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## **STAFF REPORT**

October 5, 2020

**CASE NUMBER:** RZNE-148-2020  
**APPLICANT:** The City of Perry  
**REQUEST:** Modify the Boundary of the Downtown Development Overlay District  
**LOCATION:** Downtown Perry; Tax Map No. Multiple Parcels (See parcels in file)

**BACKGROUND INFORMATION:** With the help of the Middle Georgia Regional Commission, the Downtown Development Authority (DDA) has been evaluating the boundary of the Downtown Development Overlay District (DD) over the past 18 months or so. After careful consideration of existing development patterns and anticipated future development, the DDA has recommended these modifications to the boundary. A map showing the proposed changes is included. The underlying zoning of each property will not be changed. Only the Downtown Development Overlay District is being modified.

Properties proposed to be removed from the DD overlay district: The DDA recommends that properties along Macon Road between Perimeter Road and Sunset Avenue be removed from the overlay district. These include offices, the Post Office, a gas station, residential uses, and some undeveloped lands. Note that the Board of Education Annex properties were removed from the overlay district in 2018. Certain properties along Washington Street and Ball Street are recommended to be removed, including New Hope Church, retail and auto parts stores. The car wash, automobile repair shop and an undeveloped parcel located on Main Street are recommended to be removed. These properties are not expected to be developed or redeveloped in a manner consistent with the downtown core. Evergreen Cemetery is recommended to be removed as it will not be redeveloped. 39 parcels are proposed to be removed from the overlay district.

Properties to be added to the DD overlay district: The DDA recommends a residential property on Georgia Avenue Extension be added to accommodate potential redevelopment of Perry Plaza on Macon Road. The entire block between Swift/2<sup>nd</sup>/Main/1<sup>st</sup> Streets owned by First Baptist Church is recommended to be included. Properties along Ball, Jernigan, and Roughton Streets extending south are proposed to be included as potential conversion from industrial/service uses to retail and office uses are anticipated. The Andrews Heights residential neighborhood is recommended to be included as higher density downtown residential uses and income-producing properties are anticipated. 58 parcels are proposed to be added to the overlay district.

Properties to remain in the DD overlay district: The DDA recommends the 216 properties comprising the downtown core remain in the overlay district.

## STANDARDS GOVERNING ZONE CHANGES:

- 1. The suitability of the subject property for the zoned purposes.** The underlying zoning district of each impacted parcel will not change. The overlay district boundary is being modified to more accurately reflect those properties which are more likely to develop in a pattern more closely associated with the existing downtown core.
- 2. The extent to which the property values of the subject property are diminished by the particular zoning restrictions.** Property values for those being removed from and added to the overlay district should not be diminished. Those being removed will no longer have the additional restrictions on use and design, but will also not be eligible for any incentives available as part of the overlay district. Those being added will be subject to additional use restrictions and design standards, but will become eligible for incentives available to properties under the DDA authority.
- 3. The extent to which the destruction of property values of the subject property promotes the health, safety, morals or general welfare of the public.** The morals and general welfare of the public depends on having a strong downtown core. The recommended modification of the DD overlay district boundary is intended to strengthen the DDA's ability to focus on properties that are more likely to impact the continued development of downtown Perry.
- 4. The relative gain to the public as compared to the hardship imposed upon the individual property owner.** Owners of properties being added to the overlay district will be eligible for incentives which may offset the impact of additional use and design limitations.
- 5. Whether the subject property has a reasonable economic use as currently zoned.** The properties can be developed as currently zoned. Those properties being added to the overlay district may benefit from incentives offered by the DDA.
- 6. The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property.** Most of the properties are currently developed. The proposal allows the DDA to concentrate on the development of vacant properties and redevelopment or re-use on underutilized properties.
- 7. Whether the proposed rezoning will be a use that is suitable in view of the uses and development of adjacent and nearby property.** The proposed boundary of the DD overlay district is designed to concentrate on properties that are more likely to impact the downtown core and develop in a more urban pattern.
- 8. Whether the proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property.** The proposal should not have an adverse impact on existing uses or the usability of adjacent properties.
- 9. Whether the zoning proposal is in conformity with the policies and intent of the land use plan.** The properties impacted by the proposed boundary modification are identified as "Town Center", In-Town Corridor", and "Traditional Neighborhoods" character areas in the 2017 Joint Comprehensive Plan Update. Each of these character areas are intended to provide a mix of uses in a more urban design pattern, or residential developments within easy walking distance of such commercial centers.
- 10. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.** The overlay district boundary modification will not have any impact on community facilities.
- 11. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.**

Within the past few years there has been a greater emphasis on the development of downtown Perry. This proposal will allow efforts of the DDA to concentrate on the downtown core.

**STAFF RECOMMENDATION:** Staff recommends approval of the proposed change in the boundary of the Downtown Development Overlay District, as proposed.

# Perry Downtown Boundary

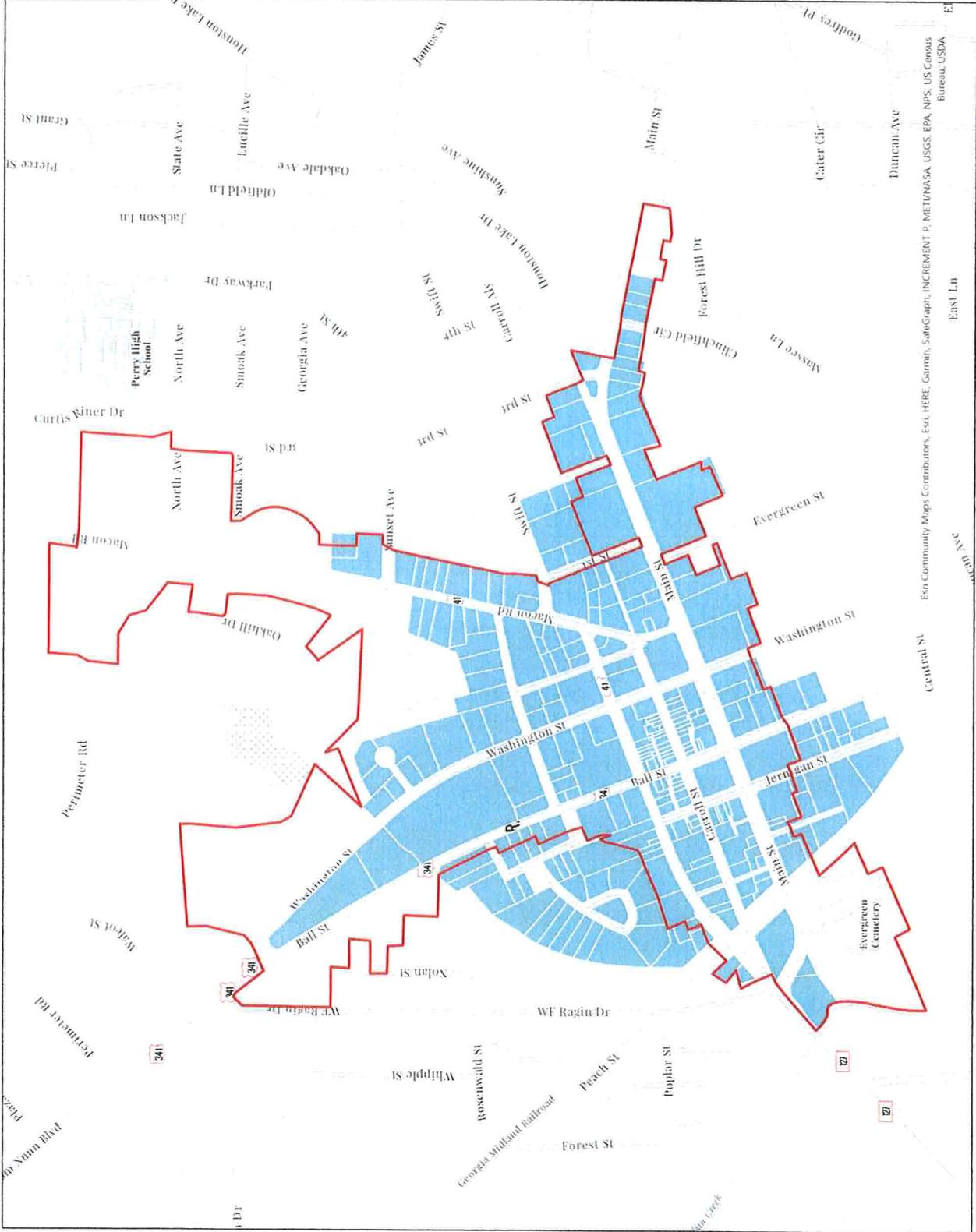
## Legend

- Current Downtown Development District
- Proposed Downtown Development District Parcels



Map created by the Middle Georgia Regional Commission (MGRC) in September 2020. The information and geographic features represented on this map were compiled from a variety of digital and spatial data sources.

The intended use of this map for general planning and reference purposes. MGRC makes no warranty, representation, or guarantee as to the content, accuracy, timeliness, or completeness of the information provided herein and shall assume no liability for errors, omissions, or inaccuracies on the map.





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Office of the City Manager  
Economic Development

To: Bryan Wood

CC: Dey Palmer, DDA Chairman

From: Ashley Hardin, Economic Development Manager

Date: Aug. 25, 2020

Re: DDA Proposed New Boundaries for Planning Commission

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At the August 24, 2020 Downtown Development Authority of the City of Perry meeting, the directors approved this attached map for the new Downtown Development Overlay District to go before the city of Perry Planning Commission.

A few highlights include:

- Removal of parcels north of Georgia Avenue Extension. Much of this corridor is not near the walkable downtown area.
- Removal of parcels on the west side of Ball Street including Ball Street Crossing. Much of this corridor is not near the walkable downtown area.
- Inclusion of all passive park entrances to downtown Perry including Crossroads (the parcel in front of Sun Beauty Supply), Legacy Park, and the green space at the intersection of Houston Lake Road and Main Street. These parcels were included because they are major entrances to downtown and would enable the DDA to work to enhance these gateway locations.
- Inclusion of Ball Street and Jernigan Street south of Main Street. These properties have transitioned from residential or industrial to commercial and are easily accessed via pedestrian downtown corridor.
- Inclusion of areas zoned commercial or industrial that could be redeveloped in the future. These areas include one commercially-zoned tract behind Destiny Fitness near Andrew Heights and two industrially-zone parcels which contain four rental homes on Roughton Street.

Attached is a map showing the current boundaries and DDA proposed boundaries to go before the Planning Commission.



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Application # RZNE-148-2020

## Application for Rezoning

Contact Community Development (478) 988-2720

### Applicant/Owner Information

\*Indicates Required Field

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

### Property Information

*Street Address or Location	See attached map
*Tax Map #(s)	
*Legal Description	<p>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;</p> <p>B. Provide a survey plat of the property and/or a proposed site plan;</p> <p>C. For Annexation, a survey must be tied to the Georgia Planes Coordinate System.</p>

### Request

*Current Zoning District	*Proposed Zoning District
*Please describe the existing and proposed use of the property	
Overlay District	Modifying the boundary of the Downtown Development

### Instructions

- The application and fee (made payable to the City of Perry) must be received by the Community Development Office no later than 4:30 pm on the date reflected on the attached schedule.
- Fees:
  - Residential - \$137.00 plus \$16.00/acre (maximum \$1,650.00)
  - Planned Development - \$158.00 plus \$16.00/acre (maximum \$2,900.00)
  - Commercial/Industrial - \$240.00 plus \$22.00/acre (maximum \$3,100.00)
- The applicant/owner must respond to the 'standards' on page 2 of this application (you must answer 'why' you believe the application meets the tests for granting the rezoning). 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. The property must be posted at least 15 days prior to the scheduled hearing dates.
- An application for rezoning affecting the same parcel shall not be submitted more often than once every six months.
- 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, have you, the applicant, made either campaign contributions and/or gifts totaling \$250.00 or more to a local government official? Yes\_\_\_\_ No\_\_\_\_  
If yes, please complete and submit the attached Disclosure Form.

9. 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.

10. Signatures:

*Applicant	*Date
*Property Owner/Authorized Agent	*Date

**Standards for Granting a Rezoning**

1. Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district?
2. Describe the existing land uses and zoning classifications of surrounding properties.
3. Describe the suitability of the subject property for use as currently zoned.
4. Describe the extent to which the value of the subject property is diminished by the current zoning designation.
5. Describe the extent to which the diminished property value promotes health, safety, morals, and general welfare of the public.
6. Describe the relative gain to the public compared to any hardship imposed on the property owner.
7. Describe how the subject property has no reasonable economic use as currently zoned.
8. How long has the subject property been vacant as currently zoned, considering development in the vicinity?
9. Describe how uses permitted in the proposed zoning district are compatible with the uses and development of surrounding properties.
10. Describe why the proposed zoning district will not adversely impact the use of surrounding properties.
11. Describe how the proposed zoning district is consistent with the Comprehensive Plan.
12. Describe how the proposed zoning district will not cause an excessive burden upon existing public facilities and services.
13. Describe any other existing or changing conditions affecting the use and development of the subject property which support approval of the requested zoning district.

Revised 7/17/20

For Office Use (receipt code 204.1)

Date received	Fee paid	Date deemed complete	Public Notice Sign	Legal Ad	County Notification
Notice to Applicant	Routed to PC	Date of PC	Date of Public Hearing	Date of Council action	Notice of action