

CITY OF EAST POINT

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

April 16, 2020

7:00 P.M.

Official Meeting Minutes

Zoom Meeting ID: 956 711 241

Public Meeting by Telecommunication [O.C.G.A. 50-14-1 (g)]

Board Members:

Commissioner Shean **ATKINS, Chair**

Commissioner Joel **TUCKER TODD**

Commissioner Gregory **FANN**

Commissioner Patricia **LOVETT - Absent**

Commissioner Jarrett **BELL, Provisional Chair**

Commissioner William **MILLER - Vice Chair**

Commissioner LaJeanna **MCKNIGHT**

Commissioner Willard **MAXWELL - Absent**

Commissioner Clyde **MITCHELL**

Also Present:

Ms. Kimberly **SMITH**
Director

Mr. Anthony **ALSTON**
Senior Planner

Mr. Albert **TREVINO**
Associate Planner

Linda **DUNLAVY**
City Attorney

Videographer
MICHEAL **Dimock - Absent**

Mr. Richard **RANDOLPH**
City Engineer - **Absent**

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APPEARANCES **Page**

<u>Item # and Case No.</u>	<u>Applicant</u>	
(1) 2020M-001-01	City of East Point - Present via video	
(2) 2019V-021-12	Sylvan Airport Parking, LLC (Applicant/Owner) and United Consulting (Representative) - Alex Brock Alex Chaves - Present via video	10 13
(3) 2020V-001-01	Geosam Capital US (Georgia), LLC c/o Kevin Daniel (Applicant) and Jeremy Keever (Representative) Present via video	
(4) 2020V-007-03	Wilson Development Group (Applicant) and Theo Stone (Representative) - Present via video	
(5) 2020V-008-03	LeAnne Browning - Present via video	
(6) 2020Z-002-02/ 2020VC-003-02	James Nolan - Present via video	
(7) 2020Z-003-03/ 2020VC-009-03	Atlanta Human Performance Center (Applicant) and Jolaunda Boone-Campbell (Representative) Present via Zoom audio	
(8) 2020V-005-02	Atlanta Community Food Bank (Applicant) and Lauren Clayton (Representative) - Present via video	

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V. Approval of February 20, 2019 Meeting Minutes		6
VI. Executive Session		N/A
VII. Old Business (3 Deferred Items)		8
IX. Announcements		N/A
X. Adjournment		N/A

(Attorney Linda Dunlavy advised Planning and Community Director Kim Smith to immediately shut down Zoom video meeting due to display of disruption content.)

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I. CALL TO ORDER:

COMMISSIONER ATKINS: Okay. Before we get started, this is going to be a part of my comment. I would ask if everyone would please put their -- if you are not Staff or a Commissioner, if you would please put your devices on mute. Okay. So at this time, it is beyond the 7 o'clock hour. It's now 7:12. Good evening, everyone. I'm Shean Atkins, Chair of the East Point Planning and Zoning Commission. At this time, I will open our official April 16th, 2020 meeting.

Staff, would you please sound Roll Call to establish a quorum.

II. ROLL CALL:

MR. TREVINO: Yes, Mr. Chair. Commissioner Lovett.

COMMISSIONER LOVETT: (No response.)

MR. TREVINO: Commissioner Bell.

COMMISSIONER BELL: Here.

MR. TREVINO: Thank you. Commissioner Miller.

COMMISSIONER MILLER: Here.

MR. TREVINO: Thank you. Commissioner Fann.

COMMISSIONER FANN: Here.

MR. TREVINO: Commissioner Atkins.

COMMISSIONER ATKINS: Present.

MR. TREVINO: Commissioner Tucker.

MR. TUCKER: Here.

MR. TREVINO: Commissioner McKnight.

COMMISSIONER MCKNIGHT: Here.

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MR. TREVINO: Thank you. Commissioner Maxwell.

COMMISSIONER MAXWELL: (No response.)

MR. TREVINO: And Commissioner Mitchell.

COMMISSIONER MITCHELL: Here.

MR. TREVINO: Mr. Chair, you have a quorum.

COMMISSIONER ATKINS: All right. Thank you. Ladies and gentlemen, at this time, I'd like for you to join us, please, in a Moment of Silence and as you do so, if you would please remember those we have loss to this global pandemic and those who maybe suffering at this time.

III. MOMENT OF SILENCE: All right. Thank you.

Commissioners, at this time, I'll entertain a motion to adopt our agenda as printed.

IV. ADOPTION OF AGENDA:

COMMISSIONER MILLER: Motion to adopt.

COMMISSIONER ATKINS: Is there a second?

COMMISSIONER MITCHELL: Second.

COMMISSIONER ATKINS: It's been moved by Commissioner Miller, seconded by Commissioner Mitchell that we adopt our agenda as printed. 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 April 16, 2020 meeting agenda is adopted. Commissioners, at

1 this time, I'd entertain a motion to approve our February 20, 2020
2 meeting minutes.

3 **V. APPROVAL OF THE FEBRUARY 20, 2020 MEETING**

4 **MINUTES:**

5 MR. TUCKER: So moved.

6 COMMISSIONER ATKINS: Is there a second?

7 COMMISSIONER MITCHELL: Second.

8 COMMISSIONER ATKINS: It's been moved by Commissioner
9 Mitchell, seconded by Commissioner Mitchell, is that correct?

10 COMMISSIONER MITCHELL: Yes.

11 COMMISSIONER ATKINS: It's been moved by Commissioner
12 Tucker, seconded by Commissioner Mitchell that we approve our
13 February 20, 2020 meeting minutes. All in favor sound aye.

14 COMMISSIONERS: Aye.

15 COMMISSIONER ATKINS: All opposed sound nay.

16 COMMISSIONERS: (No response.)

17 COMMISSIONER ATKINS: Hearing none, the ayes have it.
18 Our February 20, 2020 meeting minutes are approved. At this time,
19 I'm moving to our Old Business. We have three cases under Old
20 Business. I will like to share with those who've joined us this evening
21 that all of these cases have had their public hearing. However, there
22 was so much public interest in these cases that we readvertised
23 these for public hearing; so we will hold a public hearing for these
24 agenda items tonight as well.

25 Before we get started, I'll go over a few rules. As I start

1 before, as we tempt to respond to the COVID 19 pandemic and
2 move, hearing these cases forward, we are utilizing this telemedia
3 platform to accomplish both of those goals. As such, I'm asking each
4 participant other than the Commissioners and Staff to mute their
5 devices. Once we get to the parts of the agenda this require public
6 input, if you are not called to speak, please raise your hand. I will
7 then recognize speakers and release the floor to speakers as I call
8 them. We may run into a few kinks that will need to be worked out
9 during this meeting, given this is our first official Commission
10 telemeeting. We ask your patience as we go through this. Thank
11 you.

12 At this time, I'll read our rules for public hearing.

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

15 COMMISSIONER ATKINS: Public hearings before the Planning
16 & Zoning Commission shall be conducted in accordance with Section
17 10-2219 of the East Point Zoning Code and Development Regulations
18 as follows: Persons both favoring and opposing the proposed case
19 will be provided an opportunity to address the Commission.

20 The applicant for the zoning case or the applicant's
21 designated representative, if any, will be entitled to speak first
22 followed by other speakers in favor of the proposal for a total of
23 fifteen (15) minutes. Those who oppose the proposed zoning case
24 will then be permitted to speak for a total of fifteen (15) minutes. By
25 majority vote, the Commission may increase the total time of

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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 rules of decorum. Prior to speaking, each speaker shall identify him or herself and state his or her current address. Each speaker shall speak only to the merits of the proposed zoning ordinance 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, the speaker continues to violate the rules of decorum.

Ladies and gentlemen, you've heard our rules for the public hearing. At this time, I'd like for Staff to please sound Agenda Item 2020 "M" as in Mary-001-01.

VII. OLD BUSINESS:

MS. SMITH: Mr. Chair, Item Agenda Number 1, Case Number 2020M-001-01; City of East Point is the applicant. The applicant seeks a Text Amendment to allow for commercial parking lots and parking garages and automobile/truck rental, lease and sales office use within the I-1 (Light Industrial) zoning district..

This case has been recommended for deferral due to the Staff not being able to complete the full research needed to finalize the Staff analysis due to the office closing to the public and setting up

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our service delivery and working remotely; and on staggered office schedules, we were unable to coordinate with the other departments that are needed to complete the finalize of the recommendation for this item, and would like to further defer it.

COMMISSIONER ATKINS: Okay. Kim, I'm going to have to ask you to repeat that because we do need to open the public hearing because we advertised it and then we can come back for the recommendation and you can say that it's recommended to deferral based on your previous comments on deferral. Okay.

MS. SMITH: Okay.

COMMISSIONER ATKINS: So at this time, Commissioners, I entertain to motion to open the public hearing for 2020M-001-01.

MR. TUCKER: So moved.

COMMISSIONER ATKINS: Is there a second?

COMMISSIONER MILLER: Second.

COMMISSIONER ATKINS: It's been moved by Commissioner Tucker, seconded by Commissioner Miller that we open the public hearing for Case Number 2020 "M" as in Mary-001-01. 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. Staff, you are the applicant. Would you please present your case of anything you'd like to say in favor of

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this Text Amendment.

MS. SMITH: I would like, at this time, to recommend that this item be deferred. Staff was unfortunately unable to complete the full finalization and research needed in order to complete this Staff analysis due to the offices closing in this pandemic situation that we're all going through; and also due to the offices being closed to the public and setting up our service delivery via remote and staggered in-office schedules..

We were not able to coordinate with the other departments that we needed to finalize the work as far as research and GIS assessment and accessibility; so we do need additional time in order to finalize the Staff analysis.

COMMISSIONER ATKINS: Okay. All right. Are there any other proponents here to speak in favor of this Text Amendment?

(Whereupon Representative Alex Brock speaks in favor of the Text Amendment.)

AUDIENCE: Yes. This is Alex Brock with Smith Gambrell Russell.

COMMISSIONER ATKINS: Okay.

MR. BROCK: I'm here on behalf of --

COMMISSIONER ATKINS: Mr. Brock, state your first and last name and your current address.

MR. BROCK: This is Alex Brock with Smith Gambrell Russell. My office address is 1230 Peachtree Street, Atlanta, Georgia.

COMMISSIONER ATKINS: Okay. Go ahead.

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MR. BROCK: I'm here on behalf of Sylvan Airport Parking who's the applicant for the complementary variance parking. Our variance applicant is the extension of its existing of its existing parking facilities. We were under the impression that, at the Work Session, that this was recommended approval of the Text Amendment; and we're here tonight to move forward with that approval and we urge the Commission to strongly consider the approval of this Text Amendment.

This is something that's been on going for quite some time now. In 2011, Sylvan first approached the City of East Point prior to the purchase of its property to get a zoning certification letter. In that letter, the City had stated the commercial parking facilities are allow under the I-1 district. Sylvan, based on those assurances, moved forward with the purchase of that property and began operation of its parking facility in 2011.

It has been in operation since that time and in 2017, I looked to expand its parking facility and looked to purchase additional property that's adjacent to its current property now. In 2017, again, it sought assurances from the City in the form of a zoning certification letter that parking would be allowed. The City reiterated that parking is allow in the I-1 district.

Both copies of the 2011 and 2017 letters are in your packet. And it is also a second property that the applicant is now seeking to expand this park. Sylvan proceeded in good faith with the purchase of this property and spent a significant amount of time and expense

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in designing the expansion. It sought the Army Corp of Engineering permits to allow the expansion; and it is proceeded with the variance application that's on the agenda tonight all under the assurances that the parking was allow.

In fact, it wasn't until January, 2020 when we were at the very end of our variance at this exact meeting in January. In fact, it was brought to our attention that a Text Amendment was needed. We were approached by the City to state that they would prepare a Text Amendment to allow the commercial parking within the I-1 zoning; and they would be the applicant; we wouldn't need to do anything. It was explained to us that this is a correction of an oversight by the City.

And I'd like to say that this is exactly what this is. It is a correction of an oversight. It's not allowing a new use. Sylvan Parking, as I stated, has been here since 2012 and operating in harmony with the rest of the community. It has been a successful business; it has been a good neighbor with the surrounding community. In fact, we have met with the River Park Neighborhood Association. It had some concerns with our expansion. We've addressed those concerns and we've gotten a letter of recommendation for approval for both the variances and the Text Amendment which should be in your packets as well.

And now we ask that -- at the end of this process, we ask that you move forward with a recommendation of approval on both the variances; but more importantly on the Text Amendment.

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COMMISSIONER ATKINS: Mr. Brock, please speak only to the Text Amendment. We have not gotten to Item 2. The Item 2 deals with variances; so the public hearing states that you must only speak to the Agenda Item that is at hand, that is the Text Amendment.

MR. BROCK: Understood. Understood. My apologies. So with that being in mind, I now ask you to move forward with the approval of the Text Amendment for the reasons stated above. Thank you.

COMMISSIONER ATKINS: Are there any other proponents here to speak in favor of the Text Amendment?

AUDIENCE: (No response.)

COMMISSIONER ATKINS: Any other proponents here to speak in favor of the Text Amendment.

(Whereupon Owner/Applicant Alex Chaves speaks in favor of the Text Amendment.)

AUDIENCE: This is Alex Chaves. Can you hear me?

COMMISSIONER ATKINS: We can, Mr. Chaves.

MR. CHAVES: Okay. Good. Alex Chaves; my main headquarters are in Los Angeles, California, 523 West 6th Street; that's my office. My home is 3708 The Strand, Manhattan Beach, California. I'm the owner of Sylvan Airport Parking; and I'm just here, you know -- we -- I just want to kind of give you a little background. I think I did last time, is that we really enjoyed working in East Point. We turned a building that had been vacant for several

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years and all we want to do is -- when we bought the other property that we're talking about now -- was to basically connect the property together.

COMMISSIONER ATKINS: Mr. Chaves.

MR. CHAVES: Yes.

COMMISSIONER ATKINS: Mr. Chaves, I have to stop you. I need for you to speak to the Text Amendment, not to your variances. That is a separate Agenda Item. So the public hearing rules require that you only speak to the Agenda Item at hand. Right now, we're specifically talking about the Text Amendment.

MR. CHAVES: Okay. I'm sorry. You're right. So with my consultant or my attorney, Alex has said, I'm fine with that. Then I'm just rest at this moment.

COMMISSIONER ATKINS: Okay. Thank you. Are there any other proponents here to speak in favor of this Agenda Item?

AUDIENCE: (No response.)

COMMISSIONER ATKINS: Any other proponents.

AUDIENCE: (No response.)

COMMISSIONER ATKINS: Hearing none and seeing none, are there any opponents here to speak against this Agenda Item.

AUDIENCE: (No response.)

COMMISSIONER ATKINS: Any opponents.

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

1 COMMISSIONER MILLER: Motion to close the public hearing.

2 COMMISSIONER ATKINS: Is there a second?

3 COMMISSIONER MCKNIGHT: Second.

4 COMMISSIONER ATKINS: It's been moved by Commissioner
5 Miller, seconded by Commissioner McKnight that we close the public
6 hearing for Case Number 2020 "M" as in Mary-001-01. All in favor
7 sound aye.

8 COMMISSIONERS: Aye.

9 COMMISSIONER ATKINS: All opposed sound nay.

10 COMMISSIONERS: (No response.)

11 COMMISSIONER ATKINS: Hearing none, the ayes have it.
12 The public hearing is now closed. Staff, now, would you please state
13 your recommendation.

14 MS. SMITH: Staff has recommended for Item Number 1,
15 Case Number 2020M-001-01, applicant, City of East Point, Citywide
16 Text Amendment for the applicant seeking a Text Amendment to
17 allow for commercial parking lots and parking garages and
18 automobile/truck rental, lease and sales office with the I-1 (Light
19 Industrial) zoning district.

20 Staff has recommended a deferral.

21 COMMISSIONER ATKINS: Okay. Commissioners, you've
22 heard from the applicant which is Staff and you've also heard from
23 two persons speaking in favor of this Agenda Item. At this time, I'll
24 entertain a motion.

25 COMMISSIONER FANN: I'll make a motion to defer.

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COMMISSIONER ATKINS: Okay. Is there a second?

MR. TUCKER: Second.

COMMISSIONER ATKINS: It's been moved by Commissioner Fann, seconded by Commissioner Tucker that this Body defers Agenda Item 2020 "M" as in Mary-001-01. Any comments, questions or concerns?

COMMISSIONERS: (No response.)

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

COMMISSIONERS: Aye.

COMMISSIONER ATKINS:

ALLEN FREEDMAN: Opposed sound nay.

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, the motion carries. This item is deferred.

Our next Agenda Item is 2019 "V" as in Victor-021-12. This item also we will hold the public hearing for. Staff, would you please sound this Agenda Item.

MS. SMITH: Yes, sir, Item Number 2, Case Number 2019V-021-12; applicant Sylvan Airport Parking, LLC. Applicant and owner and United Consulting representative. The location is 3025 Sylvan Road in Ward B. The applicant seeks a variance for relief from parking lot landscape islands per Section 10-6009 and relief from Section 10-12021, Item 1 and 2 to encroach within the 50-foot and 25-foot undisturbed natural vegetative buffer..

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COMMISSIONER ATKINS: Okay. Commissioners, at this time, I'll entertain a motion to open the public hearing for Case Number 2019 "V" as in Victor-021-12.

COMMISSIONER MILLER: Motion to open a public hearing.

COMMISSIONER ATKINS: Okay. Was that Commissioner Miller?

COMMISSIONER MILLER: Yes. I think it was both of us.

COMMISSIONER ATKINS: Okay. Is there a second.

COMMISSIONER MCKNIGHT: Second.

COMMISSIONER ATKINS: It has been moved by Commissioner Miller that we open the public hearing, seconded by Commissioner McKnight, 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 present this evening.

AUDIENCE: Yes.

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

(Whereupon Applicant Alex Martin Chaves acknowledges his presence.)

MR. CHAVES: Alex Martin Chaves, office 523 West 6th Street, Los Angeles, California. Also home address or my Georgia address is

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325 Sylvan Road, East Point, Georgia and my home address is 3708
The Strand, Manhattan Beach, California.

COMMISSIONER ATKINS: Okay. Go ahead, Mr. Chaves.

MR. CHAVES: Okay. So I've done the Zoom before so be
patient with me, if you can, please. So I think you're looking at the
same picture we have with the red outline in front of you.

COMMISSIONER ATKINS: Yes, that is correct.

MR. CHAVES: Okay. So the building on the far left hand
corner with the green awnings is the property we purchased in 2011.
It was a vacant -- as you are aware or not aware was a vacated
building Owens and later by some other industrial people; so it was a
vacant building and we ended up purchasing it. And under the rules
of East Point, we turned it into an airport parking lot. It came about
secondary. We didn't see that parcel first. If you look on the far
right, on the other side of Sylvan, those other parking lots on the
right, was a Hertz parking lot and an Enterprise parking lot. Those
were both that became available when both those lots were moved
to the airport themselves.

So I came up -- I've been in the parking lot business for 30
year. We came up with the opportunity of the Hertz parking lot and
the Enterprise parking lot. And while we were in escrow and getting
ready to close, we were approached -- we were not, I was actually
striping the parking lot -- the Hertz restriping it to open it. I was
approached by a broker in the area and said had we known about
this building that we're talking, back in the back, I had know idea

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that building was back there because the entrance is on the very far north side, as you can see; and it's kind of a flag-lot entrance --

(On the other side, go up, up, a little bit more -- higher, no, over here in the corner, right there.)

So that's actually the entrance to that parking lot that we use now. So over the years, I started a relationship with Owens to sell me the parcel because they own the forest -- we call the forest, which is the green area, which is the subject property and then the parking lot just below. So it took me two or three years. I finally got them to the point where they were available to sell it or they got it approved to possibly sell it but the sale would not be complete unless we were able to buy the credit union, which is right next to the parking lot.

(And so you see the clear parking lot, then the darker area, that's the credit union.)

So the credit union was kind of holding things up as well until they finally -- I was finally able to convince the Board there to sell me that parcel. Because without those two parcels -- without the credit union, the parking lot below it really is not conducive to tying the whole properties together. So the entire plan of this, just from a business standpoint, is to tie all those properties together so that we can change the entrance --

(Move the arrow down a little bit, no the other way going South, South, South -- yeah right there.)

That entrance would be right there, right there. So instead

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of the entrance being in the far corner and going into the neighborhood of East Point, it would stay on the commercial area coming off the freeway, I-85. So I convinced Owens of that idea and I convinced the credit union of the idea. And then what we did was we went to the City and said make sure that we can do our parking. We got the letter that we could do the parking and then the next phrase was what was the Army Corp of Engineers say because if you could not develop the land where the forest is it defeats the whole purpose again.

Well, in preliminary discussion with the Army Corp of Engineers said you can do it. There is a process that you have to go through and it's very expensive and very timely. So what happened was we put the property --

(Whereupon Zoom connection was lost during the public hearing for Case Number 2019V-021-12.)

(Connection stopped) 18:33:50 timestamp into recording.

(Whereupon Zoom connection resumed during the public hearing for Case Number 2019v-021-12.)

(Connection resumed) 18:48:18 timestamp into recording.

MS. SMITH: -- Sylvan Road, Ward B. The applicant seeks a variance for relief from the parking lot landscape island per Section 10-6009 and relief from Section 10-12021, Item 1 and 2 to encroach within the 50-foot and 25-foot undisturbed buffer -- natural vegetative buffer -- excuse me.

I need to share the share the screen in order to

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complete -- bare with me.

Staff recommendation: After in depth review with City Staff from all departments as well as community groups who expressed sincere concerns regarding detrimental impacts to the environment as well as due to lack of conformity with the Comprehensive Plan, Staff recommends denial of a variance for relief from Section 10-6009 Parking Lot landscape requirements and also recommends denial of a variance for relief from the following Section of 10-12021, Section 1 and Section 10-12021, Section 2 to encroach within the 50-foot buffer and 25 undisturbed natural vegetative buffers.

COMMISSIONER ATKINS: Okay. Commissioners, you've heard from the applicant and you've heard Staff's recommendation. At this time, I'll entertain a motion.

MR. TUCKER: Commissioner. **(Zoom lost audio) 18:50:24**

COMMISSIONER ATKINS: Who is this?

(Zoom resumes audio) 18:50:45

COMMISSIONER ATKINS: -- by Commissioner Fann. This Body recommends approval. Comments, questions or concerns?

COMMISSIONER FANN: I do have some concerns, Mr. Chair, if I'm allow to speak.

COMMISSIONER ATKINS: Commissioner Fann, yes, go ahead.

COMMISSIONER FANN: Okay. I have concerns -- and my concerns are this. We deferred it so that they could talk to the community. And, of course, you know I've always been a proponent

1 for hearing from the community and how the community was for or
2 against. And so now that they've met with the community, the
3 community has said that they, according to the letter, that they're
4 fine with them moving forward. And so the issue that I have now is
5 because they have all this money -- they've spent money and I know
6 that's not a condition in terms of variances. But it looks as though --
7 and you know how I feel about it -- when Staff makes a mistake, I
8 think that Staff needs to eat the mistake -- not to say that this Staff
9 did it, but previous Staff have done it.

10 But they moved on the condition that they were allow to be
11 able to do this and now they're saying they can't it do because of --
12 **(Zoom audio connection lost) 18:55:54** -- for deferment on that.
13 But I support them moving forward with the variance on various
14 conditions that Staff has said, that Staff had placed upon them. So
15 that's my position; that's my stance on this matter.

16 That's all I have to say is, Mr. Chair.

17 COMMISSIONER ATKINS: Okay. Any other comments,
18 questions or concerns?

19 COMMISSIONERS: (No response.)

20 COMMISSIONER ATKINS: Okay. Staff, would you please go
21 over those conditions once more.

22 MS. SMITH: Will do. And I'd just like to say for the record
23 that they mentioned about a package that may have been sent out to
24 us today. I did not received that. It may be in an email, but I don't
25 have it at this time; and I just wanted to let that be known.

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COMMISSIONER ATKINS: Okay. Ms. Kim, also I just asked if you would go over the conditions -- would you please post those conditions on the screen?

MS. SMITH: Yes, sir.

MR. TUCKER: And this is the 15 versus the 13 original, correct?

MS. SMITH: Right. Okay. So if the Planning Commission recommends approval and they have made a motion to do such, the Staff recommends the following conditions, and they are: No development on the site shall be permitted unless developer demonstrate compliance with the standards of Section 10-5033 of the City of East Point Code of Ordinances and any other relevant regulations related to the development within floodplains.

Next item, next condition: No development on site until such time as applicant secures required permits for buffer and wetland encroachment for USACE and EPD as requested by the City of East Point Stormwater Department.

Next condition, applicant must secure required mitigation credit from an approved mitigation bank.

Next condition, a 33 foot vegetative buffer shall be installed and maintained along Sylvan Road in substantial conformity with the "typical landscape buffer planting detail" plan prepared by United Consulting and dated June 26, 2019.

Next condition, No more than 1,196 parking spaces shall be installed on site between existing and proposed spaces.

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Next condition, address all other concerns from City departments.

Next condition, there shall be no more than a total of 1,196 parking spaces (including existing parking spaces on adjoining property) provided at this location and the immediately adjoining property for Peachy Parking, its successors or assigns.

Next condition, there shall be no disturbance to the mature vegetative buffer along the entry drive perpendicular to Sylvan Road. That buffer will be maintained and replanted as necessary to provide for continual visual screening.

Next condition, development on site shall be in substantial conformity with the site plan prepared by Houston Engineering Inc., dated January 7, 2020. Any significant departure from said plan shall be required approval of the Planning and Zoning Commission.

Next condition, incorporate best management practices to reduce negative impacts on receiving waters such as swales, vegetated buffers strips and bioretention areas.

Next condition, incorporate technique for transpiration, evaporation and ground water recharge.

Next condition, incorporate new permeable material as substitutes for pavement such as concrete -- excuse me -- incorporate new permeable materials as substitutes for pavement such as concrete, open jointed pavers filled with turf or aggregate, natural stone or pervious concrete.

And the last condition as stated, provide Environmental

1 Impact Analysis..

2 COMMISSIONER ATKINS: Okay. Kim --

3 MR. HUETTER: Commissioner -- I'm sorry, Commissioner

4 Fann, this is David Huetter -- Commissioner Atkins, I'm sorry.

5 COMMISSIONER ATKINS: Mr. Huetter.

6 MR. HUETTER: Yes, sir.

7 COMMISSIONER ATKINS: The public hearing is closed. So in

8 order to speak you would have to be recognized by the Body.

9 MR. HUETTER: Okay.

10 COMMISSIONER ATKINS: But right now, we have a motion

11 on the floor so it's not a back and forth, sir, okay.

12 MR. HUETTER: Okay.

13 COMMISSIONER ATKINS: You need to mute your device.

14 Okay. Kim, could you please put up the site plan for this application.

15 MS. SMITH: Okay. Let me try again. What in the world?

16 ATTORNEY LINDA DUNLAVY: What the heck?

17 MS. SMITH: Ms. Patricia's screen. Oh my God.

18 COMMISSIONER ATKINS: We've been hacked.

19 ATTORNEY LINDA DUNLAVY: Oh wow.

20 COMMISSIONER ATKINS: We've been hacked.

21 COMMISSIONER MILLER: I'm leaving.

22 COMMISSIONER ATKINS: We've been hacked.

23 ATTORNEY LINDA DUNLAVY: Shut it down; shut it down.

24 COMMISSIONER ATKINS: Yes.

25 MS. SMITH: I'm trying to.

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ATTORNEY LINDA DUNLAVY: Go head, shut it down.
(Whereupon this concludes the City of East Point Planning
and Community Development regularly scheduled Zoom
Telecommunication meeting for April 16, 2020.)

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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 27 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 regularly scheduled monthly meeting for the City of East Point, Department of Planning and Community Development , on April 16, 2020 at seven o'clock P.M., were taken down by me and transcribed by me on this 29th day of April, 2020.