

Planning Commission Minutes - June 08, 2020

1. Call to Order : Chairman Edwards called the meeting to order at 6:02pm.
2. Roll Call: Chairman Edwards; Commissioners Coody, Clarington, Griffis, Jefferson and Mehserle were present.
Staff: Bryan Wood – Community Development Director and Christine Sewell – Recording Clerk
Guests: Chad Bryant, Mark Byrd, Michael Chidester, Michael Martin, Mike Bloodworth, and Matt Saley, Jason Leverett
3. Invocation : was given by Commissioner Clarington
4. Approval of Minutes : Approval of minutes from March 09, 2020 meeting – Commissioner Clarington motioned to approve as submitted; Commissioner Coody seconded; all in favor and was unanimously approved.
5. Announcements – Chairman Edwards referred to the notices as listed below
 - A. Campaign Notice per O.C.G.A. 36-67A-3
 - B. Policies and Procedures for Conducting Zoning Hearings are available at the entrance
 - C. Please silence cell phones
6. Old Business: None
7. New Business
 - A. Public Hearing (Planning Commission decision)
 1. APPL-48-2020 – Appeal of the Administrator’s determination regarding commercial activity being conducted at 161 Fairway Oaks Drive (*Request for postponement until July meeting*)

Mr. Wood advised the applicants’ attorney is requesting postponement until the July 11th meeting as an open records request had been filed and additional time was needed for review. Mr. Chidester the applicants’ attorney concurred with the staff request. Chairman Edwards called for a consensus from the board for postponement until the July 11th meeting; the board concurred.

2. PLAT-30-2020 – Preliminary plat for Sadie Heights Subdivision, Kings Chapel Road

Mr. Wood read the applicants’ request and staff report, which was for property that is undeveloped and consists of parcel is 44.14 acres, plus approximately a 3-acre portion The applicant proposes to develop the approximately 47 acres into a 106-residential-lot conventional subdivision. An additional lot at the entrance to the subdivision will be owned by a Homeowners’ Association and used for mail delivery. Three lots on the 3-acre portion of parcel is proposed to be donated to the City and used as open space and a sewer lift station. Per the R-2A and R-2 zoning district requirements, minimum lot size is 12,000 square feet with a minimum lot width of 80 feet. With the exception of Lots 12, 57, and 68, all lots meet these minimum requirements. The area of Lots 12, 57, and 68 will need to be adjusted. The required 60’ right-of-way width, 27’ street width and 96’ diameter cul-de-sacs are provided. A right-turn deceleration lane is proposed on Kings Chapel Road at the subdivision entrance.

The subdivision layout provides a road connection to Phase 2 of Stonebridge subdivision, which the Commission approved earlier this year. This will also allow connection to the City's sanitary sewer system. A pump station is proposed to facilitate required flow. The subdivision is also designed to provide two street connections to a large undeveloped tract of land to the east of the subject property. (This property is being considered for annexation into the City, and the second phase of Sadie Heights will be forthcoming.)

Downstream sanitary sewer pump stations are at or near capacity. It will be the responsibility of the applicant to analyze these and upgrade any station to accept the addition flows created by the subdivision.

A "cross-hatched" area on the plan represents areas that may be designated as "waters of the United States". The applicant has indicated that the developer intends to apply for a permit to fill this area. Should this national permit not be issued, there would be a 25 foot setback from these areas which would impact the buildability of several lots.

The applicant has not provided documentation which indicates that the proposed street names have been approved by Houston County E911 office.

Because of its location on the edge of the City, the plans were submitted to Houston County engineers for review. Their comments are attached and included in the recommendation. Additionally, the plans were submitted to the Board of Education for review. The BOE had no comments.

In conclusion, staff recommends approval of the preliminary plat containing 106 residential lots with the following conditions: Approval of this Preliminary Plat is contingent upon the 3-acre triangular tract being included in the subdivision; All lots shall meet minimum lot area of 12,000 square feet; Provide approval of street names by Houston County E911; Applicant shall analyze and upgrade downstream sanitary sewer pump stations as necessary to accept additional flows created by the subdivision; Depending on outcome of national permit to fill waters of the United States, the number and/or layout of lots may require adjustment to provide adequate buildable area. This issue will be addressed by staff prior to issuing a Site Plan Permit and Land Disturbance Permit; A Houston County driveway permit and bond will be required for access to Kings Chapel Road; Provide Water Demand calculations to ensure adequate water flow and pressure are provided for the subdivision; Houston County Water Dept. to review and approve all connections to Houston County water system; and Provide a downstream stormwater analysis.

Chairman Edwards opened the public hearing at 6:17pm and called for anyone in favor of the request. Mr. Chad Bryant, on behalf of the applicant reiterated the request and concurred with staff recommendations. Mr. Bryant noted the area will ultimately connect to Gurr Road through Stonebridge subdivision with future development to the East and West. Mr. Bryant clarified the regulations regarding the Waters of the US and that no streams had been found on the property. Chairman Edwards called for anyone opposed; there being none the public hearing was closed at 6:21pm.

Commissioner Clarrington motioned for approval of the application as submitted, along with the conditions in the staff report provided; Commissioner Mehserle seconded; all in favor and was unanimously recommended for approval.

B. Informational Hearing (Planning Commission recommendation)

1. ANNX-49-2020 – Annexation of Property on Kings Chapel Road

Mr. Wood read the applicants' request and staff responses, which was for development of a single-family residential subdivision. The applicant proposes to annex the subject property into the City of Perry to accommodate a second phase of the subdivision. A conceptual layout indicates approximately 70 lots could be developed on the subject 28.26 acre parcel. The applicant requests a city zoning classification of R-2A, Single-family Residential District, to be consistent with the adjoining city property. This district requires a minimum lot area of 12,000 square feet.

Chairman Edwards opened the public hearing at 6:25pm and called for anyone in favor of the request. Mr. Chad Bryant on behalf of the applicant reiterated the request and advised the second phase will be similar to phase one. Chairman Edwards called for anyone opposed; there being none the hearing was closed at 6:27pm.

Commissioner Coody motioned to recommend approval to Mayor and Council of the application as submitted to annex the subject property to R-2A, Single Family Residential District; Commissioner Clarrington seconded; all in favor and was unanimously approved.

2. REZN-60-2020 – Rezoning of Property on Talton Road and Bear Branch Road

Mr. Wood read the applicants' request which was to rezone the property from PUD, Planned Unit Development to R-2A, Single Family Residential District, and R-3 Multi-family Residential District. Mr. Wood noted the property was annexed into the City of Perry and zoned PUD in 2007. The approved PUD plan called for development of 545 lots with two access points on Talton Road. The property was never developed. The applicant proposes to rezone this 223.79 acre tract to R-2A, Single-family Residential District and R-3, Multi-family Residential District. The conceptual site plan submitted with the application indicates approximately 450 single-family residential lots of various sizes. Estate-sized lots (approximately 40,000 square feet in area) would front Talton Road and Bear Branch Road. A mixture of R-1, R-2A, and R-3 sized lots (minimum 14,000, 12,000, and 9,000 square feet in area) would be developed in the interior of the site. Two access points are proposed – one each on Talton Road and Bear Branch Road. The proposed line separating the two proposed zoning districts is intended to follow property lines. In order to prevent the creation of split-zoned lots, the zoning line may shift slightly to align with the final layout of lots.

Mr. Wood further noted staff was recommending approval of the application with conditions as follows: 1). The development shall consist only of single-family detached residential uses, park/open space, and associated infrastructure improvements; 2). The final subdivision design shall substantially conform to the conceptual plan prepared by Bryant Engineering and dated 5/5/20; and 3). The Director of Community Development shall make the final determination of the location of the line separating the two zoning districts based on final layout of lots, and provided such line does not shift, generally, more than 50 feet in any direction from what is presented with this application.

Chairman Edwards opened the public hearing at 6:35pm and called for anyone in favor of the request. Mr. Chad Bryant on behalf of the applicant advised the developer is making the request

from a PUD for a better designed subdivision. Traffic coming out onto Bear Branch Road will flow better in the redesign and the houses facing Talton Road will have more visibility. The proposed estate lots will mimic those currently in the area and the new design will still include single family homes, open space, lake and amenity center. Mr. Bryant advised the developer had met with a number of residents who had voiced their concerns with regards to traffic.

There being no further comment in favor of the application; Chairman Edwards called for anyone opposed.

Mr. Michael Martin was not opposed to the subdivision itself, but the traffic going left onto Bear Branch Road, no turning lane into the subdivision and the blind “S” curve into the area. Mr. Martin inquired if any traffic studies had been done, if Houston County planned on widening the road and a traffic light for Bear Branch and Houston Lake Road.

Mr. Jason Leverett was concerned with additional traffic; especially the large truck traffic from Frito Lay.

Mr. Mike Bloodworth was concerned with the square footage of the homes, plans for Houston County to widen or repave Bear Branch Road, sewer expansion and the current lift station in the area is already at capacity and an upgrade is needed.

Mr. Matt Saley was concerned with additional traffic on Candler Drive from Talton Road and that it would become a cut-thru and if there should be a traffic light on Talton Road.

Mr. Bryant advised the houses facing Bear Branch and Talton Roads their driveways will not back out onto either road; will possibly have combined driveways and additional landscaping. Mr. Bryant noted traffic studies and analyses are done as required, but unfortunately roads are more reactive than proactive and usually are addressed as needed. The square footage of homes will be based on economically sound practices.

There being no further public comment the public hearing was closed at 7:01pm.

Chairman Edwards requested confirmation from staff that with the current PUD approval the developer could proceed; Mr. Wood confirmed yes. Commissioner Griffis suggested better communication on infrastructure. Mr. Wood advised Houston County had been notified and provided no negative comments on the application. Mr. Wood advised Bear Branch Road is a county road, Talton Road is city, and SR 127 is state and noted the entities may not address immediately, but most certainly will work together as appropriate.

Commissioner Mehserle motioned to recommend to Mayor and Council approval of the applications as submitted with staff conditions; Commissioner Griffis seconded; all in favor was unanimously recommended for approval.

3. REZN-61-2020 – Text Amendment to Revise Procedures and Standards for Murals

Mr. Wood advised, the proposed amendment removes murals from the sign regulations and establishes a separate Mural Permit which will be reviewed and issued by the Planning Commission. The Planning Commission will receive recommendations from the Perry Public Arts Commission, and if the mural is to be located downtown, from the Main Street Advisory Board. There will be public notice and the Planning Commission will hold a public hearing on a proposed mural permit. The Planning Commission's decision regarding a mural permit can be appealed to Mayor and City Council, rather than directly to court. Staff believes the Planning Commission is the appropriate body to review and act on murals, and providing for public input is important. The Perry Public Arts Commission and Main Street Advisory Board should continue providing input on a mural.

Chairman Edwards opened the public hearing at 7:16pm and called for anyone in favor or opposed to the request; there being none the hearing was closed at 7:17pm.

Commissioner Mehserle voiced concern with the Commission deciding approval and felt it should be the Arts Commission. Chairman Edwards noted the Commission would not regulate content, but the placement of. Commissioner Griffis inquired if the Arts Commission holds public hearings they should be able to do and agrees that it should not be the Commission's responsibility. Mr. Wood advised staff had numerous discussions and the end result was the Planning Commission being the appropriate board to handle. Mr. Wood also stated the Arts Commission and Main Street Advisory Board, where appropriate will review applications and make recommendations. The proposed ordinance provides standards and guidance, which the current ordinance does not have. Commissioner Jefferson asked what the other two boards will review and the support they will provide.

Commissioner Griffis motioned to recommend to Mayor and Council denial of the amendment as presented as the Planning Commission is not the appropriate board to make decision on applications; Commissioner Mehserle seconded; all in favor was unanimously recommended for denial.

4. REZN-62-2020 – Text Amendment to Revise Cul-de-sac Dimensions and to Remove References to Sections of the International Fire Code

Mr. Wood advised, following a legal review, City Council directed Staff to revise any City standards which exceed the standards in the minimum codes required by the Georgia Department of Community Affairs and the proposed amendment responds to that directive. The staff report and the proposed amendments were reviewed. Mr. Wood also advised the amendment was part of a larger amendment to the City code that the Commission would not be reviewing and was in process and those changes would also affect what was presented for the board's review and recommendation.

Chairman Edwards opened the public hearing at 7:36pm and called for anyone in favor or opposed; there being none the hearing was closed at 7:37pm.

Commissioner Mehserle motioned to table the proposed amendment until all changes were provided; Commissioner Griffis; all in favor and was tabled.

8. Other Business

- A. Discussion of concerns related to Conservation Subdivision – Commissioner Griffis
Tabled from March 09, 2020 meeting

Commissioner Griffis was concerned with what happens to the land that is conserved and not taken care. The areas could have brush overgrowth, downed trees, etc. and then residents will look to the City to remedy. Mr. Wood advised he had spoken with the City Manager and the City may possibly be willing to accept those areas, but would only maintain stormwater and utilities, no mowing, cutting brush overgrowth, trees, etc. Commissioner Griffis felt if the land was to be developed it should be entirely. Mr. Wood advised the moratorium had been rescinded as the parking concern has been addressed. He has been doing some research and will bring forth recommendations and proposed changes for further discussion. The board in discussions should also consider if they are appropriate for the City and Commissioner Griffis questioned are they economically feasible for development, if land is to be conserved, should it be smaller. It was also suggested reaching out to developers for input; Mr. Wood advised staff could handle and solicit input. Additional information will be brought back to the Commission for further discussion at a later date.

B. Discussion of preliminary plat procedures – Bryan Wood

Mr. Wood inquired if Preliminary Plats should continue to be reviewed/acted upon by the Planning Commission or completed by staff. Currently the Commission acts on recommendations based on Staff's review of plat for compliance with provisions of Land Management Ordinance, and any other pertinent codes. Currently, the Commission "shall afford a hearing on the preliminary plat", however, public notice of a preliminary plat is not required and Variance from development standards and Conservation subdivision should continue to be reviewed/acted upon by the Planning Commission, with proper notice and hearing. Mr. Wood if the board elected could have this preliminary plat completed during the development/construction review process. The board concurred to review procedural changes at a later date for further discussion and possible change.

Chairman Edwards thanked former Commissioner Burkart who has resigned from the board for her service.

9. Adjourn: there being no further business to come before the Commission the meeting was adjourned at 8:05pm.