

Application # RZNE 0079-2024

Application for Rezoning

Contact Community Development (478) 988-2720

*Indicates Required Field

	*Applicant	*Property Owner
*Name	Wingate Custum Homes	Same as applicant
*Title	Oganization	Same as applicant
*Address	817 GA-247 Unit 10, Kathleen, GA 31047	Same as applicant
*Phone		Same as applicant
*Email		Same as applicant

Property Information

*Street Address or Location 1824 Houston Lake Rd & 1904 HWY 127, Perry, GA 31069

*Tax Map Number(s) 0P0490 061000 & 090490 062000

*Legal Description

A. Provide a copy of the deed as recorded in the County Courthouse, or a mete and bounds description of the land if a deed is not available;

B. Provide a survey plat of the property;

<u>Request</u>

*Current Zoning District PUD

*Proposed Zoning District PUD - UPDATE

*Please describe the existing and proposed use of the property Note: A Site Plan or other information which fully describes your proposal may benefit your application.

The current PUD is approved for commercial and residential products including townhouses and single family detached. This PUD-

Update proposes a residential-flat product be added to the commercial area and incorporated within a mixed-use building.

Optional ground floor live/work units are also proposed.

Instructions

1. The application and fee (made payable to the City of Perry) must be received by the Community Development Office no later than the date reflected on the attached schedule.

2. *Fees:

- a. Residential Zoning (R-Ag, R-1, R-2, R-3) \$306.00 plus \$26.00/acre
- b. Non-residential Zoning (other than R-Ag, R-1, R-2, R-3) \$510.00 plus \$41.00/acre
- 3. *The applicant/owner must respond to the 'standards' on page 2 of this application (The applicant bears the burden of proof to demonstrate that the application complies with 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. Rezoning applications require an informational hearing before the planning commission and a public hearing before City Council. Public hearing sign(s) will be posted on the property 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 has the applicant made either campaign contributions and/or gifts totaling \$250.00 or more to a local government official? "Applicant" is defined as any person who applies for a rezoning action and any attorney or other person representing or acting on behalf of a person who applies for a rezoning action. Yes____NoX__

If yes, please complete and submit a Disclosure Form available from the Community Development office.

 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.

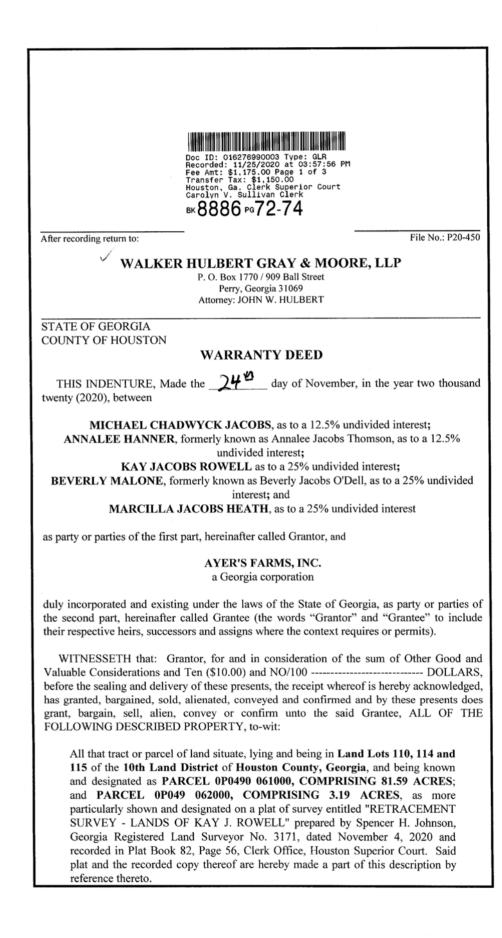
9. Signatures:	
*Applicant	*Date / Jak
*Property Owner/Authorized Agent	*Date 138/m
Standards for Granting a Rez	zoning

The applicant bears the burden of proof to demonstrate that an application complies with these standards.

Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district? Please see attached document, "1904 HWY 127 REZONING STANDARDS COMMENTS"

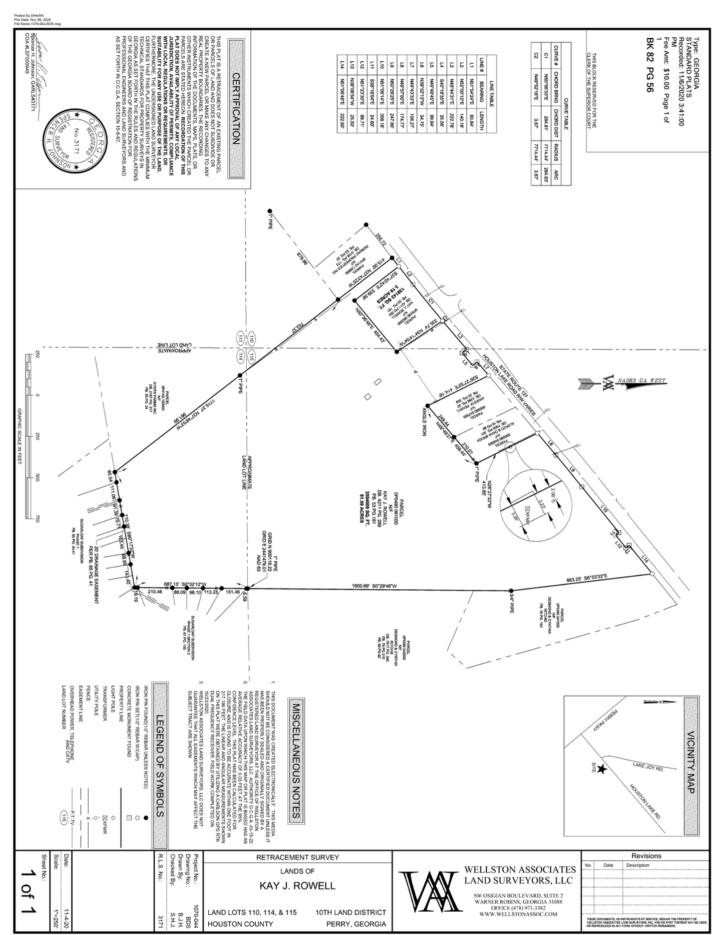
- (1) The existing land uses and zoning classification of nearby property;
- (2) The suitability of the subject property for the zoned purposes;
- (3) The extent to which the property values of the subject property are diminished by the particular zoning restrictions;
- (4) The extent to which the destruction of property values of the subject property promotes the health, safety, morals or general welfare of the public;
- (5) The relative gain to the public as compared to the hardship imposed upon the individual property owner;
- (6) Whether the subject property has a reasonable economic use as currently zoned;
- (7) 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;
- (8) Whether the proposed zoning will allow uses that are suitable in view of the uses and development of adjacent and nearby property;
- (9) Whether the proposed zoning will adversely affect the existing use or usability of adjacent or nearby property;
- (10) Whether the zoning proposal is in conformity with the policies and intent of the Comprehensive Plan;
- (11) Whether the zoning proposal will result in a use which will cause an excessive burden upon existing streets, transportation facilities, utilities, or schools; and
- (12) 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.

Revised 12/21/22



This conveyance is made subject to all zoning ordinances, easements and restrictions of record affecting said bargained premises. Deed References: Deed Book 1428, Page 575; Deed Book 1428, Page 574; Deed Book 1428, Page 573; Deed Book 1428, Page 572; and in Deed Book 1428, Page 571, said Clerk's Office Houston County Tax Map Parcel Nos.: P0490 061000 and P0490 062000 TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE. AND THE SAID Grantor warrants and will forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever. IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written. (Seal) aw MICHAEL CHADWYCK JACOBS Signed, sealed and delivered in the presence of: Witness v Public Nhts nmission Expire (Notary Seal) (Seal) ANNALEE HANNER, formerly known as **Annalee Jacobs Thomson** Signed, sealed and delivered in the presence of: 1 Public mission Expires (Notary Seal) [ADDITIONAL SIGNATURES ON NEXT PAGE]

Kay Jacober Rocked (Seal) KAY JACOBS ROWELL Signed, sealed and delivered in the presence of: Witness w (J Nóta y Public mission Expire (Notary Seal) (Seal) BEVERLY MALONE, formerly known as **Beverly Jacobs O'Dell** Signed, sealed and delivered in the presence of: Witness w Notary Public Commission Expire (Notary Seal) Heath(Beal) **RCILLA JACOBS HEATH** Signed, sealed and delivered in the presence of: MS Witness L Notary Public Commission F (Notary



PUD UPDATE: June 2024 – Exhibit below as previously submitted. 1904 HWY 127 REZONING STANDARDS COMMENTS

(1) The existing land uses and zoning classification of nearby property;

Existing land use does not include potential rezoning obstacles. Nearby properties' zoning classifications include R-3, C-2, R-AG, and PUD. Rezoning this parcel to PUD would align with past rezoning initiatives in this area. (2) The suitability of the subject property for the zoned purposes;

The subject property is well-suited for the potential rezoning. Preliminary analysis suggests that existing soils and topography will be conducive to earth-moving operations, drainage, and construction of foundation pads and roadways.

(3) The extent to which the property values of the subject property are diminished by the particular zoning restrictions;

Under the current zoning classification, the subject property's values are severely diminished as the property cannot be developed to the extent that a PUD zoning classification would allow.

(4) The extent to which the destruction of property values of the subject property promotes the health, safety, morals or general welfare of the public;

The subject property value, along with nearby property values, are very likely to increase upon development completion. Property value destruction, if any, will be minimal.

(5) The relative gain to the public as compared to the hardship imposed upon the individual property owner; The subject property owner is a willing seller; no hardship will be imposed upon him. The public will enjoy additional commercial space and homeownership rates.

(6) Whether the subject property has a reasonable economic use as currently zoned;

The subject property has relatively little economic value as currently zoned when compared to potential PUD zoning economic value.

(7) 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;

According to publicly available historical satellite imagery, adjacent properties rezoning and development were completed circa 2007.

(8) Whether the proposed zoning will allow uses that are suitable in view of the uses and development of adjacent and nearby property;

Adjacent and nearby properties' zoning classifications include R-3, C-2, R-AG, and PUD. Rezoning this property to PUD would allow potential uses and development very similar to those of the immediate area's past rezoning initiatives.

(9) Whether the proposed zoning will adversely affect the existing use or usability of adjacent or nearby property;

Because the proposed zoning classification will limit development standards to those of the similar, adjacent C-2 and R-3 parcels' standards, no adverse effects are expected.

(10) Whether the zoning proposal is in conformity with the policies and intent of the Comprehensive Plan; The zoning proposal is in conformity with the policies and intent of the Comprehensive Plan, especially with the "Economic Development" section's goal #s 2 and 4, as well as the "Housing" section's goal #s 1 and 3. Additional businesses and housing will improve economic development opportunities and homeownership rates, respectively.

(11) Whether the zoning proposal will result in a use which will cause an excessive burden upon existing streets, transportation facilities, utilities, or schools; and

A Jan. 28th discussion with Chad McMurrian revealed that, at the time construction operations would begin, the proposed rezoning and subsequent development would not over-burden infrastructure.

(12) 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.

There are no existing or changing conditions of which interested parties have been made aware that would provide additional support for approval or disapproval.



BLUE HERON LOFTS

05/22/2024

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Perry, Georgia

1. Dimensional standards:

- a. Minimum lot size for each type of use
 - i. SFD Rear Loaded
 - 1. 4,000sf lot
 - ii. SFD Front Loaded
 - 1. 5,500sf lot
 - iii. TH
 - 1. 1,200sf lot
- b. Minimum lot width for each type of use
 - i. SFD Rear Loaded
 - 1. 35' at ROW
 - ii. SFD Front Loaded
 - 1. 55' at ROW
 - iii. TH
 - 1. 20' at ROW
- c. Setbacks for each type of use
 - i. SFD Rear Loaded
 - 1. Front: 10'
 - 2. Side: 5'
 - 3. Rear: 5'
 - ii. SFD Front Loaded
 - 1. Front: 15'
 - 2. Side: 5'
 - 3. Rear: 15'*

*35' rear setback shall apply to units that directly abut existing SFD units not included in this development, this includes the following units: 146-161 and 215-219.

- iii. TH
- 1. Front: 10'
- 2. Side: 0'
- 3. Rear: 5'
- iv. Commercial/Mixed-Use
 - 1. Setback from Houston Lake Road: 17'
- d. Minimum house size
 - i. 1,300sf
- e. Proposed building heights Mixed-Use/Commercial
 - i. 50' max
- 2. Street and ROW widths
 - a. Reference TYP section exhibit
- 3. Standards for proposed signs height, location, character
 - a. Shall comply with standards established in the Land Management Ordinance for the C-3, Central Business District.

4. Proposed allowable/restricted uses for Mixed-Use/Commercial properties

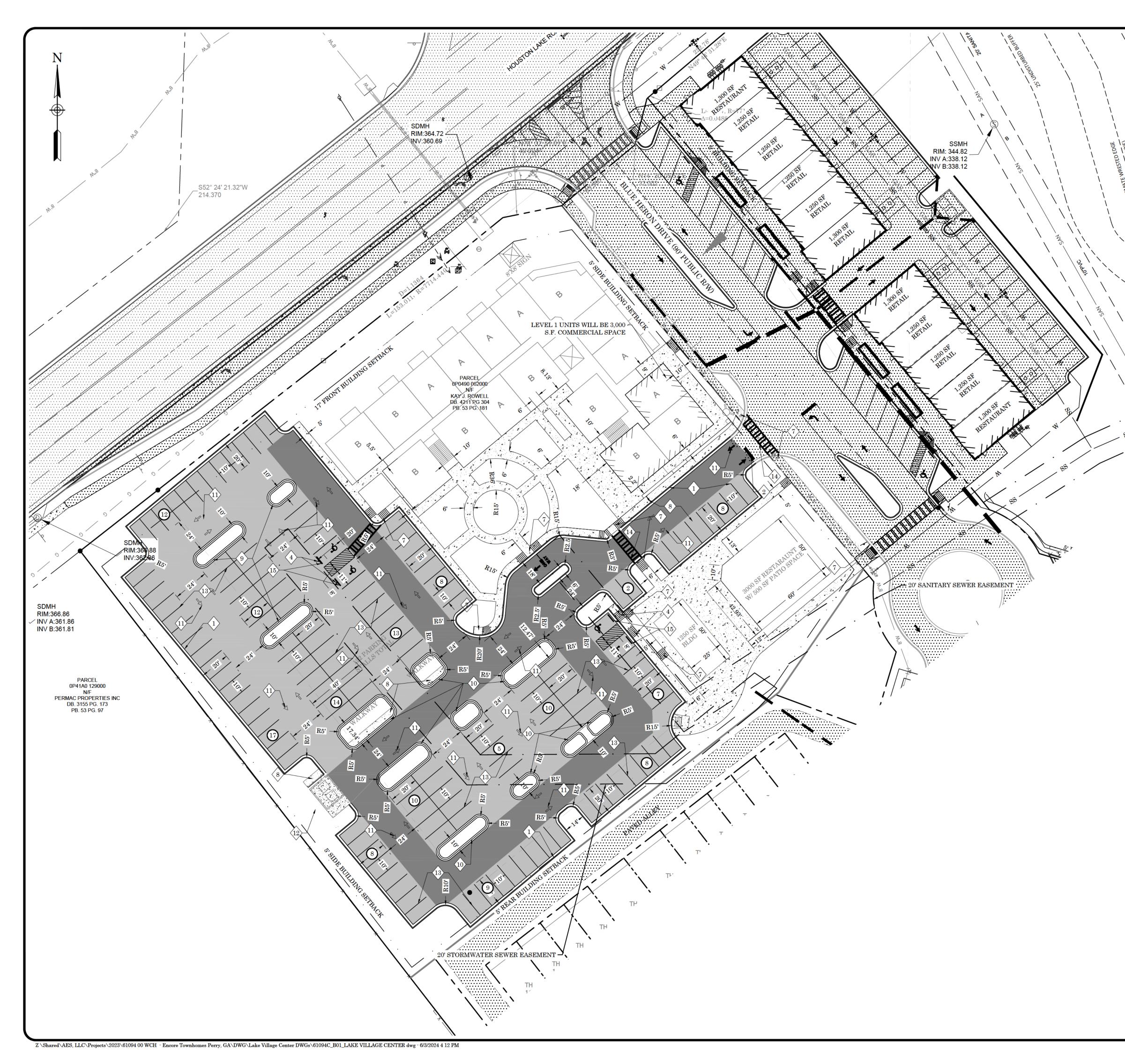
- a. Allowable/restricted uses for commercial properties to match current C-3 regulation with the following exception.
 - i. Commercial/Mixed-Use buildings. Optional Live-Work units allowed at ground level only.

5. Proposed building materials and character for commercial properties

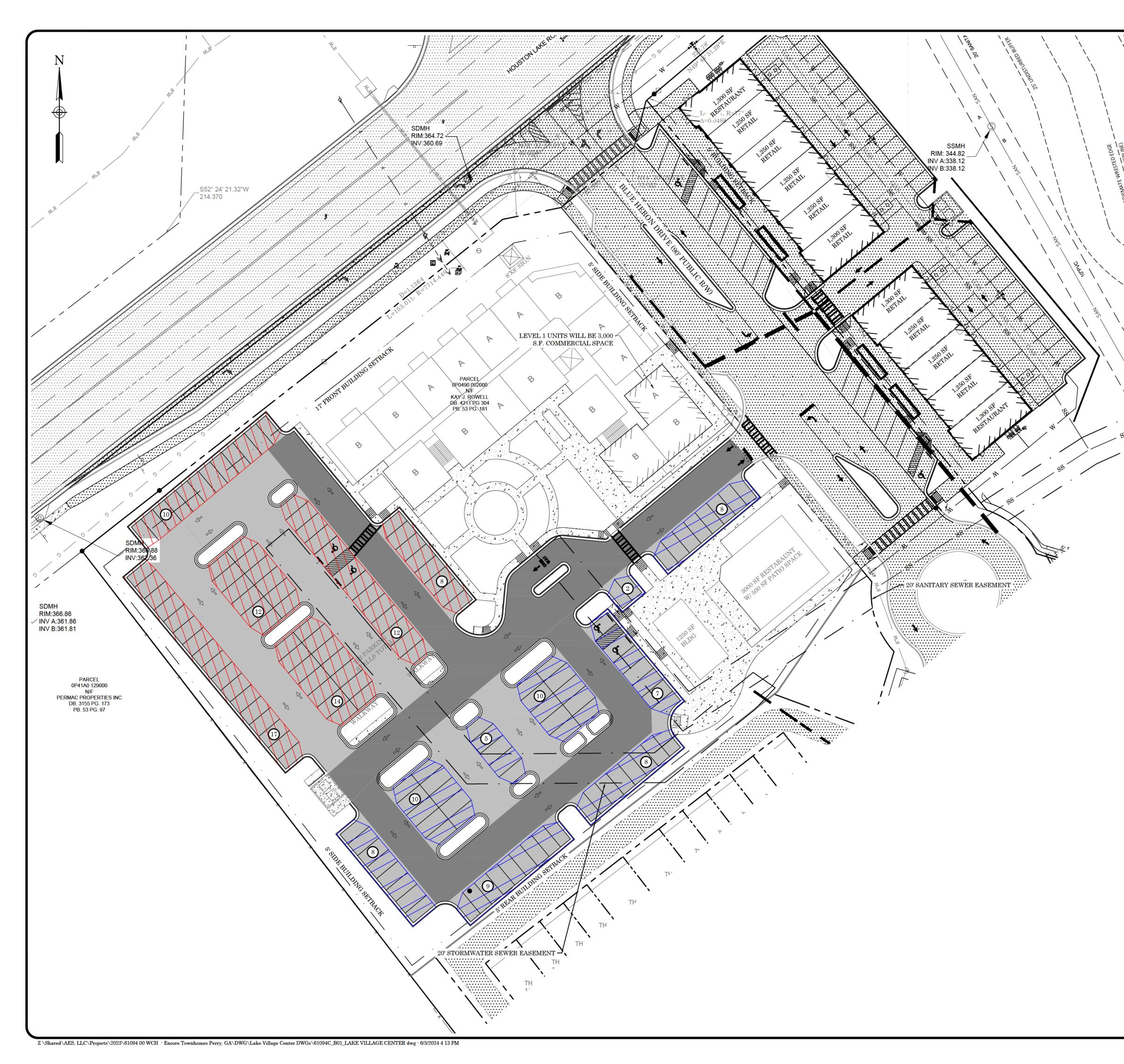
- a. Character: Mercantile
- b. TYP Material palette: Brick, stucco, hardy board, and stone
 - i. Materials that emulate the listed materials but provide advantages relative to maintenance, durability, and cost should be considered.

6. Location, height, and material of any fences, walls, screens, plants, and landscaping

a. Landscape Plan to be determined. If required for rezoning, applicant request item be listed as a condition. Landscape plans to be submitted for approval once developed.



J. M.		SITE INFO	ORMATION				
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Ň		SETBACK	LANDSCAP			www.AES	
	FRONT	17' FROM SR 127 5' FROM BLUE	FRONT	N/A			
	SIDE	HERON DR.	SIDE	N/A		GEOR	GIA
	REAR	5'	REAR	N/A		★ ADVAN ENGINE	ERING *
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Site		Province Area and
Site Area	84.78	Acres
	3,693,152	SF
Zoning		
Existing	Pl	JD - Planned Unit Development
Proposed		PUD - UPDATE
Unit Type		
Commercial	30,000	SF
Residential-Loft*	53	Units
Townhouse - Rear Loaded	119	Units
Single Family Detached - Front Loaded	87	Units
Single Family Detached - Rear Loaded	79	Units
*ground floor loft units may function as live/work units		
Density		
Total Residential Units	338	Units
Total Units Per Acre	4.0	Units per acre
Open Space		
Open Space Provided*	28.97	Acres
Open Space Percentage	34.17%	

Parking: Residential Area					
Off-street parking spaces provided*	570	Spaces			
On-street parking spaces provided**	357	Spaces			
Total Residential parking spaces provided	927	Spaces			

*Townhouse and Single Family Detached units self-park within footprint at 2 per unit

**Includes on-street spaces adjacent to residential use.

Parking: Re	sidential-L	oft / 🤇	Commercia	l Area:	to-be-	de	termined	
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LEGEND

Commercial/Mixed-Use*

SFD - Front Loaded

SFD - Rear Loaded

280

Pocket Park

250

251

252

253

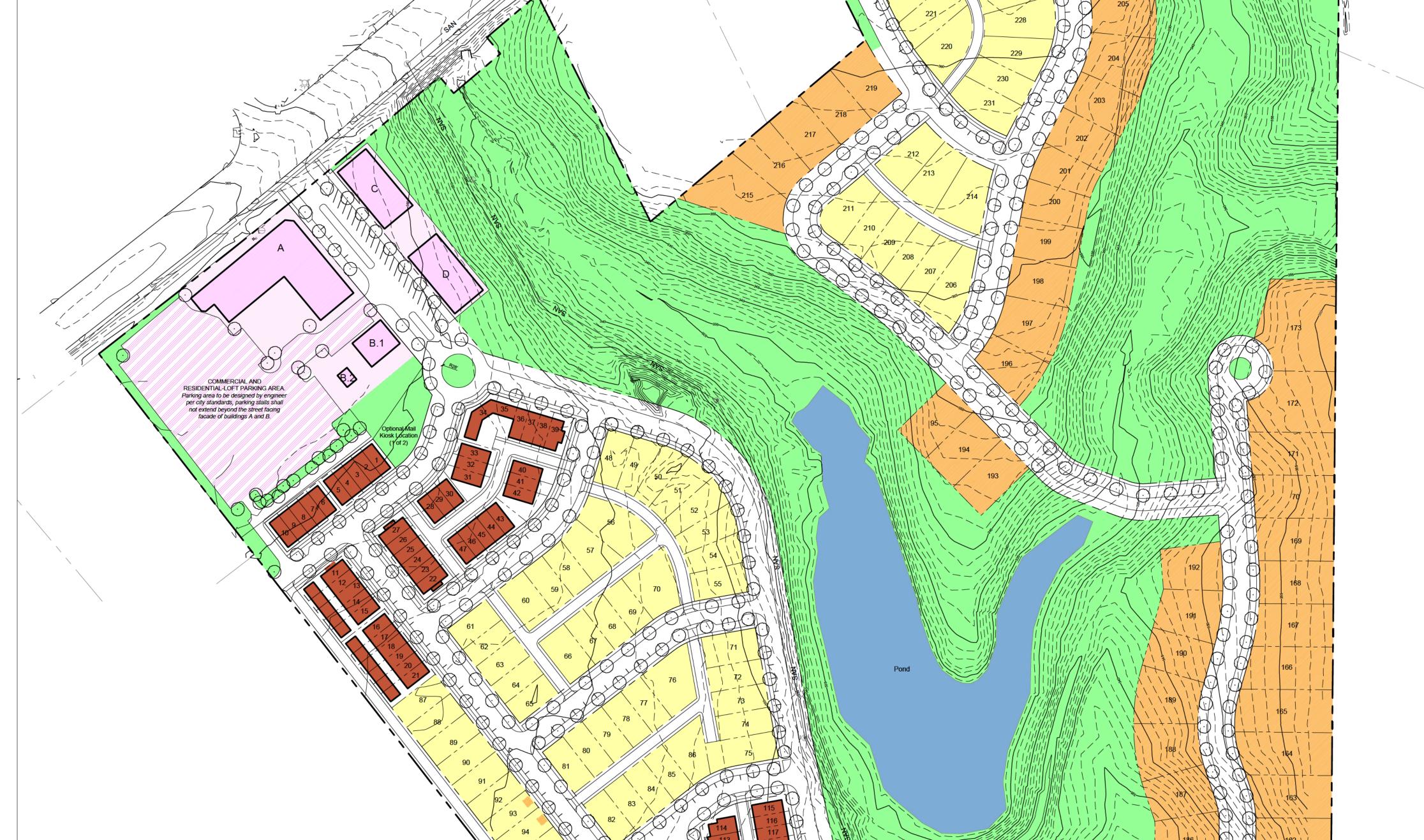
254

227

Townhouse*

HOUSTON LANEROAD

*Building Footprints approximate; to be finalized by Architect.





for:WCH

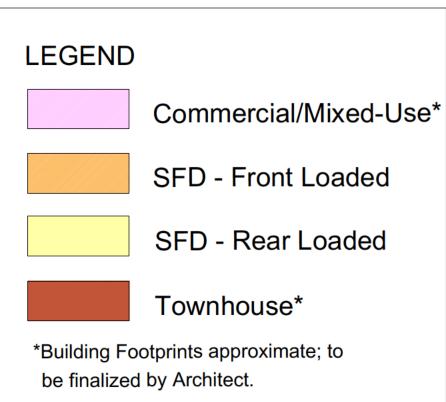
TSW

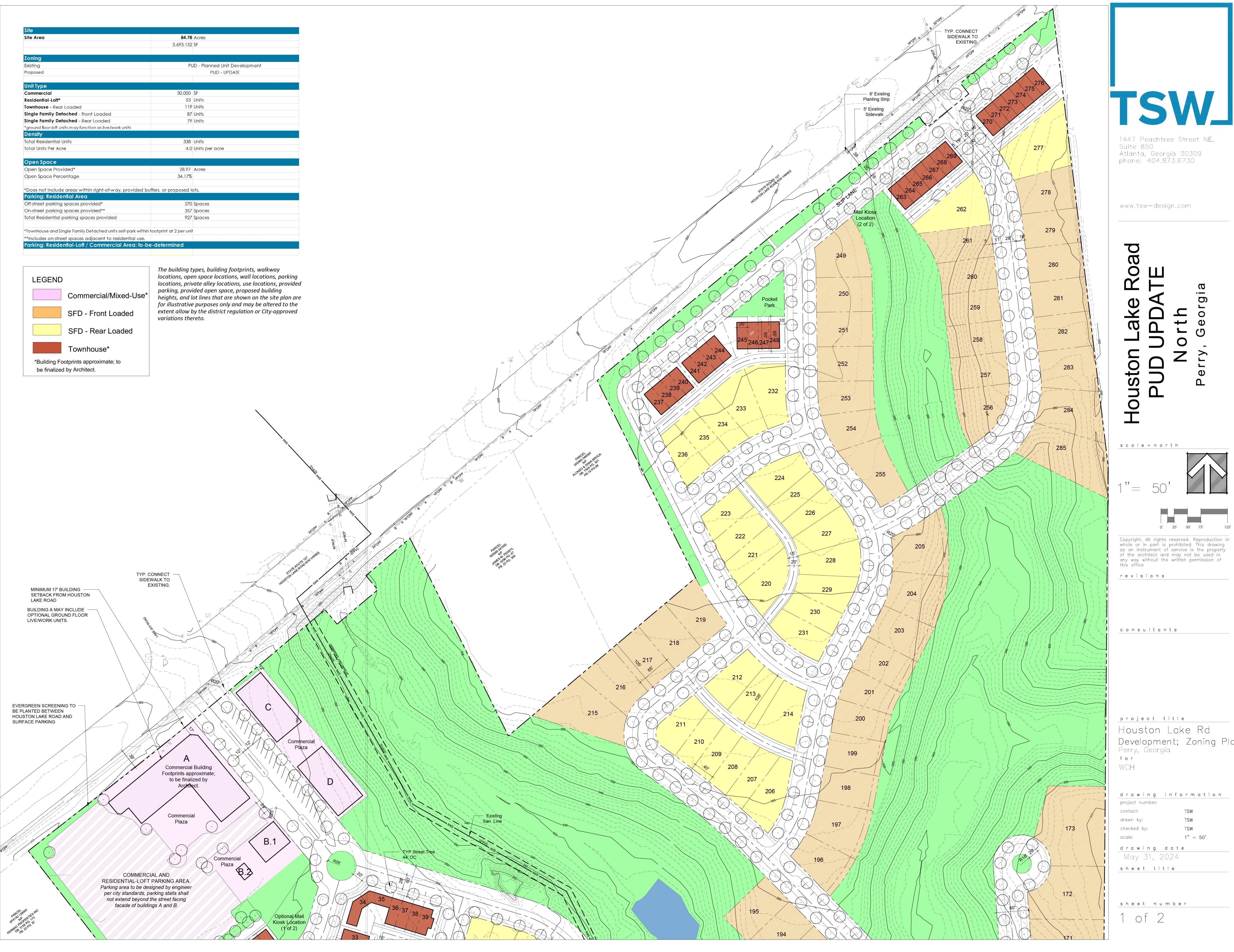
by:TSW

Drawing date: May 31, 2024

The building types, building footprints, walkway locations, open space locations, wall locations, parking locations, private alley locations, use locations, provided parking numbers, provided open space square footage, proposed building heights, and lot lines that are shown on the site plan are for illustrative purposes only and may be altered to the extent allow by the district regulation or City-approved variations thereto.

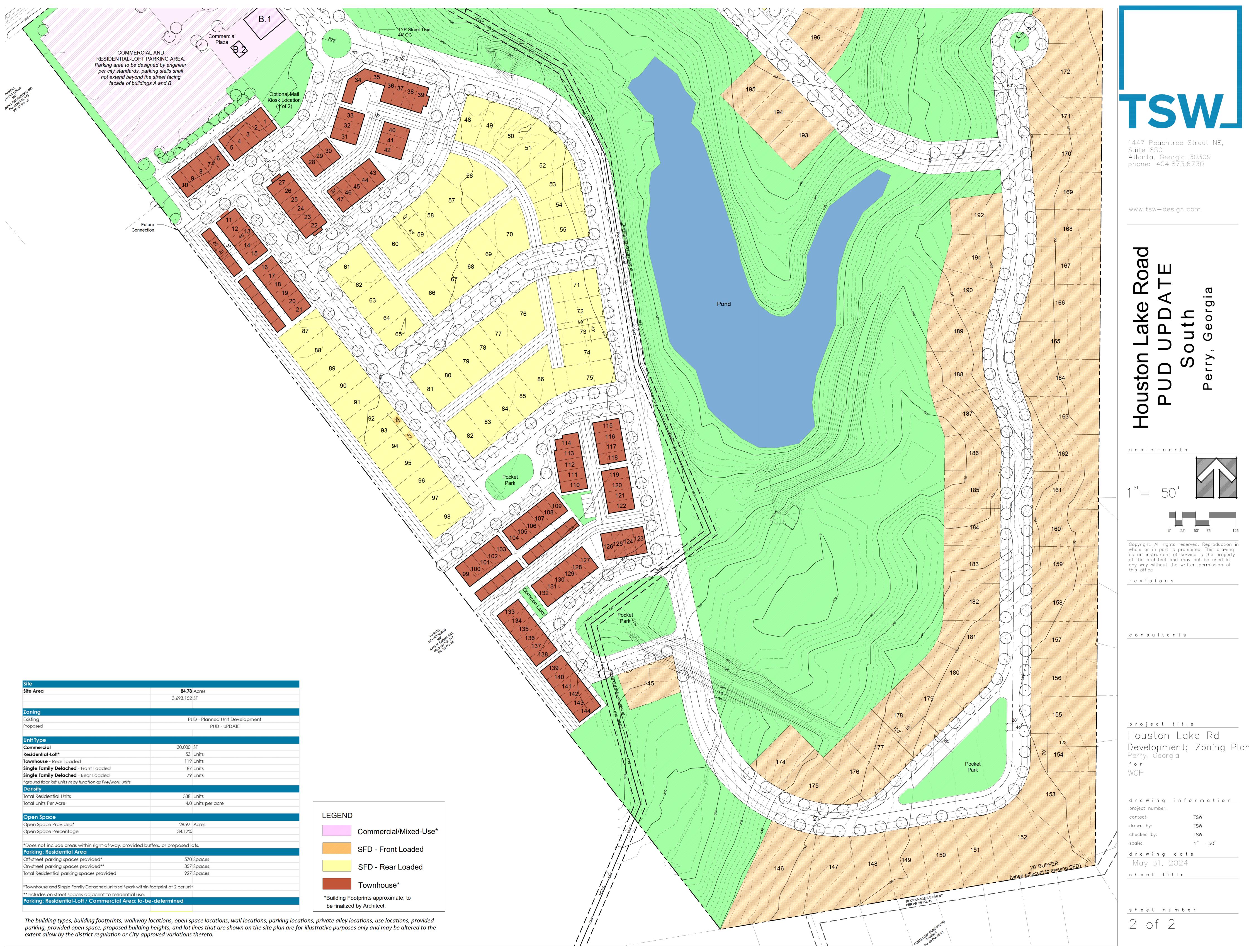
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Open Space		
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Open Space Percentage	34.17%	
*Does not include areas within right-of-way, provided but	ffers, or proposed lo	ots.
Parking: Residential Area		
Off-street parking spaces provided*	570	Spaces
On-street parking spaces provided**	357	Spaces
Total Residential parking spaces provided	927	Spaces
*Townhouse and Single Family Detached units self-park within f	ootprint at 2 per unit	
**Includes on-street spaces adjacent to residential use.		
Parking: Residential-Loft / Commercial Area: to-be	-determined	





Development; Zoning Plan Perry, Georgia

drawing	information
project number:	
contact:	TSW
drawn by:	TSW
checked by:	TSW
scale:	1" = 50'
drawing	date
May 31,	2024
sheet t	itle



Site Site Area	84 79	Acres
	3,693,152	
	0,070,102	
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Proposed		PUD - UPDATE
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Total Residential parking spaces provided	927	Spaces
*Townhouse and Single Family Detached units self-park within	footprint at 2 per unit	[]
**Includes on-street spaces adjacent to residential use.		

Development; Zoning Plan Perry, Georgia

drawing inf	ormation
project number:	
contact:	TSW
drawn by:	TSW
checked by:	TSW
scale:	1" = 50'
drawing dat	е
May 31, 2024	
sheet title	