

Perry Planning Commission
Minutes- April 09, 2018

CALL TO ORDER: Chairman Edwards called the meeting to order at 6:05pm.

ROLL: Chairman Edwards; Commissioners Burkart, Coody, and Jefferson were present. Commissioners Clarington and Mehserle were absent.

STAFF: Bryan Wood – Community Development Director and Christine Sewell – Recording Clerk.

GUESTS: Mr. & Mrs. Joe McNutt, Mrs. Mary Murphy, Mr. Rob Tuggle, Mr. Elijah King, and Mr. Edrick Harris.

INVOCATION: was given by Commissioner Coody

APPROVAL OF MINUTES March 12, 2018 meeting: Commissioner Burkart motioned to approve as submitted; Commissioner Jefferson seconded; all in favor and was unanimously approved.

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

OLD BUSINESS

1. A-17-01 1316 Sam Nunn Blvd. (Carlos & BJ Auto Sales)

Mr. Wood reviewed the matter which the Commission originally heard on March 31, 2017 as an appeal to administrations' decision that the display of automobiles constitutes a parking lot and therefore, should be paved. The Commission deferred action for the appellant to provide a cost estimate for compliance (prior code required asphalt pavement) and until such time as the City adopts any new design standards for automobile sales uses. The Commission had requested staff look at a way to reduce stormwater runoff. The recently revised and adopted Land Management Ordinance (LMO) now includes specific standards for automobile sales and rental sales; as well the Commission recently adopted the Design & Specifications Manual, which includes construction standards for the use of gravel for parking/display areas.

Chairman Edwards opened the public hearing at 6:12pm and called for anyone to speak on the matter. Mr. Rob Tuggle, attorney for the appellant noted the City has only recently developed revisions to the ordinance and requested ample time to meet with City staff to ensure compliance is properly met.

There being no further comment the public hearing was closed at 6:14pm.

Commissioner Coody motioned to uphold the determination of staff and that compliance be met by October 31, 2018 with current ordinance; Commissioner Jefferson seconded; all in favor and was unanimously approved.

INFORMATIONAL HEARING (Planning Commission recommendation)

1. R-18-02 1201/1203/1205/1207/1209 Ball Street
805/807 Carey Street

Mr. Wood read the applicants' request, which was for the rezoning of the properties from C-3, General Commercial District to NMU, Neighborhood Mixed Use, with the Downtown Development Overlay District to remain in place. Mr. Wood stated the C-3, Central Business District does not permit single-family detached residential uses. The subject properties include residential and office uses and noted the area will likely transition to office and retail uses in the future. However, currently four of the seven properties are used as single-family residences and would not be allowed to rebuild if damaged or destroyed by more than 50 percent of their value. The proposed change will allow single-family detached residential uses by right, and will continue to allow nonresidential uses similar to those allowed in C-3. The Downtown Development Overlay District will remain in place on the properties.

Chairman Edwards opened the public hearing at 6:20pm and called for anyone in favor of the request.

Mrs. Mary Murphy owner of 1207 Ball Street was in favor of the request as she is currently trying to sell the property. Chairman Edwards called for anyone opposed; there being none the hearing was closed at 6:23pm

Mr. Tuggle inquired if the property tax value would change; Mr. Wood advised it would not as it is based on use. Chairman Edwards inquired on the uses allowed; Mr. Wood briefly reviewed.

Commissioner Jefferson motioned to recommend approval of the application as submitted to Mayor & Council; Commissioner Coody seconded; all in favor and was recommended approval.

2. R-18-03 1207 Ball Street

Mr. Wood read the applicants' request which was to rezone the property from C-3, General Commercial District to FBR, Form Based Residential, with the Downtown Development Overlay District to remain in place. It was further noted, the C-3, Central Business District does not permit single-family detached residential uses. The property has been used as a single-family detached dwelling. The owner has a contract to sell the property as residential. The prospective purchaser's lender will not provide a loan because single-family residential use would not be allowed to rebuild if damaged or destroyed by more than 50 percent of its value. The City advised the applicant to file this request, which would be an extension of the adjacent FBR district, in the event the City's application to rezone the subject property and others adjacent to NMU, Neighborhood Mixed-Use district (R-18-02). This application will be mute if application R-18-02 is approved.

Chairman Edwards opened the public hearing at 6:28pm and called for anyone in favor or opposed. Mrs. Murphy the applicant reiterated the request and was in favor. There being no further comment the public hearing was closed at 6:29pm.

Commissioner Burkart motioned to recommend approval of the application as submitted to Mayor & Council; Commissioner Jefferson seconded; all in favor and was recommended approval.

3. R-18-04 517 Martin Luther King, Jr. Drive

Mr. Wood read the applicants' request which was to rezone 3.7 acres of the property from R-3, Multi-Family Residential to P.U.D., Planned Unit Development. Mr. Wood noted the applicant Prestwick Development is proposing the development of a 70-unit senior living facility and will be limited to low-income, 55+ aged residents and will be applying for Low-Income Housing Tax Credits with the Georgia Department of Community Affairs.

Mr. Wood advised staff was recommending approval of the application with the following conditions: 1). The PUD zoning shall become effective only if the proposed project receives LIHTC funding in 2018; 2). The PUD zoning shall apply only to the 3.7 acre portion of the subject parcel as indicated on the preliminary site plan prepared by GLA, dated 3/19/18; 3). The applicant shall subdivide the 3.7 acres from the remainder of the subject parcel; 4). The site shall be developed substantially in compliance with the preliminary site plan prepared by GLA, dated 3/19/18; 5). The building shall not exceed three stories in height; 6). The number of parking spaces provided on site shall not exceed 65; 7). The applicant shall provide a landscape buffer between the development and abutting single-family dwellings using Screening Option 3 (Planted Buffer) from Section 6-3.5(D) of the Land Management Ordinance; 8). Exterior lighting shall use only full cut-off LED fixtures mounted no more than 20 feet above ground level; 9). The applicant shall install an ADA-compliant sidewalk within the rights-of-way of Starbuck Drive/Jeanne Street to connect the site with the existing sidewalk along Martin Luther King Jr. Drive, subject to verification by Perry Public Works/Community Development of adequate existing right-of-way; and 10). The specific conditions listed above are in addition to compliance with all other applicable development standards.

Chairman Edwards opened the public hearing at 6:37pm and called for anyone in favor of the request. Mr. Elijah King had a question on the sidewalk and where the access will be provided from Martin Luther King, Jr. Drive.

Mr. Edrick Harris of Prestwick Development reiterated the request and was agreeable to the staff conditions.

Chairman Edwards called for anyone opposed; there being none the public hearing was closed at 6:42pm.

Commissioner Coody inquired of the process for LIHTC funding; Mr. Prestwick briefly reviewed. Commissioner Burkart asked how long construction would be; Mr. Prestwick noted approximately a year.

Commissioner Jefferson recommended approval of the application as submitted along with the conditions from City staff and on condition 1 that staff and City Attorney review wording; Commissioner Burkart seconded; all in favor and was recommended approval.

ADJOURN : there being no further business to come before the Commission the meeting was adjourned at 6:47pm.

Eric Z. Edwards, Chairman

Secretary