

CITY OF EAST POINT

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

March 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, Provisional Chair**

Commissioner Joel **TUCKER**

Commissioner Laura **BORDERS**

Commissioner Gregory **FANN - Absent**

Commissioner Patricia **LOVETT**

Commissioner William **MILLER, Vice Chair**

Commissioner LaJeanna **MCKNIGHT - Absent**

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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Appearances

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I. CALL TO ORDER:

COMMISSIONER ATKINS: Good evening, ladies and gentlemen. I'm Shean Atkins and it is now a little after 7 o'clock this evening so I'm officially calling the East Point Planning and Zoning meeting to order. Staff, would you please sound Roll Call to establish a quorum.

II. ROLL CALL:

MS. BLATCH: Commissioner Lovett.
COMMISSIONER LOVETT: Here.
MS. BLATCH: Commissioner Borders.
COMMISSIONER BORDERS: Here.
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.
MS. BLATCH: Commissioner McKnight.
COMMISSIONER MCKNIGHT: (No response.)
MS. BLATCH: Commissioner Maxwell.
COMMISSIONER MAXWELL: Here.

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MS. BLATCH: Mr. Chair, we have a quorum.

COMMISSIONER ATKINS: Thank you. At this time, I'd like for us all to take a Moment of Silence.

III. MOMENT OF SILENCE:

COMMISSIONER ATKINS: Thank you. If you would please stand and join me in the Pledge of Allegiance.

IV. PLEDGE OF ALLEGIANCE:

COMMISSIONER ATKINS: Thank you. Commissioners, at this time, I'll entertain a motion to adopt our agenda for this evening, which is March 16, 2017.

V. ADOPTION OF AGENDA:

COMMISSIONER MAXWELL: I so move.

COMMISSIONER ATKINS: Is there a second?

COMMISSIONER SHELDON: Second.

COMMISSIONER MILLER: It's been moved by Commissioner Maxwell, seconded by Commissioner Miller that we adopt our agenda as printed this evening. 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 agenda is not adopted. Commissioners, at this time, I'll entertain a motion to approve our February 16, 2017 meeting minutes.

VI. APPROVAL OF THE FEBRUARY 16, 2017 MEETING

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MINUTES:

COMMISSIONER MILLER: Motion to approve.

COMMISSIONER ATKINS: Is there a second?

COMMISSIONER BORDERS: Second.

COMMISSIONER ATKINS: It's been moved by Commissioner Miller, seconded by Commissioner Borders that we approve our February 16, 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 February 16, 2017 meeting minutes are approved.

Commissioners, at this time, we'll move into New Business. Before we move into New Business, it seems that all of the agenda items require a public hearing this evening and so at this time, I'll read our Rules for Public Hearings. They will apply to each of the cases tonight.

(Whereupon the City of East Point Rules for Public Hearings are 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 an opportunity to address the Commission. The applicant for the zoning case or the applicant's

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designated representative, if any, will be entitled to speak first followed by other speaks in favor of the proposal for a total of fifteen (15) minutes. Those who oppose the proposed zoning case will then be permitted to speak for a total of fifteen (15) minutes. By majority vote, the Commission may increase the total time for speakers provided that each side is given the same amount of time. If there is more than one speaker for a side, the Chair or the presiding officer may limit the time allotted to each individual speaker other than the zoning applicant. The zoning applicant may reserve a portion of his or her allotted time for rebuttal.

Speakers must adhere to the rule of decorum. Prior to speaking, each speaker shall state his or her first and last name and their current address. Each speaker shall speak only to the merits of the proposed zoning decision under consideration, shall address remarks only to the Commission and shall refrain from making personal attacks on any other speaker. The presiding officer may refuse a speaker the right to continue, if after first being cautioned, by the presiding officer, if the speaker continues to violate the rules of decorum.

You've now heard our rules for public speaking. Staff, would you please sound our first case, which is 2017 "Z" as in zebra-002-02.

VII. NEW BUSINESS:

MS. BLATCH: Case Number 2017Z-002-02, the applicant is Willie Brown, Sr., the location is 2386 Jefferson Terrace. He's seeking

1 rezoning from R1A, Urban Residential to R2, Two Family Residential.

2 COMMISSIONER ATKINS: Thank you, Staff. At this time,

3 Commissioners, I'll entertain a motion to open the public hearing.

4 COMMISSIONER SHELDON: So moved.

5 COMMISSIONER ATKINS: Is there a second.

6 COMMISSIONER BORDERS: Second.

7 COMMISSIONER ATKINS: It's been moved by Commissioner

8 Sheldon, seconded by Commissioner Borders that we open a public

9 hearing for Case Number 2017 "Z" as in zebra-002-02. All in favor

10 sound aye.

11 COMMISSIONERS: Aye.

12 COMMISSIONER ATKINS: All opposed sound nay.

13 COMMISSIONERS: (No response.)

14 COMMISSIONER ATKINS: Hearing none, the ayes have it.

15 The public hearing is now open. Is Mr. Brown present this evening.

16 MR. BROWN: I am.

17 COMMISSIONER ATKINS: Okay. Would you please step to

18 the podium, state your first and last name and your address, sir.

19 (Whereupon Applicant Willie Brown approaches the podium.)

20 MR. BROWN: Willie Brown, 215 Whitney Way.

21 COMMISSIONER ATKINS: Okay. You can go ahead and

22 present your case.

23 MR. BROWN: I'm trying to return my duplex back to an R --

24 COMMISSIONER ATKINS: R2.

25 MR. BROWN: -- R2, that's it.

1 COMMISSIONER ATKINS: Okay, nothing else to say?
2 MR. BROWN: I mean, I don't know what to say. I mean, I'm
3 from -- this my first time being put through this.
4 COMMISSIONER ATKINS: Okay, no problem. You can just
5 tell us -- you said that you're trying to return your case. We don't
6 normally have this engagement but if there's anything else that you'd
7 like for us to know, this is your opportunity for you to tell the
8 Commission.
9 MR. BROWN: I mean, I don't know what to speak of, you
10 know.
11 COMMISSIONER ATKINS: Okay.
12 MR. BROWN: This is all new to me.
13 COMMISSIONER ATKINS: Okay, all right, that's fine, Mr.
14 Brown, all right. Are there any other proponents for this zoning
15 case?
16 AUDIENCE: (No response.)
17 COMMISSIONER ATKINS: Any other proponents?
18 AUDIENCE: (No response.)
19 COMMISSIONER ATKINS: Are there any other proponents
20 for this zoning case?
21 AUDIENCE: (No response.)
22 COMMISSIONER ATKINS: Are there any opponents for this
23 zoning case?
24 AUDIENCE: (No response.)
25 COMMISSIONER ATKINS: Any opponents?

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AUDIENCE: (No response.)

COMMISSIONER ATKINS: Seeing none, Commissioners, at this time, I'll entertain a motion to close the public hearing.

COMMISSIONER MILLER: Motion to close.

COMMISSIONER ATKINS: Is there a second?

COMMISSIONER MAXWELL: Second.

COMMISSIONER ATKINS: It's been moved by Commissioner Miller, seconded by Commissioner Maxwell that we close 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 closed. Staff, would you please sound your recommendation.

MS. BLATCH: In Case Number 2016Z-002-02, applicant Willie Brown, Sr., location 2386 Jefferson Terrance, Staff recommends approval of the rezoning from R1A, Urban Residential to R2, Two Family Residential with the following conditions: Applicant must obtain applicable permits and inspection for all unpermitted work. This will include current unpermitted work performed and verification of asbestos testing on floor tiles being removed. Insulation of two water services, two meters, payment of appropriate water tap fees and any applicable fees related to new service.

Property must be readdressed. Once new addresses are

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assigned, the only will be required to post to property in accordance with Chapter 8, Section 10-8003.

COMMISSIONER ATKINS: Thank you. Commissioners, you've heard from the applicant, you've also heard Staff's recommendation. At this time, I'll entertain a motion and please remember that it is a rezoning and your motion should be stated in the form of a recommendation.

COMMISSIONER SHELDON: Mr. Chair.

COMMISSIONER ATKINS: Yes, Commissioner Sheldon.

COMMISSIONER SHELDON: For the record, just to correct -- the application number is 2017Z-002-02. You said, '16, just for the record, that's okay. Motion to recommend approval with Staff's conditions.

COMMISSIONER ATKINS: Okay. There a motion on the floor. Is there a second?

COMMISSIONER TUCKER: Second.

COMMISSIONER ATKINS: Okay. It's been moved by Commissioner Sheldon, seconded by Commissioner Tucker that we second. Any discussion?

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, the motion on the floor is the recommend approval for Case Number 2017 "Z" as in zebra-002-02 with Staff's conditions. It's been motioned by Commissioner Sheldon and seconded by Commissioner Tucker. All in favor sound aye. /-FP

1 COMMISSIONERS: Aye.

2 COMMISSIONER ATKINS: All opposed sound nay.

3 COMMISSIONERS: (No response.)

4 COMMISSIONER ATKINS: Hearing none, the ayes have it.

5 Mr. Brown, we recommend approval, okay.

6 MR. BROWN: Thank you.

7 COMMISSIONER ATKINS: Thank you. Our next case is 2017

8 "Z" as in zebra-001-02. Staff, would you please sound this Agenda

9 Item.

10 MS. BLATCH: Case Number 2017Z-001-02, the applicant is

11 Mirage Enterprises, Incorporated. The location -- there are various

12 parcels. There's is total of 14. They're seeking rezoning from R1A,

13 Urban Residential and C1, Neighborhood Commercial to Mix --

14 Mixed-use District.

15 COMMISSIONER ATKINS: Okay. Thank you. At this time,

16 Commissioners, I'll entertain a motion to open the public hearing.

17 COMMISSIONER SHELDON: So moved.

18 COMMISSIONER ATKINS: Is there a second?

19 COMMISSIONER BORDERS: Second.

20 COMMISSIONER ATKINS: It's been moved by Commissioner

21 Sheldon, seconded by Commissioner Borders that we open the public

22 hearing for Case Number 2017 "Z" as in zebra-001-02. All in favor

23 sound aye.

24 COMMISSIONERS: Aye.

25 COMMISSIONER ATKINS: All opposed sound nay.

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COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, the ayes have it.
The public hearing is now open. Is the representative here for
Mirage Enterprises?

AUDIENCE: Yes.

COMMISSIONER ATKINS: Okay. Would you please state
your first and last name and your current address.

(Whereupon Representative of Mirage, Lolethia Chapman
approaches the podium.)

MS. CHAPMAN: My name is Aletha Chapman and my current
office 1750 Lyle Avenue, College Park, Georgia, 30337.

COMMISSIONER ATKINS: Thank you. You can go ahead
and state your case.

MS. CHAPMAN: Okay. We're asking for a rezoning of
proposed fourteen parcels. The first address is at 1290 Knotts; the
second is 1307 Knotts; 1312 Knotts; 2110 Newnan; 2115 Newnan;
2125 Newnan; 2130 Newnan; 2134 Newnan; 0 Hawthorne Way;
Hawthorne Way; Hawthorne Way and Hawthorne Way; 1351
Hawthorne Way and 1359 Hawthorne Way.

These parcels -- we're asking for Knotts to be proposed use
of community center; 1307 remain residential; 1312 rezoned,
proposed use, a learning center; 2110 proposed residential; 2115
Newnan Street, proposed used, a parking lot; 2125 proposed use, a
resident; 2130 proposed use, prayer hall; 2134 proposed use, parking
lot; Hawthorne Way, a rear parking lot; Hawthorne Way, parking lot;

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Hawthorne Way, parking lot and 1351 Hawthorne Way, parking lot -- not parking lot but Green Space and 1359 Hawthorne Way, Green Space.

When I was last here, when I meet on March the 9th, I was asked to look to make sure that there was adequate Green Space and open parking space for all these parcels and what I've done is I've calculated how many square feet the total parcels are. The total parcels for breakout, all fourteen, total 153, 673.4 of square foot. With that square footage, the formula is that I would have to -- we needed at least 20% allocated for Green Space and open parking space.

Twenty percent of that 153, 673.4 square foot is 30,734.68 square foot. That's what is needed for all of these parcels. What we have total as far as square footage, after looking at that, is 37,462 square footage and I'll break it down for you.

Parcel Number One, what is 1290 Knotts Avenue -- it has a total of 79 parking spaces; Parcel Number Five, which is 2115 Newnan Street, it has a total of 24; Parcel Number Eight, 2134, it has a total of 18 parking spaces; Number Nine, 0 Hawthorne Way rear has a total of 142 parking spaces and then we have the Hawthorne Way parcels that we've allocated as Green Space and what we did was converted the acreage to square footage and Number Ten, Hawthorne Way, the first one -- it has a total of 0.18 acres, which that equates out to 7840.8 square foot; Number has 0.17 acres, which computes to 7405.2 square foot and so does 12, 13 and 14.

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They're all 0.17 acres so we have a total of parking spaces between all fourteen parcels, 263.

Now, in looking at your regulation in regards to worship service, what's required, we allocated at least 3,000 square foot for the prayer hall and that -- based upon what the regulation says it need to have 30 per square foot and that came out to 100 parking spaces will be required for the prayer hall.

In the community center, we do have a total of nine class rooms and according to your regulations, we have to have two parking spaces per classroom and comes out to 18 parking spaces. We allocated 29 parking spaces, is what we have.

The commercial use building that sits on the same parcel at 1290, we revised that and made it commercial use. That is equivalent to a 1,050 square foot and it has to have four parking space per 1,000 square foot. We allocated 4 but we have five parking spaces for it.

The recreation, which is the gymnasium, it has a actual basketball court. I was able to find -- thanks to Google -- that a regulation-size basketball court is generally 4,200 square foot and as a result of that, it come out to 16 parking spaces. We allocated 50 because we have that many.

Then we have the learning center, which has ten classes and according to the regulations, we need to have two parking spaces per class. That comes out to 20. We have allocated 32 parking spaces for that. The number of parking spaces that required for all those

1 parcels come up to like 158. As I said, we have 200 plus so we really
2 had 68 extra parking spaces. If you'll see in the site plan, the parking
3 spaces were put on there as far as, you know -- at the community
4 center and the parking lot and the other lots that are adjacent to it.

5 What I'd like to tell you now is that the community center that
6 Mirage will have, it will be open to the community. However, there
7 will be rules and regulation, yeah. I kind of just want to go on record
8 saying that, you know, they don't want -- they will not tolerate any
9 profanity. It will be a smoke-free zone. No use of alcohol because of
10 their religious beliefs and what have you.

11 No hanging outside of the building. You know, if kids are
12 supposed to be there, you know, playing basketball or whatever, they
13 will be inside. I know that Mr. Ghaffar stated last week that, you
14 know, they have other facilities and because of their customs, there
15 are just certain things they're not going to permit to occur and so I
16 know, you know, thought about maybe you might have some
17 concerns about, you know, whether kids will be hanging out, if that's
18 going to be a hang out place, no, it won't be a hang out place but
19 they will be more than welcome and so will the community and so
20 the community will be able to, if they like, to contact us with this
21 property as far as getting on the schedule. We will establish a
22 scheduled where everybody could see -- maybe something like a
23 Google schedule -- to see what's going on in the center. Okay.
24 That's it. I'd like for Mr. Ghaffar (sp) to at least say something to the
25 Board as far as, you know, whatever.

1 MR. GHAFAR: My name is Abdul Ghaffar. I live in Marietta,
2 589 Gordon Combs Road and I think Ms. Lolethia has summoned out
3 most everything. I just wanted to add one thing that, like she said,
4 religious culture does not allow alcohol period. It's prohibited so
5 there will be no alcohol activities at that premises period. Any of our
6 religious facilities do not allow it. As far as people just hanging out
7 there, they're not gonna be coming there to mingle with people and
8 all that stuff outside. They gonna come play basketball, get together
9 inside. Outside, we're gonna have signs out there, no smoking, no
10 alcohol beverages and no illegal substances and all that stuff. We're
11 gonna have all those on the wall signs telling them what they can do
12 and what they can't do.

13 Like she said, we'll have a schedule. If the community -- if
14 there's somebody in the community want to come and use the
15 facilities, yes, we're gonna have to ask a scheduled and they'll have
16 to abide by our regulation what we allow and what we don't allow
17 and we allow them certain times -- yes, they'll have to use that time
18 for their benefits and that's it then they'll have to leave and then
19 whoever is scheduled for next, they will come in this. Unless the
20 Board have anything else to ask --

21 COMMISSIONER ATKINS: We don't ask questions during this
22 period. It's just an opportunity for you to present to the Commission.

23 MR. GHAFAR: Okay. That's all I have to say. Thank you.

24 COMMISSIONER ATKINS: Are there any other proponents
25 for this zoning case?

1 AUDIENCE: (No response.)
2 COMMISSIONER ATKINS: Any other proponents?
3 AUDIENCE: (No response.)
4 COMMISSIONER ATKINS: Anyone else in favor?
5 AUDIENCE: (No response.)
6 COMMISSIONER ATKINS: Are there any opponents to speak
7 against the zoning case in
8 AUDIENCE: (No response.)
9 COMMISSIONER ATKINS: Any opponents?
10 AUDIENCE: (No response.)
11 COMMISSIONER ATKINS: Seeing none, Commissioners, at
12 this time, I'll entertain a motion to close the public hearing.
13 COMMISSIONER TUCKER: So moved.
14 COMMISSIONER ATKINS: Is there a second?
15 COMMISSIONER MILLER: Second.
16 COMMISSIONER ATKINS: It's been moved by Commissioner
17 Tucker, seconded by Commissioner Miller 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 Staff, would you please sound your recommendation. The public
24 hearing is now closed. Staff, would you please sound your
25 recommendations.

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MS. BLATCH: In Case Number 2017Z-001-02, Applicant, Mirage Enterprises Incorporated, Staff recommends approval of the rezoning from R1A, Urban Residential and C1, Neighborhood Commercial to MIX- Mixed-use District with the following conditions: All renovated duplexes will require separate water services and meters. Commercial structures will require new water meters and payment of appropriate water and sewer fees. The subject properties shall be conditioned to the site plan shown as Exhibit A.

COMMISSIONER ATKINS: Okay. Commissioners, you've heard from the applicant and the applicant's representative. You've also heard Staff's recommendation. Staff recommendation is to recommend approval with certain conditions as stated. At this time, I'll entertain a motion.

COMMISSIONER SHELDON: Mr. Chair.

COMMISSIONER ATKINS: Yes, Commissioner Sheldon.

COMMISSIONER SHELDON: Motion to recommend approval for discussion, please.

COMMISSIONER ATKINS: Okay. Is there a second?

COMMISSIONER TUCKER: Second.

COMMISSIONER ATKINS: It's been moved by Commissioner Sheldon and seconded by Commissioner Tucker that we recommend approval with discussion. Any Commissioner would like to speak first?

COMMISSIONER SHELDON: That would be many.

COMMISSIONER ATKINS: Okay, Commissioner Sheldon.

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COMMISSIONER SHELDON: I would like to ask one thing. I would like to add another condition and that is that the owners submit a maintenance plan for the Green Space and the parking lots prior to the issuance of occupancy. This would be something that code enforcement would enforce but at least we have, on record, in your file, what your intentions are and what your plan is for maintaining that space should we need to go back and refer to them later on. So Commissioners, I would like to add that condition and I'm open to suggestions or further discussion.

COMMISSIONER ATKINS: Okay. Any other discussion for this Agenda Item in

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Okay. Hearing none, I also -- and I don't know if this is a condition or if we just requested -- so Ms. Jackson, is that correct?

AUDIENCE: Chapman.

COMMISSIONER ATKINS: Chapman. Ms. Chapman read off a laundry list of parcels and addresses to comprise their Green Space and parking spaces and so I don't know if we as a City -- if we have that list but if we don't, I think it would be helpful because because this meeting, we would go back and with our ageing memories, we won't remember which addresses and how many parking spaces that you've identified and so if we have that as a part of your record, then it would be a part of the official file and so Counsel, I don't know if we need to make them a condition or we simply request that.

1 ATTORNEY LINDA DUNLAVY: So if I'm understanding your
2 question, Commissioner Sheldon, you're -- Commissioner Atkins,
3 you're asking -- you're wanting the parking identification that Ms.
4 Chapman put forward to be part of the record and that this -- any
5 recommendation pursuant to this zoning would be -- that would be
6 part and parcel of the condition?

7 COMMISSIONER ATKINS: That is correct. So the parking
8 and the Green Space parcels that were identified in Ms. Chapman's
9 presentation.

10 ATTORNEY LINDA DUNLAVY: I would recommend making it
11 a condition of the zoning. I do not see that we have those figures in
12 our packet.

13 COMMISSIONER ATKINS: Did you send them?

14 MS. CHAPMAN: No, I will.

15 COMMISSIONER ATKINS: Okay. So if you have a copy this
16 evening --

17 ATTORNEY LINDA DUNLAVY: Oh, excuse me. Yeah, it is --
18 it's on the last page.

19 COMMISSIONER BORDERS: Identify what each use is in this
20 letter of intent.

21 COMMISSIONER ATKINS: In the letter of intent?

22 COMMISSIONER BORDERS: Yes, parking spaces, Green
23 Space, everything.

24 COMMISSIONER ATKINS: Okay. And that the list that you
25 read from, Ms. Chapman?

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MS. CHAPMAN: Yes.

COMMISSIONER ATKINS: Okay. So I'd like to make that -- do we still need to make it a part of the conditions so that it travels, at all times, with the recommendation?

ATTORNEY LINDA DUNLAVY: Yes. I mean, if you want her and her client to be bound by the parking spaces that she's identified, yes, you must make it a condition.

COMMISSIONER ATKINS: I mean, because they've already done the calculation and because there's a requirement for a certain percentage and they met that requirement based on what was presented this evening, then I'd feel more comfortable if we made that a part of the record and so a condition so at this time, I will had entertain a Commissioner adding an additional condition.

COMMISSIONER BORDERS: I'd like to make a motion to add the condition recommended by Commissioner Sheldon that there be a maintenance plan for the Green Space and parking spaces that are identified in today's Revised Letter of Intent.

COMMISSIONER MILLER: I second that motion.

COMMISSIONER ATKINS: Okay. And then that was the maintenance plan but also the parcels -- we also need the parcels that were read and presented.

ATTORNEY LINDA DUNLAVY: I think Commissioner Atkins, you should ask Commissioner Sheldon if she's willing to entertain a friendly amendment and then just clarity in crafting that friendly amendment, I would look at the third page of the revised letter of

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intent where it starts out Parcel One and it has the parking spaces identified there so in the crafting of the friendly amendment, you might want to make reference to that.

COMMISSIONER ATKINS: Okay. Commissioner Sheldon, will you accept a friendly amendment to also include language found on Page Three of the applicant's Revised Letter of Intent that speaks to several parcels in the amount of parking spaces and Green Spaces so that it is included therein as a part of the recommendation?

COMMISSIONER SHELDON: Yes. So the fourth condition we are now trying to get the verbiage for is that the owner will submit a maintenance plan for Green Space and parking prior to issuance of Certificate of Occupancy to include the language as stated on Page Three of the Revised Letter of Intent regarding listed parking spaces and Green Space. Does that work?

ATTORNEY LINDA DUNLAVY: Let me suggest that maybe it be attacked another way.

COMMISSIONER SHELDON: Go.

ATTORNEY LINDA DUNLAVY: I think you have a fourth condition where you say owners will submit a maintenance plan for Green Space and parking lots prior to the issuance of the first Certificate of Occupancy and then I would suggest perhaps making a fifth condition and saying that as the fifth condition, that you are recommending, in this motion is as a condition of zoning the parking spaces identified on Page Three of the revised Letter of Intent will be provided.

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COMMISSIONER SHELDON: Okay. As a condition of zoning the parking spaces identified on Page Three of the revised Letter of Intent -- is that right?

ATTORNEY LINDA DUNLAVY: Um-hum.

COMMISSIONER SHELDON: -- the identified --

ATTORNEY LINDA DUNLAVY: -- shall be provided --

COMMISSIONER SHELDON: Oh, shall be provided, okay.

COMMISSIONER ATKINS: And I'd just like to add because it speaks not only to parking spaces but also Green Space so I want us to say, parking spaces and Green Space.

COMMISSIONER SHELDON: Okay. So the verbiage reads then as a condition of zoning, the parking spaces and Green Spaces identified on Page Three of the revised Letter of Intent shall be provided.

COMMISSIONER ATKINS: Okay.

ATTORNEY LINDA DUNLAVY: Excellent.

COMMISSIONER ATKINS: Okay. Great. I appreciate that. Okay, so Commissioners, at the moment, there a motion to recommend approval with the conditions as stated by Staff and include additional conditions, number four and number five as stated by Commissioner Sheldon. It has been moved by Commissioner Sheldon, seconded by Commissioner Tucker and then doubly moved by Commissioner Borders and seconded by another Commissioner, Commissioner Miller so we have a friendly amendment to approve the recommendation with the conditions as stated by Staff and those

1 four and five -- numbers four and five as stated by Commissioners.

2 All in favor sound aye.

3 COMMISSIONERS: Aye.

4 COMMISSIONER ATKINS: All opposed sound nay.

5 COMMISSIONERS: (No response.)

6 COMMISSIONER ATKINS: Hearing none, the ayes have it.

7 Thank you we'll recommend approval.

8 MS. CHAPMAN: Thank you.

9 COMMISSIONER ATKINS: Thank you. Our next Agenda
10 Item is 2016 "M" as in Mary-007-12. Staff, would you please sound
11 that Agenda Item.

12 MS. BLATCH: Case Number 2016M-007-12. It's a Text
13 Amendment to Outparcel Development.

14 COMMISSIONER ATKINS: Okay. Commissioners, I don't
15 think we did a public hearing for this because this is the second time
16 it has appeared on our agenda and so I don't think we did a public
17 hearing.

18 ATTORNEY LINDA DUNLAVY: That's is correct. There's been
19 a public hearing previously so you do not have to conduct one.

20 COMMISSIONER ATKINS: Okay.

21 ATTORNEY LINDA DUNLAVY: Beg pardon. It has been
22 advertised for public hearing and it was taken off the last time so we
23 do not to conduct a public hearing.

24 COMMISSIONER ATKINS: The public hearing, yes, okay.
25 That's what I was thinking. Okay. Commissioners, at this time, I'll

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entertain a motion to open the public hearing for Case Number 2016 "M" as in Mary-007-12.

COMMISSIONER TUCKER: So moved.

COMMISSIONER ATKINS: Is there a second?

COMMISSIONER LOVETT: Second.

COMMISSIONER ATKINS: It's been moved by Commissioner Tucker, seconded by Commissioner Lovett that we open the public hearing for Case Number 2016 "M" as in Mary-007-12. 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. The applicant for this is the City of East Point and so Staff, if you would please, step to the podium, state your first and last name and your address.

MS. BLATCH: Angela Blatch, 1526 East Forest Avenue, City is East Point, 30344. This case is -- this Text Amendment to require outparcels abutting a public a public right-of-way to have no minimal lot will provide all the code departments can be met and outparcels or pass or retail project can add significant monetary value to the development and ultimately the government entity. The ability, however, of the developer to ultimately sell the outparcel for it's maximum value or an end-user to use an outparcel successfully for the end-user's business, often depends mostly on the legal status of

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the outparcel and the rights and restrictions granted to or imposed on the outparcel as part of the initial development of the project.

Section 10-2046 Outparcel Development of the East Point Zoning Code and Development Regulations requires each outparcel abutting a public right-of-way shall have a minimum of 200 feet of frontage on that public right-of way. A 200-foot lot requirements abutted a public right-of-way hinders development, limiting a variety of uses that are permitted in a zoning district and may compliment uses in large scale developments.

COMMISSIONER ATKINS: Okay. Thank you. Are there any other proponents here to speak to this zoning case?

AUDIENCE: (No response.)

COMMISSIONER ATKINS: Any other proponents?

AUDIENCE: (No response.)

COMMISSIONER ATKINS: Anyone else in favor?

AUDIENCE: (No response.)

COMMISSIONER ATKINS: Are there any opponents here to speak against this zoning case?

AUDIENCE: (No response.)

COMMISSIONER ATKINS: Any opponents?

AUDIENCE: (No response.)

COMMISSIONER ATKINS: Seeing none, Commissioners, at this time, I'll entertain a motion to close the public hearing.

COMMISSIONER TUCKER: So moved.

COMMISSIONER ATKINS: Is there a second?

1 COMMISSIONER LOVETT: Second.

2 COMMISSIONER ATKINS: It's been moved by Commissioner
3 Tucker, seconded by Commissioner Lovett that we close the public
4 hearing. All in favor sound aye.

5 COMMISSIONERS: Aye.

6 COMMISSIONER ATKINS: All opposed sound nay.

7 COMMISSIONERS: (No response.)

8 COMMISSIONER ATKINS: Hearing none, the ayes have it.

9 The public hearing is now closed. Commissioners, you've heard
10 Staff's recommendation, Staff as an applicant. The recommendation
11 is for approval. At this time I'll entertain a motion.

12 COMMISSIONER MAXWELL: I so move.

13 COMMISSIONER ATKINS: Is there a second?

14 COMMISSIONER TUCKER: Second.

15 COMMISSIONER ATKINS: It's been moved by Commissioner
16 Maxwell, seconded by Commissioner Tucker that we recommend
17 approval for Case Number 2016 "M" as in Mary-007-12. Any
18 discussion?

19 COMMISSIONERS: (No response.)

20 COMMISSIONER ATKINS: No discussion. It's been moved
21 by Commissioner Maxwell, seconded by Commissioner Tucker. All in
22 favor sound aye.

23 COMMISSIONERS: Aye.

24 COMMISSIONER ATKINS: All opposed sound nay.

25 COMMISSIONERS: (No response.)

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COMMISSIONER ATKINS: Hearing none, the ayes have it.
This Body will recommend approval. Thank you. At this time, Staff,
do you have any announcements?

VIII. ANNOUNCEMENTS:

MS. BLATCH: Yes. The East Point Georgia Comprehensive
Plan Update Open House, we're asking all citizens, City leaders and
area business owners to come out and share your thoughts in
developing a vision, goals and direction for the future of the City of
East Point. There will be two opportunities for feedback. On March
21st, 2017, please stop by from 6:30 to 8:30 at the Jefferson Park
Rec Center at 1431 Norman Berry Drive. Also on March 23rd, 2017,
you can stop by between the same hours of 6:30 p.m. to 8:30 p.m.
at St. Stephen's Missionary Baptist Church located at 2670 Hogan
Road, East Point, Georgia, 30344.

COMMISSIONER ATKINS: Are there any other
announcements?

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Commissioners, any
announcement?

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, at this time, I'll
entertain a motion to adjourn.

IX. ADJOURNMENT:

COMMISSIONER SHELDON: So moved.

COMMISSIONER ATKINS: Is there a second?

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COMMISSIONER BORDERS: Second.

COMMISSIONER ATKINS: It's been moved by Commissioner Sheldon, seconded by Commissioner Borders that we adjourn. All in favor sound aye.

COMMISSIONERS: Aye.

COMMISSIONER ATKINS: All opposed sound nay.

COMMISSIONERS: (No response.)

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

(Whereupon this concludes the regularly scheduled City of East Point Planning and Community Development meeting for March 16th, 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 31 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 March 16, 2017 at seven o'clock P.M., were taken down by me and transcribed by me on this 30th day of March, 2017.