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September 1, 2020

COUNCIL AGENDA

6:00 PM

PERRY ARTS CENTER

1121 MACON ROAD, PERRY, GA 31069

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**To join the meeting by Facebook:** Use this URL - [facebook.com/cityofperryga](https://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. Mayor/Council Appointment(s):
  - 4a. Appointment of Ms. Kelly Gordon to Main Street Advisory Board – Ms. A. Hardin.
5. Community Partner(s) Update(s):
6. Citizens with Input.
7. 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. Sec. 48-5-32 and O.C.G.A. Sec. 36-66-4.

- 7a. Proposed retaining of the operation at 14.050 mills – Ms. B. King.
- 7b. ANNX-79-2020. Applicant, Widner & Associates, Inc. request the rezoning and annexation of property from RAG (County) to C-1 (City). The property is located at 220 Airport Road; Tax Map No. 000310 006000 – Mr. B. Wood.
- 7c. ANNX-94-2020. Applicant, Robert T. Tuggle, III for McPhail Associates LLLP and Celeste S. Johnston, requests the rezoning and annexation of property from RAG (County) to C-1 (City). The property's location is Perry Parkway at Interstate 75; Tax Map No. 000300 20E000 – Mr. B. Wood.
- 7d. RZNE-80-2020. Applicant, Widner & Associates, Inc. request the rezoning of property from R-1, Single-family Residential District, to C-1, Highway Commercial District. The property is located at 1999 Sam Nunn Boulevard; Tax Map No. 0P0380 036000 – Mr. B. Wood.

- 7e. RZNE-82-2020. Applicant, Chad Bryant, Bryant Engineering, LLC. requests the rezoning of property from PUD, Planned Unit Development District, to R-3, Multi-family Residential District. The property is located at 100 Ashley Drive (Perimeter Road); Tax Map No. 0P0390 004000 and 0P0390 017000 – Mr. B. Wood.
- 7f. RZNE-93-2020. Applicant, Robert T. Tuggle, III for McPhail Associates LLLP and Celeste S. Johnston, request the rezoning of property from M-1, Wholesale and Light Industrial District, to C-1, Highway Commercial District. The property's location is Perry Parkway at Interstate 75; Tax Map No. 000300 20E000 – Mr. B. Wood.
- 7g. Public Hearing relative to an alcohol license application for 200 Valley Drive – Mr. L. Gilmour.
- 8. Review of Minutes: Mayor Randall Walker
  - 8a. Council's Consideration – Minutes of the August 17, 2020 work session, August 18, 2020 pre council meeting, and August 18, 2020 council meeting.
- 9. Old Business: Mayor Randall Walker
  - 9a. Ordinance(s) for Second Reading(s) and Adoption:
    - 1. **Second Reading** of the State Minimum Fire Safety Standards Ordinance - Amending Chapter 5A and Sections 6-10 & 6-11 of the LMO – Ms. B. Newby.
- 10. Any Other Old Business:
  - 10a. Mayor Randall Walker
  - 10b. Council Members
  - 10c. City Attorney Brooke Newby
  - 10d. City Manager Lee Gilmour
  - 10e. Assistant City Manager Robert Smith
- 11. New Business: Mayor Randall Walker
  - 11a. Matters referred from August 31, 2020 work session and September 1, 2020 pre council meeting.
  - 11b. Award of Bid(s):
    - 1. CDBG Creekwood Storm Drainage Improvements – Mr. C. McMurrian.
    - 2. Bid No. 2021-05 Fire Marshal SUV – Mr. M. Worthington
  - 11c. Application for Alcohol License (Beer/Wine on premises) for Derby Inn located at 200 Valley Drive. Manager name is Tushar Patel – Mr. L. Gilmour.
  - 11d. Ordinance(s) for First Reading(s) and Introduction:

1. **First Reading** of an ordinance for the rezoning of property from RAG (County) to C-1 (City). The property is located at 220 Airport Road; Tax Map No. 000310 006000 – Mr. B. Wood. *(No action required by Council)*
  2. **First Reading** of an ordinance for the annexation of property from RAG (County) to C-1 (City). The property is located at 220 Airport Road; Tax Map No. 000310 006000 – Mr. B. Wood. *(No action required by Council)*
  3. **First Reading** of an ordinance for the rezoning of property from RAG (County) to C-1 (City). The property's location is Perry Parkway at Interstate 75; Tax Map No. 000300 20E000 – Mr. B. Wood. *(No action required by Council)*
  4. **First Reading** of an ordinance for the annexation of property from RAG (County) to C-1 (City). The property's location is Perry Parkway at Interstate 75; Tax Map No. 000300 20E000 – Mr. B. Wood. *(No action required by Council)*
  5. **First Reading** of an ordinance for the rezoning of property from R-1, Single-family Residential District, to C-1, Highway Commercial District. The property is located at 1999 Sam Nunn Boulevard; Tax Map No. 0P0380 036000 – Mr. B. Wood. *(No action required by Council)*
  6. **First Reading** of an ordinance for the rezoning of property from PUD, Planned Unit Development District, to R-3, Multi-family Residential District. The property is located at 100 Ashley Drive (Perimeter Road); Tax Map No. 0P0390 004000 and 0P0390 017000 – Mr. B. Wood. *(No action required by Council)*
  7. **First Reading** of an ordinance for the rezoning of property from M-1, Wholesale and Light Industrial District, to C-1, Highway Commercial District. The property's location is Perry Parkway at Interstate 75; Tax Map No. 000300 20E000 – Mr. B. Wood. *(No action required by Council)*
  8. **First Reading** of an ordinance to amend Section 25-102(d) – Ms. B. Newby. *(No action required by Council)*
  9. **First Reading** of an ordinance to repeal Article II-Recreation Commission and Article III-Rozar Park Fishing Ponds of Chapter 20 – Ms. B. Newby. *(No action required by Council)*
- 11e. **Resolution(s) for Introduction and Adoption:**
1. Resolution Establishing the 2020 Ad Valorem Millage Rate for the City of Perry – Ms. B. King.
  2. Resolution Declaring Certain Vehicles and Equipment Surplus – Ms. B. King.

3. A Resolution appointing a voting delegate and an alternate to the 2020 Municipal Gas Authority of Georgia Annual Election Committee – Mr. L. Gilmour.

12. Council Members Items:
13. Department Heads/Staff Items.
14. General Public Items:
15. Mayor Items:
16. Adjourn.



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Office of the City Manager  
Economic Development

To: Annie Warren, City Clerk  
From: Ashley Hardin, Economic Development Manager  
Date: Aug. 20, 2020  
Re: DDA Appointment to Main St.

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At the July 27, 2020 DDA meeting, the directors recommended the appointment of Director Kelly Gordon to the Main St. Advisory Board.

## **NOTICE OF PROPERTY TAX INCREASE**

The City of Perry Council has tentatively adopted a 2020 millage rate which will require an increase in property tax by .26 percent.

All concerned citizens are invited to the public hearing on this tax increase to be held at the Perry Arts Center, 1121 Macon Road, Perry, Georgia on August 18, 2020 at 6:00 PM.

Times and places of additional public hearings on this tax increase are at the Perry Arts Center, 1121 Macon Road, Perry, Georgia on August 31, 2020 at 5 PM and on September 1, 2020 at 6:00 PM.

This tentative increase will result in a millage rate of 14.05 mills, an increase of 0.037 mills. Without this tentative tax increase, the millage rate will be no more than 14.013 mills. The proposed tax increase for a home with a fair market value of \$150,000 is approximately \$2.15, and the proposed tax increase for non-homestead property with a fair market value of \$300,000 is approximately \$4.40.

Unless your property has been increased due to reassessment there will be no increase in your City tax bill.

# 2020 Property Tax Millage Rate

- **Rollback of Millage Rate When Digest Value Increased by Reassessments**
- The Revenue Commissioner developed rules and regulations to implement the terms and provisions of O.C.G.A. 48-5-32.1.
- **Prevention of Indirect Tax Increases** Each year there are two types of value increases made to a county tax digest;
  - increases due to inflation, and
  - increases due to new or improved properties.
    - City of Perry Reassessments \$1,503,940

# 2020 Property Tax Millage Rate

**Rollback of Millage Rate to Offset Inflationary Increases** When the total digest of taxable property is prepared, Georgia Law requires that a rollback millage rate must be computed that will produce the same total revenue on the current year's new digest that last year's millage rate would have produced had no reassessments occurred.

If the county elects to set their millage rate higher than the rollback rate, they will be required:

- to hold three public hearings,
- place notices of the increase in the paper and
- issue press releases.

**Notification of Tax Increase With Three Public Hearings** The levying authority must hold three public hearings allowing the public input into the proposed increase in taxes.



# 2020 Property Tax Millage Rate

City of Perry  
Current Tax Digest and Five Year History of Levy  
for Houston and Peach County

The Perry City Council does hereby announce that the City of Perry millage rate will be set at its Tuesday, September 1, 2020 meeting at 6:00 pm at the Perry Arts Center, 1121 Macon Road, Perry Georgia. Pursuant to O.C.G.A. Sec. 48-5-32, as amended, the Council hereby publishes the following presentation for the current year's tax digest and proposed levy along with the tax digests and levies of the past five (5) years.

Tax Year	2015	2016	2017	2018	2019	2020
<b>Digest</b>						
Real/Personal	\$ 432,338,524	\$ 451,456,810	\$ 475,875,188	\$ 507,876,101	\$ 552,864,228	\$ 600,669,358
Motor Vehicle	18,932,690	14,753,270	11,211,480	8,862,230	7,595,300	6,478,460
Mobile Homes	799,720	679,220	703,584	684,436	596,252	564,988
Timber	13,590	-	36,033	20,343	55,973	135,334
Heavy Equipment	-	-	26,650	11,687	430	22,172
Gross Digest	\$ 452,084,524	\$ 466,889,300	\$ 487,852,885	\$ 517,454,792	\$ 561,112,183	\$ 607,870,312
Less Exemptions	(23,812,977)	(24,128,448)	(27,016,315)	(29,640,748)	(34,312,608)	(40,730,163)
Net M&O Digest	\$ 428,271,542	\$ 447,760,852	\$ 460,836,570	\$ 487,814,044	\$ 526,799,575	\$ 567,140,149
<b>Millage</b>						
Gross Millage	14.05	14.05	14.05	14.05	14.05	14.05
Less Rollbacks	0.00	0.00	0.00	0.00	0.00	0.00
Proposed Millage Levy	14.05	14.05	14.05	14.05	14.05	14.05
Net Taxes Levied	\$ 6,025,772	\$ 6,220,778	\$ 6,474,745	\$ 6,863,786	\$ 7,401,534.03	\$ 7,968,319.09
Net Tax Increase	\$ 125,053	\$ 203,578	\$ 253,967	\$ 379,041	\$ 537,748.03	\$ 566,785.06
Net Tax% Increase	2.12%	3.38%	4.08%	5.85%	7.83%	7.66%

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## **STAFF REPORT**

August 6, 2020

**CASE NUMBER:** ANNX-79-2020  
**APPLICANT:** Widner & Associates, Inc.  
**REQUEST:** Annex and Rezone from RAG (county) to C-1 (City)  
**LOCATION:** 220 Airport Road, Tax Map No. 000310 006000 (0.79 acre portion)

### **ADJACENT ZONING/LANDUSES:**

**Subject Parcel:** RAG, Residential-Agricultural District (county); undeveloped  
**North:** GU, Government Use District; Heritage Oaks Park  
**South:** R-1, Single-family Residential District; single-family residences  
**East:** R-1; Undeveloped  
**West:** RAG (County); undeveloped

**BACKGROUND INFORMATION:** The applicant proposes to expand the existing Bob White Storage facility located at 103 Woodlawn Drive, by extending the property to the west. The proposed area of expansion extends into the subject property. See attached plat.

### **STANDARDS FOR ESTABLISHING A ZONING CLASSIFICATION:**

- 1. Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district?** The applicant indicates there are no covenants or restrictions pertaining to the property which would preclude uses allowed in the C-1 zoning district.
- 2. Describe how uses permitted in the proposed zoning district are compatible with the uses and development of surrounding properties.** Properties on Woodlawn Drive include the existing self-storage facility, offices and a City water plant. Other immediately-surrounding properties are currently undeveloped.
- 3. Describe why the proposed zoning district will not adversely impact the use of surrounding properties.** Properties surrounding the proposed expansion are currently undeveloped.
- 4. Describe how the proposed zoning district is consistent with the Comprehensive Plan.** The subject property and surrounding area is identified as "In-Town Corridor" in the 2017 Joint Comprehensive Plan. The property does not front Sam Nunn Boulevard, the identified corridor.
- 5. Describe how the proposed zoning district will not cause an excessive burden upon existing public facilities and services.** Based on the fact that the property proposed for this C-1 zoning classification will only have access through the existing self-storage facility, development of additional storage facilities is the only logical use of the property. This use will have little or no impact on schools, water and sewer infrastructure, and roads.

6. Describe any other existing or changing conditions affecting the use and development of the subject property which support approval of the requested zoning district. Additional storage space and other commercial uses will be needed to service the continuing residential growth in Perry.

**STAFF RECOMMENDATION:** Staff recommends approval of the application to annex and rezone to C-1, Highway Commercial District.

**PLANNING COMMISSION RECOMMENDATION:** The Planning Commission recommends approval of the application, based on Staff's report.



Eric Z. Edwards, Chairman, Planning Commission

8/11/20

Date



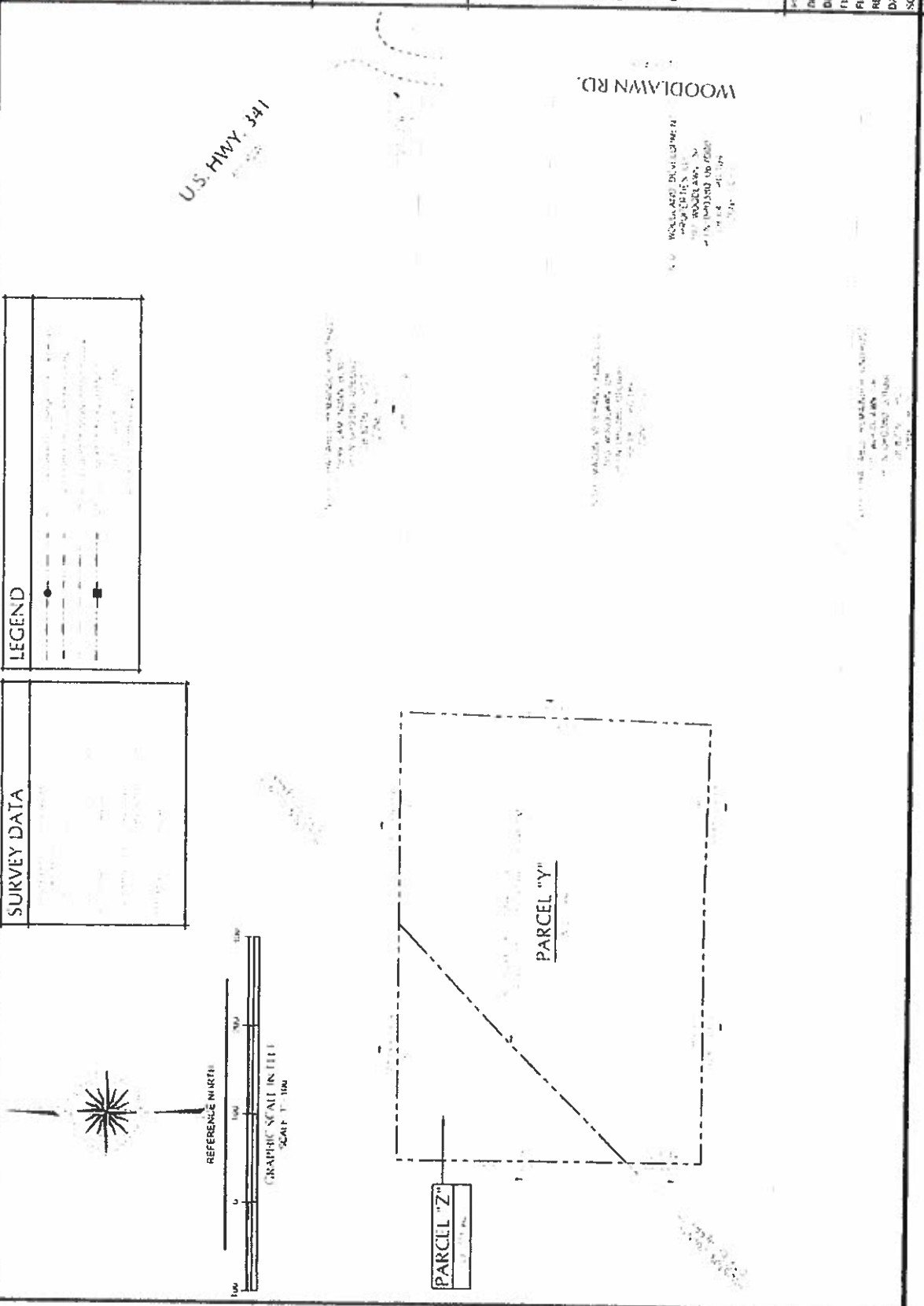


**STORY CLARKE & ASSOCIATES**  
 SURVEYING ENGINEERS  
 1000 W. 10th St., Suite 100  
 Oklahoma City, Oklahoma 73106  
 Phone: (405) 521-1111

Resurvey Plat For

**BOB WHITE SELF STORAGE**

DRAWN BY: JCH  
 FIELD DATA BY: JCH  
 REVIEW BY: JCH  
 DATE: 20.08.09  
 SCALE: 1" = 100'

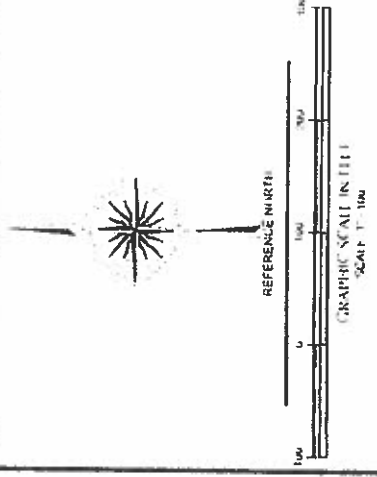


**LEGEND**

	Boundary Line
	Easement Line
	Utility Line
	Survey Point

**SURVEY DATA**

Area	1.2345 Acres
Perimeter	1234.56 Feet
Area	1.2345 Acres
Perimeter	1234.56 Feet



PARCEL "Z"

PARCEL "Y"

WOODLAWN DIVISION  
 100 WOODLAWN RD  
 OKLAHOMA CITY, OK 73106

U.S. HWY. 341



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**Application for Annexation**  
 Contact Community Development (478) 988-2720

Application # 79-2020  
Revised

Applicant/Owner Information

	Applicant	Property Owner
Name	Widner & Associates Inc	Charitable Remainder Unitrust
Title	Owner/Developer Rep	JOSPEH SWANSON, AS TRUSTEE
Address	793 Poplar St Macon GA 31201	1188 PARK AVE MURFREESBORO TN 37129
Phone	478-746 2010	
Email	Matt@Widner-Asso.com	

Property Information

Street Address or Location	1999 Sam Nunn Blvd
Tax Map #(s)	0P0380 035030
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 County Zoning District	RT	Proposed City Zoning District	C1
Please describe the existing and proposed uses of the property			
Existing - Undeveloped acreage			
Proposed - Addition to existing self storage facility 103 W. Main Dr			

Instructions

- 1 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
- 2 Fees:
  - a Residential - \$135.00 plus \$15.00/acre (maximum \$1,600.00)
  - b Planned Development - \$155.00 plus \$15.00/acre (maximum \$2,800.00)
  - c Commercial/Industrial - \$235.00 plus \$22.00/acre (maximum \$3,000.00)
- 3 The applicant/owner must respond to the 'standards' on page 2 of this application (you must answer why you believe the requested zoning classification meets 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
- 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 Annexation 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.
- 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 \_\_\_  
 If yes, please complete and submit the attached Disclosure Form

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>Matt Widner / Widner &amp; Associates, Inc.</i>	*Date 06-15-2020
*Property Owner/Authorized Agent <i>Donell B. Dominick / Trustee / Jerald M. Scivania, Trustee</i>	*Date 6-15-20

Standards for Granting a Zoning Classification

- 1 Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district?
- 2 Describe how uses permitted in the proposed zoning district are compatible with the uses and development of surrounding properties
- 3 Describe why the proposed zoning district will not adversely impact the use of surrounding properties
- 4 Describe how the proposed zoning district is consistent with the Comprehensive Plan
- 5 Describe how the proposed zoning district will not cause an excessive burden upon existing public facilities and services
- 6 Describe any other existing or changing conditions affecting the use and development of the subject property which support approval of the requested zoning district

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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	Date of Council	Notice of action

June 15, 2020



City of Perry  
1211 Washington Street  
P.O. Box 2030  
Perry, GA 31069

Subject: Bob White Storage Addition  
103 Woodlawn Drive

Dear Council and Commission,

We are requesting the annexation of the area shown on the attached plat. The items below are part of the application. We have included these items on a separate page for clarity.

**Standards for Granting Annexation**

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

**No known covenant or restrictions exist**

2. Describe how uses permitted in the proposed zoning district are compatible with the uses and development of surrounding properties.

**The proposed rezoning allows the existing business to grow. Surrounding properties would not necessarily be affected dramatically due to the large scale of undeveloped tracts in the immediate area surrounding the proposed rezoning.**

3. Describe why the proposed zoning district will not adversely impact the use of surrounding properties.

**The surrounding property is owned by the same individual.**

4. Describe how the proposed zoning district is consistent with the Comprehensive Plan.

**The rezoning proposed is a continuation of the previously approved plan.**

5. Describe how the proposed zoning district will not cause an excessive burden upon existing public facilities and services.

**Similar business practices will remain intact. The operations have had no adverse impact.**

6. Describe any other existing or changing conditions affecting the use and development of the subject property which support approval of the requested zoning district. **The rezoning would support the community need for the storage service.**

Respectfully,

*Matthew T. Widner, RLA*



793 Poplar Street  
P.O. Box 102  
Macon, GA 31202  
(478) 746-2010  
Fax (478) 746-0149  
widner@widner-assoc.com  
www.widner-assoc.com





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## **STAFF REPORT**

August 6, 2020

**CASE NUMBER:** ANNX-94-2020  
**APPLICANT:** Robert T. Tuggle, III for McPhail Associates LLLP and Celeste S. Johnson  
**REQUEST:** Annexation and Rezone from RAG (County) to C-1 (City)  
**LOCATION:** Perry Parkway at Interstate 75; Tax Map No. 000300 20E000

### **ADJACENT ZONING/LANDUSES:**

**Subject Parcel:** RAG, Residential Agricultural District (County); undeveloped  
**North:** C-1, Neighborhood Service Commercial District (County); construction company  
**South:** M-1; undeveloped (subject of rezone application RZNE-93-2020)  
**East:** M-1, undeveloped  
**West:** M-2, General Industrial District; Guardian Centers

**BACKGROUND INFORMATION:** The subject 3-acre parcel is owned by the entities which own the adjacent property to the south. The owner's intent is to have both properties in the City with the same zoning classification for marketing purposes.

### **STANDARDS FOR ESTABLISHING A ZONING CLASSIFICATION:**

- 1. Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district?** The applicant indicates there are no covenants or restrictions pertaining to the property which would preclude uses allowed in the C-1 zoning district.
- 2. Describe how uses permitted in the proposed zoning district are compatible with the uses and development of surrounding properties.** Uses allowed in the C-1 zoning district are intended to serve the travelling public. The subject property is adjacent to an interchange on Interstate 75.
- 3. Describe why the proposed zoning district will not adversely impact the use of surrounding properties.** The property is located adjacent to an interchange on Interstate 75. Other than a gas station/truck stop located across Perry Parkway and a construction company located behind the property, the surroundings are undeveloped.
- 4. Describe how the proposed zoning district is consistent with the Comprehensive Plan.** The 2017 Joint Comprehensive Plan Update identifies the subject property as 'Gateway Corridor' which recommends mixed-use and commercial developments be developed in "nodes" around major intersections.
- 5. Describe how the proposed zoning district will not cause an excessive burden upon existing public facilities and services.** Streets and transportation facilities in the vicinity are adequate to accommodate the development of commercial uses in the area. Utilities will need to be extended to the property. Commercial development should not have an impact on schools.

6. Describe any other existing or changing conditions affecting the use and development of the subject property which support approval of the requested zoning district. The property is adjacent to Interstate 75 and located near US 341.

**STAFF RECOMMENDATION:** Staff recommends approval of the application to annex and rezone to C-1, Highway Commercial District.

**PLANNING COMMISSION RECOMMENDATION:** The Planning Commission recommends approval of the application, based on Staff's report.



Eric Z. Edwards, Chairman, Planning Commission

8/11/20

Date





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**Application for Annexation**  
Contact Community Development (478) 988-2720

Application # Annex # 94-  
2026

Applicant/Owner Information

\*Indicates Required Field

	Applicant	Property Owner
*Name	Robert T. Tuggle, III	McPhail Associates, LLLP and
*Title	Attorney at Law	Celeste S. Johnston
*Address	PO Box 89 Perry, GA 31069	
*Phone	478-987-2622	
*Email	rtuggle@dltj.com	

Property Information

\*Street Address or Location Perry Parkway  
 \*Tax Map #(s) 000300 20E000  
 \*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 County Zoning District RAG | \*Proposed City Zoning District C-1  
 \*Please describe the existing and proposed use of the property  
The property is a vacant parcel and will continue to be vacant after annexation.

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 - \$135.00 plus \$15.00/acre (maximum \$1,600.00)
  - Planned Development - \$155.00 plus \$15.00/acre (maximum \$2,800.00)
  - Commercial/Industrial - \$235.00 plus \$22.00/acre (maximum \$3,000.00)
- The applicant/owner must respond to the 'standards' on page 2 of this application (you must answer 'why' you believe the requested zoning classification meets 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.
- Annexation 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.
- 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 X  
 If yes, please complete and submit the attached Disclosure Form.

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>[Signature]</i>	*Date 6/29/20
*Property Owner/Authorized Agent <i>[Signature]</i>	*Date 6-26-20

Standards for Granting a Zoning Classification

- Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district?  
No
- Describe how uses permitted in the proposed zoning district are compatible with the uses and development of surrounding properties. The C-1 zoning would be compatible with the other uses along the Perry Bypass.
- Describe why the proposed zoning district will not adversely impact the use of surrounding properties. It will have no negative impact on surrounding property because the
- Describe how the proposed zoning district is consistent with the Comprehensive Plan. other property is vacant.
- Describe how the proposed zoning district will not cause an excessive burden upon existing public facilities and services.  
See Attachment "A"
- Describe any other existing or changing conditions affecting the use and development of the subject property which support approval of the requested zoning district.  
See Attachment "A"

7/2019

For Office Use (receipt code 204.1)

Date received 7/2/20	Fee paid 7/2/20	Date deemed complete 7/2/20	Public Notice Sign 1047/24/20	Legal Ad <del>1047/24/20</del>	County Notification sent 7/2/20
Notice to Applicant	Routed to PC	Date of PC 8/10/20	Date of Public Hearing 9/1/20	Date of Council action 9/15/20	Notice of action

*8/5 run 8/12*

ATTACHMENT "A" TO  
APPLICATION FOR ANNEXATION

**Standards for Granting a Zoning Classification**

4. Describe how the proposed zoning district is consistent with the Comprehensive Plan.

The area is designated as a gateway corridor area under the Comprehensive plan. The uses allowed under C-1 zoning are consistent with the Gateway Corridor and are oriented toward highway travelers.

5. Describe how the proposed zoning district will not cause an excessive burden upon existing public facilities and services.

The current roads in this area are adequate to handle traffic anticipated by the uses allowed under C-1 zoning. The C-1 zoning will not create any impact on any area schools.





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## **STAFF REPORT**

August 6, 2020

**CASE NUMBER:** RZNE-80-2020  
**APPLICANT:** Widner & Associates, Inc.  
**REQUEST:** Rezone from R-1, Single-family Residential District, to C-1, Highway Commercial District  
**LOCATION:** 1999 Sam Nunn Boulevard; Tax Map No. 0P0380 036000 (3.21 acre portion)

### **ADJACENT ZONING/LANDUSES:**

**Subject Parcel:** R-1, Single-family Residential District; undeveloped  
**North:** R-1; single-family residential  
**South:** R-2, Two-family Residential District; undeveloped  
**East:** C-2, General Commercial District; Bob White Self-Storage and offices  
**West:** RAG, Residential Agricultural District (County); undeveloped

**BACKGROUND INFORMATION:** The applicant proposes to expand the existing Bob White Storage facility located at 103 Woodlawn Drive, by extending the property to the west. The proposed area of expansion extends into the subject property. See attached plat.

### **STANDARDS GOVERNING ZONE CHANGES:**

1. **The suitability of the subject property for the zoned purposes.** The subject property is suitable for residential development allowed per the current PUD zoning classification
2. **The extent to which the property values of the subject property are diminished by the particular zoning restrictions.** Property values are not diminished by the current zoning.
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.** There is no destruction of property value.
4. **The relative gain to the public as compared to the hardship imposed upon the individual property owner.** There is no hardship imposed on the property owner by the current zoning.
5. **Whether the subject property has a reasonable economic use as currently zoned.** The property can be developed with single-family residences as currently zoned.
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 property has never been developed. The existing self-storage facility located adjacent to the subject property was developed in 2008.
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 C-1 zoning district is the most restrictive district that also allows self-storage facilities. With the exception of the property directly to the east of the subject, all surrounding



properties are undeveloped. Since these properties will remain zoned for residential uses, development of the subject property will require a perimeter buffer.

8. **Whether the proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property.** Surrounding properties are zoned for residential uses. Therefore, the subject property will be required to provide a perimeter buffer.
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 as 'In-Town Corridor'. However, the subject property does not front Sam Nunn Boulevard, the identified corridor.
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.** Based on the fact that the property proposed for this C-1 zoning classification will only have access through the existing self-storage facility, development of additional storage facilities is the only logical use of the property. This use will have little or no impact on schools, water and sewer infrastructure, and roads.
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.** Additional storage space and other commercial uses will be needed to service the continuing residential growth in Perry.

**STAFF RECOMMENDATION:** Staff recommends approval of the application to rezone to C-1, Highway Commercial District.

**PLANNING COMMISSION RECOMMENDATION:** The Planning Commission recommends approval of the application, based on Staff's report.

  
Eric Z. Edwards, Chairman, Planning Commission

8/11/20  
Date



C1

GU

WOODLAWN DRIVE

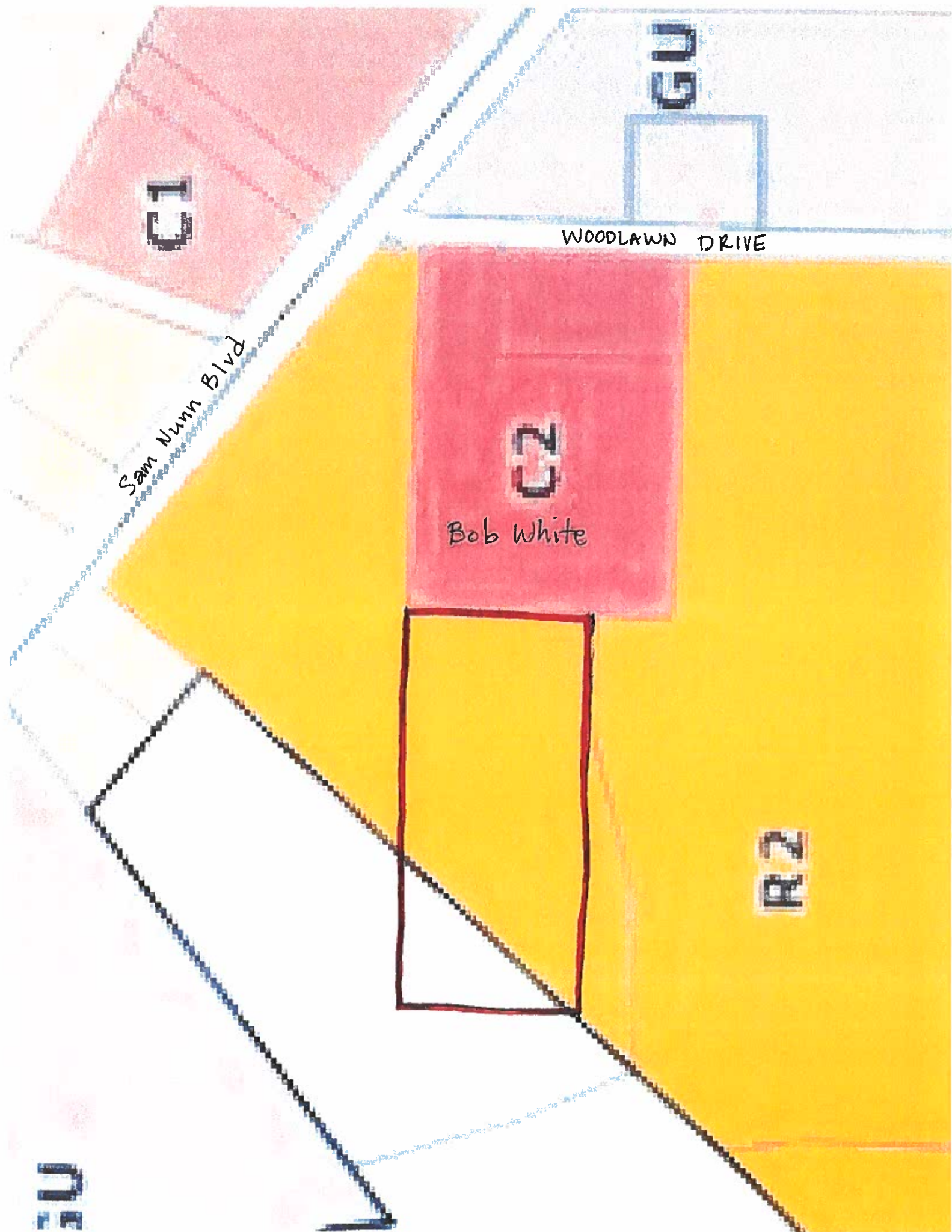
Sam Nunn Blvd

C2

Bob White

R2

ED





**STORY CLARKE & ASSOCIATES**  
 SURVEYING & PLANNING  
 1500 W. 10TH ST., SUITE 100  
 DENVER, CO 80202  
 TEL: 303.733.1100

**BOB WHITE SELF STORAGE**  
 Rezoning Plat For

PROJECT NO: 2006-09  
 DRAWN BY: HJU  
 FIELD DATA BY: HJU  
 REVIEW BY: HJU  
 DATE: 06/06/09  
 SCALE: 1" = 100'

U.S. HWY. 341

WOODLAWN RD.

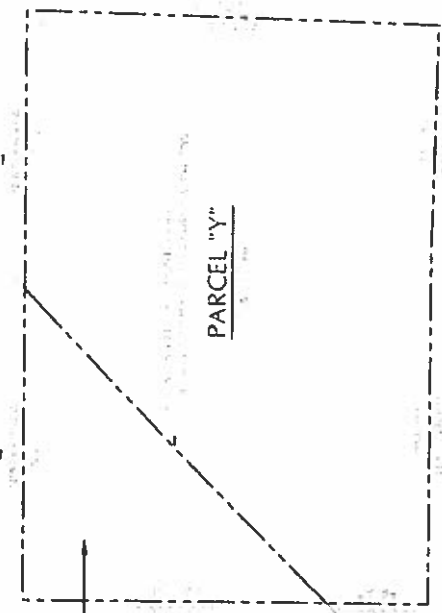
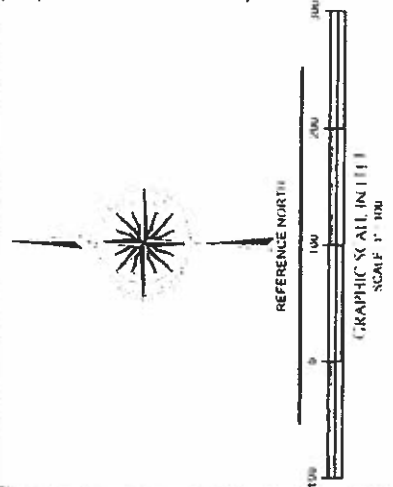
WOODLAWN DEVELOPMENT  
 PROJECT NO. 2006-09  
 1500 W. 10TH ST., SUITE 100  
 DENVER, CO 80202  
 TEL: 303.733.1100

**LEGEND**

	Survey Boundary
	Easement
	Right-of-Way
	Property Line
	Utility Line
	Fencing
	Other

**SURVEY DATA**

Area	1.25 Acres
Perimeter	1,200 Feet
Area	1.25 Acres
Perimeter	1,200 Feet



WOODLAWN DEVELOPMENT  
 PROJECT NO. 2006-09  
 1500 W. 10TH ST., SUITE 100  
 DENVER, CO 80202  
 TEL: 303.733.1100

WOODLAWN DEVELOPMENT  
 PROJECT NO. 2006-09  
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 TEL: 303.733.1100

WOODLAWN DEVELOPMENT  
 PROJECT NO. 2006-09  
 1500 W. 10TH ST., SUITE 100  
 DENVER, CO 80202  
 TEL: 303.733.1100



Where Georgia comes together.

**Application for Rezoning**  
 Contact Community Development (478) 988-2720

Application # 80-2020  
Revised

Applicant/Owner Information

**Indicates Required Field**

	Applicant	Property Owner
*Name	Widner & Associates Inc.	Charitable Remainder Unitrust
*Title	Owner/Developer Rep	JOSPEH SWANSON AS TRUSTEE
*Address	793 Poplar St., Macon, GA 31201	1188 PARK AVE MURFREESBORO, TN 37129
*Phone	478-748-2010	
*Email	Matt@Widner-Assoc.com	

Property Information

*Street Address or Location	1999 Sam Nunn Blvd. and 101 Woodlawn Drive
*Tax Map #(s)	0P0380 036000 and 0P0380 001000
*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	R1/R2	*Proposed Zoning District	C1
*Please describe the existing and proposed use of the property			
Existing - Undeveloped acreage			
Proposed - Addition to existing self-storage facility 103 Woodlawn Dr.			

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 - \$135.00 plus \$15.00/acre (maximum \$1,600.00)
  - Planned Development - \$155.00 plus \$15.00/acre (maximum \$2,800.00)
  - Commercial/Industrial - \$235.00 plus \$22.00/acre (maximum \$3,000.00)
- 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 <i>Matt Widner</i> / Widner & Associates, Inc.	Date 06-15-2020
Property Owner/Authorized Agent <i>Chas. E. Hinkle, Remainder Heirs of Fred W. Swanson, Trustee</i>	Date 6-15-20

**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 7/18/19

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	Date of Council	Notice of action

June 15, 2020



City of Perry  
1211 Washington Street  
P.O. Box 2030  
Perry, GA 31069

Subject: Bob White Storage Addition  
103 Woodlawn Drive

Dear Council and Commission,

Widner & Associates respectfully requests rezoning to allow an addition to the existing Bob White Self Storage Facility at 103 Woodlawn Drive. The parcels for the addition are currently zoned R-1 and R-2 and the new parcel is +/- 4 acres. This property is located west of the existing storage area. The existing facility is reaching capacity and continues to see increases in the request for services. Therefore, Bob White Storage sees a need for their customers to be offered additional units. The new parcel for this addition is currently part of lands of 101 Woodlawn Drive and 1999 Sam Nunn Blvd. Upon rezoning the property will be combined with the existing 103 Woodlawn Drive parcel and will be platted to reflect this combination. The access to the new addition will be developed from the entrance to Woodlawn Drive. The existing entrance will remain the same as the current layout. (Please see the following page for standards for rezoning.)

Respectfully submitted,

*Matthew T. Widner, RLA*



793 Poplar Street  
P.O. Box 102  
Macon, GA 31202  
(478) 746-2010  
Fax (478) 746-0149  
widner@widner-assoc.com  
www.widner-assoc.com

### Standards for Granting Rezoning

1. Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district?  
No known covenant or restrictions exist
2. Describe the existing land uses and zoning classifications of surrounding properties.  
The existing land use is commercial to the east and large tracts of undeveloped land on the other sides. While the large undeveloped tracts remain R-1 and R-2. Commercial property to the east is zoned C-1. This development is a continuation of existing zoning and development on the east and west sides of Woodlawn Drive.
3. Describe the suitability of the subject property for use as currently zoned.  
The existing zoning would prevent the continued development of this business.
4. Describe the extent to which the value of the subject property is diminished by the current zoning designation.  
The highest and best value for this property is to provide the existing business to grow. The rezoning would be necessary for this growth, as the current zoning would not allow.
5. Describe the extent to which the diminished property value promotes health, safety, morals, and general welfare of the public.  
Diminished property value does not promote health, safety, morals, and general welfare of the public. Diminished value reduces the tax base and the services that the community it can provide to citizens. Alternatively, the growth of businesses would strengthen the community.
6. Describe the relative gain to the public compared to any hardship imposed on the property owner.  
The community, through use of the existing services, have expressed a need. The property owner and the public would be limited by the current zoning and would not have the ability to receive the services at this location.
7. Describe how the subject property has no reasonable economic use as currently zoned.  
The timber has been harvested from the property and there is no proposed alternative for other development.
8. How long has the subject property been vacant as currently zoned, considering development in the vicinity?  
This property has been vacant since the zoning was put in place.
9. Describe how uses permitted in the proposed zoning district are compatible with the uses and development of surrounding properties.  
The proposed rezoning allows the existing business to grow. Surrounding properties would not necessarily be affected dramatically due to the large scale of undeveloped tracts in the immediate area surrounding the proposed rezoning.
10. Describe why the proposed zoning district will not adversely impact the use of surrounding properties.  
The surrounding property is owned by the same individual.
11. Describe how the proposed zoning district is consistent with the Comprehensive Plan.  
The rezoning proposed is a continuation of the previously approved plan.
12. Describe how the proposed zoning district will not cause an excessive burden upon existing public facilities and services.  
Similar business practices will remain intact. The operations have had no adverse impact.
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. The rezoning would support the community need for the storage service.





Where Georgia comes together.

## **STAFF REPORT**

August 7, 2020

**CASE NUMBER:** RZNE-82-2020  
**APPLICANT:** Chad Bryant, Bryant Engineering, LLC  
**REQUEST:** Rezone from PUD, Planned Unit Development District, to R-3, Multi-family Residential District  
**LOCATION:** 100 Ashley Drive (Perimeter Road); Tax Map No. 0P0390 004000 and 0P0390 017000

### **ADJACENT ZONING/LANDUSES:**

**Subject Parcel:** PUD, Planned Unit Development; undeveloped  
**North:** R-3, Multi-family Residential District; single-family residential (Spring Creek subdivision) and undeveloped  
**South:** C-2; undeveloped  
**East:** R-3; multi-family residential, and C-1, Highway Commercial District; (Ashton Landing Apartments and Commodore Manor Apartments), and office (My Eye Doctor)  
**West:** R-3; multi-family residential (Perry Housing Authority)

**BACKGROUND INFORMATION:** The subject property was rezoned from R-3, Multi-family Residential District, to PUD, Planned Unit Development District, in 2004. The approved PUD plan allows up to 116 single-family residential lots. The property was never developed.

The applicant proposes to rezone these 41.44-acre tracts back to R-3. Approximately 15 acres of the tracts are located in a floodplain/floodway. The applicant also filed a special exception application for a 250-unit multi-family development on the site.

### **STANDARDS GOVERNING ZONE CHANGES:**

- 1. The suitability of the subject property for the zoned purposes.** The subject property is suitable for residential development allowed per the current PUD zoning classification
- 2. The extent to which the property values of the subject property are diminished by the particular zoning restrictions.** Property values are not diminished by the current zoning.
- 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.** There is no destruction of property value.
- 4. The relative gain to the public as compared to the hardship imposed upon the individual property owner.** There is no hardship imposed on the property owner by the current zoning.
- 5. Whether the subject property has a reasonable economic use as currently zoned.** The property can be developed with single-family residences as currently zoned.

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 property has never been developed. Properties in the vicinity are primarily single-family and multi-family residential uses. Some commercial and educational uses are located at Macon Road and Perimeter Road.
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 R-3 zoning is consistent with the zoning and uses of surrounding properties.
8. **Whether the proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property.** Multi-family residential development is consistent with the use of surrounding properties and should not adversely impact nearby properties.
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 as 'Suburban Residential'. Suggested land use designations are residential, public/institutional, and parks/recreation. The "suburban residential" character area suggests that higher density housing should be located near commercial centers along arterial streets. The subject property is approximately ½ mile from Sam Nunn Boulevard where major retailers and services are located. Perimeter Road is classified as a major collector street.
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.** There is no evidence that existing public facilities could not support the types of development allowed in the C-2 district. The Houston County Board of Education has been notified of the special exception application. We are awaiting their comments.
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 planned "St. Patrick's Drive Extension" will connect to Perimeter Road just west of the subject property will open up undeveloped lands, which because of their proximity to Interstate 75, will likely be developed as commercial, light industrial, and/or multi-family residential uses.

**STAFF RECOMMENDATION:** Staff recommends approval of this application to rezone the property to R-3, Multi-family Residential District.

**PLANNING COMMISSION RECOMMENDATION:** The Planning Commission recommends approval of the application, based on Staff's report.

  
 Eric Z. Edwards, Chairman, Planning Commission

  
 Date



Where talent goes to work together

Bryan Wood <bryan.wood@perry-ga.gov>

## Chad Bryant has shared a file with you using Dropbox

1 message

Chad Bryant, P.E. <chad@bryantengllc.com>

Fri, Aug 7, 2020 at 8:03 AM

To: Bryan Wood <bryan.wood@perry-ga.gov>

Cc: Derek Foster <dfoster@thesummitgroupmacon.com>, King Kemper <kkemper@thesummitgroupmacon.com>

Bryan,

Attached is the conceptual site plan for the multi-family site on Perimeter Road. As stated before, we would like to amend the zoning request to R-3 with a conditional use for multi-family apartments. Planned density would not exceed 250 units. Please let me know if you have any additional questions. Hope you have a great weekend

Thanks!

Hi,

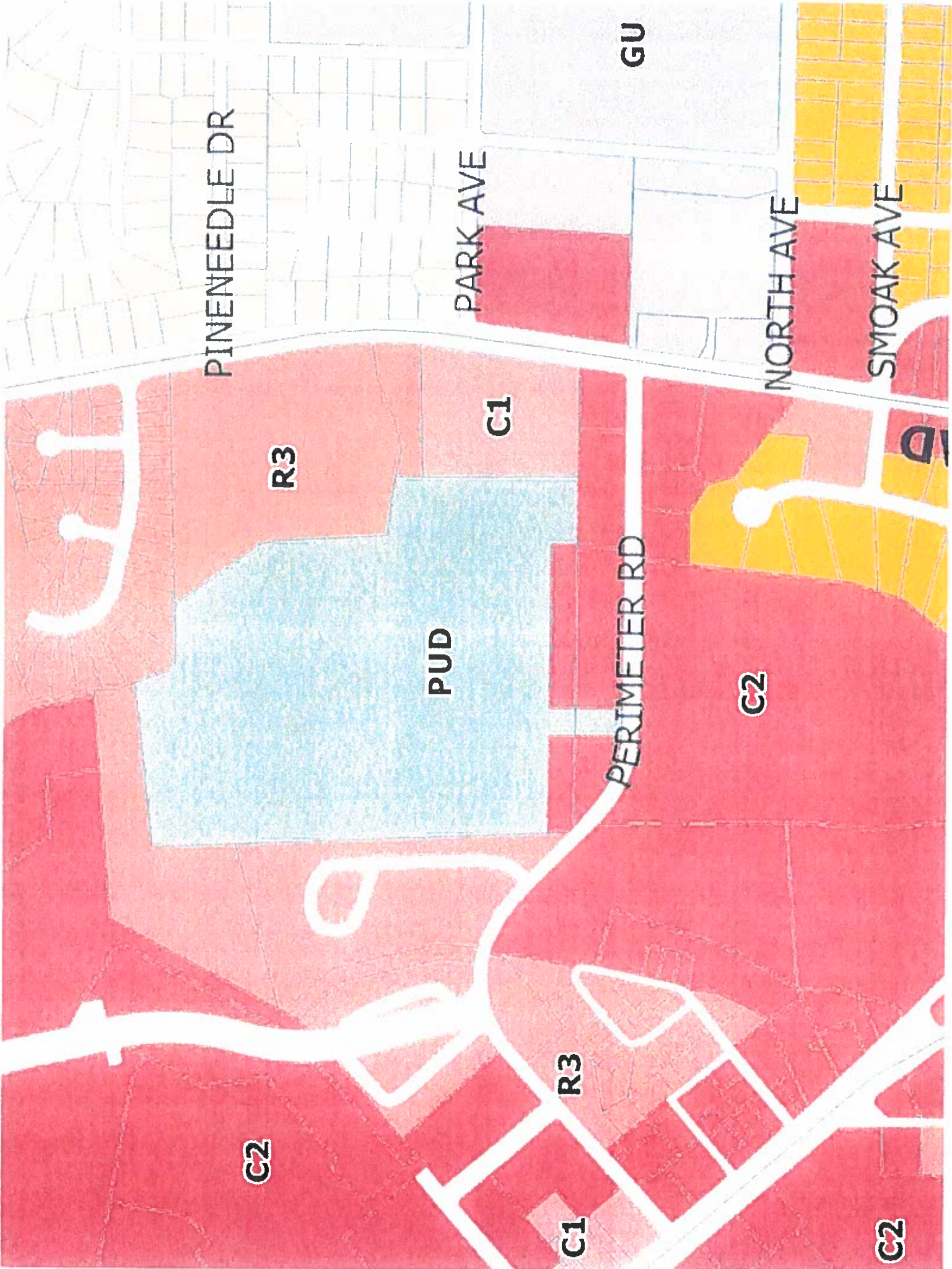
Here's a link to "Multifamily Sites-Layout1.pdf" in my Dropbox:

<https://www.dropbox.com/s/bzzh9xwx35dk3c1/Multifamily%20Sites-Layout1.pdf?dl=0>

Chad R. Bryant, P.E.  
906 Ball Street  
Perry, GA 31069  
478-224-7070

→ Multifamily Sites-Layout1.pdf  
568K





PINENEEDLE DR

PARK AVE

NORTH AVE

SMOAK AVE

GU

R3

C1

PUD

C2

PERIMETER RD

R3

C2

C1

C2



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Application # RZNE 82-2020

**Application for Rezoning**  
 Contact Community Development (478) 988-2720

Applicant/Owner Information

\*Indicates Required Field

	Applicant	Property Owner
*Name	Chad Bryant, Bryant Engineering	Sean Rollins, S+B Properties, LLC
*Title	President	Owner
*Address	904 Ball St. Perry, GA 31069	810 Corder Road, Wk 31088
*Phone	478-224-7070	478-256-3419
*Email	Chad@bryantengllc.com	sean@rcicollision.com

Property Information

\*Street Address or Location 100 Ashley Drive  
 \*Tax Map #(s) DP0390004000 and OP0390 017000  
 \*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

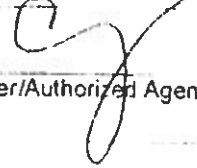
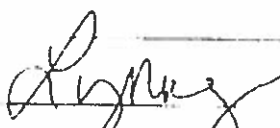
*Current Zoning District <u>PUD</u>	*Proposed Zoning District <u>LT R-3</u>
*Please describe the existing and proposed use of the property <u>Current: underdeveloped</u> <u>proposed: multi family use</u> <u>per 8/7/20 email</u>	

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 - \$135.00 plus \$15.00/acre (maximum \$1,600.00)
  - Planned Development - \$155.00 plus \$15.00/acre (maximum \$2,800.00)
  - Commercial/Industrial - \$235.00 plus \$22.00/acre (maximum \$3,000.00)
- 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	10/15/20
*Property Owner/Authorized Agent		*Date	10/15/20

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 7/18/19

For Office Use (receipt code 204 1)

Date received	Fee paid	Date deemed complete	Public Notice Sign	Legal Adj	County Application
10/15/20	10/16/20	10/16/20	2/1/20	Plattsburgh	n/a
Notice to Applicant	Routed to PC	Date of PC	Date of Public Hearing	Date of Council action	Notice of action
		7/15/20	8/14/20	8/18/20	
		8/10/20	9/1/20	9/15/20	

Return 8/5 to 8/12



Chad R. Bryant, P.E.  
President/Perry  
Kenne S. Birfield, P.E.  
Forrest Branch Manager  
Casey Graham, P.E.  
Perry Branch Manager

June 15, 2020

Mr. Bryan Wood  
Community Development Director  
City of Perry  
741 Main Street  
Perry, GA 31069  
478-988-2720  
[bryan.wood@perry.ga.gov](mailto:bryan.wood@perry.ga.gov)

**Subject: Application for Rezoning  
Perimeter Road/Ashley Drive  
0665-007**

Dear Mr. Wood,

Please see attached application and plat for rezoning for 41.04 acres located at 100 Ashley Drive. Below is the Standards for Granting a Rezoning (Page 2 of application).

1. No Covenants are currently in place.
2. Property is currently undeveloped. Property surrounding is multi-family housing.
3. The property has historically remained undeveloped. However, due to the proximity to dense commercial district and surrounding developments, this property has become prime area for a commercial and multi-family development. The property has been previously rezoned to City of Perry PUD with approximately 120 units planned.
4. The property is impacted by a large wetland system to the east. This greatly reduces the density allowed on this tract. A higher density development on uplands is needed. The overall density calculation would be spread across the entire tract.
5. The rezoning will provide like kind development directly across the street and adjoining properties. The property is surrounded by Commercial properties to the South and Multi-family to the east, north, and west.
6. The property is impacted by a large wetland system and floodplain to the east. This greatly reduces the density allowed on this tract. A higher density development on uplands is needed. The overall density calculation would be spread across the entire tract. By developing this property with a higher density on upland areas, it provides the ability to preserve the wetlands and floodplain that may otherwise require impact to these areas as allowed by law. Mitigation would be required, however, these impacts are allowed if permitted.







Chad R. Bryant, P.E.  
President-Perry

Jennie S. Befford, P.E.  
East Branch Manager

Craig Graham, P.E.  
Perry Branch Manager

7. The value of the property has increase from its original PUD zoning in nearly 15 years ago. The property has remained undeveloped since it was approved. The current proposed zoning and land use does not work economically for development.
8. The property has remained undeveloped even though the property was rezoned to PUD and an approved set of construction plans have been completed.
9. The proposed zoning is consistent with adjoining properties along Perimeter Road. It is bordered to the south by Commercial, to the west, north and east by multi-family properties.
10. The proposed zoning is consistent with adjoining properties along Perimeter Road. Due to the wetland systems, approximately half the property is not developable. This creates a need to put a higher density development on the upland areas. The actual density will be greatly reduced when you consider the entire tract as a whole. The property is bordered by a large wetland system that will buffer the project from neighboring tracts to the east and north.
11. Adjoining properties along Perimeter Road are zoned for commercial and multi-family.
12. The subject property has access to City Sewer. The property is accessible off of Perimeter Road. Traffic counts are low so there will not be an overburden on transportation infrastructure.
13. The proposed development we believe will provide a better transition than the current zoning and will have a softer impact to neighboring properties.

We would like to be placed on the next available agenda for the Perry Planning Commission. Please let me know if you have any questions or concerns.

Sincerely,

Chad Bryant, P.E.  
President  
Bryant Engineering





Where Georgia comes together.

## **STAFF REPORT**

August 6, 2020

**CASE NUMBER:** RZNE-93-2020  
**APPLICANT:** Robert T. Tuggle, III for McPhail Associates LLLP and Celeste S. Johnson  
**REQUEST:** Rezone from M-1, Wholesale and Light Industrial District, to C-1, Highway Commercial District  
**LOCATION:** Perry Parkway at Interstate 75; Tax Map No. 0P38A0 011000

### **ADJACENT ZONING/LANDUSES:**

**Subject Parcel:** M-1, Wholesale and Light Industrial District; undeveloped  
**North:** RAG, Residential Agricultural District (County); undeveloped  
**South:** M-1; Gas Station and Truck Stop  
**East:** M-1, undeveloped  
**West:** M-2, General Industrial District; Guardian Centers

**BACKGROUND INFORMATION:** The applicant requests the subject property be rezoned from M-1 to C-1. The applicant has a pending contract to sale a ~4-acre portion of the property for development of an RV park (the "leg" that extends to the southeast of the main body of the property). There are no current plans for the remainder of the property.

### **STANDARDS GOVERNING ZONE CHANGES:**

- 1. The suitability of the subject property for the zoned purposes.** The subject property is suitable for wholesale and light industrial development allowed per the current M-1 zoning classification
- 2. The extent to which the property values of the subject property are diminished by the particular zoning restrictions.** Property values are not diminished by the current zoning.
- 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.** There is no destruction of property value.
- 4. The relative gain to the public as compared to the hardship imposed upon the individual property owner.** There is no hardship imposed on the property owner by the current zoning.
- 5. Whether the subject property has a reasonable economic use as currently zoned.** The property can be developed with wholesale and light industrial uses as currently zoned.
- 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 properties have never been developed except for a private road providing access from Perry Parkway to a construction company located behind the property.

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 property is located adjacent to an interchange on Interstate 75. Other than a gas station/truck stop located across Perry Parkway and a construction company located behind the property, the surroundings are undeveloped.
8. **Whether the proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property.** Uses allowed in the C-1 zoning district are intended to cater to the travelling public. Such uses should not have an adverse impact on existing uses or the usability of nearby properties.
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 as 'Gateway Corridor' which recommends mixed-use and commercial developments be developed in "nodes" around major intersections. Within a C-1 Highway Commercial District, uses are restricted to those which are designed to serve the automobile, its passengers and highway users rather than individuals who use an automobile as a convenience to perform necessary daily and weekly personal needs. The district is intended to be restricted to State and Federal Highways which may also have other business districts located on them.
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.** Streets and transportation facilities in the vicinity are adequate to accommodate the development of commercial uses in the area. Utilities will need to be extended to the property. Commercial development should not have an impact on schools.
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 property is adjacent to an interstate interchange and located on a US route (US 341).

**STAFF RECOMMENDATION:** Staff believes the C-1 zoning classification is an appropriate designation of this property. Therefore, Staff recommends approval of the application to rezone to C-1, Highway Commercial District.

**PLANNING COMMISSION RECOMMENDATION:** The Planning Commission recommends approval of the application, based on Staff's report.

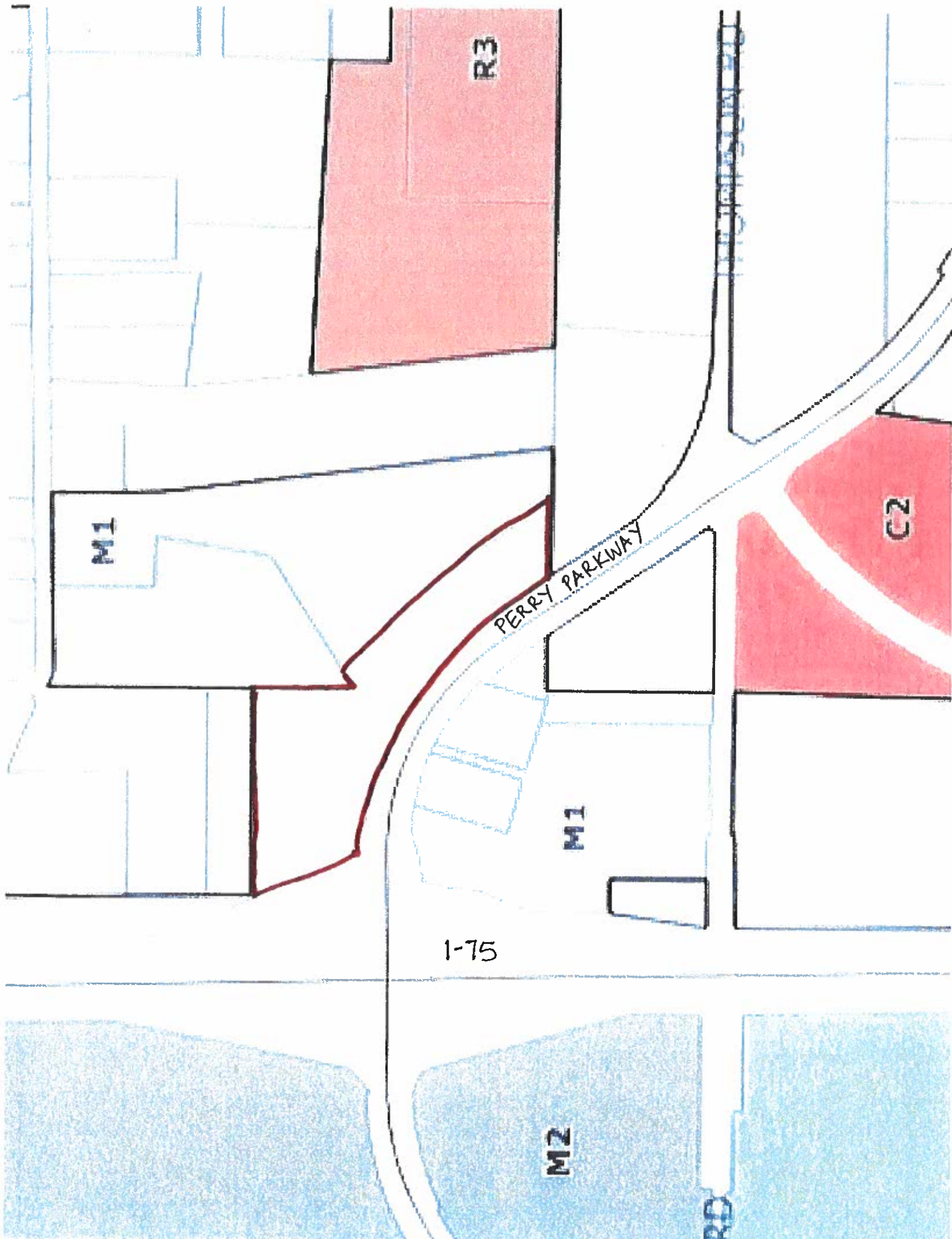


Eric Z. Edwards, Chairman, Planning Commission

8/11/20

Date





R3

M1

C2

M1

M2

PERRY PARKWAY

NICHOLSON RD

RD

I-75



Where Georgia comes together.

Application # RZNE 93-  
2021

**Application for Rezoning**  
Contact Community Development (478) 988-2720

**Applicant/Owner Information**

\*Indicates Required Field

	Applicant	Property Owner
*Name	Robert T. Tuggle, III	McPhail Associates, LLLP and
*Title	Attorney at Law	Celeste S. Johnson
*Address	PO Box 89, Perry, GA 31069	
*Phone	478-987-2622	
*Email	rtuggle@dltj.com	

**Property Information**

*Street Address or Location	Perry Parkway
*Tax Map #(s)	0P38A 011000
*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	M-1	*Proposed Zoning District	C-1
*Please describe the existing and proposed use of the property The property is currently vacant. A portion of the property will be used as an RV Park for seniors only.			

**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 - \$130.00 plus \$15.00/acre (maximum \$1,550.00)
  - Planned Development - \$150.00 plus \$15.00/acre (maximum \$2,700.00)
  - Commercial/Industrial - \$230.00 plus \$22.00/acre (maximum \$2,900.00)
- 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 <i>[Signature]</i>	*Date 6/29/20
*Property Owner/Authorized Agent <i>[Signature]</i>	*Date 6-26-20

**Standards for Granting a Rezoning**

- Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district? **No.**
- Describe the existing land uses and zoning classifications of surrounding properties.  
**The surrounding property is vacant.**
- Describe the suitability of the subject property for use as currently zoned.  
**The current zoning does not allow a travel trailer park.**
- Describe the extent to which the value of the subject property is diminished by the current zoning designation.
- Describe the extent to which the diminished property value promotes health, safety, morals, and general welfare of the public.
- Describe the relative gain to the public compared to any hardship imposed on the property owner.
- Describe how the subject property has no reasonable economic use as currently zoned.  
**The C-1 zoning is better suited for the development of Perry Pkwy**
- How long has the subject property been vacant as currently zoned, considering development in the vicinity? **33 years**
- Describe how uses permitted in the proposed zoning district are compatible with the uses and development of surrounding properties.  
**See Attachment "A"**
- Describe why the proposed zoning district will not adversely impact the use of surrounding properties.  
**The surrounding property is vacant.**
- Describe how the proposed zoning district is consistent with the Comprehensive Plan.  
**C-1 is the only zoning in the City that allows a travel trailer park**
- Describe how the proposed zoning district will not cause an excessive burden upon existing public facilities and services.  
**See attachment "A"**
- 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 1/10/2018

For Office Use (receipt code 204.1)

Date received 7/2/20	Fee paid 7/2/20	Date deemed complete 7/2/20	Public Notice Sign by 7/24/20	Legal Ad placed <i>[initials]</i>	County Notification N/A
Notice to Applicant	Routed to PC	Date of PC 8/10/20	Date of Public Hearing <del>8/10/20</del> 9/1/20	Date of Council action <del>9/1/20</del> 9/16/20	Notice of action

ATTACHMENT "A" TO  
APPLICATION FOR REZONING

**Standards for Granting a Rezoning**

9. Describe how uses permitted in the proposed zoning district are compatible with the uses and develop or surrounding properties.

The area is designated as a gateway corridor area under the Comprehensive plan. The uses allowed under C-1 zoning are consistent with the Gateway Corridor and are oriented toward highway travelers.

12. Describe how the proposed zoning district will not cause an excessive burden upon existing public facilities and services.

The current roads in this area are adequate to handle traffic anticipated by the uses allowed under C-1 zoning. The C-1 zoning will not create any impact on any area schools.



Date: 12-13-17  
 Scale: 1" = 100'  
 Sheet No:

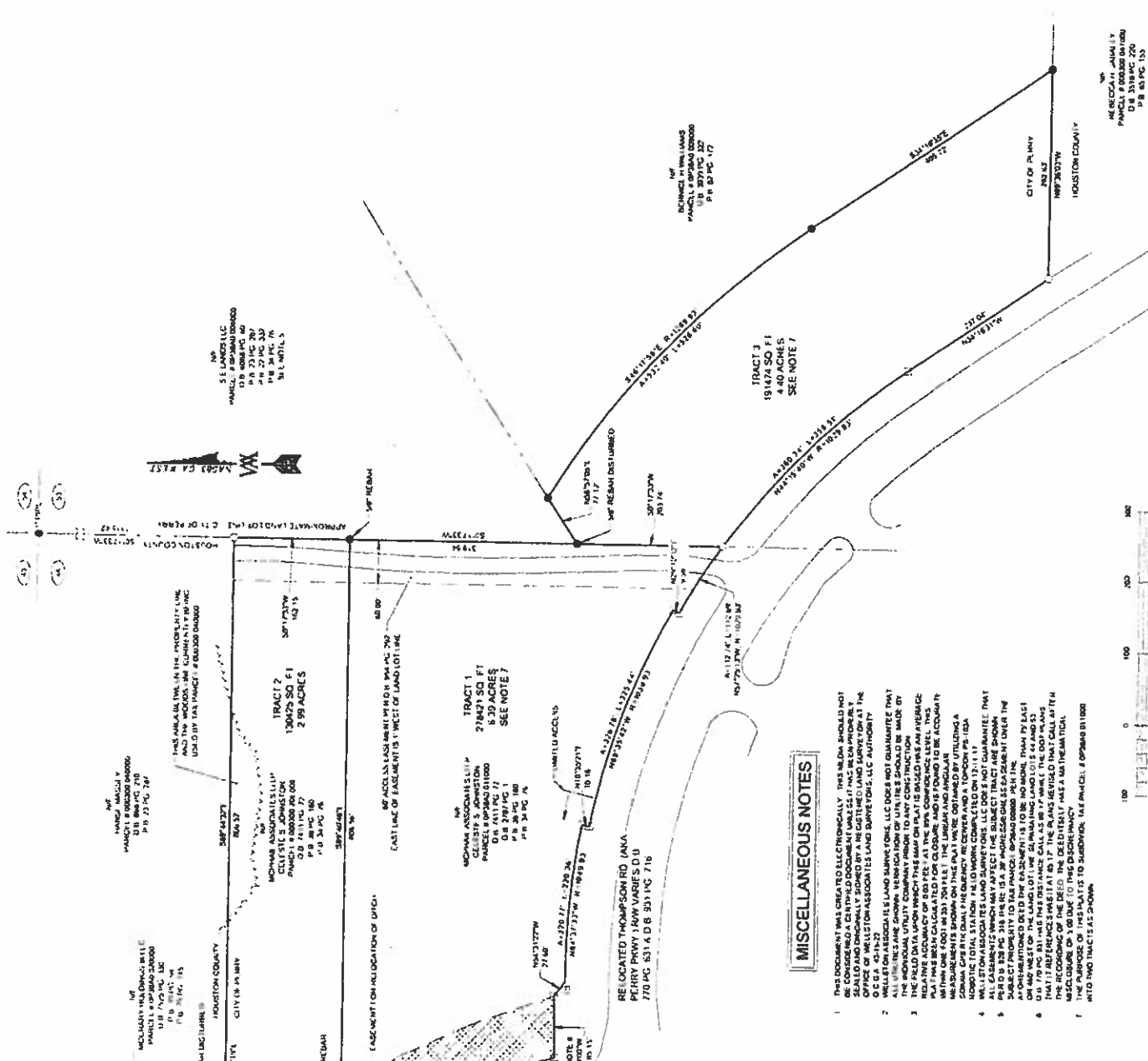
Project No: 1031477  
 Drawing No: BDC  
 Drawn By: WSB  
 Checked By: SJJ  
 P.L.S. No: 3001

BOUNDARY SURVEY  
 FOR  
 MCPHAIL ASSOCIATES LLP &  
 CELESTE S JOHNSTON  
 10TH LAND DISTRICT  
 PERRY HOUSTON COUNTY  
 GEORGIA

WELLSTON ASSOCIATES  
 LAND SURVEYORS, LLC  
 506 OSBORN BOON GEORGIA 31018  
 OFFICE (478) 911-3142  
 WWW.WELLSTONASSOCIATES.COM

Revisions

No.	Date	Description
1	12-13-17	ADD HAVE TO THE BOOK



**MISCELLANEOUS NOTES**

- THIS DOCUMENT WAS CREATED ELECTRONICALLY. THIS PLAN SHOULD NOT BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF THE OFFICE OF WELLSTON ASSOCIATES LAND SURVEYORS, LLC AUTHORITY.
- ALL UTILITIES SHOWN ARE BASED ON THE RECORD DRAWINGS AND FIELD SURVEY. THE INDIVIDUAL UTILITY COMPANIES SHOULD BE CONTACTED TO VERIFY THE ACCURACY OF THE UTILITIES SHOWN ON THIS PLAN. THE INDIVIDUAL UTILITY COMPANIES SHOULD BE CONTACTED TO VERIFY THE ACCURACY OF THE UTILITIES SHOWN ON THIS PLAN.
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**LEGEND OF SYMBOLS**

- IRON PIN FOUND BY SURVEYOR UNLESS NOTED
- WOODEN SETTING FOUND BY SURVEYOR
- CONCRETE MONUMENT FOUND
- PROPERTY LINE
- WOODS LINE
- LAND LOT NUMBER

**CERTIFICATION**

AS REQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 44-2-11, THIS PLAN HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCE OF THE SURVEY. SUCH APPROPRIATE GOVERNMENTAL AGENCIES HAVE REVIEWED THIS PLAN AND HAVE APPROVED THE SURVEY. THE SURVEYOR CERTIFIES THAT THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF SURVEYING AND MAPPING AND THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 44-2-11.

Shawn B. Carr, L.S. 3311  
 C.O.P.S. 51000495

THE FOLLOWING GOVERNMENTAL AGENCIES HAVE APPROVED THIS PLAN FOR PLANNING PURPOSES FOR THE FOLLOWING GOVERNMENTAL AGENCIES: (NONE) THIS APPROVAL IS NOT NECESSARY.

THIS PLAN IS RESERVED FOR THE  
 CLERK OF THE SUPERIOR COURT



MEMO

To: Mayor & Council

From: Elizabeth Nelson, Tax & License Specialist I

Ref: Alcohol License

Date: 08/25/2020

Application for Alcohol License (Beer/Wine on premises):

Derby Inn  
200 Valley Dr  
Perry GA 31069

224-875-8922

Manager: Tushar Patel

1<sup>st</sup> Reading \_\_\_\_\_

2<sup>nd</sup> Reading \_\_\_\_\_

cc: Lee Gilmour  
Annie Warren

200 Valley Drive



MINUTES  
WORK SESSION  
OF THE PERRY CITY COUNCIL  
August 17, 2020  
5:00 P.M.

1. Call to Order: Mayor Randall Walker, Presiding Officer, called to order the work session meeting held August 17, 2020, at 5:00 p.m.

2. Roll:

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

Elected Officials Absent: None

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

City Departmental Staffing: Chief Steve Lynn – Perry Police Department, Chief Lee Parker – Fire and Emergency Services Department, Brenda King – Director of Administration, Mitchell Worthington – Director of Finance, Bryan Wood – Director of Community Development, Sedrick Swan – Leisure Services Director, Tabitha Clark – Communications Manager, Haley Bryant – Main Street Coordinator, Ashley Hardin – Economic Development Manager, Annie Warren – City Clerk, Michael Paull – Fire Marshal, Ansley Fitzner – Public Works Superintendent and Todd Ennis – Solid Waste Manager.

Press: Lauren Harris – Houston Home Journal

3. Items of Review/Discussion: Mayor Randall Walker

3a. Appearance(s):

1. Discussion relative to a request for a reduced rental rate for the Main Hall at the Perry Arts Center. Ms. Gerrity requested a reduction in the rental rate at the Perry Arts Center. All Council members concurred to table this item until August 18, 2020.

3b. Department of Public Works

1. Downtown District Solid Waste Collection Plan. Ms. Fitzner shared with Council the presentation relative to the Downtown Solid Waste Proposal. Council concurred to move forward as presented.

3c. Fire and Emergency Services Department

1. Follow up relative to request for sidewalk encroachment for 757 Carroll Street. Chief Parker discussed the sidewalk encroachment for 757 Carroll Street. Administration recommends the owner be granted an easement for the platform subject to the following: 1) Platform must be reduced to minimum ADA standards, 2) Handrails installed on both sides and 3) Harmless Agreement executed between the City and Owner. This item will be added to Council's August 18, 2020 agenda for a vote.

3d. Office of the City Attorney

1. State Minimum Fire Safety Standards Ordinance – Amending Chapter 5A and Sections 6–10 & 6-11 of the LMO. Ms. Newby discussed the Fire Safety Standard Ordinances.

3e. Office of the City Manager

1. Special Events presentations – Ms. A. Turpin
  - Recap of Virtual Dance Party – Ms. Turpin shared with Council how many people were reached and the benefits of Virtual Events.
  - Grub Crawl Proposal - Ms. Turpin suggested food vendors come and set up in different locations within the city. Each location would feature two non-competitive vendors, one food vendor and one dessert/beverage vendor. Mr. Gilmour stated this was a good idea. Council concurred for a detailed plan be brought before them.
2. Relocation for the City Hall. Mr. Gilmour discussed the relocation for the city hall. Administration recommends Council authorize JMA Architects to prepare the renovation documents for the replacement City Hall. Council concurred to move forward.
3. Septic tank restrictions. Mr. Gilmour requested that verbiage be changed to septic system rather than septic line. Council concurred to move forward.
4. Downtown District ADA issues. Mr. Gilmour discussed the downtown district ADA issues. Administration recommended, ADA compliance should be accomplished on the property owner's parcel only, if ADA compliance is not be feasible the first option would be to use the alley easements and if there is no alley or not practicable to use the alley an easement may be granted by the City subject to Council review and approval. Council concurred to move forward as proposed.
5. Massee Lane proposed purchase. Mr. Smith discussed the letter he received asking to purchase 600ft. of right of way on Massee Lane. After some discussion Council declined the request.

6. Traffic calming policy proposal. Mr. Gilmour discussed the six points proposed. Administration suggested: 1) Device will require a petition signed by no less than seventy (70) percent, 2) No calming devices can be used on street designated as arterials or major collectors, 3) Street narrowing devices may be allowed if the street is over 1300 ft and no case shall the street width be reduced by twenty (20) foot, 4) Devices must be constructed to account for public safety vehicles, 5) Must be approved by Council after public hearing, and 6) City is responsible for planning, installation, maintenance, and funding. Council concurred to move forward.
7. Review of organizations – Mr. L. Gilmour
  - Perry Houston County Airport Authority. Mr. Gilmour discussed the Perry-Houston County Airport Authority. Administration recommends that no changes be made to the Perry Houston County Airport Authority. Council concurred with Administration’s recommendation.
  - Perry Public Facilities Authority. Mr. Gilmour discussed the Authority review. Administration recommends no changes. Council concurred with Administration’s recommendation.
  - Perry Recreation Commission. Mr. Gilmour discussed the Commission review. Administration recommends repeal sections, eliminate commission, duties assumed by the Director of Leisure Services. Council concurred to eliminate the Perry Recreation Commission.
8. Capital fixed assets request. Mr. Gilmour provided to Council the proposed FY 2021 fixed asset schedule. Administration recommends Council concur with the fixed assets schedule for FY 2021. The consensus of the Council was to move forward.
9. Request to purchase city property. Mr. Gilmour discussed the request to purchase City greenspace. Administration recommends not to sell, not to allow any encroachment and not to lease. This item will be moved to Council’s August 18 pre-council agenda.
10. Consider proposed demolition assistance. Mr. Gilmour discussed the demolition assistance program. Administration recommend and subject to review by the City Attorney in lieu of payment the city would obtain the property title. The City will pay the property owner the assessed value of the land only. The City would demolish any structures. City would title the property to the Houston County Land Bank. This option is only available to parcels being charged the annual fees. Council Member Bynum-Grace was concerned about the demolition in Sand Hill and the citizens not being provided an option. This item will be tabled until Council gets better clarification.

3f. Community Development Department

1. Petition to install speed bumps on Stonegate Trail. Mr. Wood advised his office has received a petition to add speed bumps in the Stonegate Subdivision to deter speed. The petitioner gathered 38 signatures supporting the speed bumps. Council concurred to move forward with a defined plan.

4. Council Members Items:

Mayor Pro-Tempore King, and Council Members Bynum-Grace, Hunt, Albritton and Peterson had no reports.

Council Member Jones – Inquired about progress at Inverness.

Mr. Gilmour and Mr. Smith had no reports.

Ms. Newby – Provided an update on the 5<sup>th</sup> Judicial Order.

5. Department Head/Staff Items:

Ms. King, Mr. Worthington, Mr. Swan, Ms. Clark, Ms. Warren, Chief Parker, Ms. Hardin, Mr. Wood, Ms. Fitzner and Ms. Bryant had no reports.

Chief Lynn

- Thanked Council for putting vehicles in budget.
- Discussed disposal of surplus vehicles.

Ms. Turpin

- Trivia night August 21, 2020
- My Colorful Community Event September 11 – 13, 2020

Mayor

- Pre-Council meeting August 18 at 5:00pm
- Council Meeting August 18, at 6:00pm

6. Adjourn: There being no further business to come before Council in the work session held on August 17, 2020 Council Member Albritton motioned to adjourn the meeting at 7:33 p.m. Council Member Peterson seconded the motion and it carried unanimously.

MINUTES  
PRE COUNCIL MEETING  
OF THE PERRY CITY COUNCIL  
August 18, 2020  
5:00 P.M.

1. Call to Order: Mayor Randall Walker, Presiding Officer, called to order the pre council meeting held August 18, 2020 at 5:00 p.m.

2. Roll:

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

Elected Officials Absent: None

City Staff: City Manager Lee Gilmour, City Attorney Brooke Newby, and Record Clerk Regan Scott.

Departmental Staffing: Haley Bryant – Main Street Coordinator, Tabitha Clark – Communications Manager, Ansley Fitzner – Public Works Superintendent, Ashley Hardin – Economic Development Manager, Brenda King – Director of Administration, Chief Steve Lynn – Perry Police Department, Chief Lee Parker – Fire and Emergency Services Department, Fire Marshal Michael Paull – Fire and Emergency Services Department, Sedrick Swan – Director of Leisure Services, Bryan Wood – Director of Community Development, and Mitchell Worthington – Finance Director.

Guests: None

Media: Lauren Harris – Houston Home Journal

3. Items of Review/Discussion: Mayor Randall Walker

3a. Discussion of August 18, 2020 council meeting agenda.

6a. Proposed retaining of the operation at 14.050 mills. Ms. King stated that three hearings are required by law for this matter and that the subsequent hearings will be held on August 31, 2020 and September 1, 2020. Ms. King reminded all that rate had previously been 14.013 mills, noting that the reassessments in City of Perry warranted maintaining operations at the higher rate of 14.050 mills.

6b. State Minimum Fire Safety Standards Ordinance – Amending Chapter 5A and Sections 6-10 & 6-11 of the LMO. Mr. Wood stated he would review the proposed changes and be available to clarify as needed.



9a (1). A resolution authorizing a limited encroachment on city property. Mr. Gilmour advised that the resolution would allow for encroachment on city property at 757 Carroll Street by a limited step. Council Albritton inquired if the encroachment was the same as one previously proposed by another petitioner at a different location. Mr. Gilmour clarified that the circumstances in the previous situation differed. Council Member Peterson inquired about the possibility of the petitioner for the 757 Carroll Street property including signage to designate the doorway as an emergency exit with caution labels. Fire Marshal Paull stated that as is, the structure complies by having two points of egress and such measures were not required.

9a (2). A resolution establishing an ADA policy for structures in the downtown district. Mr. Gilmour stated that the proposed policy would assist all parties involved with addressing ADA access in the downtown district.

9a (3). A resolution establishing the policy for requesting and implementing traffic control devices on city streets. Mr. Gilmour advised that the proposed policy would provide a general outline for residents requesting the installation of traffic control devices.

9a (4). A resolution to require masks of the general public when using City Hall. Ms. Newby stated that the resolution would require members of the public to wear a mask while inside of City Hall and clarified that employees are already required to wear a mask at all times while inside of City Hall or in areas where they may encounter or interact with citizens. Mayor Walker stated that the order issued by Governor Kemp allows the City to require masks. Council Member Albritton shared concerns relative to the enforcement of the policy. Mr. Gilmour stated that it is the recommendation of administration to proceed with the understanding that it may be amended as needed.

9b (1). Bid No. 2021-04 – Heritage Oaks Park Landscape Maintenance. Mr. Worthington recommended awarding Bid No. 2021-04 to Real Turf Solutions in the amount of \$19,800.00.

9c (1). First Reading of the State Minimum Fire Safety Standards Ordinance – Amending Chapter 5A and Sections 6-10 & 6-11 of the LMO. Ms. Newby stated that no action would be required with this reading.

9d (1). Resolution amending the City of Perry Fee Schedule. Mr. Gilmour reported the resolution amends the City's fee schedule and recommended adoption of the resolution.

4. Other Business / Supplemental Agenda: Mayor Randall Walker

4a. Request for a reduced rental rate for the Main Hall at the Perry Arts Center. Mr. Gilmour stated it is the recommendation of Administration to deny the request to reduce the rental rate for the Main Hall at the Perry Arts Center. Council concurred to deny the request.

4b. Request to purchase city property. Mr. Gilmour advised that the parcel in question is useful for the City and stated it is the recommendation of Administration to deny the request to purchase. Council concurred to deny the request.

5. Council Member Items:

Mayor Walker, Mayor Pro Tempore King, Council Members Bynum-Grace, Albritton, Hunt, and Jones had no reports.

Council Member Peterson inquired about the work included in the contract for Bid No. 2021-04. Ms. Fitzner stated that the contract covers the cost for annual upkeep of Heritage Oaks Park.

Mr. Gilmour, Ms. Newby, and Mr. Smith had no reports.

6. Adjournment: There being no further business to come before Council in the pre council meeting held August 18, 2020, Council Member Albritton motioned to adjourn the meeting at 5:34 p.m. Council Member Hunt seconded the motion and it carried unanimously.

**MINUTES  
COUNCIL MEETING  
OF THE PERRY CITY COUNCIL  
August 18, 2020  
6:00 P.M.**

1. **Call to Order:** Mayor Randall Walker, Presiding Officer, called to order the council meeting held August 18, 2020 at 6:00 p.m.

2. **Roll:**

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

**Elected Officials Absent:** None

**City Staff:** City Manager Lee Gilmour, City Attorney Brooke Newby, and Record Clerk Regan Scott.

**Departmental Staffing:** Haley Bryant – Main Street Coordinator, Tabitha Clark – Communications Manager, Ansley Fitzner – Public Works Superintendent, Ashley Hardin – Economic Development Manager, Detective Jason Jones – Perry Police Department, Brenda King – Director of Administration, Chief Steve Lynn – Perry Police Department, Chief Lee Parker – Fire and Emergency Services Department, Fire Marshal Michael Paull – Fire and Emergency Services Department, Sedrick Swan – Director of Leisure Services, Bryan Wood – Director of Community Development, and Mitchell Worthington – Finance Director.

**Guests:** Bob Cunningham – 302 S. Houston Springs Blvd. and Ellen Palmer – Perry Area Chamber of Commerce.

**Media:** Lauren Harris – Houston Home Journal

3. **Invocation and Pledge of Allegiance to the Flag:**

Mayor Pro Tempore King rendered the invocation and Council Member Hunt led the pledge of allegiance to the flag.

4. **Community Partner(s) Update(s):**

Ms. Ellen Palmer thanked City of Perry on behalf of the Perry Area Chamber of Commerce for their support of the Drive-In Fireworks event in July. Ms. Palmer stated that the Chamber held the first Diversity Initiative meeting and are looking forward to the collaboration fostered by the discussions. Ms. Palmer stated the Chamber plans to host a virtual event for the Chamber's Annual Legislative Appreciation event in August and has planned an exciting event for Perry restaurants November 6-13.

5. Citizens with Input:

None

6. PUBLIC HEARING CALLED TO ORDER AT 6:07 P.M. Mayor Walker called to order a public hearing at 6:07 p.m. to provide any interested parties with an opportunity to express their views and concerns in accordance with O.C.G.A. Sec. 48-5-32 and O.C.G.A. 36-66-4.

6a. Proposed retaining of the operation at 14.050 mills.

Staff Report: Ms. King advised that due to property reassessments in City of Perry it is necessary to continue operations at 14.050 mills as opposed to reverting to the lower rate of 14.013 mills. Ms. King stated that subsequent hearings on the matter will be held on August 31, 2020 and September 1, 2020.

Public Input: Mayor Walker called for any public input for or opposed to the proposed rate.

For: None

Against: None

6b. State Minimum Fire Safety Standards Ordinance – Amending Chapter 5A and Sections 6-10 & 6-11 of the LMO.

Staff Report: Mr. Wood reviewed the proposed changes and stated that the amendments would remove redundancies in the current LMO.

Public Input: Mayor Walker called for any public input for or opposed to the amendments.

For: None

Against: None

PUBLIC HEARING CLOSED AT 6:13 P.M. Mayor Walker closed the public hearing at 6:13 p.m.

7. Review of Minutes: Mayor Randall Walker

7a. Council's Consideration – Minutes of the August 3, 2020 special called meeting, August 3, 2020 work session, August 4, 2020 pre council meeting, and August 4, 2020 council meeting.

Council Member Bynum-Grace motioned to accept the minutes as submitted, Council Member Jones seconded the motion, and it carried unanimously.

8. Old Business: Mayor Randall Walker

- 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. New Business: Mayor Randall Walker

9a. Matters referred from August 17, 2020 work session and August 18, 2020 pre council meeting.

- 1. A resolution authorizing a limited encroachment on city property – Mr. L. Gilmour.

Adopted Resolution No. 2020-44 authorizing a limited encroachment on city property. Mr. Gilmour advised that Administration recommended approval subject to conditions as previously discussed. Council Member Bynum-Grace motioned to accept the resolution, Council Member Jones seconded the motion, and it carried unanimously. *(Resolution 2020-44 has been entered into the City's official book of record.)*

- 2. A resolution establishing an ADA policy for structures in the downtown district – Mr. L. Gilmour.

Adopted Resolution No. 2020-48 establishing an ADA policy for structures in the downtown district. Mr. Gilmour stated that it is the recommendation of administration to approve the proposed policy. Council Member Jones motioned to approve the policy, Council Member Hunt seconded the motion, and it carried unanimously. *(Resolution 2020-48 has been entered into the City's official book of record.)*

- 3. A resolution establishing the policy for requesting and implementing traffic control devices on city streets – Mr. L. Gilmour.

Adopted Resolution No. 2020-49 establishing the policy for requesting and implementing traffic control devices on city streets. Mr. Gilmour stated that it is the recommendation of administration to approve the proposed policy. Council Member Jones motioned to approve, Council Member Albritton seconded the motion, and it carried unanimously. *(Resolution 2020-49 has been entered into the City's official book of record.)*

- 4. A resolution to require masks of the general public when using City Hall – Ms. B. Newby.

Adopted Resolution No. 2020-50 requiring masks of the general public when using City Hall. Ms. Newby stated that the resolution would

require members of the public to wear a mask when using City Hall. Council Member Bynum-Grace motioned to approve, Council Member Jones seconded the motioned, and it carried unanimously. (*Resolution 2020-50 has been entered into the City's official book of record.*)

9b. Award of Bid(s):

1. Bid No. 2021-04 Heritage Oaks Park Landscape Maintenance – Mr. M. Worthington

Mr. Worthington presented for Council's consideration an award of bid for Heritage Oaks Park Landscape Maintenance. There were two responsive bidders. Staff recommends awarding the bid to Real Turf Solutions in the amount of \$19,800.00. Council Member Albritton moved to award the bid to Real Turf Solutions in the amount of \$19,800.00. Council Member Jones seconded the motion and it carried unanimously.

9c. Ordinance(s) for First Reading(s) and Introduction:

1. **First Reading** of the State Minimum Fire Safety Standards Ordinance - Amending Chapter 5A and Sections 6-10 & 6-11 of the LMO – Ms. B. Newby. (*No action required by Council.*)

9d. Resolution(s) for Introduction and Adoption:

1. Resolution amending the City of Perry Fee Schedule – Mr. L. Gilmour.

Adopted Resolution No. 2020-51 approving an amendment to the City of Perry Fee Schedule. Council Member Bynum-Grace motioned to approve the resolution as submitted; Council Member Jones seconded the motion and it carried unanimously. (*Resolution 2020-51 has been entered into the City's official book of record.*)

10. Council Members Items:

Council Member Bynum-Grace stated she has received numerous requests for another Virtual Dance Party and that many people enjoyed the event.

Council Members Albritton, Hunt, Jones, and Peterson had no reports.

11. Department Heads/Staff Items:

Mr. Wood reminded all to complete the 2020 Census, either online or in person with census takers who will be working in the area. The deadline is September 30<sup>th</sup>.

Chief Lynn advised that the initial assessment of surplus police vehicles was relatively low, with the estimated value of each vehicle at \$1,000.00 per vehicle. Chief Lynn recommended seeking other agencies that may find the vehicles to be more valuable.

Administration recommended proceeding with identifying other agencies. Council concurred.

Mr. Swan reported that the children's Traffic Park in Creekwood Park has recently had stop signs installed. Leisure Services will host a bicycle safety course for youth on September 5<sup>th</sup>.

Ms. Clark stated that a video has been released to all City social media platforms showing City of Perry employees at work while wearing masks to promote health and safety.

Ms. Hardin advised that the new commercial property at 402 Courtney Hodges Blvd. is ready for promotion and has already received inquiries from potential tenants. Ms. Hardin presented a promotional flyer to Council.

12. General Public Items:

Ms. Palmer stated that the Perry Area Chamber of Commerce Leadership Perry 2020 class has continued successfully and will end with a graduation ceremony in November.

13. Mayor Items:

Mayor Walker reminded all of the next Council Work Session, Pre Council, and Council Meetings, to be held August 31<sup>st</sup> and September 1<sup>st</sup>.

14. Executive Session entered at 6:34 p.m.: On a motion by Council Member Hunt, seconded by Council Member Peterson, and carried unanimously, Council went into executive session for real estate.

15. Executive Session adjourned at 7:05 p.m.: Council adjourned the executive session held August 18, 2020 and reconvened into the Council's regular meeting.

16. Adopted Resolution No. 2020-52 stating the purpose of the executive session held on August 18, 2020 was real estate. On a motion by Council Member Albritton, seconded by Council Member Jones and carried unanimously adopted a resolution stating the purpose of the executive session held on August 18, 2020 was to discuss real estate. No action was taken. (*Resolution No. 2020-52 has been entered in the City's official book of record.*)

17. Adjournment: There being no further business to come before Council in the council meeting held August 18, 2020, Mayor Pro Tempore King motioned to adjourn the meeting at 7:06 p.m. Council Member Bynum-Grace seconded the motion, and it carried unanimously.

STATE OF GEORGIA  
COUNTY OF HOUSTON

**AN ORDINANCE TO AMEND CHAPTER 5A FIRE PROTECTION OF THE CODE OF THE CITY OF PERRY, GEORGIA; TO AMEND SECTION 6-10 SITE DEVELOPMENT AND RELATED INFRASTRUCTURE AND SECTION 6-11 PRIVATE DEVELOPMENT STANDARDS WITHIN ARTICLE 6 OF THE LAND MANAGEMENT ORDINANCE OF THE CITY OF PERRY, GEORGIA; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER LAWFUL PURPOSES.**

**WHEREAS**, Chapter 5A of the Code of the City of Perry, Georgia regulates fire protection within the City; and

**WHEREAS**, Sections 6-10 and 6-11 of Article 6 of the Land Management Ordinance regulate, among other things, fire protection requirements for site development and related infrastructure within development and design standards throughout the City; and

**WHEREAS**, the City adopted Resolution No. 2005-03 to transfer enforcement authority with respect to certain buildings and structures from the Georgia Safety Fire Commissioner to the City; and

**WHEREAS**, said Resolution stated the City's intention to adopt and enforce the State Minimum Fire Safety Standards throughout the City; and

**WHEREAS**, the Mayor and Council have therefore determined that it is in the best interest of the City's residents to codify its adoption of the State Minimum Fire Safety Standards as the fire protection standards and requirements throughout the City.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF PERRY HEREBY ORDAINS**, while in a Regular called Council meeting on the 1st day of September, 2020 at 6 p.m. as follows:

**SECTION 1.** That this Ordinance relating to amending Chapter 5A-*Fire Protection* of the Code of the City of Perry, Georgia, is hereby adopted and approved as follows:

**Section 5A-1. Definitions shall be amended to add the following terms and phrases into the existing terms and phrases of Section 5A-1 in alphabetical order:**

*Alarm system* means any mechanized and/or electronic device or set of devices intended to detect and signal the need for fire protection at any premises in which such device or set of devices is installed.

*Alarm user* means, with respect to any premises, any individual, partnership, association, public or private corporation, governmental entity or other person or group who owns, leases, manages, or otherwise controls such premises, whether such ownership, leasing, management, or control is shared with other persons and whether it is direct or indirect.

*False alarm* means the transmittal of a request for response or assistance to the Perry Fire and Emergency Services Department under circumstances where no emergency warranting fire protection existed at the time of such transmittal, and where such transmittal is made either automatically by an alarm system or by an individual.

*Premises* means any structure or improvement to real property or any such structure or other improvement which is intended for separate use and occupancy apart from other portions thereof.

*Responsible person* means, with respect to any premises, any individual or entity which owns, leases, manages, or otherwise controls such premises, whether such ownership, leasing,



management, or control is shared with other persons or entities and whether it is direct or indirect.

*Transmit* means to send either manually or automatically, by any device or method, a signal to request a response or assistance from the Perry Fire and Emergency Services Department.

**Section 5A-2. *Applicability of State Minimum Fire Safety Standards shall be added as follows:***

- (a) Pursuant to Resolution No. 2005-03, and O.C.G.A. §25-2-12(b), the city adopts the state minimum fire safety standards established in the rules and regulations promulgated pursuant to Chapter 2 of Title 25 of the Official Code of Georgia annotated, including all subsequent revisions thereof. The City of Perry will enforce the state minimum fire safety standards as set forth in Chapter 120-3-3-.04 of the Rules of the Safety Fire Commissioner, as amended. All buildings and structures, within the jurisdiction of the city shall be inspected, as often as may be necessary.
- (b) The city specifically adopts by this reference thereto *Appendix B- Fire-flow Requirements for Buildings* and *Appendix C- Fire Hydrant Locations and Distributions* of the edition of the *International Fire Code* currently adopted by the State of Georgia, as amended to include any subsequently adopted editions.
- (c) The City of Perry, through its fire chief and fire marshal, will be responsible for enforcing such fire safety standards within its jurisdiction and will:
  - (1) Conduct fire safety inspections on existing buildings and structures;
  - (2) Conduct fire safety inspections at various intervals of all construction work pertaining to fire codes, including but not limited to, a 50 percent, 80 percent, and 100 percent inspection;
  - (3) Conduct fire safety inspections of a building or structure upon substantial construction changes to the building or structure; upon any change in the use or occupancy of any building or structure that would place the structure in a different division of the same group or occupancy or in a different group of occupancies; upon a change of ownership in an alcoholic beverage license or a new location of an alcoholic beverage license; and at least every five (5) years for any building or structure with an existing certificate of occupancy.
  - (4) Review plans and specifications for renovations or repairs to existing buildings, structures, and developments;
  - (5) Review plans and specifications for new construction and proposed buildings, structures, and developments;
  - (6) Review all plans and specifications for fire alarm systems, fire sprinkler and other fire suppression systems;
  - (7) Issue/approve permanent and temporary certificates of occupancy in conjunction with the Chief Building Official;
  - (8) Conduct inspections for special events, mass gatherings, tents, public fireworks displays, and outdoor burning as required; and
  - (9) Conduct origin and cause and arson investigations.
- (d) The state minimum fire safety standards shall apply to all structures in the city, provided that one-family and two-family dwellings and two-family row houses (townhouses) separated by a two-hour fire wall shall be exempted. Nothing in this section shall be construed so as to prohibit fire service personnel from making inspections of any state owned and operated or occupied building or structure listed in

O.C.G.A. §25-2-13 and from filing reports of such inspections with the Office of the Safety Fire Commissioner.

- (e) The City of Perry will charge and retain appropriate fees for performing the above listed duties in accordance with the fee schedule established by the city.

**Section 5A-3. *Applicability of the Georgia Accessibility Code shall be added as follows:***

The city adopts the requirements for accessibility to and use of public facilities as established in the rules and regulations promulgated pursuant to Chapter 3 of Title 30 of the Official Code of Georgia annotated, including all subsequent revisions thereof. The City of Perry will enforce the state accessibility code as set forth in Chapter 120-3-3-.08 of the Rules of Safety Fire Commissioner.

**Section 5A-4. *Pre-planning Meeting Required for All Non-residential Permit Requests shall be added as follows:***

Prior to the issuance of any non-residential permit, a pre-planning meeting with the fire marshal, owner or owner's designated representative, contractor, and/or design professional for the permit requested shall be required. Non-residential permits shall include any and all permits that are not for one-family and two-family dwellings.

**Section 5A-5. *Request for Modification and Authority to Amend Article shall be added as follows:***

Pursuant to Rule 120-3-3-.06 of the Safety Fire Commissioner, whenever there are practical difficulties involved in carrying out the provisions of this Code, the fire marshal in conjunction with the fire chief, shall have power to modify any of the provisions of this article of the Code of the City of Perry upon an application in writing by the owner or lessee, or a duly authorized agent.

(a) The application shall be in the form as approved by the fire chief, but shall at a minimum include:

- (1) reference to specific fire code(s) the applicant is requesting an interpretation or equivalency from;
- (2) justification of interpretation or equivalency as well as identifying relief being requested; and
- (3) identification of alternative method to code requirement.

(b) Upon receipt of an application, the fire marshal may consult with the director of community development, the chief building official, city engineering or any other state or local entity to assist. The fire marshal may also request a letter from the applicant's attorney and/or insurance company requesting confirmation of the applicant's request for code interpretation and statement of support or objection to applicant's interpretation of the fire code. The fire marshal in his/her discretion may take such other investigatory steps as deemed appropriate to fully evaluate the application, including requesting additional information from the applicant.

(c) The fire marshal shall issue a decision on the application within ten days of receipt of a completed application. An application shall not be deemed complete if the fire marshal has requested any information from the applicant, which has not been provided.

(d) The particulars of such modification, when granted or allowed, and the decision of the fire chief and fire marshal thereon shall be entered upon the records of the fire department and a signed copy shall be furnished to the applicant.

**Section 5A-6. *Appeals shall be added as follows:***

Any person aggrieved by an action of the fire chief, the fire marshal or other employee of the city fire department including, but not limited to, disapproval of an application, refusal to grant a permit, a determination that the fire code or city ordinances does not apply or has been misconstrued, but excluding those actions or violations which are within the purview of the state

fire marshal or code violations which are subject to the jurisdiction of municipal, state or federal court, may appeal to the State Fire Marshal's Office.

In the event of a delay for review of the appeal by the State Fire Marshal's Office, an aggrieved person may submit a request for the city manager to submit the appeal for review to a fire marshal of a municipality that is located outside of the middle Georgia region and is comparable to the population and demographics of the City of Perry.

**Section 5A-7. *Response to Malfunctioning and/or False Alarms shall be added as follows:***

(a) It shall be a violation of this article for anyone to transmit a false alarm.

(b) All false alarms to a premise within a four-hour period shall be considered as one violation. For the first two false alarms within a calendar year at any premises there shall be no penalty assessed and a written warning shall be provided. Written warnings for first and second false alarms shall be hand delivered or mailed to any responsible person, or posted on the door of the premises or in a prominent location on the premises where the alleged violation occurred. Failure to make, deliver, mail, or receive any warning shall not affect any subsequent enforcement efforts or the penalty for any subsequent false alarm.

(c) Penalties for false alarms will be assessed in accordance with the fee schedule established by the city.

(d) If any alarm user alleges that an extraordinary or unusual circumstance led to their false alarm such that the false alarm should not be counted against them, and the false alarm is only their first or second false alarm for one calendar year, then an appeal may be instituted. The appeal shall be in writing to the fire marshal within five days of the false alarm. Upon notice of such appeal, the fire marshal shall issue a finding as to whether the false alarm warning shall stand.

(e) This section shall have no application to alarms requesting assistance from the Perry Police Department.

**Section 5A-8. *Emergency Entrance Key Lock Box and Access Products shall be added as follows:***

When fires occur in buildings, the fire personnel are faced with issues of access to and entry into the structure. Access to and entry into the structure, in some cases, must be made with force which is time consuming and demands extra energy by fire personnel. In order to expedite entry into a structure and to aid the fire personnel in the task of extinguishment, the following requirements have been developed:

(a) All new occupancies and all existing occupancies that experience a change of ownership, change of tenant/lessee, remodel or addition/expansion of the structure where access to or within a structure or area is restricted because of secured openings or where immediate access is necessary for life-saving or firefighting purposes, the fire marshal or his/her designee is authorized to require a key lockbox to be installed in an accessible location. The key lockbox shall be of an approved type and shall contain keys to gain access to the structure or area as required by the fire marshal or his/her designee. A solid walking surface is required from any sidewalk to the key lockbox and such lockbox shall not be obstructed by tree, shrubs, fixtures, or the like.

(b) All commercial businesses that use, store, manufacture or process hazardous materials and are required to have a hazardous materials inventory statement (HMIS) or hazardous materials management plan (HMMP) shall install on the exterior in close proximity to the rapid access key box, a KNOX® document cabinet for the storage of required inventory documents and/or plan.

(c) The fire marshal has designated the type of key lock box and other access systems to be implemented within the city that meet the standards contained in the International Fire Code (IFC) as the KNOX® Rapid Access Key Box and other KNOX® Access Products. The fire marshal shall have the authority to require all structures to use said designated system.

(d) The following types of buildings or structures shall be equipped with a KNOX® key lockbox to be located at or near the right side of the recognized public entrance, with such location to be approved by the fire marshal or his/her designee:

- (1) All commercial buildings;
- (2) All industrial buildings;
- (3) All multifamily buildings;
- (4) All gated fire department access roadways, including but not limited to apartments, condominiums, and residential developments; and
- (5) All hotels and motels.

(e) The key lockbox shall contain keys for the following and shall be labeled so as to be easily identifiable in the field by responding personnel:

- (1) Keys to the locked points of egress, whether on the interior or exterior of such structure;
- (2) Keys to the locked mechanical rooms;
- (3) Keys to the locked elevator rooms;
- (4) Keys to the elevator controls;
- (5) Keys to any fence or secured area;
- (6) Keys to any alarm room area or any room where an alarm panel is installed;
- (7) Keys to any alarm panels or alarm boxes;
- (8) Keys or any additional special tools/items needed to reset pull stations; and
- (9) Keys to any other area as directed by the fire marshal or his/her designee.

(f) The key lockbox shall be located at a height of not less than five feet and not more than six feet above final grade/surface. Such key lockbox need not be supervised by an alarm system.

(g) The owner or tenant/lessee of the building shall immediately notify the fire marshal's office and provide the new key where a lock is changed or rekeyed within 10 days. The key to such lock(s) shall be tagged and secured in the key box.

(h) Fire Department Connections (FDC's) on fire sprinkler systems shall utilize and install the KNOX® FDC cap(s) for the protection of the fire sprinkler system from unauthorized tampering, vandalism and sabotage.

(i) Electric or manual gates that obstruct any required fire apparatus access road, path, drive or lane shall utilize and install the KNOX® gate override key switch on electrically operated/actuated gates and the KNOX® padlock for all manual gates.

(j) Electric or manual roll up doors or gates that obstruct access to the interior of a building or structure shall utilize the KNOX® gate override key switch on electrically operated/actuated roll up doors gates and the KNOX® padlock for all roll up doors/manual gates where a key contained in the KNOX® box will not operate from the exterior of the building or structure.

(k) Power Disconnect/Shunt Trip for buildings, structures and facilities that utilize 400 amp or greater service and/or have a CT meter and/or have 3 phase power shall utilize the KNOX® remote power disconnect as the required means of disconnect of service entrance conductors

**SECTION 2.** That this Ordinance relating to amending section 6-10 *Site Development and Related Infrastructure* and section 6.11 *Private Development Standards* of Article 6 of the Land Management Ordinance of the City of Perry, Georgia, is hereby adopted and approved as follows:

**Subsection 6-10.13 of Section 6-10, Article 6 of the Land Management Ordinance is hereby deleted in its entirety and replaced as follows:**

6-10.13. *Fire hydrant systems.* In addition to pertinent provisions of other fire protection codes adopted by the City of Perry, fire hydrant systems shall comply with the following:

(a) *Access to structures.* Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than four hundred (400) feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

*Exceptions:*

- (i) For Group R-3 and Group U occupancies, the distance requirement shall be six hundred (600) feet.
- (ii) For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Sections 903.3.1.1 or 903.3.1.2 of the *International Fire Code*, the distance requirement shall be six hundred (600) feet.

(b) *Spacing along streets.* The travel distance between one hydrant and the next hydrant along a street shall be no greater than five hundred (500) feet in residential developments and no greater than three hundred (300) feet in commercial developments. Hydrants shall be located prior to the entrance of a cul-de-sac and not within a cul-de-sac.

**SECTION 3.** That this Ordinance relating to amending other conflicting provisions within the Land Management Ordinance of the City of Perry, Georgia, is hereby adopted and approved as follows:

**Subsection (E) of Section 6-10.2 of Article 6 of the Land Management Ordinance is amended as follows:**

(E) *Cul-de-sacs.* Cul-de-sacs, or dead-end streets, shall be provided at the closed end with a turnaround meeting the specifications of Sec. 6-10.10, roadway surfacing and paving.

**Subsection (C) of Section 6-10.10 of Article 6 of the Land Management Ordinance is amended as follows:**

(C) *Minimum pavement width.* All minor residential streets shall have a minimum pavement width of twenty-seven (27) feet from back of curb to back of curb. All other street width requirements shall be determined by the Commission and the Council as required. For cul-de-sacs and other dead end streets, a turnaround meeting the standards in *Appendix D* of the *International Fire Code*, as adopted in the Georgia State Minimum Fire Safety Standards, shall be provided at the closed end of the street.

**Subsection (A)(2)(c) of Section 6-11.2 of Article 6 of the Land Management Ordinance is amended as follows:**

(c) Cul-de-sac – Turn-around to meet the specifications set out in Sec. 6-10.10, roadway surfacing and paving.

**SECTION 4.** That all Ordinances, parts of Ordinances, or regulations in conflict herewith are hereby repealed.

**SECTION 5.** This Ordinance shall become effective upon its adoption.

**SO ENACTED** this 1<sup>st</sup> day of September, 2020.

**CITY OF PERRY, GEORGIA**

By: \_\_\_\_\_  
Randall Walker, Mayor

Attest: \_\_\_\_\_  
Annie Warren, City Clerk

1<sup>st</sup> Reading: August 18, 2020

(SEAL)

2<sup>nd</sup> Reading: September 1, 2020



# GWES

**Perry - Brunswick**

P.O. Box 2055 / 733 Carroll Street  
Perry, Georgia 31069  
(478) 235-0307 www.gwesllc.com

August 13, 2020

Mr. Chad McMurrian  
Lead Engineering Technician  
City of Perry  
PO Box 2030  
Perry, GA 31069

**RE: CDBG Creekwood Storm Drainage Improvements  
Recommendation to Re-Bid  
GWES Project No. 033.31.3.19**

Mr. McMurrian,

This letter shall serve as our Recommendation to Re-Bid the subject project.

During advertisement of the project, bid solicitation included invitations to eighteen (18) contractors as well as inclusion on the Georgia Procurement Registry. Prior to the mandatory pre-bid meeting, all solicited contractors were reminded to attend. The mandatory pre-bid meeting, held on July 21, 2020, was attended by two (2) contractors. During the meeting, the grant writers, City staff, and GWES discussed re-bidding the project immediately. Since the minimum requirements for CDBG projects had been met, it was agreed to proceed with the bid opening.

After advertisement, sealed bids were received until 10:00 a.m., August 4, 2020, at Perry City Hall and thereafter publicly opened, read, and recorded. We have examined the submitted bid and determined that Sam Hall & Sons, Inc. is the low responsive bidder. The Total Base bid submitted was \$1,118,725.00. The project construction budget set for storm drainage and street improvements is \$538,475.00.

After review of bid amount, GWES evaluated scope increase to the project during the design phase. Two major factors in scope increase were noted at the request of City: (1) expanding the existing stormwater detention facility to meet current City standards and (2) additional storm drainage infrastructure on Riley Street to accommodate a contributing property owner. Another intangible factor is the current, local market. Local contractors are busy, and most are not capable of taking on this project at this time.

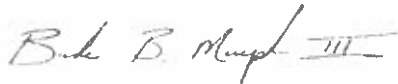
It is our recommendation that the City re-bid the project with the following approach:

1. Value engineer the project to the original scope.
2. Delay the Construction Notice to Proceed until January 2, 2021.

If you have any questions or require additional information, please contact us.

Respectfully,

**GWES, LLC**



Burke B. Murph III, PE, MBA

Principal

478.235.0307

[burke.murph@gwesllc.com](mailto:burke.murph@gwesllc.com)

Cc: Mr. Lee Gilmour, City Manager  
Mr. Bryan Wood, Community Development Director  
Mrs. Sherry Kurtz, Grant Writer Specialists



**Bid Submittal Summary Sheet**

**Bid Title/Number:** 2021-05 Fire Marshal SUV

**M&CC Meeting Date:** 9/1/2020

**Funding Source:** Fire Protection Fund

**Budgeted Expense?** Yes

<b>Responsive Bidders:</b>	<b>Bid Amount</b>
Phil Brannen Ford of Perry	\$ 43,000.00
Prater Ford, Inc	\$ 44,878.92

**Posting Sources:**

City of Perry's Website: [www.perry-ga.gov](http://www.perry-ga.gov)  
GA Procurement Registry: <https://ssl.doas.state.ga.us/PRSapp/>

**Department Recommendation:**

Vendor: Phil Brannen Ford of Perry

Amount: \$ 43,000.00

Department: Vehicle Maintenance


Department Representative: Bob Taylor, Vehicle Maint Manager

**Purchasing Agent Recommendation:**

Vendor: Phil Brannen Ford of Perry

Amount: \$ 43,000.00

Purchasing Agent: Mitchell Worthington, Finance Director

Signature: 



MEMO

To: Mayor & Council

From: Elizabeth Nelson, Tax & License Specialist I

Ref: Alcohol License

Date: 08/25/2020

Application for Alcohol License (Beer/Wine on premises):

Derby Inn  
200 Valley Dr  
Perry GA 31069

224-875-8922

Manager: Tushar Patel

1<sup>st</sup> Reading \_\_\_\_\_

2<sup>nd</sup> Reading \_\_\_\_\_

cc: Lee Gilmour  
Annie Warren

Resolution No. \_\_\_\_\_

Adopted \_\_\_\_\_

**A RESOLUTION  
ESTABLISHING THE 2020  
AD VALOREM MILLAGE RATE  
FOR THE CITY OF PERRY**

**WHEREAS**, the City has complied with the provisions of O.C.G.A. 48-5-32, as amended, relative to advertising the millage rate history and proposed rate increase; and

**WHEREAS**, the Council has held the required three (3) public hearings to advise of its intention to retain the current millage rate; and

**WHEREAS**, the Council has adopted the FY 2020 Operating Budget in Ordinance No. 2020-07;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PERRY**, that the ad valorem millage rate for the City’s maintenance and operations for Fiscal Year 2021/tax year 2020 is established at 14.050 mills.

**SO RESOLVED**, this \_\_\_\_\_ day of September 2020.

CITY OF PERRY

By: \_\_\_\_\_  
RANDALL WALKER, MAYOR

City Seal

Attest: \_\_\_\_\_  
ANNIE WARREN, CITY CLERK

**A RESOLUTION  
DECLARING CERTAIN VEHICLES AND EQUIPMENT SURPLUS**

**WHEREAS**, the Department of Administration – Vehicle Maintenance Division is recommending certain vehicles be declared surplus; and

**WHEREAS**, the Department is requesting authorization to proceed with disposal of said vehicles.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF PERRY HEREBY RESOLVES** that

Section 1      The following vehicles are declared surplus and shall be disposed of per City process:

<u>Vehicle #</u>	<u>Description</u>	<u>Department</u>	<u>Condition</u>
1319	2013 Ford Interceptor	Police	Poor
1320	2013 Ford Interceptor	Police	Poor
1323	2013 Ford Interceptor	Police	Poor
1359	2014 Ford Interceptor	Police	Poor
1260	2011 Ford Taurus	Police	Poor
1261	2011 Ford Taurus	Police	Poor
1148	2008 Ford Crown Vic	Police	Poor

**SO RESOLVED**, this \_\_\_\_\_ day of September 2020.

CITY OF PERRY

By: \_\_\_\_\_  
RANDALL WALKER, MAYOR

City Seal

Attest: \_\_\_\_\_  
ANNIE WARREN, CITY CLERK

**A RESOLUTION**

**BE IT RESOLVED** by the Mayor and City Council of the City of \_\_\_\_\_  
that \_\_\_\_\_ is hereby appointed to serve as this City's voting delegate on  
the Municipal Gas Authority of Georgia's Election Committee, with authority to cast all votes to  
which this City is entitled. \_\_\_\_\_ is appointed as alternate voting  
delegate.

This \_\_\_ day of \_\_\_\_\_, 2020.

**CITY OF** \_\_\_\_\_

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Councilmember

\_\_\_\_\_  
Councilmember

ATTEST:

\_\_\_\_\_  
City Clerk

[SEAL]