

CITY OF EAST POINT

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

April 20 16, 2017 7:00 P.M.
Official Meeting Minutes

City Annex
3121 Norman Berry Drive
East Point, Georgia 30344

Board Members:

Commissioner Shean **ATKINS, Chair**

Commissioner Linda **SHELDON, Vice Chair**

Commissioner Joel **TUCKER, Provisional Chair**

Commissioner Laura **BORDERS - Absent**

Commissioner Gregory **FANN - Absent**

Commissioner Patricia **LOVETT - Absent**

Commissioner William **MILLER**

Commissioner LaJeanna **MCKNIGHT**

Commissioner Willard **MAXWELL**

Also Present:

Ms. Angela **BLATCH**
Associate Planner

Willis **HATCHER**
City Engineer - Absent

Linda **DUNLAVY**
City Attorney

Videographer
Eric **Hammond**

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I. CALL TO ORDER:

COMMISSIONER ATKINS: Good evening. The the 7 o'clock hour is upon us. I am Shean Atkins and I am Chair of the East Point Planning & Zoning Commission and at this time, I'd like to officially call our April 20th, 2017 meeting to order. Staff, would you please sound roll to establish a quorum.

II. ROLL CALL:

MS. BLATCH: Commissioner Lovett.
COMMISSIONER LOVETT: (No response.)
MS. BLATCH: Commissioner Borders.
COMMISSIONER BORDERS: (No response.)
MS. BLATCH: Commissioner Miller.
COMMISSIONER MILLER: Here.
MS. BLATCH: Commissioner Fann.
COMMISSIONER FANN: (No response.)
MS. BLATCH: Commissioner Atkins.
COMMISSIONER ATKINS: Present.
MS. BLATCH: Commissioner Tucker.
COMMISSIONER TUCKER: Here.
MS. BLATCH: Commissioner Sheldon.
COMMISSIONER SHELDON: Here.
COMMISSIONER MCKNIGHT: Here.
MS. BLATCH: Commissioner Maxwell.
COMMISSIONER MAXWELL: Present.
MS. BLATCH: Mr. Chair, you have a quorum.

1 COMMISSIONER ATKINS: All right thank you. At this time, I
2 ask that we all take a Moment of Silence and as we do so this
3 evening, I'd also like for us to remember all of the lives lost here in
4 this country and, of course, those lives that have been loss today in
5 Paris.

6 **III. MOMENT OF SILENCE:**

7 COMMISSIONER ATKINS: Okay. Thank you. If uh-uh would
8 please stand and join me in the Pledge of Allegiance.

9 **IV. PLEDGE OF ALLEGIANCE:**

10 COMMISSIONER ATKINS: Thank you. Commissioners, at
11 this time, I'll entertain a motion to adopt our agenda as printed.

12 **V. ADOPTION OF AGENDA:**

13 COMMISSIONER MILLER: Motion to adopt.

14 COMMISSIONER ATKINS: Is there a second?

15 COMMISSIONER SHELDON: Second.

16 COMMISSIONER ATKINS: It's been moved by Commissioner
17 Miller, seconded by Commissioner Sheldon that we adopt the agenda
18 as printed. All in favor sound aye.

19 COMMISSIONERS: Aye.

20 COMMISSIONER ATKINS: All opposed sound nay.

21 COMMISSIONERS: (No response.)

22 COMMISSIONER ATKINS: Hearing none, the ayes have it.
23 Our agenda is adopted. Commissioners, at this time, I'll entertain a
24 motion to approve our March 18, 2017 meeting minutes.

25 **VI. APPROVAL OF THE MARCH 18, 2017 MINUTES:**

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COMMISSIONER SHELDON: So moved.

COMMISSIONER ATKINS: Is there a second?

COMMISSIONER MILLER: Second.

COMMISSIONER ATKINS: It's been moved by Commissioner Sheldon and seconded by Commissioner Miller that we approve our March 18, 2017 meeting minutes. All in favor sound aye.

COMMISSIONERS: Aye.

COMMISSIONER ATKINS: All opposed sound nay.

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, the ayes have it. Our March 18, 2017 meeting minutes are approved. Commissioners, at this time, we'll move into New Business. Our New Business this evening consist of two Agenda Item, or two cases rather and they both require a public hearing. At this time, I'll read the rules for public hearing that will apply to both cases.

(Whereupon the City of East Point Rules for Public Hearing is read into the record.)

COMMISSIONER ATKINS: Public hearings before the Planning & Zoning Commission shall be conducted in accordance with Section 10-2219 of the East Point Zoning Code and Development Regulations as follows: Persons both favoring and opposing the proposed case will be provided on opportunity to address the Commission. The applicant for the zoning case or the applicant's designated representative, if any, will be entitled to speak first followed by other speakers in favor of the proposal for a total of

1 fifteen (15) minutes. Those who oppose the proposed zoning case
2 will then be permitted to speak for a total of fifteen (15) minutes. By
3 majority vote, the Commission may increase the total time for
4 speakers provided that each side is given the same amount of time.
5 If there's more than one speaker for a side the Chair or the presiding
6 officer may limit the time allotted to each individual speaker other
7 than the zoning applicant. The zoning applicant may reserve a
8 portion of his or her allotted time for rebuttal.

9 Speakers must adhere to the rules of decorum. Prior to
10 speaking, each speaker shall state his or her first and last name and
11 his or her current address. Each speaker shall speak only to the
12 merit of the proposed zoning case under consideration, shall address
13 remarks only to the Commission and shall refrain from making
14 personal attacks on any other speaker. The presiding officer may
15 refuse the speaker the right to continue if, after first being caution,
16 the speaker continues to violate the rules of decorum. Those are our
17 rules for public hearing. Staff, would you please sound our first
18 Agenda Item, our Case Number 2017 "Z" as in zebra-003-03.

19 **VII. NEW BUSINESS:**

20 MS. BLATCH: In Case Number 2017Z-003-03, the applicant is
21 WA Retail Center, LLC. The location 1677 East Vesta Avenue.
22 They're speaking a rezoning from CR, which is Commercial
23 Redevelopment to C-2, Central Business District.

24 COMMISSIONER ATKINS: Okay, thank you. Commissioners,
25 you've heard this case, the sounding of this case. At this time, I'll

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entertain a motion to open the public hearing.

COMMISSIONER MILLER: So moved.

COMMISSIONER ATKINS: Is there a second?

COMMISSIONER MCKNIGHT: Second.

COMMISSIONER ATKINS: It's been moved by Commissioner Tucker, seconded by Commissioner McKnight that we open the public hearing for Case Number 2017 "Z" as in zebra-003-03. All in favor sound aye.

COMMISSIONERS: Aye.

COMMISSIONER ATKINS: All opposed sound nay.

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, the ayes have it. The public hearing is now open. Is our Applicant, WA Retail Center, LLC present?

AUDIENCE: Yes.

COMMISSIONER ATKINS: Yes, would you please approach the podium. State your first and last name and your current address.

(Whereupon Applicant Representative Mark Ward (sp), of 1201 West Peachtree Street, approaches the podium.)

APPLICANT'S LEGAL REPRESENTATION: My name is Mark Ward (sp) . I practice law at 1201 West Peachtree Street, Atlanta, Georgia, 30309. I'm representing WA Retail, which is -- Central Retail, which is a subsidiary of Woodward Academy. We have unfortunately realized that there is a singular out-parcel --

COMMISSIONER ATKINS: If you could bring the "mic" to you

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for the viewing public that doesn't have the benefit of hearing you.

APPLICANT'S LEGAL REPRESENTATION: Yes, sure. I apologize. We have an out-parcel on the northern end of the property that is a separate parcel and was not advertised, that is part of the overall redevelopment plan at the site that we see. Therefore, we are asking -- we understand from Staff that they have not advertised yet for next month's P&Z Meeting so we are going to ask tonight for a 30-day deferral so that we can get into that advertisement and be able to pull that parcel into this rezoning and so we can show you a fully consolidated plan.

COMMISSIONER ATKINS: Okay. All right, is it Mr. Ward (sp)?

APPLICANT'S LEGAL REPRESENTATION: Yes.

COMMISSIONER ATKINS: Okay, all right, thank you. Anything else, Mr, Ward?

APPLICANT'S LEGAL REPRESENTATIVE: I would, I guess, hold the the rest of our time for rebuttal if necessary.

COMMISSIONER ATKINS: Okay. Because we did advertise a portion of this, I want to ask, the attorney -- I think that we have to go ahead and conclude this public hearing and then once it's re-advertised, we will then establish a new public hearing and it will be for the regularly scheduled May as opposed to 30 days because it may not be 30 days so our regularly scheduled May meeting, okay. So are there any other proponents here to speak to this zoning case?

AUDIENCE: (No response.)

1 COMMISSIONER ATKINS: Any other proponents?
2 AUDIENCE: (No response.)
3 COMMISSIONER ATKINS: Any other proponents?
4 AUDIENCE: (No response.)
5 COMMISSIONER ATKINS: Are there any opponents here to
6 speak to this zoning case?
7 AUDIENCE: (No response.)
8 COMMISSIONER ATKINS: Any opponents?
9 AUDIENCE: (No response.)
10 COMMISSIONER ATKINS: Okay, seeing none, and hearing
11 none, Commissioners, at this time, I'll entertain a motion to close the
12 public hearing.
13 COMMISSIONER TUCKER: So moved.
14 COMMISSIONER ATKINS: Is there a second?
15 COMMISSIONER MAXWELL: I second.
16 COMMISSIONER ATKINS: It's been moved by Commissioner
17 Tucker, seconded by Commissioner Maxwell that we close the public
18 hearing. All in favor sound aye.
19 COMMISSIONERS: Aye.
20 COMMISSIONER ATKINS: All opposed sound nay.
21 COMMISSIONERS: (No response.)
22 COMMISSIONER ATKINS: Hearing none, the ayes have it.
23 The public hearing is now closed. We're gonna give them just one
24 second and then I'm gonna ask for Staff's recommendation. Staff,
25 would you please sound your recommendation.

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MS. BLATCH: In Case Number 2017Z-003-03, Applicant, WA Retail Center, LLC, in regards to the rezoning from C-R, Commercial Redevelopment to C-2, Central Business District of 1677 East Vesta Avenue, Staff has no objection to the deferral being requested by the applicant.

COMMISSIONER ATKINS: Okay. Commissioners, you've heard from the applicant and you've also heard Staff's recommendation, that it will accept the deferral for our May meeting. At this time, Commissioners, I'll entertain a motion for Case Number 2017 "Z" as in zebra-003-03.

COMMISSIONER SHELDON: Mr. Chair.

COMMISSIONER ATKINS: Yes, Commissioner Sheldon.

COMMISSIONER SHELDON: I make a motion that we defer this case to our regularly scheduled May meeting.

COMMISSIONER ATKINS: Okay.

COMMISSIONER MILLER: I second the motion.

COMMISSIONER ATKINS: Okay. It's been moved by Commissioner Sheldon and seconded by Commissioner Miller that we defer Case Number 2017 "Z" as in zebra-003-03 to our regularly scheduled May meeting. Any discussion?

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, all in favor sound aye.

COMMISSIONERS: Aye.

COMMISSIONER ATKINS: All opposed sound nay.

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COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, the ayes have it.
We will defer this case to our regularly scheduled May meeting.
Thank you. Staff, would you please sound Case Number 2017 "Z" as
in zebra-004-03.

MS. BLATCH: Case Number 2017Z-004-03, Applicant J Pacific
Ventures, LLC. The location, 2280 Dauphine Street. They are seeking
a rezoning from R1A, Urban Residential to R3, Multi-family
Residential.

COMMISSIONER ATKINS: Thank you. Commissioners, for
Case Number 2017 "Z" as in zebra-004-03, at this time, I'll entertain
a motion to open the public hearing.

COMMISSIONER TUCKER: So moved.

COMMISSIONER ATKINS: Is there a second?

COMMISSIONER MCKNIGHT: Second.

COMMISSIONER ATKINS: It's been moved by Commissioner
Tucker, seconded by Commissioner McKnight that we open the public
hearing. All in favor sound aye.

COMMISSIONERS: Aye.

COMMISSIONER ATKINS: All opposed sound nay.

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, the ayes have it.
The public hearing is now open. Is the the applicant J Pacific
Ventures, LLC present this evening?

AUDIENCE: Yes, hello.

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(Whereupon the Applicant Representative, Tremaine Johnson, approaches the podium.)

MR. JOHNSON: Hello. My name is Tremaine Johnson. I'm representing J Pacific. They're out of California but I'm the contractor for them.

COMMISSIONER ATKINS: Okay. Mr. Johnson, would you please state your current address.

MR. JOHNSON: 3370 Hunters Point Road in Smyrna.

COMMISSIONER ATKINS: Okay.

MR. JOHNSON: And it's currently a -- or it was -- it's zoned currently now a single family and it was previously a triplex and what we're trying to do is get it rezoned back to a triplex. There was no power or there was no one living in the home for several years so in order for me to get power cut on, I had to go to the power company to find out that I needed, you know, to get it rezoned because it had been rezoned to Single Family so what we're trying to do is try it back into a triplex compared to a single family, which is what you guys have it zoned now.

COMMISSIONER ATKINS: All right. Are there any other proponents for this zoning case?

AUDIENCE: You (No response.)

COMMISSIONER ATKINS: Any other proponents to speak to this zoning case?

AUDIENCE: (No response.)

COMMISSIONER ATKINS: Any other proponents?

1 AUDIENCE: (No response.)
2 COMMISSIONER ATKINS: Are there any opponents to speak
3 to this zoning case?
4 AUDIENCE: (No response.)
5 COMMISSIONER ATKINS: Any opponents?
6 AUDIENCE: (No response.)
7 COMMISSIONER ATKINS: Hearing none and seeing none,
8 Commissioners, at this time, I'll entertain a motion to close the public
9 hearing for Case Number 2017 "Z" as in zebra-004-03.
10 COMMISSIONER MILLER: Motion to close the public hearing.
11 COMMISSIONER ATKINS: Is there a second?
12 COMMISSIONER MAXWELL: Second the motion.
13 COMMISSIONER ATKINS: It's been moved been
14 Commissioner Miller, seconded by Commissioner Maxwell that we
15 close the public hearing for this case. All in favor sound aye.
16 COMMISSIONERS: Aye.
17 COMMISSIONER ATKINS: All opposed sound nay.
18 COMMISSIONERS: (No response.)
19 COMMISSIONER ATKINS: Hearing none, the ayes have it.
20 The public hearing is now closed. Thank you, Mr. Johnson. Staff, at
21 this time, I'll ask you to state your recommendation.
22 MS. BLATCH: In Case Number 2017Z-004-03, Applicant being
23 J Pacific Ventures, LLC, Staff recommends a deferral of the rezoning
24 from R1A, Urban Residential, to R3, Multi-Family Residential of 2280
25 Dauphine Street.

1 COMMISSIONER ATKINS: Okay. Commissioners, you've
2 heard from the applicant's representative and you've also heard
3 Staff's recommendation to defer. At this time, I'll entertain a motion.
4 COMMISSIONER SHELDON: Mr. Chair.
5 COMMISSIONER ATKINS: Yes, Commissioner Sheldon.
6 COMMISSIONER SHELDON: I make a motion that we defer
7 this case to our May meeting.
8 COMMISSIONER ATKINS: Okay.
9 COMMISSIONER SHELDON: -- to our May meeting as we did
10 in the previous one.
11 COMMISSIONER ATKINS: Okay. Is there a second?
12 COMMISSIONER MCKNIGHT: Second.
13 COMMISSIONER ATKINS: It's been moved by Commissioner
14 Sheldon, seconded by Commissioner McKnight that we defer Case
15 Number 2017 "Z" as in zebra-004-03 to our regularly scheduled May
16 meeting. At this time, is there any discussion?
17 COMMISSIONERS: (No response.)
18 COMMISSIONER ATKINS: So I have a question. So for the
19 benefit of the applicant's representative and for Commissioners who
20 may not be aware or the viewing public, Staff, you recommended a
21 deferral. Can you please sound or state your case for recommending
22 the deferral for this case?
23 MS. BLATCH: My apologies. Staff recommend deferral due to
24 applicant's noncompliance of what our current ordinance requires.
25 COMMISSIONER ATKINS: Okay. In what aspect of the

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ordinance and because the applicant's representative is here so for the record, I want to make sure that in the presence of our camera and the Commission and our attorney that you share with the applicant's represent, the parts of the ordinance that were not -- out of compliance.

MS. BLATCH: At the time of the rights of the analysis, of Staff's analysis, the applicant was not in compliance with the CZIM requirement and currently, we have not been able to access the property as indicated or as stated by the applicant and/or applicant's representative. Staff has spoken with the applicant and they concurred with the deferral.

COMMISSIONER ATKINS: Okay, all right, excellent. Mr. Johnson, you heard that as well, correct?

MR. JOHNSON: Yes.

COMMISSIONER ATKINS: Commissioners, the motion is the defer to our regularly scheduled May meeting. It was moved by Commissioner Sheldon, seconded by Commissioner McKnight. All in favor sound aye for deferral?

COMMISSIONERS: Aye.

COMMISSIONER ATKINS: All opposed sound nay.

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, the ayes have it. We will defer this case to our regularly scheduled May meeting. We're now at the point of our agenda where we move to announcements. Staff, do you have any announcement that make?

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VIII. ANNOUNCEMENTS:

STAFF: No.

COMMISSIONER ATKINS: No, okay. I have a question. So I realized that there was an Open House or a Public Forum for our Comprehensive Development Plan, is that correct?

MS. BLATCH: That's correct.

COMMISSIONER ATKINS: Okay. Do you have any updates to that that you would like to share with the viewing public? Will there be any results coming out of that that will be shared with the citizens or what will the next steps be?

MS. BLATCH: The next steps would be meetings with our stakeholders. Currently, those particular Boards that were presented at our Comprehensive Update Meeting can you accessed on our Website under the Planning and Community Development Department. You can access those and if you have any feedback from those who was not able to attend that meeting, we definitely encourage that feedback because we're trying to move into our next phase. There will be future public hearings or public meetings open. However, right now, we're just trying to compile all the data that we receive and the feedback received from those meeting that have currently been held.

COMMISSIONER ATKINS: Okay. Thank you so very much much. Commissioners, any other announcements for the good of the public?

COMMISSIONERS: (No response.)

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COMMISSIONER ATKINS: If not, I'll entertain a motion to adjourn.

IX. ADJOURNMENT:

COMMISSIONER MILLER: Motion to adjourn.

COMMISSIONER ATKINS: Is there a second?

COMMISSIONER SHELDON: Second.

COMMISSIONER ATKINS: It's been moved by Commissioner Miller, seconded by Commissioner Sheldon that we adjourn our regularly scheduled April meeting. All in favor sound aye.

COMMISSIONERS: Aye.

COMMISSIONER ATKINS: All opposed sound nay.

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, the ayes have it. Our meeting is now adjourned. Thank you.

(Whereupon this concludes the City of East Point Planning and Community Development regularly scheduled meeting for April 20, 2017.)

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Attest:

I hereby attest that the foregoing transcript was reported, as stated in the caption, and the questions and answers thereto were reduced to the written page under my direction; that the foregoing pages 1 through 19 represent a true and correct transcript; that I am not in any way financially interested in the result of said case.

I am here as an independent contractor for the City of East Point, Department of Planning and Community Development.

I was contacted by the offices of East Point, Department of Planning & Community Development to provide stenography services to take down the meeting minutes.

The foregoing meeting for the City of East Point, Department of Planning and Community Development , on April 20, 2017 at seven o'clock P.M., were taken down by me and transcribed by me on this 4th day of May, 2017.