

Planning Commission
Minutes - August 12, 2024

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

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

Guests: Scott Ritchie, Brandon Bolt, and Tyler Findley

3. Invocation: was given by Commissioner Mehserle
4. Approval of Minutes from July 8, 2024, regular meeting – Commissioner Hayes motioned to approve with correction as noted; 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. Public Hearing (Planning Commission decision)
 1. **VAR-0094-2024**. Variance to reduce the setback for signs located at 1309 Main Street. The applicant is the City of Perry.

Ms. Carson advised the application was submitted by the City for a variance to reduce the setbacks for the monument signs. The signs for the VA Clinic were installed in the right-of-way due to an oversight by the Community Development Department during the plan review stage of permitting. Since the signs were permitted at the present locations, the City would be responsible for relocating them. Attempting to do so would cause a significant cost for taxpayers (\$119,120). Therefore, the City is requesting a variance of the identified section of the LMO to allow the signs to remain as installed. Ms. Carson further noted the property is triangular in shape with a steep slope down from Houston Lake Drive to the parking lot. The sign fronting Houston Lake Drive would require additional brick foundation height if set further back from the street. This sign was installed closer to the street than shown on the permitted plan, causing it to be located in the right-of-way. The City purchased additional right-of-way along Main Street adjacent to the new VA Clinic to install a sidewalk. The site plan submitted with the permit application showed the existing right-of-way and a “proposed ROW.” The Community Development Department failed to impose the required 10’ setback for both signs before issuing the sign permit. The locations of the signs do not impair the use and enjoyment of adjoining and neighboring properties and do not impact vehicular or pedestrian traffic on either street.

Chairman Edwards opened the public hearing at 6:07pm and called for anyone in favor or opposed to the request; there being none the public hearing was closed at 6:08pm.

Chairman Edwards inquired if there was site distance concerns when exiting the property on the Houston Lake Drive side; Mr. Wood advised there was not, and it met the site distance requirements.

Commissioner Guidry inquired about the fire hydrant if it was a site obstruction; Mr. Wood advised it also was not and exceeds the requirements of the fire department and their standards.

Commissioner Ross motioned to approve the variance as submitted; Commissioner Jefferson seconded; all in favor and was unanimously approved.

B. Informational Hearing (Planning Commission recommendation – Scheduled for public hearing before City Council on September 3, 2024)

1. **SUSE-0098-2024.** Special exception for short-term rental for property located at 223 E. River Cane Run. The applicant is Leo Chavez. (*Applicant has withdrawn request*)
2. **TEXT-0097-2024.** Text amendment to Sec. 2-1.2.1 to provide a process for appointing members of the Planning Commission based on recent practice. The applicant is the City of Perry.

Mr. Wood advised the proposed amendment was for Sec. 2-1.2.1 of the LMO to codify Council's policy for appointing Planning Commissioners. The proposed amendment establishes City Council as the body ratifying each nominee to the planning commission. It requires potential candidates to have a Statement of Interest on file with the City Clerk and to be interviewed by the nominating person and the administrator (of the LMO). The amendment provides broad criteria for evaluating potential commissioners: *Members of the commission shall be appointed in consideration of their professional expertise, knowledge of the community, and concern for the future welfare of the total community and its citizens. Membership shall represent a broad cross section of the interests and concerns of persons residing and doing business within the city, along with staff responses.*

Chairman Edwards opened the public hearing at 6:12pm and called for anyone in favor or opposed to the request; there being none the public hearing was closed at 6:13pm.

Chairman Edwards inquired what is cause for dismissal; Mr. Wood advised it is looked at on a case-by-case basis, but as defined in the amendment it could be for malfeasance, misfeasance, or nonfeasance in the performance of duties. Commissioner Jefferson asked about the statement of interest; Mr. Wood advised this process has been done for the past three years and it allows for persons who are truly interested in serving be interviewed. Commissioner Mehserle liked that it strengthened the process for appointees.

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

9. Other Business

1. Notting Hill PUD Preliminary Concept Review

Mr. Wood advised per the recent changes to the PUD standards and procedures, the Planning Commission is required to provide input on a PUD concept before the regulating plan is finalized. The applicant/developer, Edgar Hughston Builder, Inc. is proposing a PUD on a 119.46-acre tract of land on Langston Road, between U.S. Hwy 41 and the existing Notting Hill subdivision, currently zoned R-1 and R-3. The plan carves out 5 acres for a daycare facility. 28.6 acres is proposed open space, and the remaining 85.88 acres will be divided into 255 residential lots with a minimum lot size of 8,000 square feet. Access will be provided via two existing streets in Notting Hill, and a new connection to Langston Road. The daycare tract is located on Langston Road at the entrance to the PUD. There does not appear to be any unique and integrated mix of uses. The developer does not intend to develop and build the daycare facility. Based on the intent of the PUD district and the recently updated standards, it is staff's view that the PUD is proposed only to reduce residential lot area and lot width. A similar plan could be achieved with R-3 zoning (all but 44 lots meet the R-3

minimum lot size of 9,000 square foot) for the residential portion and OI, Office and Institutional zoning on the 5-acre daycare tract. 181 of the lots have a minimum lot width of 60'. R-3 requires a minimum of 70'. Mr. Wood noted in the staff memo provided it is identified how the proposal addresses the PUD standards starting in subsection (D) along with responses. It was also advised that a traffic impact study was required and need the impervious surface ratio for all lots or overall, for the project. Furthermore, and of concern is no details were provided on the daycare facility, nor a phasing plan and how the common area facilities will be maintained.

Chairman Edwards opened the floor for discussion. Mr. Tyler Findley with Edgar Hughston Builder, Inc. advised Mr. Wood is correct in his presentation of the proposed plan, and since his company's purchase there had been a change in the zoning, and they had looked at what would be marketable for the area, thus the design for narrow lots and the suggested daycare facility to service the area.

Mr. Scott Ritchie advised he was a strong proponent of PUD's and asked that current residents be taken care of with regard to changing standards.

Chairman Edwards asked when the traffic study had to be completed; Mr. Wood advised prior to the completed application being submitted. Mr. Brandon Bolt advised this is scheduled to be done, as they needed to wait until school was back in session. Commissioner Jefferson was concerned with the location of the daycare and traffic.

Mr. Findley advised he was open to suggestions on what the city would like to see on the five-acre portion. Chairman Edward felt that use was acceptable or a possible mixed-use, but the mandate of what Council is expecting is no narrower/smaller lot sizes. Mr. Findley asked for clarification on mixed-use; Mr. Wood advised it could consist of two or more uses, such as retail and office. Mr. Wood advised there have been previous PUDs approved many years ago with a mix of single family and commercial, and unfortunately the commercial was never done, and council does not want that to continue. Mr. Findley asked if three uses could be brought forth; Mr. Wood advised it could as it would fit the intent of the ordinance. Mr. Findley asked for input on the lot sizes. Commissioner Mehserle understand the position of developers, however there was much discussion and thought put into the revisions and the requirements are fair and not a burden to meet. Mr. Wood advised the city is not opposed to smaller lots, but there needs to be something exceptional for the development and asked Mr. Findley to research other areas in the country with successful PUD's, such as Sullivan's Island, SC, Hilton Head, S; understanding they are vastly different from Perry, but their standards will provide guidance for design. Mr. Findley advised they would not develop the daycare, and Mr. Wood reiterated this is a concern for the city in that it would never be developed. Commissioner Ross inquired the price point; Mr. Findley advised for this project it would be low \$300's to high \$400's. Mr. Wood also pointed out concerns with parking and the number of spaces required based on the number of bedrooms that will need to be addressed. Mr. Bolt advised in developing they are looking to transition from the existing phase of Notting Hill to the new phase. Commissioner Hayes suggested Mr. Findley and Mr. Bolt continue to work with staff to ensure the requirements are met.

10. Commission questions or comments - Mr. Wood advised each Commissioner had been provided a Volunteer Appointment Commitment Form to review and provide back to staff. The form outlines the Commission's purpose and duties while serving.
11. Adjournment: there being no further business to come before the Commission the meeting was adjourned at 7:07pm.