

**MINUTES  
REGULAR MEETING OF THE VALDOSTA CITY COUNCIL  
5:30 P.M., THURSDAY, SEPTEMBER 5, 2019  
COUNCIL CHAMBERS, CITY HALL**

**OPENING CEREMONIES**

Mayor John Gayle called the regular meeting of the Valdosta City Council to order at 5:30 p.m. Council members present were: Joseph "Sonny" Vickers, Tim Carroll, Ben Norton, Sandra Tooley, Eric Howard, Andy Gibbs, and Vivian Miller-Cody. The invocation was given by Pastor Johnny Quarterman, North Valdosta Road Church of God, followed by the Pledge of Allegiance to the American Flag.

**AWARDS AND PRESENTATIONS**

Consideration of the September, 2019 Employee of the Month Award (Marion McQueen, Utilities Department).

Richard Hardy, Public Works Director, stated that before Marion McQueen began his career with the City of Valdosta, he spent 21 years of service in the United States Army where he was the E7 Unit Supply Specialist. In November of 2001, he joined the City of Valdosta as a Meter Reader. In 2002, his background and skills led him to the position of Warehouse Supervisor with the Utilities Department. Marion McQueen is dedicated to his City and he is known for dependability and reliability, especially when administering tools and safety equipment to employees. He goes above and beyond in his service by being available after hours and on weekends when needed, especially during inclement weather. During his 18 years of service, he has taken an active role in giving back to the community. Marion has been instrumental in helping with fundraising efforts. The Utilities Warehouse has sponsored bowling, baseball, golf, and tennis tournaments to benefit Relay for Life. Marion is also co-operator of the "Little Corner Store" located in the Utilities Department. The Little Store began as a way to provide provisions to help the employees because they would often come in from the field having missed lunch or extremely hot and thirsty. They could leave an IOU and get a drink, cookies, or chips for \$.50. The funds grew after a while which led to additional ideas to use the money. It was at this time that the "Little Corner Store" began to donate to various charities throughout the City which included LAMP, Police Department, The Haven, the Children's Advocacy Center, Relay for Life, and the American Heart Association. On average, these donations have exceeded \$5,000 per year. Marion McQueen has shown his commitment to his country and to the City of Valdosta. For his outstanding service, he deserves to be an employee of the month. It is for these reasons and many others that the Employee Relations Committee nominated Marion McQueen as Employee of the Month.

**APPROVAL OF MINUTES**

The minutes of the August 22, 2019 were approved by unanimous consent (7-0) of the Council.

**PUBLIC HEARINGS**

**ORDINANCE NO. 2019-16, AN ORDINANCE TO REZONE 0.37 ACRES FROM SINGLE-FAMILY RESIDENTIAL (R-10) ZONING TO MULTI-FAMILY RESIDENTIAL (R-M) ZONING**

Consideration of an Ordinance to rezone 0.37 acres from Single-Family Residential (R-10) Zoning to Multi-Family Residential (R-M) Zoning as requested by Shannon Perkins (File No. VA-2019-06). The property is located at 704 Holly Drive. The Greater Lowndes Planning Commission reviewed this request at their August Regular Meeting and recommended denial (5-4 Vote).

Matt Martin, Planning & Zoning Administrator, stated that Shannon Perkins, on behalf of owner Gregory Perkins, is requesting to rezone 0.37 acres from Single-Family Residential (R-10) to Multi-Family Residential (R-M). The property is located at 704 Holly Drive and is along the north side of the road approximately 250 feet east of North Forrest Street. The property contains an existing Family Personal Care Home with four residents, which was approved with a Conditional Use Permit (CUP) last October. The applicant is not proposing any physical building expansions or changes to the site, but she is proposing to expand the facility to seven residents. This causes a reclassification of the facility to a "Group" Personal Care Home which is not allowed in R-10 Zoning but

could be allowed in R-M Zoning with a different CUP approval. The applicant is simultaneously requesting this CUP approval under File No. CU-2019-05 (next Agenda Item). The property is located within an Established Residential (ER) Character Area on the Future Development Map of the Comprehensive Plan which allows the possibility of up to R-M Zoning. The property is part of a well-established and stable single-family residential neighborhood that has existed for more than 35 years. In terms of zoning patterns, this entire neighborhood and much of the surrounding area is zoned R-10 with no R-M Zoning nearby. The proposed rezoning of this one property to R-M would clearly be considered "spot zoning" without any logical connection to the surrounding pattern and would be an intrusion into the singular R-10 Zoning pattern of the neighborhood. In terms of existing land use patterns, this entire neighborhood is developed as Single-Family Residential dwellings and related uses such as this smaller (family size) Personal Care Home. By contrast, R-M Zoning would allow the full range of more intensive residential uses on this property such as duplexes, townhouses, multi-family apartments (if the property were expanded by 4,000 square feet), and boarding house as Permitted Uses. It would also allow the possibility of a manufactured home, halfway house, bed & breakfast, and a larger Personal Care Home with a CUP approval. Such permitted uses would definitely be out of character and too intensive for the existing patterns of the neighborhood. The applicant's motivation for this rezoning request is simply and only to make the property eligible for a CUP consideration to allow expansion (nearly doubling) of the existing "Family" Personal Care Home to the next regulated category of size (7-15 persons as a "Group" Personal Care Home). This proposed use alone would also require a Variance to the Land Development Regulations (LDR) Supplemental Standards for such use which requires a minimum one-acre lot size for a Group Personal Care Home. It is also enough to question the logic and compatibility of such a rezoning request to R-M under such circumstances. Staff found the request inconsistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP) and recommended denial. The Planning Commission reviewed this at their August 26, 2019 meeting, found it inconsistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP), and recommended denial (5-4 vote).

Shannon Perkins, Applicant, spoke in favor of the request. Ms. Perkins stated that she wanted the rezoning because she would then be able to qualify for some State benefits. She is happy with her current clients and does not plan to expand to seven clients. Ms. Perkins stated that understood about the concern for rezoning the property; however, if she sells the house then she will come back before Council and ask that it be rezoned back to Single-Family Residential (R-10). She has spoken with her neighbors and they are in full support. Ms. Perkins asked Council's consideration in approving the rezoning of the property to Multi-Family Residential (R-M).

Lynda Jones, P. O. Box 5181, Valdosta, spoke in favor of the request. Ms. Jones stated that Shannon Perkins is a God-send for anyone who has a family member needing a nursing home. Anyone who is placed in her home will truly benefit. Nurturing love is what she gives her residents and most of the residents do not drive or have cars. Ms. Jones stated that she interviewed six or seven places; however, when she met Shannon, she knew that was it for her. Even the residents living there told her she would love it there. Ms. Perkins obeys the rules and goes above and beyond for everyone. She treats the residents very well. Council has the power to grant Ms. Perkins' request for three more residents and if they do not approve the request then it will be a disservice.

Darlene Myers and Phyllis Alvarez spoke in favor of the request. Ms. Myers stated that they have a daytime program for people with Alzheimer's Disease and Shannon Perkins reached out to them. Shannon does not keep her clients isolated and she is a wonderful person.

Shirley Demps stated that she was a property owner on Holly Drive and she never sees any of the residents in the street. They are always in the yard and they enjoy being outside. She has no complaints and asked Council's consideration in approving the request.

No one spoke in opposition to the request.

**A MOTION** was made by Councilwoman Tooley to approve the request to rezone 0.37 acres at 704 Holly Drive from Single-Family Residential (R-10) Zoning to Multi-Family Residential (R-M) Zoning as requested by Shannon Perkins. The motion was seconded by Councilwoman Miller-Cody. The motion was adopted (6-1) with Councilman Carroll voting in opposition to enact Ordinance No. 2019-16, the complete text of which will be found in Ordinance Book XIV.

**ORDINANCE NO. 2019-17, AN ORDINANCE FOR A CONDITIONAL  
USE PERMIT FOR A GROUP PERSONAL CARE HOME IN A MULTI-  
FAMILY RESIDENTIAL (R-M) ZONING DISTRICT**

**09/05/19 CONTINUED**

Consideration of an Ordinance for a Conditional Use Permit for a Group Personal Care Home with seven residents in a Multi-Family Residential (R-M) Zoning District as requested by Shannon Perkins (File No. CU-2019-02). The property is located at 704 Holly Drive. The Greater Lowndes Planning Commission reviewed this request at their August Regular Meeting and recommended denial (5-4 Vote).

Matt Martin, Planning & Zoning Administrator, stated that Shannon Perkins is requesting a Conditional Use Permit (CUP) for a Group Personal Care Home with seven residents in a Multi-Family Residential (R-M) Zoning District. The property consists of 0.37 acres located at 704 Holly Drive which is along the north side of the road approximately 250 feet east of North Forrest Street. The property contains a previously-approved, four resident Personal Care Home called Nurturing Love, LLC. The existing building is a two-story single-family residence that consists of five bedrooms and two baths (2,477 square feet total). In order to be eligible, this request requires a rezoning to R-M which is being reviewed separately (File No. VA-2019-06). Staff is strongly opposed to that rezoning request with concerns and rationale being outlined in that Agenda Item recommendation. The property is located within an Established Residential (ER) Character Area on the Future Development Map of the Comprehensive Plan. The existing Personal Care Home has been operating at this location for the past two years. It was first established as a Permitted Use in R-10 Zoning with three residents, and then as an expanded, four-resident facility that received CUP approval last fall and subject to the following four conditions (File No. CU-2018-08): (1) Approval shall be granted in the name of the applicant only, as the operator for a State-licensed and fully compliant Personal Care Home with up to four residents at the facility. No other uses allowed in R-10 Zoning shall be allowed on the property that are in addition to the Personal Care Home. (2) All parking associated with the facility shall be on-site and located on paved surfaces only, as approved by the City Engineer with no more than five total cars at any one time. (3) There shall no non-incidental signage allowed, and the property shall maintain a single-family residential character at all times. (4) Conditional Use approval shall expire after one year from the date of approval if no updated city Business License for the expanded facility has been requested by that date. The surrounding development pattern is that of a Single-Family Residential neighborhood which should be preserved and protected. City Staff is not aware of any reported incidents or complaints with regard to this facility and it seems to be operating in full compliance with its CUP conditions of approval. Given the good track record and the size of the home, it is believed the facility could perhaps accommodate a couple more residents; however, there is some concern about the facility not having operational Staff who reside on the premises but is instead operated only by trained Staff who come to the facility to work 12-hour shifts. There is argument that with a small Personal Care Home (such as four residents, plus a couple Staff) this still likely maintains a sufficient residential character with a typical household size; however, with larger facilities (such as seven or more residents plus additional Staff), the apparent household size goes beyond the norm for a single-family residence and the character becomes a little more institutional in nature. This is one reason why the proposed use falls into a different size category as a "Group" Personal Care Home (with 7-15 residents) that is subject to additional requirements at both the State and local level. Locally, the use is only allowed in R-M or higher Zoning Districts and the LDR Supplemental Use Standards require a minimum lot size of one acre for such uses. This means that in addition to the CUP, the applicant would also need a Variance from the Zoning Board of Appeals for this requirement. Staff found the request inconsistent with the Comprehensive Plan and the Conditional Use Review Criteria, and recommended denial. The Planning Commission reviewed this at their August 26, 2019 meeting, found it inconsistent with the Comprehensive Plan and the Conditional Use Review Criteria, and recommended denial (5-4 vote).

Shannon Perkins, Applicant, spoke in favor of the request. Ms. Perkins stated that the name of her Personal Care Home is Nurturing Love and they put love in personal care. She wants the State License to reflect seven residents, but she does not want it to become institutionalized. This is their home and they want to keep it as a Personal Care Home. She just needs to have additional services for her clients.

No one spoke in opposition to the request.

**A MOTION** was made by Councilwoman Tooley to approve the request for a Conditional Use Permit for a Group Personal Care Home with seven residents in a Multi-Family Residential (R-M) Zoning District as requested by Shannon Perkins with the following four conditions: (1) Approval shall be granted in the name of the applicant only, as the operator for a State-licensed and fully compliant Group Personal Care Home with up to seven residents

at the facility. No other uses allowed in R-10 Zoning shall be allowed on the property that are in addition to the Personal Care Home. (2) All parking associated with the facility shall be on-site and located on paved surfaces only, as approved by the City Engineer with no more than five total cars at any one time. (3) There shall no non-incidental signage allowed, and the property shall maintain a single-family residential character at all times. (4) Conditional Use approval shall expire after one year from the date of approval if no updated city Business License for the expanded facility has been requested by that date. The motion was seconded by Councilman Howard. The motion was adopted (6-1) with Councilman Carroll voting in opposition to enact Ordinance No. 2019-17, the complete text of which will be found in Ordinance Book XIV.

## **BOARDS, COMMISSIONS, AUTHORITIES, AND ADVISORY COMMITTEES**

Consideration of an appointment to the Hospital Authority of Valdosta and Lowndes County.

Mayor Gayle stated that the Hospital Authority of Valdosta-Lowndes County has a member, Gregory Powell, whose term will expire on October 1, 2019. The Hospital Authority submitted the following three names for consideration: (1) Gregory Powell - Community Relations for Langdale Industries, (2) Kevin Reddick - Retired U. S. Air Force, and (3) Larry Brooks - Prison Warden in Lanier County. Mr. Brooks has asked that his name be removed for consideration due to personal reasons. Mr. Powell has expressed an interest in being reappointed. This appointment was not advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council due to the Hospital Authority By-Laws which require the Hospital Authority of Valdosta and Lowndes County to submit three names to the City of Valdosta for consideration of Mr. Powell's seat.

Mayor Gayle asked for nominations for an appointment to the Hospital Authority of Valdosta and Lowndes County.

Councilwoman Miller-Cody placed into consideration Greg Powell. There being no other nominations, Mayor Gayle closed nominations.

Mayor Gayle entertained a motion to appoint Greg Powell to the Hospital Authority of Valdosta and Lowndes County.

**A MOTION** by Councilwoman Miller-Cody, seconded by Councilman Howard, was unanimously adopted (7-0) to reappoint Greg Powell to serve a term of five years on the Hospital Authority of Valdosta and Lowndes County.

## **CITIZENS TO BE HEARD**

George Boston Rhynes, 5004 Oak Drive, stated that he interviewed many people about the incident that occurred on August 2, 2019 at the Bathcraft workplace involving a noose and they took it very seriously. Some people thought it was an electrical cord; however, it was definitely not an electrical cord. There was no law enforcement called and it was not treated as a crime scene. If he was not concerned about it, then he would not be here at the Council Meeting. He has not heard anything from the Mayor or the City Council about this incident. Mr. Rhynes stated that the newspaper and television stations should have reported it to the public. Mayor Gayle stated that they were concerned about the incident and the Valdosta City Police Department did investigate the incident.

John Robinson, 3227 San Juline Circle, Lake Park, stated that he has a request for an allocated amount to be set aside for the south side of town. Revitalization consists of small businesses and we all know that the community on the south side has been neglected while the north side has prospered. Mr. Robinson asked Council to come up with something to address this situation. They are currently working with banks and school systems. The noose of economic strangulation has been going on for years. Grants are available out there. The City did put some things in place, but it was not enough. Mr. Robinson stated that he would like a response and he wants to work with the Council on this request.

Mark Barber, City Manager, stated that there will be a ceremony on September 11, 2019 at 11:00 a.m. at the old historic Courthouse to commemorate the eighteenth anniversary of the September 11 terrorist attack.

The Taste of Downtown Event will be held on Thursday, September 12, 2019 and tickets are still available through the Main Street Office.

There will be a Ribbon Cutting Ceremony for the new Valdosta Middle School STEM Academy on Sunday, September 8, 2019 at 3:30 p.m.

Mark Barber, City Manager, congratulated Coleman Talley, LLP for receiving an award from the Georgia Downtown Association (GDA) on August 28, 2019 in Jekyll Island for its rehabilitation of 109 South Ashley Street in Downtown Valdosta. The building project was granted Best Adaptive Re-use over 10,000 square feet in the Economic Development Category, noting the return of historic buildings to productive use while maintaining architectural integrity.

### **COUNCIL COMMENTS**

Councilman Gibbs stated that there will be a Town Hall Meeting on September 30, 2019 at the Senior Citizens Center from 6:30 p.m. to 8:00 p.m. The Miracle League will start back up next week and they have approximately 90 participants. Also, the Mayor and Council take events like the one Mr. Rhynes had mentioned very seriously. On August 6, 2019, Police Chief Leslie Manahan talked to the Plant Manager about the incident and then it was turned it over to the FBI for investigation. They did exactly what they were supposed to do in handling the incident.

Councilman Vickers inquired as to when the request regarding the rezoning of property on Baytree Road would come up again. Mark Barber, City Manager, stated that it would come up again at the September 19, 2019 Council Meeting.

### **ADJOURNMENT**

Mayor Gayle entertained a motion for adjournment.

A **MOTION** by Councilman Vickers, seconded by Councilman Carroll, was unanimously adopted (6-0) to adjourn the September 5, 2019 meeting of the Valdosta City Council at 6:15 p.m. to meet again in Regular Session on Thursday, September 19, 2019.

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City Clerk, City of Valdosta

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Mayor, City of Valdosta