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**Perry Planning Commission - Agenda
Monday, February 12, 2018**

CALL TO ORDER

ROLL

INVOCATION

APPROVAL OF MINUTES: November 27, 2017 meeting

ANNOUNCEMENTS

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

Please turn cell phones off

OLD BUSINESS

PUBLIC HEARING

INFORMATIONAL HEARING (Planning Commission recommendation)

1. R-17-09 1804 Tucker Road

OTHER BUSINESS

1. Adoption of Design & Specifications Manual

OTHER MATTERS

1. Election of 2018 Officers

ADJOURN

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

Perry Planning Commission
Minutes - November 27, 2017

CALL TO ORDER: Chairman Poole called the meeting to order at 6:08pm.

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

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

GUESTS: Mr. Barry Hooper, Mr. Edgar Hughston, Mr. Gary Morofka, Mr. Tracy Montgomery, and Dr. Brian Gillis.

INVOCATION: was given by Commissioner Jefferson

APPROVAL OF MINUTES: November 13, 2017 meeting : Commissioner Burkart motioned to approve as submitted; Commissioner Clarington seconded; all in favor and was unanimously approved.

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

PUBLIC HEARING (Planning Commission Decision)

1. V-17-13, 1207 Main Street: Variance to allow an electronic message board sign in the Downtown Development Overlay District

Mr. Wood read the applicants' request, which was to allow for an electronic message board in the Downtown Development Overlay District, along with staff responses.

Chairman Poole opened the public hearing at 6:16pm and called for anyone in favor. Mr. Gary Morofka on behalf of the applicant advised the current sign is 56feet from the road and with the reconfiguration of the road and the proposed park visibility has been diminished. The proposed new signage will increase visibility from both directions.

Dr. Brian Gillis owner of the property advised he has been in this location since 1996 and wants to stay in the area and the majority of his clients come from out of the area and with the recent reconfiguration of the road it has diminished his business. Dr. Gillis also noted he intends to repaint the front of the building and update the existing wall signs. Dr. Gillis also relayed the First Baptist Church property which is behind his business was allowed the same type of electronic message board sign as he is requesting and the gas station adjacent to his building also has a digital sign. The request is to enhance his business location and bring visitors to Perry.

Chairman Poole called for anyone opposed; there being none the hearing was closed at 6:24pm.

Commissioner Clarington asked the size of proposed sign. Dr. Gillis advised it would be the same size as the current letter board sign on the pole sign, but would be a double sided electronic message board.

Chairman Pooled reminded the Commission and those in attendance variances are reviewed on the specifics of the ordinance and noted the First Baptist Church property is not in the Downtown District.

Commissioner Burkart inquired of staff as to the location of the proposed park and Mr. Wood advised it was adjacent to the property and the plans depict landscaping and should take into consideration the effect of the sign currently on the property. Mr. Morofka voiced concerned that future plantings in the park would hinder the current sign visibility.

Commissioner Coody inquired of Dr. Gillis the types of exterior changes being proposed. Mr. Tracy Montgomery advised the awnings would be removed and replaced with a pan awning; the brick would be painted, new exterior lighting, and staining the sidewalks. Mr. Montgomery further reiterated the change to the street design negatively impacted Dr. Gillis's business and the building is not historic in nature and the proposed changes will only enhance the locations' visibility.

Commissioner Edwards inquired of the applicant what alternatives there are to an LED sign to increase visibility. Mr. Morofka advised a change in the sign color and background could be done.

Commissioner Jefferson advised Dr. Gillis that she sees his business advertisements on the local stations and that is more effective advertising than a sign. Commissioner Clarrington advised Dr. Gillis his ability as a well-respected doctor is what makes his business not signage.

Chairman Poole reviewed with the Commission the criteria and standards for granting a variance.

Commissioner Coody motioned to deny the request as submitted as granting a variance would substantially impair the intent, purpose, and integrity of the ordinance by allowing a sign type that is expressly prohibited in the Downtown Development District; Commissioner Edwards seconded; all in favor of denial with the exception of Commissioner Jefferson who was opposed as all the criteria for granting a variance are met; resulting vote was 4 to 1 for denial.

NEW BUSINESS

1. Final plat approval Summer Branch Phase 2 (Pending final inspection results)

Mr. Wood advised the request was for the approval of (60) lots and all requirements are met with the exception of concern for drainage on certain lots. On a field inspection it was noted the preliminary grade for the building pad does not meet standards and there is the potential for future drainage issues.

Mr. Edgar Hughston, developer and builder of the property advised he is aware of the City's concerns and will correct and adhere to all applicable building codes. Mr. Wood noted the concern is with water runoff into the street and the lots in question should be built up so they drain properly as per the original stormwater design as submitted to the City during the review process.

Commissioner Jefferson motioned to approve the final plat for (60) lots in Summer Branch subdivision with the street names of Newport Avenue, Amberely Court, Taylor Leigh Court, and

Kaylin Court and with the condition that each lots' stormwater shall drain as originally designed by the engineer and approved by the City; Commissioner Edwards seconded; all in favor and was unanimously approved.

2. Final plat approval Lake Forest Phase 2 & 3 (Pending final inspection results)

Mr. Wood advised the request was for the approval of (39) lots and staff was waiting on the results of final testing for soil erosion and sedimentation control, but all other items have been reviewed.

Commissioner Clarrington motioned to approve the (39) lots in Lake Forest Phase 2 & 3 with the street names of Goldenrod Trail, Wildfire Way, and Bluestem Court pending final staff approval; Commissioner Edwards seconded; all in favor and was unanimously approved.

ADJOURN: there being no further business to come before the Commission the meeting was adjourned at 7:35pm.



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STAFF REPORT

December 19, 2017

From the Community Development Department

CASE NUMBER: R-17-09
APPLICANT: The City of Perry
REQUEST: Zoning change from R-2, Two-Family Residential District to GU, Government Use District
LOCATION: 1804 Tucker Road; Tax Map No.: 0P0450 051000

ADJACENT ZONING/LANDUSES:

Subject Parcel: Zoned R-2, undeveloped land
North: R-1, Single-Family Residential, Single-family detached houses
South: R-2; Two-family Residential; vacant land
East: R-2; Two-family Residential; vacant land
West: R-1, Single-Family Residential, Single-family detached houses, Barbara Calhoun Park, and undeveloped land

STAFF RECOMMENDATION: Based on evaluation of the standards below, the City Staff concludes that the GU zoning district is appropriate for the subject property. Therefore, Staff recommends approval of the request.

BACKGROUND INFORMATION: The 8.98 acre subject property was recently purchased by the City of Perry for development of a public water treatment plant and water wells. The intent of the project is to replace the water supply provided by the aging Water Plant #1, and to provide a reliable source of water for Perry's continued residential, commercial, and industrial growth.

STANDARDS GOVERNING ZONE CHANGES:

1. *The suitability of the subject property for the zoned purposes.* The R-2 district allows public utilities with proper screening and no office or equipment storage.
2. *The extent to which the property values of the subject property are diminished by the particular zoning restrictions.* As the site of a public utility, the current zoning includes restrictions that are not feasible to comply with.
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.* Keeping the property zoned for residential uses limits the City's ability to expand its water operations to address the growing demand for its residents.
4. *The relative gain to the public as compared to the hardship imposed upon the individual property owner.* The residential zoning classification does not offer any public gain.
5. *Whether the subject property has a reasonable economic use as currently zoned.* The subject parcel was created to provide access drives to an area for wells and an area for a water treatment plant with limited

impact on adjacent properties. The layout and shape of the parcel offers very limited opportunity for residential development.

6. *The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property.* The subject property has remained undeveloped while properties immediately to the west and north, and further east have developed over the past decades.
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 development of water wells and a water treatment plant will have limited impact on surrounding residential and park uses. The parcel was designed to locate the actual uses away from existing uses and to provide for adequate screening to such uses.
8. *Whether the proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property.* The proposed water facility will be located away from residential and park uses and will be screened from such uses.
9. *Whether the zoning proposal is in conformity with the policies and intent of the land use plan.* The 2017 Joint Comprehensive Plan Update identifies the subject property and the surrounding area as 'Traditional Neighborhood Character Area'. Increasing the City's water supply was a goal included in the 2009 and 2017 Joint Comprehensive Plan.
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 proposed use will have no impact on streets, transportation facilities or schools. It will result in increased water supply for the City of Perry residents
11. *Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.* The City's continued residential and commercial growth will require an additional reliable supply of water.



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Application # R-17-09

Application for Rezoning

Contact Community Development (478) 988-2720

Applicant/Owner Information

*Indicates Required Field

	Applicant	Property Owner
*Name	The City of Perry	Same
*Title		
*Address	PO Box 2030 Perry, GA 31069	
*Phone	478-988-2720	
*Email	chad.mcmurrian@perry-ga.gov	

Property Information

*Street Address or Location	1804 Tucker Road
*Tax Map #(s)	P0450 041000
*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 and/or a proposed site plan; C. For Annexation, a survey must be tied to the Georgia Planes Coordinate System.

Request

*Current Zoning District	R-2, Two-Family Residential	*Proposed Zoning District	GU, Government Use
*Please describe the existing and proposed use of the property This vacant parcel will be developed as a municipal water plant and wells.			

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 - \$123.00 plus \$14.60/acre (maximum \$1,500.00)
 - Planned Development - \$148.00 plus \$14.60/acre (maximum \$2,600.00)
 - Commercial/Industrial - \$225.00 plus \$21.00/acre (maximum \$2,800.00)
- 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 32, 33, and 171 of the Perry Land Development Ordinance (PLDO) 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.

8. 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.
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 12/5/17
*Property Owner/Authorized Agent 	*Date 12/5/17

Standards for Granting a Rezoning

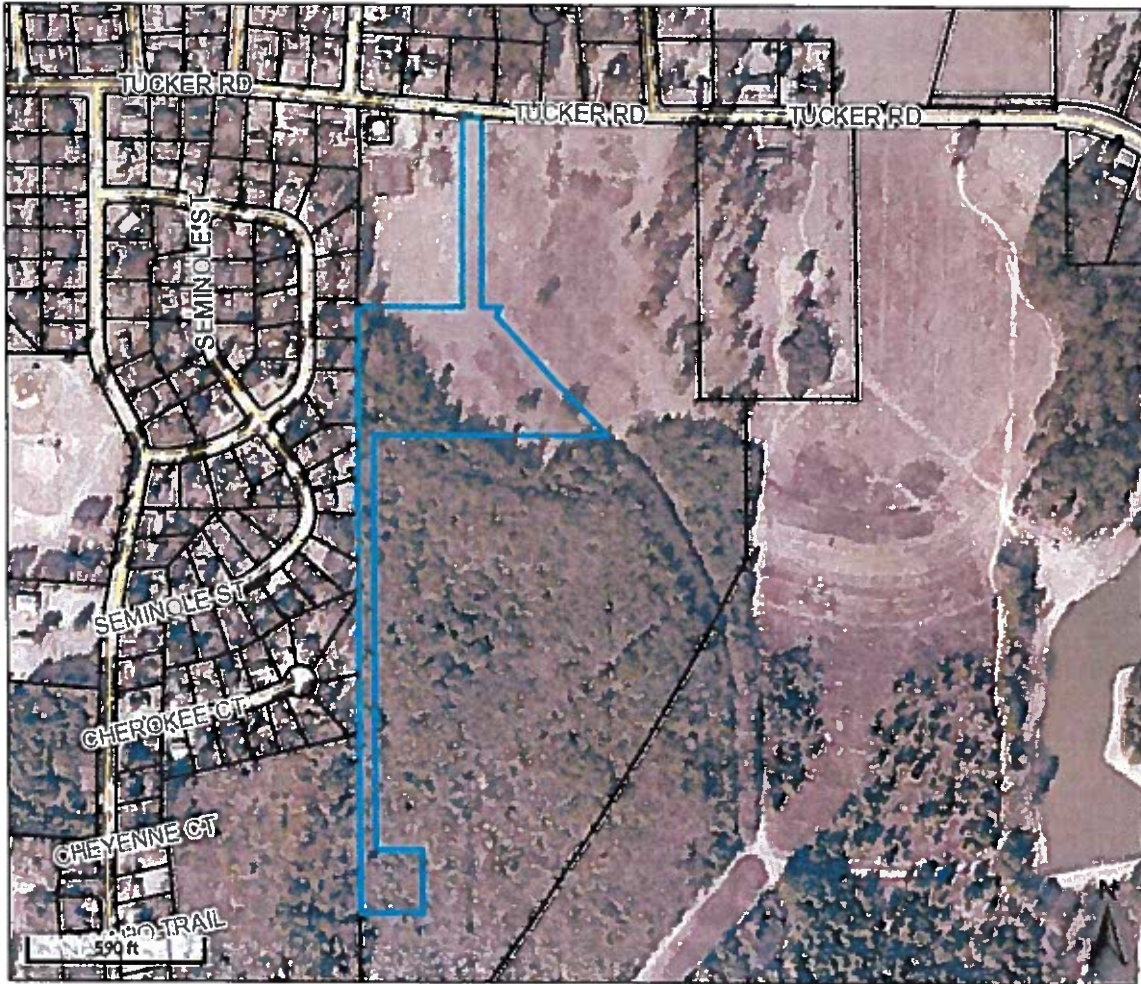
1. Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district?
2. Describe the existing land uses and zoning classifications of surrounding properties.
3. Describe the suitability of the subject property for use as currently 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.

1/10/18 - moved to 2/12/18

Created 6/30/2107

For Office Use					
Date received 12/5/17	Fee paid n/a	Date deemed complete 12/5/17	Public Notice Sign Date 12/5/17	Legal Ad Place 1/10/18 to 2/12/18	
Notice to Applicant n/a	Routed to PC by 12/29	Date of PC 01/8/18	Date of Public Hearing 2/1/18	Date of Council action 2/1/18	Notice of action

2/12/18 AR 3/6/18



Overview



Legend

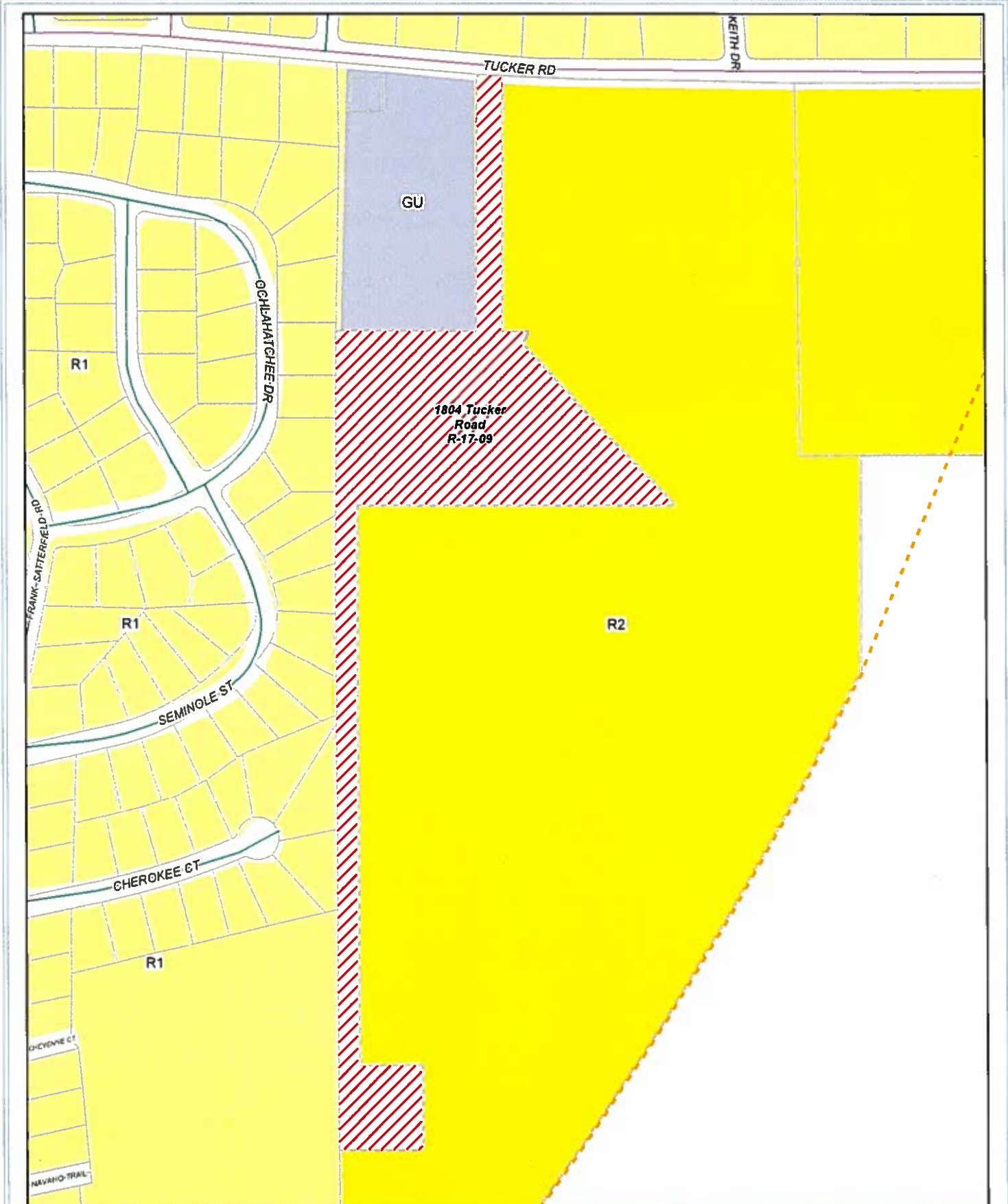
-  Parcels
-  Roads

Parcel ID	0P0450 041000	Owner	CITY OF PERRY GEORGIA	Last 2 Sales			
Class Code	Exempt		PO BOX 2030	Date	Price	Reason	Qual
Taxing District	Perry		PERRY GA 31069	7/11/2017	\$89800	01	U
	Perry	Physical Address	TUCKER RD				
Acres	8.98	Assessed Value					
		Land Value	Value \$63200				
		Improvement Value					
		Accessory Value					

(Note: Not to be used on legal documents)

Date created: 12/5/2017
 Last Data Uploaded: 12/4/2017 11:05:02 PM

 Developed by
 The Schneider Corporation



1804 Tucker Road
R-17-09

- Legend**
- Municipal Boundaries
 - Parcels
 - Perry Zoning**
 - Zoning Types**
 - LC
 - C1
 - C2
 - C3
 - GU
 - IN
 - M1
 - M2
 - OC
 - PUD
 - R1
 - R2
 - R2A
 - R3
 - RA3
 - RMH

0 75 150 300 450 600 Feet

1 inch = 300 feet



City of Perry Zoning Review
Case: R-17-09

