

Planning Commission
Minutes - January 13, 2025

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

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

Guests: Lei Zhang, Andres Acosta, Kevin Tran, Carlton Maye, Tyler Findley, Brandon Bolt, Mike Heisig, Paul Armistead, Amanda Martin, Brian Braun, and Alonzo Brock.

3. Invocation: was given by Commissioner Mehserle
4. Election of Officers Chairman and Vice Chair
Commissioner Hayes motioned to nominate Jim Mehserle as Chair; Commissioner Guidry seconded; all in favor and was unanimously approved.
Commissioner Mehserle motioned to nominate Commissioner Hayes as Vice Chair; Commissioner Ross seconded; all in favor and was unanimously approved.
5. Approval of Minutes from December 9, 2024 regular meeting
Commissioner Ross motioned to approve as submitted; Commissioner Hayes seconded; all in favor and was unanimously approved.
6. Announcements: Chairman Mehserle referred to the announcements 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.
7. Citizens with Input – None
8. New Business
 - A. Informational Hearing (Planning Commission recommendation – Scheduled for public hearing before City Council on February 4, 2025)
 1. **SUSE-0148-2024**. Special exception for short-term rental for property located at 204 Amherst Street. The applicant is Lei Zhang.

Ms. Carson read the applicants' request, which was to offer the 3-bedrooms/2-bath house for short-term rental for a maximum of 5 occupants, along with staff responses. Ms. Carson advised the property was inspected for minimum safe and health standards and passed. This property was previously issued a STR permit in 2023, but that approval lapsed and the applicant is applying to have the permit reissued.

Chairman Mehserle opened the public hearing at 6:08pm and called for anyone in favor. The applicant, Ms. Zhang had nothing further to add and advised there had been no complaints. Chairman Mehserle called for anyone opposed; there being none the public hearing was closed at 6:09pm.

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

2. SUSE-0157-2024. Special exception for short-term rental for property located at 414 Frank Satterfield Road. The applicant is Andres Acosta.

Ms. Carson read the applicants; request which was to offer the 3-bedrooms/2-bath house for short-term rental for a maximum of 8 occupants, along with staff responses. Ms. Carson advised the premises was inspected for minimum safe and health standards and passed and the property was previously issued a STR permit in 2023, but that approval lapsed and the applicant is applying to have the permit reissued.

Chairman Mehserle opened the public hearing at 6:13pm and called for anyone in favor; the applicant Mr. Andres Acosta had nothing further to add. Chairman Mehserle called for anyone opposed; there being none the public hearing was closed at 6:14pm.

Commissioner Hayes asked Mr. Acosta as he is listed on other applications his role; Mr. Acosta advised he operates a property maintenance company and provides his services for short term rentals. Commissioner Hayes inquired about the noise detection device noted on the premises; Mr. Acosta advised it is an inside/outside noise detection device that monitors by decibels and when a certain level is reached it notifies him and he in turns notifies the tenants; and if there are more than two notifications tenants are evicted from the property and local authorities are notified.

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

3. SUSE-0163-2024. Special exception for short-term rental for property located at 223 E. River Cane Run. The applicant is Andres Acosta.

Ms. Carson read the applicants' request, which was to offer the 4-bedrooms/2.5-bath house for short-term rental for a maximum of 10 occupants, along with staff responses. Ms. Carson further advised, the premises was inspected for minimum safe and health standards and passed.

Chairman Mehserle opened the public hearing at 6:20pm and called for anyone in favor of the request. The applicant, Mr. Acosta had nothing further to add. Chairman Mehserle called for anyone opposed; there being none the public hearing was closed at 6:21pm.

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

4. SUSE-0170-2024. Special exception for short-term rental for property located at 226 Black Hawke Lane. The applicant is Kevin Tran.

Ms. Carson read the applicants' request, which was to offer the 4-bedrooms/3-bath house for short-term rental for a maximum of 10 occupants, along with staff responses. Ms. Carson further noted the dwelling was inspected for minimum safe and health standards and passed.

Chairman Mehserle opened the public hearing at 6:24pm and called for anyone in favor of the request. The applicant, Mr. Kevin Tran had nothing further to add. Chairman Mehserle called for anyone opposed; there being none the public hearing was closed at 6:25pm.

Commissioner Hayes asked if the homeowners association had been notified; Ms. Carson advised the applicant is responsible for the notification and if the city received complaints they would then reach out. Commissioner Ross asked for clarification on the number of vehicles; Ms. Carson advised the garage is not considered for parking, as most are used for storage and therefore only the driveway is accounted for.

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

5. **RZNE-0154-2024.** Rezone property located at 941 Gardner Drive from M-1 to MUC. The applicant is Carlton Maye, Jr.

Ms. Carson read the applicants' request, which was to rezone from M-1 to MUC the vacant, 2.46-acre plot to a form-based code zoning classification, which would allow him to build a mortuary on the parcel, increasing investment and the number of businesses in the area, along with staff responses.

Chairman Mehserle opened the public hearing at 6:32pm and called for anyone in favor of the request; the applicant Mr. Maye had nothing to add. Chairman Mehserle called for anyone opposed; there being none the public hearing was closed at 6:33pm.

Chairman Mehserle inquired of Mr. Maye the unusual shape of the property and if he was aware of the history; Mr. Maye advised the previous owner had combined surrounding parcels. Commissioner Guidry asked if crematory services would be provided; Mr. Maye advised yes at a future date, as he intends to be a full service mortuary.

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

6. **RZNE-0152-2024.** Rezone property located on Langston Road – Notting Hill Phase 2. The applicant is Edgar Hughston, Builder, Inc.

Ms. Carson read the applicants' request which was to rezone the 102.49-acre lot from R-1, Single Family Residential to R-3, Single Family Residential for a development of up to 243 residential units that completes Phase II of the Notting Hill subdivision, along with staff responses. Ms. Carson advised one section of the proposed development is already zoned as R-3, Single Family Residential and this change would make the zoning cohesive throughout the project site. Ms. Carson further noted, sewer capacity is limited and sewer capacity demands must be submitted as a formal request to administration prior to construction, and a traffic study was provided and reviewed by the city consultant and the board of education was notified and had no issues.

Chairman Mehserle opened the public hearing at 6:41pm and called for anyone in favor of the request. The applicant, Brandon Bolt with Bolt Engineering and Tyler Findley with Edgar Hugston Builders. Mr. Findley advised they had revised the development from previous request for a Planned Unit Development to an R-3 which will continue with the current established Notting Hill subdivision.

Chairman Mehserle called for anyone opposed. Mr. Mike Heisig of 201 Haddenham Court was not opposed to the development, but raised concerns with additional traffic on Langston Road and it coming through the neighborhoods and had concerns about drainage relating to an existing storm pipe from phase one dumping into the property.

Mr. Paul Armistead of 107 Westbourne Way also raised concerns about traffic and suggested left or right hand turn lanes be installed at the intersections of Langston/US 41 and Langston/SR 127. And advised there have been a number of new developments in the area and the addition of the primary school adding to traffic.

Mr. Wood in response to traffic concerns; Langston Road/US 41 are being evaluated by GDOT as US41 is a state route and they are aware of the concerns and working on addressing them. Houston County is

responsible for Langston Road. There being no further comments Chairman Mehserle closed the public hearing at 6:54pm.

Chairman Mehserle requested clarification on the sanitary sewer capacity and who reviews and will pay for; Mr. Wood advised capacity is in the pipe size/pump station and once the applicant provides capacity loads it will be evaluated and from there determine what is required to move forward. Chairman Mehserle inquired why staff recommended a positive approval with the condition of the sanitary sewer approval; Mr. Wood advised based on future land use plan and current comprehensive plan both of which call for a variety of densities and the identified need for higher density residential, the R-3 zoning request is appropriate. Commissioner Hayes voiced concern that the standards for governing zone changes, specifically whether the result will cause an excessive or burdensome use on existing streets, transportation facilities, utilities, or schools as this proposal appears it would with traffic. Mr. Wood noted traffic changes are always reactive and has to be there before any modifications; and noted the concern has been brought to the attention of the local GDOT representative and US41 is being higher prioritized, the city/county are aware of Langston Road, and the applicant is addressing the access point concerns on Langston Road with turn lanes. Mr. Bolt advised he has met with the city and sewer can be rerouted to the south side of US41 to where there is ample capacity and noted the development will be over the course of five years to complete. Mr. Bolt added the traffic study ran for a future five year period with projection to add two turn lanes and an additional one on Langston Road. The Commission allowed Amanda Martin of 301 Brampton Way to ask about entrances to the proposed subdivision.

Commissioner Hayes based on #11 standard governing zone changes motioned to recommend denial of the application as submitted; Commissioner Ross seconded; Commissioner Guidry opposed; resulting in a recommendation for denial of the application 3-1.

7. RZNE-0168-2024. Rezone to update PUD standards for development located at 1824 Houston Lake Road. The applicant is Dylan Wingate, Patriot Development Group.

Mr. Wood advised the request to update the PUD standards. The approved PUD plan shows 119 townhouse lots, 86 front-loaded single-family detached lots, and 79 rear-loaded single-family detached lots. The approved PUD Standards state the minimum single-family detached lot size is 4,000 square feet. While preparing the plat for the first residential phase of the development, the engineer realized they will need to delete three rear-loaded single-family detached lots to meet the minimum lot size. A single front-loaded single family detached lot is located by itself adjacent to the southernmost section of townhouses. The applicant proposes to remove this single front-loaded lot and add five townhouse lots in its place. Two rear-loaded single-family lots are located between the easternmost section of townhouses and front-loaded single-family lots. The applicant proposes to convert these to front-loaded lots. In total, 4 single-family detached lots are being removed from the plan, and are being replaced with 5 townhouse lots. The result of these actions will be an increase overall residential count by one. Specifically, the residential unit count will be 124 townhouse units, 88 front-loaded single-family detached units, and 74 rear-loaded single-family detached units. The 50 residential loft units located in the mixed-use section of the plan are unchanged.

Chairman Mehserle opened the public hearing at 7:27pm and called for anyone in favor of the request. Mr. Brian Braun, on behalf of the applicant reiterated the request and the changes were recognized when preparing the first phase plat and to ensure the development will comply with the standards. Mr. Alonzo Black 1914 GA Hwy 127, was neither in favor or opposed, had a question on the buffer as he is the adjoining neighbor. Chairman Mehserle called for any further comment; there being none the public hearing was closed at 7:30pm.

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

8. TEXT-0155-2024. Create Sec 6-10.14 Pocket Park requirements. The applicant is the City of Perry.

Ms. Carson advised the amendment is to Create Sec 6-10.14 Pocket Park Requirements standardizing recreational facilities and open space requirements in newly developed subdivisions located outside of walking distance to an existing park. Ms. Carson advised in 2021 in an effort to support a high quality of life for and accessibility to recreation and leisure opportunities, the City of Perry proposed acquiring lots to create pocket parks within new residential developments. The first foray into this effort led to the city declining lots that were poorly positioned in the neighborhood with substantial development challenges due to the natural landscape of the lots. Therefore, staff proposes the above-referenced text amendment to require developers to either provide a recreational/amenities area that meets City standards or a privately managed amenities area that is comparable to the City's ordinances.

Chairman Mehserle opened the public hearing at 7:36pm and called for anyone in favor or opposition to the request. Mr. Brian Braun inquired of the walking distance requirement; Mr. Wood advised a quarter mile. Mr. Braun felt there would be a lot of parks for the city to manage and to have a park in every neighborhood is excessive. Mr. Wood advised the developer has the option to do a private park maintained by the homeowners association or turn over to the city. There being no further comments Chairman Mehserle closed the public hearing at 7:39pm.

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

9. TEXT-0158-2024. Amend Sec 6-6.3 (Design Standards for Downtown) and Sections 6-9.6(A) and (C) (sign standards) to clarify extent of authority for certificates of appropriateness for signs in the C-3 district and Downtown Development Overlay District. The applicant is the City of Perry.

Mr. Wood advised the request was to Amend Sec 6-6.3 (Design Standards for Downtown) and Sections 6-9.6(A) and (C) (sign standards) to clarify extent of authority for certificates of appropriateness for signs in the C-3 district and Downtown Development Overlay District. The amendment is intended to clarify the extent of the Main Street Advisory Board's (MSAB) authority regarding certificates of appropriateness for signs in the C-3 and Downtown Development Overlay districts. Per the City Attorney's interpretation, only signs which are specifically stated in the Land Management Ordinance may be considered by the MSAB. Currently, only monument signs or post and arm signs proposed to be internally illuminated specifically require MSAB review for a certificate of appropriateness. Existing language in the LMO had been interpreted more broadly until a recent City Attorney determination.

Chairman Mehserle opened the public hearing at 7:43pm and called for anyone in favor or opposed; there being none the public hearing was closed at 7:44pm.

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

9. Other Business – Ms. Carson provided a current map of short term rentals; ten currently approved and four new; and a reminder all of the information for short term rentals is on the department webpage. Mr. Wood advised UGA Carl Vinson is continuing training sessions in 2025 and will send available dates for the next course.
10. Commission questions or comments – Chairman Mehserle confirmed work sessions would continue in 2025; Mr. Wood advised they would.
11. Adjournment: there being no further business to come before the Commission the meeting was adjourned at 7:53pm.