

Planning Commission  
Minutes- September 9, 2024

1. Call to Order : Chairman Edwards called the meeting to order at 6:00pm.
2. Roll Call: Chairman Edwards; Commissioners Guidry, Jefferson, Mehserle, Ross, and Willaims were present. Commissioner Hayes was absent.  
  
Staff: Bryan Wood – Community Development Director, Emily Carson – Community Planner, and Christine Sewell – Recording Clerk
3. Invocation: Commissioner Jefferson rendered the invocation  
Guests: Robert & Carrie Sharples, Mike Ivie, Kecia Isgett, Henry Talton, Valerie Swyryn, Chad Bryant, Scott Williamson
4. Approval of Minutes from August 12, 2024 regular meeting and August 26, 2024 work session  
Commissioner Jefferson 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. Public Hearing (Planning Commission decision)- None
  - B. Informational Hearing (Planning Commission recommendation – Scheduled for public hearing before City Council on October 1, 2024)
    1. **SUSE-0112-2024**. Special exception for residential business for property located at 213 Flowing Meadows Drive. The applicant is Marcus Scott Williamson.

Ms. Carson read the applicants' request which was for a special exception to allow for a residential business to operate a firearms dealership in a portion of the house, along with staff responses. Ms. Carson noted residential businesses are small offices or small-scale retail or service businesses in which customers or clients come to the house and are clearly incidental and secondary to the use of the dwelling for residential dwelling purposes. Ms. Carson advised the applicant is expected to have one customer at a time at varied points throughout the month at the home and furthermore, the request is to comply with the federal certification to sell firearms and comply with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) regulations.

Chairman Edwards opened the public hearing at 6:06pm and called for anyone in favor of the request. The applicant, Mr. Scott Williamson reiterated the request and advised he has been approved by the ATF.

Chairman Edwards called for anyone opposed; there being none the public hearing was closed at 6:07pm.

Chairman Edwards asked Mr. Williamson the process for the sale of weapons. Mr. Williams advised persons will purchase online and the weapons will be sent to him and a scheduled date and time will be set for pick up. Commissioner Jefferson asked about the quantity that will be stored at the home. Mr. Williamson advised there will be no inventory, only the weapons that are ordered and the procedures are the same if purchased at a store, with background checks. Commissioner Mehserle inquired if sales will include the entire weapon or components; Mr. Williamson advised all serial numbered weapons will go through him and the ATF requires them to be stored securely and safely with double locks, which will be done. Mr. Williamson advised he anticipates no more than (15) people per year at the residence. Commissioner Ross asked if he would sell ammunition; Mr. Williamson advised the ATF license allows and it's a possibility he might, but not certain at this point. Commissioner Guidry asked staff if there was anyone doing in the city now; Mr. Wood advised to his knowledge there was not, and years ago they had a similar application that did not complete the process. Mr. Williamson advised on the ATF website you can search for similar applications and there are currently five in Perry and per ATF regulations customers must come to the home, they cannot be met anywhere in public. Commissioner Mehserle inquired of staff if there are any city regulations prohibiting; Ms. Carson advised there was not.

Commissioner Ross motioned to recommend approval to Mayor and Council as submitted; Commissioner Mehserle seconded; all in favor with Commissioner Jefferson opposed; resulting in 5 to 1 for recommended approval.

- 2. ANNEX-0110-2024.** Annex & Rezone property on South Hwy 341, Parcel 000830 043000 from Houston County R-AG to City of Perry R-3, Single Family Residential. The applicant is Bryant Engineering.

Ms. Carson read the staff report for the request which was to annex the 42.89-acre parcel into the City of Perry for a subdivision development with a requested zoning of R-3, Single-family Residential, along with staff responses.

Chairman Edwards opened the public hearing at 6:18pm and called for anyone in favor of the request. The applicant, Mr. Chad Bryant reiterated the request and had nothing further to add at this time.

Chairman Edwards called for anyone opposed. Ms. Carrie Sharples 200 Hill Lane – felt a traffic study was needed and a traffic light at the intersection of Main Street & Perry Parkway. Mr. Robert Sharples – wanted to know the benefit for taxpayers and a change from R-1 to R-3 will result in additional traffic. Mr. Mike Ivie – 110 Hill Road – why the zoning could not be R-1 as previously requested and concern with the areas' wetlands.

There being no further public comment Chairman Edwards closed the public hearing at 6:24pm.

Chairman Edwards inquired why the request for R-3 and not R-1. Mr. Chad Bryant advised the tract is 42 acres and is bordered by wetlands and flood plain and the development will have (90) lots because of this and will be comparable to the R-3 zoning classification. Chairman Edward noted because of that most of the parcel is unbuildable; Mr. Bryant advised yes. Mr. Bryant advised he is working with the city on an easement for the trunk main for the area, which will service the community as a whole and in response to the benefit to the community, the development will serve the need for single family housing and add to the taxbase. Chairman Edwards inquired about access; Mr. Bryant advised GDOT will require directly across from the existing Ivy Glen subdivision. Chairman Edwards asked as traffic is

always a concern, but this parcel is off a state highway and the city is limited on what they can do; Mr. Bryant agreed, and advised there is a traffic report done for this area and it is a concern for GDOT, and based on their studies at this time per the traffic counts there is not scheduled to be a traffic light installed or widening.

Commissioner Mehserle noted from the description provided and the contour of the property, topography and its' boundaries felt the development is trying to minimize the impact to the wetlands and agrees if the project moves forward a traffic study should be done for this area and further down Main Street into the City. Mr. Wood advised traffic studies examine the traffic by a development and trip counts, and depending on that data there could be the possibility to widen, but at this point there is no future plan to widen further down Main Street near Keith Drive. Mr. Wood noted also reviewed are turns during peak hours and this may be an issue and a requirement of deceleration lanes from GDOT and this portion as a state route the city has no influence on those requirements. Mr. Bryant advised GDOT has straight forward procedures and requirements and solely dictate what will be necessary. Commissioner Guidry inquired if anyone could make application for annexation into the City and does the county have to agree. Mr. Wood advised property owners if contiguous to the city can make a request, the city does not make them, and per procedures the board of education and county commissioners are notified; the county has the responsibility to respond back to the city with a concurrence or non-concurrence and if the latter there will be a mediation hearing. Ms. Carson advised

the board of education had not responded to the notice, but she has been advised the local school system is currently not at capacity. Commissioner Ross asked how the taxes are affected; Mr. Wood advised a new development brings in property taxes, however, Council determines revenue allocation and expenditures.

Commissioner Mehserle motioned to recommend approval to Mayor and Council of the application as submitted; Commissioner Ross seconded; all in favor and was unanimously recommended for approval.

- 3. ANNEX-0111-2024.** Annex & Rezone property on Main Street, Parcel 000570 008000 from Houston County R-AG to City of Perry R-1, Single Family Residential. The applicant is Bryant Engineering.

Ms. Carson read the staff report for the request which was to annex the referenced parcel into the City of Perry and combine with the properties to the immediate west of that parcel to create a subdivision with a requested zoning for the parcel of R-1, Single-family Residential, along with staff responses.

Chairman Edwards opened the public hearing at 6:49pm and called for anyone in favor of the request. Mr. Chad Bryant, the applicant reiterated the request and advised GDOT has a traffic count for this area of 8000 cars per day and it currently has no projected timeframe per their standards to have the road widened.

Chairman Edwards called for anyone opposed. Mrs. Carrie Sharples now there will be two major subdivisions in the area and is concerned with the impact on Rozar Park and pedestrian traffic, there needs to be a traffic light as traffic will increase and there are no sidewalks. Ms. Kecia Isgett – 1904 Main Street – concerned with traffic impact and the number of log trucks and pedestrian safety. Mr. Henry Talton – 2027 Hwy 341 South – concerned with stormwater runoff and contamination of pond on his property and traffic. Ms. Valerie Swyrn – 126 Wimbish Way – concerned with Perry growing too quickly and the impact on schools and traffic. Mr. Mike Ivie – concerned with R-1 zoning and traffic.

There being no further public comment Chairman Edwards closed the public hearing at 7:01pm.

Chairman Edwards commented zoning classifications are a constant concern for the City and they are reviewed and implemented to blend with current development. Chairman Edwards asked Mr. Bryant the total number of lots with the request and the adjoining parcels; Mr. Bryant advised the request has (40) and overall, the entire development will be (138) lots. Mr. Bryant further advised when the design is complete there will be three retention ponds two on the northern side and one bypassing down to Rozar Park and noted the flows will dramatically cut the drainage onto Main Street and all the requirements will meet the state regulations. Mr. Bryant advised the development will have sidewalks and he believes it's the intent of the developer that the neighborhood will provide direct access for the public to Rozar Park. Chairman Edwards asked staff if there was an improvement plan for sidewalks on Keith Drive; Mr. Wood advised there are with connection from Rozar Park to Barbara Calhoun park but is currently delayed due to financial constraints. Commissioner Jefferson asked how public safety concerns are addressed; Mr. Wood advised emergency services (police and fire) are provided based on the number of citizens served and as the city grows the tax base increases and Council determines allocations.

Commissioner Williams motioned to recommend approval of the application as submitted to Mayor and Council; Commissioner Ross seconded; all in favor and was unanimously recommended for approval.

9. Other Business – None

Commission questions or comments – Ms. Carson advised the Commission no applications were received for the October meeting, however, it will still be held to discuss upcoming proposed text amendments. Commissioner Mehserle thanked the public for their comments and noted the Character Area Map that is referred to and the zoning classifications had been discussed, reviewed and adopted after numerous discussions and encourages citizens to voice their concerns with Council as well. Commissioner Jefferson voiced concern with weapons being sold from a residence and felt it should not be allowed and more restrictions should be in place.

10. Adjournment: there being no further business to come before the Commission the meeting was adjourned at 7:20pm.