified, return receipt requested, to the party being given such notice, at the appropriate addresses set forth below:

As to Sellers:
Ronnie Releford
Rudine H. Releford
440 Mary Erna Drive
Fairburn, Georgia 30213

As to Purchaser:
The City of Perry, Georgia
Attn: Lee Gilmour
P.O. Box 2030
1211 Washington St.
Perry, Georgia 31069

Such notices shall be deemed to have been given as of the date and time actually received by the receiving party. In the event no address for purpose of notice is specified with respect to a particular party as required by this paragraph, any other party may direct notices to such party at any business or residence address known to such other party. Any such notice to any unspecified address shall be effective when delivered personally or, with respect to mailed notices, upon actual receipt by the party to whom in such notice is directed, as show on the return receipt therefor.

12. TIME:

Time is of the essence of this Agreement.

13. ENTIRE AGREEMENT; MODIFICATION:

It is expressly understood and agreed between the parties that this Agreement as signed by them constitutes the entire contract and understanding between them as to the subject matter stated herein. All prior or contemporaneous representations, and understandings and agreements, oral or otherwise, are merged herein. There can be no modification of this Agreement unless same is in writing, duly executed by both parties and attached hereto.

14. MISCELLANEOUS:

1. Taxes Prorated: Taxes shall be prorated as of the date of closing.
2. Date of Closing: The parties shall close the sale of the Property within 30 days of the date of this agreement in the office of Walker, Hulbert, Gray & Moore, LLP, 909 Ball Street, Perry, Georgia.

If the time period by which any right, option, or election provided under this Agreement must be exercised, or by which any act required hereunder must be performed, or by which the closing must be held, expires on Saturday, Sunday, or legal holiday, then such time period shall be automatically extended to the close of business on the next regular business day.

3. Waiver: Conditions precedent to the obligation of either party to close hereunder, if any, are for the benefit of such party only, and any and all of said conditions may be waived in the discretion of the party benefitted thereby.
4. IRS Compliance: Sellers and Purchaser agree to comply with and to execute and deliver such certifications, affidavits, and statements as are required at the closing in order to meet the requirements of Internal Revenue Code Section 1445 (Foreign/Non-Foreign Sellers).
5. Governing Law: This Agreement shall be construed under the laws of the State of Georgia.
6. Survival: All warranties and representations contained in this Agreement shall continue to bind the parties and shall survive the closing and the execution and delivery of the warranty deed.
7. Counterparts: This Agreement may be executed in any number of counterparts, each of which when executed and delivered shall constitute a duplicate original, but all counterparts together shall constitute a single agreement.

IN WITNESS WHEREOF, Purchaser and Sellers have hereunto set their hands and seals as of the date indicated below.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

SELLERS:

Signed, sealed and delivered
in the presence of:

By: _____
RONNIE RELEFORD

Unofficial Witness

Notary Public

[SEAL]

Signed, sealed and delivered
in the presence of:

By: _____
RUDINE H. RELEFORD

Unofficial Witness

Notary Public

[SEAL]

PURCHASER:

CITY OF PERRY, GEORGIA

By: _____
RANDALL WALKER, Mayor

Attest: _____
ANNIE WARREN, City Clerk

Signed, sealed and delivered
in the presence of:

[CITY SEAL]

Unofficial Witness

Notary Public

[SEAL]