

Planning Commission Agenda
Minutes - November 18, 2024

1. Call to Order: Chairman Edwards called the meeting to order at 6:00pm.
2. Roll Call: Chairman Edwards; Commissioners Hayes, Jefferson, Guidry, Mehserle, Ross and Williams were present.

Staff: Bryan Wood – Community Development Director, Emily Carson – Community Planner, and Christine Sewell – Recording Clerk

Guests: John Michael Cosey -Bryant Engineering

3. Invocation: was given by Commissioner Jefferson
4. Approval of Minutes from October 7, 2024, regular meeting and October 28, 2024, work session
Commissioner Guidry motioned to approve as submitted; Commissioner Ross seconded; all in favor and was unanimously approved.
5. Announcements- Chairman Edwards referred to the notices as listed
 - Per O.C.G.A. 36-67A-3 if any opponent of a rezoning or annexation application has made campaign contributions and/or provided gifts totaling \$250 or more within the past two years to a local government official who will consider the application, the opponent must file a disclosure statement.
 - Policies and Procedures for Conducting Zoning Hearings are available at the entrance.
 - Please place phones in silent mode.
6. Citizens with Input – None
7. Old Business – None
8. New Business
 - A. Informational Hearing (Planning Commission recommendation – Scheduled for public hearing before City Council on December 17, 2024)
 1. **RZNE-0131-2024**. Rezoning of property located at 1218 Washington Street, 104 Mims Court, and 108 Mims Court from C-3 to NMU. The applicant is Bryant Engineering.

Ms. Carson read the applicants' request which was to rezone from C-3 to NMU, Neighborhood Mixed Use, along with staff responses. Ms. Carson noted the application included a proposed site plan for the development of single family residential.

Chairman Edwards opened the public hearing at 6:05pm and called for anyone in favor of the request. Mr. John Michael Cosey on behalf of the applicant had nothing further to add. Chairman Edwards called for anyone opposed; there being none the public hearing was closed at 6:07pm.

Chairman Edwards inquired about the proposed development; Mr. Cosey advised it was compromised of nine cottage style homes 1200-1500 square feet with parking to match the adjoining property Bank of Dudley.

Mr. Wood advised the request for NMU, which is under the form-based code and the proposal is a use allowed in that district, which allows for smaller lot sizes and a common space for gathering and parking on the side. Mr. Wood advised Commissioner Mehserle contacted him regarding the parking that it is shown fronting Washington Street and felt that it was not ideal, which Mr. Wood

advised the ordinance states it cannot be adjacent to a street. Mr. Wood noted the layout of the proposed site may dictate a dwelling on that corner, but that was uncertain. Mr. Wood also advised he has spoken with Chad Bryant about perhaps incorporating a vertical wall for separation for the parking and corner of the lot. Commissioner Mehserle reiterated Mr. Wood's comments and felt the layout is not suitable with the parking as shown and is not in favor of placing another parking lot on a street. Commissioner Hayes asked if the site couldn't be reconfigured for the parking location and could the rezoning change still be requested; Mr. Wood advised it could be as there are more uses allowed under NMU and further noted the applicant has provided previous proposals for the parcels, but this proposal is economically feasible from previous submissions. Commissioner Mehserle strongly felt the parking could be moved to the west of the property. Mr. Wood reminded the Commission a decision is not to be made on the proposed plan, but the zoning classification, which again allows for more options than currently zoned. Commissioner Jefferson asked for the pros and cons of tabling, recommending denial or approval. Mr. Wood advised if the application moves forward with a recommendation of denial or approval, Council has the final decision, if tabled it will allow the applicant to provide an alternate layout, and the applicant from his understanding is requesting the NMU zoning as it more marketable and finally as a reminder conditions can be placed on any recommendation. Commissioner Ross asked if the housing would address the need for affordable housing; Mr. Cosey felt that it would.

Commissioner Mehserle motioned to table the request until the next Planning Commission meeting to allow the applicant to address comments and make changes regarding the parking location; Commissioner Ross seconded; all in favor with Commissioner Hayes opposed; resulting in 6-1 to table.

2. **TEXT-0127-2024.** Amendment to Table of Uses 4-1.1 to add the use Animal Shelter and Adoption Service as permitted in the M-1, Wholesale & Light Industrial District and add the use Data Center as use permitted by a special exception in the M-2, Industrial Zoning District. Add a definition and use description for Data Center to Sec. 1-13 and Sec. 4-2.5 (B). The applicant is the City of Perry.

Ms. Carson read the request, which was an amendment that establishes a definition of and zoning designation for the 'Data Center' land use in the M-2, Industrial zoning district through a special exception in a proactive effort to plan for the arrival of such facilities. Data centers are becoming more popular throughout the country, using large amounts of power and water and emitting constant noise. The city wants to avoid reactionary efforts relative to this use as much as possible. The proposed amendment also adds the use 'Animal shelter and adoption service' by right in M-1, Wholesale & Light Industrial zoning districts. This use is complementary to existing uses in this district, emitting some noise without negatively impacting the quality of life for surrounding property owners, along with staff responses.

Chairman Edwards opened the public hearing at 6:34pm and called for anyone in favor or opposed to the request; there being none the public hearing was closed at 6:35pm.

Commissioner Ross motioned to recommend approval of the amendment as presented; Commissioner Jefferson seconded; all in favor and was unanimously recommended for approval.

3. **TEXT-0133-2024.** Amend sections 2-3.16 and 2-3.17 to allow bonds as an acceptable form of maintenance warranty. The applicant is the City of Perry.

Mr. Wood read the request which was to allow bonds as an acceptable form of maintenance warranty and remove City Manager approval for use of bonds. The development community requested this change and City Administration agreed that bonds are acceptable for maintenance warranties in addition to the currently accepted letter of credit, along with staff responses.

Chairman Edwards opened the public hearing at 6:38pm and called for anyone in favor or opposed to the request; there being none the public hearing was closed at 6:39pm.

Commissioner Williams motioned to recommend approval of the amendment as presented; Commissioner Mehserle seconded; all in favor and was unanimously recommended for approval.

9. Other Business - Mr. Wood advised the 2025 hearing schedule has been completed and wanted to make the Commission aware of a change due to conflicts with Council meetings throughout the year; the change is meetings the Monday following the second Tuesday; the Commission concurred with the change.
10. Commission questions or comments- None
11. Adjournment: there being no further business to come before the Commission the meeting was adjourned at 6:45pm.