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CITY OF EAST POINT

PLANNING & ZONING COMMISSION

September 17, 2009 - 7:00 P.M.

Official Minutes

Regular Meeting

East Point, Georgia

Jefferson Station
1526 East Forrest Avenue
4th Floor

Board Members Present:

MR. Shean **ATKINS**, Vice Chair

DR. Herbert J. **BRIDGEWATER, Jr.**

MS. Francine **JONES**

MS. Pamela **PATTERSON**

MR. Myron **COOK**

MR. Thomas **HARPER**

MR. Paul **LAWLER**

Also Present:

Susan **GARRETT**
City Attorney

Regina **CARTER**
Senior Planner

Keyetta **HOLMES**
Senior Planner

James **HAMMOND**
Videographer

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Index

	Page
Call to Order	4
Moment of Silence	4
Pledge of Allegiance	4
Adoption of Agenda	4
Approval of Meeting Minutes	5
Old Business	6
New Business	8
Announcements	26
Adjournment	26

1
2
3
4
5
6
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8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

APPEARANCES

	Page
Larry Dingle Applicant - McDonald Southmeadow, LLC	10
Scott Kurz Applicant - Madison Commercial	20
Chad Henderson Applicant - Century Security Bank	24

1
2
3
4
5
6
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I. CALL TO ORDER:

MR. ATKINS: Good evening ladies and gentlemen. I'm Shean Atkins, Vice Chair of the East Point Planning & Zoning Commission and tonight I am Chair of the meeting in the absence of our Chair, Ms. Linda Sheldon. At this time I would like to call to order our meeting for September 17th, 2009 and in lieu of a prayer this Commission recognizes a moment of silence so at this time we will all take a moment of silence.

II. MOMENT OF SILENCE:

MR. ATKINS: Thank you. The next agenda item is our Pledge of Allegiance. Would all please stand and offer our Pledge of Allegiance.

III. PLEDGE OF ALLEGIANCE:

MR. ATKINS: Thank you. Commissioners, at this time I will entertain a motion to adopt our agenda for this evening's meeting.

IV. ADOPTION OF AGENDA:

MS. PATTERSON: Mr. Chair.

MR. ATKINS: Yes, ma'am.

MR. HARPER: I'd like to make a motion to adopt the --

MR. ATKINS: Yes, ma'am.

MS. JONES: I make a motion to adopt the agenda for, hum, tonight's meeting.

MR. HARPER: I second.

MR. ATKINS: Okay. It's been moved and properly seconded.

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Is there any discussion?

THE BODY: (No response)

MR. ATKINS: All in favor sound aye.

THE BODY: Aye.

MR. ATKINS: All opposed sound the same.

THE BODY: (No response)

MR. ATKINS: Hearing none the "ayes" have it. The, hum, agenda is adopted. Commissioners, the next agenda item is the approval of our August 20th, 2009 meeting minutes. At this time, I would entertain a motion.

V. APPROVAL OF August 20th, 2009 MEETING

MINUTES:

MR. HARPER: Mr. Chair.

MR. ATKINS: Yes, Commissioner Harper.

MR. HARPER: I make a motion to --

MR. ATKINS: Turn your microphone on, please.

MR. HARPER: I make a motion that we approve the, hum, August 2009 minutes with any, hum, corrections as deemed necessary.

MR. ATKINS: Is there a second?

MR. LAWLER: Second.

MR. ATKINS: Its been moved and properly seconded. Any discussion?

THE BODY: (No response)

MR. ATKINS: Are there any corrections?

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THE BODY: (No response)

MR. ATKINS: All in favor sound "aye."

THE BODY: Aye.

MR. ATKINS: All opposed sound the same.

THE BODY: (No response)

MR. ATKINS: Hearing none the "ayes" have it and we have approved our meeting minutes for our August 20th, 2009 meeting. First agenda item under Old Business is agenda item 2009 "P" as in Paul-001-02.

VI. OLD BUSINESS:

MR. ATKINS: Staff would you please sound that particular agenda item.

MS. CARTER: Applicant is Duke Realty Limited Partnership. Property location is Centre Parkway at Camp Creek Parkway. This application -- applicant is seeking approval of a final plat Duke Realty Camp Creek Business Center to subdivide 275.855 acres into fourteen (14) lots.

Staff's recommendation is deferral of final plat pending completion of all public work items until October's agenda.

MR. ATKINS: Okay, until October's agenda. Commissioners, you've heard this particular agenda item and Staff's recommendation. Staff, also is this a particular applicant -- application that the applicant request a deferral?

MS. CARTER: No. This is an application that is being deferred by counsel and legal issues.

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MR. ATKINS: Okay. Staff, at this time I will entertain a motion on agenda item 2009 "P" as in Paul-001-02.

MR. LAWLER: Mr. Chair.

MR. ATKINS: Yes, Mr. Lawler.

MR. LAWLER: I recommend, huh, in regards to Case No. 2009 "P" as in Paul-001-02, Duke Realty Limited Partnership. I recommend that we take Staff's recommendation of deferral.

MR. ATKINS: Is there a second?

MR. HARPER: I second that.

MR. ATKINS: Okay. Its been moved and properly seconded that we defer agenda item 2009 "P" as in Paul-001-02 until our October meeting. All in favor sound "aye."

THE BODY: Aye.

MR. ATKINS: All opposed sound the same.

THE BODY: (No response)

MR. ATKINS: Hearing none, the "ayes" have it. This particular agenda item will be deferred until our October meeting. The next agenda item is 2009 "S" as in Sam, "V" as in Victor, "I" as in India-001-03.

Staff, would you please sound this agenda item.

MS. CARTER: Applicant is Del Largo Ventures, Inc./Racetrac Petroleum, Inc., representative, Wilson Brock & Irby. Property location is Camp Creek Parkway in North Commerce Drive. Hum, the applicant is seeking approval of a secondary variance interpretation to the February 27th, 2009 Staff's decision not to accept concept

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review submittal application. As per applicant's request, this application is being withdrawn.

MR. ATKINS: Okay. Commissioners, you've heard Staff's sounding item and the Staff's recommendation and according to Staff, the wishes of the applicant. At this time, I will entertain a motion.

MS. JONES: Mr. Chair. I make a motion to, hum, accept Staff's recommendation for Application Number 2009 "S" as in Sam "V" as in Victor, "I" as in India-001-03 that, hum, this particular item be withdrawn.

MR. ATKINS: Good. Its been moved. Is there a second?

MR. COOK: Second.

MR. ATKINS: Its been moved and properly seconded that we accept Staff's recommendation and applicant's wishes to withdraw agenda item 2009 "S" as in Sam, "V" as in Victor, "I" as in India-001-03. All in favor sound "aye."

THE BODY: Aye.

MR. ATKINS: All opposed sound the same.

THE BODY: (No response)

MR. ATKINS: Hearing none, the "ayes" have it. Moving along in the agenda under New Business.

VII. NEW BUSINESS:

MR. ATKINS: We have a concurrent agenda item, Item 2009 "Z" as in Zebra-005-08 and the Item 2009 "C" as in Charlie, "V" as in Victor-005-08. This particular agenda item is a rezoning request

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and it requires a public hearing. At this time Staff -- at this time Commissioners, I will entertain a motion to open a public hearing.

MR. LAWLER: Mr. Chair.

MR. ATKINS: Yes, Mr. Lawler.

MR. LAWLER: I make a motion that we open a public hearing.

MR. ATKINS: Is there a second?

MR. HARPER: I second.

MR. ATKINS: Okay. Its been moved and properly seconded that we open a public hearing for this agenda item. All in favor sound "aye."

THE BODY: Aye.

MR. ATKINS: All opposed sound the same.

THE BODY: (No response)

MR. ATKINS: Hearing none the "ayes" have it. Before we get going with our public hearing, I just wanted to go over our established rules for such a hearing. Proponents and opponents of an application shall be allotted 10 minutes per side to present testimony or evidence regarding the proposal or application. At the end of the proponent's testimony, the proponent shall be allotted 5 minutes to speak in rebuttal of points raised by the opposition.

All speakers are hereby advised that while you may express disagreement or disapproval of a position, you are at no time aloud to use your testimony to make personal attacks either on an individual or organization. The Chair reserves the right to end your

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testimony if you engaged in such behavior. Are there any proponents for this particular agenda item? Okay. Would you please state your name and your address.

(Whereupon the proponent approached the podium)

MR. SPEAKER: Larry Dingle. 2849 Paces Ferry Road, Atlanta, Georgia 30339.

MR. ATKINS: Okay.

MR. DINGLE: I'm here on behalf of the applicant, hum, McDonald Southmeadow Development.

MR. ATKINS: Okay.

MR. DINGLE: Okay. Mr. Chairman and members of the Planning Commission, hum, we think this is a great proposal and a down zoning of industrial property to allow for multi-family residential uses. One of the things that was important for us to take into account is the excellent study done by your Staff which actually examines the allocation of property within the City of East Point to the various zoning district classifications. What's interesting about that is that the allocations themselves are largely residential at approximately 86 percent so we were well aware of the study that was done by Staff.

The situation with this particular piece of property is unique in a number of perspectives. One of those specifically is that in the current market place for, hum, large industrial developments, you find very large floor plates that are required to attract people to the market place and we're talking hundred, two hundred, six hundred,

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eight hundred thousand square foot floor plates. This property is impacted by significant changes in topography. It shifts, hum, from high to low, about 78 feet. It is also impacted by a branch of Camp Creek much in the same fashion as the reason we are dealing with Cascade United Methodist Church. Hum, that property was zoned to the industrial classification who are representing Duke that came before this Body and indicated that the property likewise although zoned to that classification, could not successfully or reasonably be developed in that way.

We are faced with a similar sort of situation here. Hum, what we propose to do is to take 28 acres of 212 acres of land and designate it to the single -- to the multi-family residential category. Hum, we think that that is an appropriate use for the property. As Planning Commissioners, you will know that you have the Soccer Foundation, hum, actually across the street (indicating). This is Ben Hill Road. (Indicating)

The Soccer Foundation here -- farther over -- actually here (indicating). And then Ben Hill United -- I'm sorry, Cascade United Methodist Church mixed use development is there (indicating). So we think that is a great transition between the industrial uses and the developed and planned for play for what has been approved by the governing authority in the City of East Point. It fits in very nicely.

We are asking for a variance as well. The variance is to allow the buildings -- instead of being capped at 40 feet to have a cap of 50 feet. The reason for that again is because of the significant

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changes in topography where you might have a building on one side would be at 40 feet at grade to the top in order to be able to build it that way, if we don't have the additional 50 feet or 10 feet, you measure from the other side and then you have a little bit of a problem because of the changes of the topography. The only way you correct that is by massive grading which we would think would not be in the best interest of the environment, not the creek system or generally the way that we try to develop here.

We are not asking for any additional height. Every one of the buildings that we will build will be capped at four stories. So we are not attempting to do anything other than to responsibly respond to the topographical conditions that are out there on the side.

Hum, the facility will have, hum, playgrounds, swimming pool, clubhouse, cabana, tennis courts, hum, and a nature trail. We believe that this will be a significant asset to the East Point community once it's developed and I'll reserve the remaining of my time towards questions.

MR. ATKINS: Thank you, Mr. Dingle. Are there any other proponents for this particular agenda item?

THE BODY: (No response)

MR. ATKINS: Seeing none, are there any opponents for this particular agenda item?

THE BODY: (No response)

MR. ATKINS: Seeing none, Commissioners, at this time, I will entertain a motion to close the public hearing.

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MR. LAWLER: Mr. Chair.

MR. ATKINS: Yes, Mr. Lawler.

MR. LAWLER: I make a motion to close the public hearing.

MR. ATKINS: Is there a second?

MR. HARPER: I'll second.

MR. ATKINS: Its been moved and properly seconded that we close the public hearing. All in favor sound "aye."

THE BODY: Aye.

MR. ATKINS: All opposed sound the same.

THE BODY: (No response)

MR. ATKINS: Hearing none, the "ayes" have it. The public hearing is hereby closed. Okay, hum, Staff at this time we will hear your recommendations.

MS. CARTER: The applicant, McDonald Southmeadow, LLC. Staff recommends approval with conditions of the rezoning from I1 light industrial to R4 multi-family residential as well as the change in the land use map from office park to mixed use, hum, with the conditions as follows: Number one, building facade conditions. The front a combination of 80 percent brick, stone and stucco or stucco and 20 percent Hardy Plank with alternating patterns; the side facades 70 percent Hardy Plank, 30 percent brick, stone and stucco again with alternating patterns; the rear, a hundred percent Hardy Plank; two, the detention pond must be landscaped. Staff also approves the concurrent variance to increase the building height restriction from 40 feet to 50 feet.

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MR. ATKINS: Okay. Those are all the conditions?

MS. CARTER: That's it.

MR. ATKINS: Okay. Commissioners, we've had the public hearing and we've heard Staff's recommendation. At this time, I will entertain a motion on agenda items 2009 "Z" as in Zebra-005-08 running concurrent with agenda item 2009 "C" as in Charlie "V" as in Victor-005-08.

MR. LAWLER: Mr. Chair, if I may.

MR. ATKINS: Yes, Mr. Lawler.

MR. LAWLER: Do we have an opportunity for questions prior to a motion?

MR. ATKINS: Once we get a motion and a second at that time you may ask questions.

MR. LAWLER: Mr. Chair.

MR. ATKINS: Yes, Mr. Lawler.

MR. LAWLER: I make a motion in regards to Case Number 2009 "Z" as in zebra 005-08, 2009 "C" as in cat "V" as in Victor-005-08, Applicant McDonald Southmeadow, LLC, hum, rezoning from I4 to R4 with concurrent variance.

I make a motion we accept Staff's recommendation of approval with the conditions listed. Hum, shall I read those conditions?

MR. ATKINS: Sure.

MR. LAWLER: Shall I read those again as part of the --

MR. ATKINS: Yes, you can. And if he leaves something out,

1 Staff, just make sure that we add those for the record.

2 MS. CARTER: Hum, Mr. Chairman, it also includes the land
3 use map change as well.

4 MR. ATKINS: As part of the condition?

5 MS. CARTER: No, it's part of the application.

6 MR. ATKINS: Okay. Mr. Lawler, you accept Staff's
7 recommendation entirely?

8 MR. LAWLER: I'll need some clarification on the land use
9 map.

10 MS. CARTER: Okay. The applicant is seeking approval of a
11 land use map change from office park to mixed use as well as the
12 rezoning from I1 to R4 with a concurrent variance. So --

13 MR. LAWLER: Oh, okay.

14 (Whereupon a brief discussion was held off record)

15 MR. LAWLER: So --

16 MS. CARTER: As long as you, hum, include the land use map
17 change in the motion, hum, that it's a rezoning -- its a rezoning of
18 the land use map change with the concurrent variance.

19 If you look at the intent -- application's intent --

20 MR. LAWLER: Uh-huh.

21 MS. CARTER: -- on page one -- because it's a rezoning, but
22 in that rezoning he's doing a land use map change request as well as
23 a concurrent variance.

24 MR. LAWLER: The land use map change request is the result
25 of the rezoning?

1 MS. CARTER: It's concurrent with the rezoning.
2 MR. LAWLER: Okay.
3 MS. CARTER: With the rezoning.
4 MR. LAWLER: Because what I'm -- help me along here. I see
5 the rezoning and the concurrent variance to increase the building
6 height restriction, hum, so I'm just a little bit confused. I'm not
7 trying to pick this apart but I'm just --
8 MS. CARTER: Sure. In your analysis --
9 MR. LAWLER: Uh-huh.
10 MS. CARTER: -- you have at the very top the proposed
11 action.
12 MR. LAWLER: Uh-huh.
13 MS. CARTER: -- and the proposed action --
14 MR. LAWLER: Okay, I see. I understand.
15 MS. CARTER: -- is a change to the land use map because it's
16 not a specific, hum, zoning request. It is being done concurrently
17 with the zoning request.
18 MR. LAWLER: Okay. All right. Hum, if I may clarify my --
19 MR. ATKINS: Yes, Mr. Lawler.
20 MR. LAWLER: Okay. Hum, I'd like to make a motion in
21 regards to the case number we described. Shall I read it all again?
22 Or -- I think everyone knows which case number we're talking
23 about -- hum, to include the change to the land use map with, hum,
24 the rezoning in addition to the concurrent variance of the building
25 height restriction provided that the conditions are met. Shall I read

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the conditions?

MR. ATKINS: Yes.

MR. LAWLER: Okay. The conditions listed for the front building facade. Shall I go into details on the conditions? A combination of 80 percent brick, stucco or stone and 20 percent Hardy Plank with alternating patterns; the side of the building facade 70 percent Hardy Plank; 30 percent brick, stone, stucco with alternating patterns and the rear of the building facade to have 100 percent Hardy Plank and the second condition would be the detention pond must be landscaped.

DR. BRIDGEWATER: I second the motion.

MR. ATKINS: Hold on, hold on just one second, Dr. Bridgewater. There's another part of the condition, hum, and I'll ask Staff to clarify that and then have Mr. Lawler to accept that just so that we can perfect the record and just make sure it's all included.

MS. CARTER: Hum, your motion included the land use map, the conditions one and two. However, hum, the fourth part of that would be, hum, the concurrent variance.

MR. LAWLER: Yes.

MR. LAWLER: I thought I motioned that?

MS. GARRETT: It's also listed as one of the conditions.

MS. CARTER: -- which would be the concurrent variance height would be able to increase from 40 feet to 50 feet.

MR. ATKINS: Okay. Now Dr. Bridgewater, I'll entertain your second.

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DR. BRIDGEWATER: Mr. Chair, I'll second the motion.

MR. ATKINS: Okay. Commissioners, its been moved and properly seconded that we recommend approval of agenda item 2009 "Z" as in zebra-005-08 concurrently with item 2009 "C" as in Charlie, "V" as in Victor-005-08. At this time, is there any discussion?

MR. LAWLER: Discussion.

MR. ATKINS: Yes, Mr. Lawler.

MR. LAWLER: Hum, I did want to bring up, hum, in regards to this case number there was some discussion at work session regards to the percentage of commercial property and residential property in the City of East Point, which I think, the applicant mentioned.

I'd like to -- if Staff could clarify some of those issues, hum, for the public because there is some concern that we are very close perhaps too close to the amount of residential versus commercial property in the City of East Point in terms of tax burdens and so on and so forth.

MS. HOLMES: As the applicant say that there was a study conducted by Staff the number of parcels in the City that were residentially zoned. As a result of that, there are about 86 percent of the parcels -- of the 13,000 parcels here in the City that are residentially zoned and about 70 percent of those are commercial. With regard to this case, however, an R4 rezoning, in this case, would be for apartments. Those apartment are treated -- zoned

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residentially, however, they are treated commercially. They are required to get a CO; second, they are required to get an annual business license and, third, with the new code that was adopted in March, they're required to be annually inspected so that's continuous revenue to the City, as well as they would be -- a multi-family use is a bigger user of water and power.

MR. ATKINS: All right. Is there any other discussion?

THE BODY: (No response)

MR. ATKINS: Okay. Commissioners, all in favor sound "aye."

THE BODY: Aye.

MR. ATKINS: All opposed sound the same.

THE BODY: (No response)

MR. ATKINS: Hearing none, the "ayes" have it. We will recommend approval with conditions to the Council this particular agenda item. Thank you, Mr. Dingle.

MR. DINGLE: Thank you, members of the Commission.

MR. ATKINS: Next agenda items is 2009 "P" as in Paul-002-06. Staff, would you please sound this particular agenda item.

MS. CARTER: Applicant is Madison Commercial. Property location is Redwine Road. The applicant is seeking approval of a preliminary plat to subdivide 80.08 acres into a 164 lots in the C1, hum, zoning district and R4 zoning district. This application requires a public hearing.

MR. ATKINS: Okay. Commissioners at this time, I will

1 entertain a motion to open a public hearing.

2 MR. HARPER: Mr. Chair.

3 MR. ATKINS: Yes, Mr. Harper.

4 MR. HARPER: I make a motion that we open a public
5 hearing.

6 MR. ATKINS: Okay. Is there a second?

7 MS. PATTERSON: Second.

8 MR. ATKINS: It's been moved and properly seconded that we
9 open a public hearing for this agenda item. All in favor sound "aye"

10 THE BODY: Aye.

11 MR. ATKINS: All opposed sound the same.

12 THE BODY: (No response)

13 MR. ATKINS: Hearing none, the "ayes" have it. Are there --
14 the same rules that I mentioned earlier for a public hearing will apply
15 and at this time I will ask for any proponents for this particular
16 agenda item.

17 (Whereupon the proponent approached the podium)

18 SPEAKER: I'm Scott Kurz with the Southeastern Civil
19 Engineering representing Madison Commercial.

20 MR. ATKINS: Your address, please.

21 MR. KURZ: Hum, the address is 561 Thornton Road, Lithia
22 Springs.

23 MR. ATKINS: Okay.

24 MR. KURZ: And, hum, we've had, I guess, extensive
25 meetings with Council and work through land development -- the

1 land disturbance side of the project. We've been through the
2 rezoning about a year or so ago and our preliminary pad basically
3 matches what went through during the rezoning and I'll be glad to
4 answer any questions.

5 MR. ATKINS: Okay. Thank you. Are there any other
6 proponents for this particular agenda item?

7 THE BODY: (No response)

8 MR. ATKINS: Seeing none, are there any opponents for this
9 agenda item?

10 THE BODY: (No response)

11 MR. ATKINS: Seeing none, Commissioners, at this time I will
12 entertain a motion to close the public hearing.

13 MR. HARPER: Mr. Chair.

14 MR. ATKINS: Yes, sir.

15 MR. HARPER: I make a motion that we close the public
16 hearing.

17 MR. ATKINS: Thank you, Mr. Harper is there a second?

18 MS. PATTERSON: Second.

19 MR. COOK: Second.

20 MR. ATKINS: Its be moved an properly seconded to close the
21 public hearing. All in favor sound "aye."

22 THE BODY: Aye.

23 MR. ATKINS: All opposed sound the same.

24 THE BODY: (No response)

25 MR. ATKINS: Hearing none, the "ayes" have it. The public

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hearing is hereby closed. At this time, I would like to hear Staff's recommendation.

MS. CARTER: The applicant is seeking approval of a preliminary plat to subdivide 80.08 acres into a 164 lots in the C1 and R4 zoning district. Staff recommends approval of the preliminary plat pending all site plan buildings are addressed.

MR. ATKINS: Okay.

MS. CARTER: Meaning numerically addressed.

MR. ATKINS: Okay. Commissioners, at this time, hum, we've had our public hearing, we've heard Staff's recommendation I will entertain a motion.

DR. BRIDGEWATER: Mr. Chair.

MR. ATKINS: Yes, Dr. Bridgewater.

DR. BRIDGEWATER: I make a motion for approval in Case Number 2009P-002-06 for approval pending, hum, the submission of the Staff's recommendations.

MR. ATKINS: Is there a second?

MR. LAWLER: Second.

MR. ATKINS: Okay. Hum, we've had a motion and it's has been properly seconded and those would include the conditions as Staff stated. Okay. And your second stills stands Mr. Lawler?

MR. LAWLER: Yes, it does.

MR. ATKINS: Okay. Hearing the motion, its been properly seconded. All in favor sound "aye."

THE BODY: Aye.

1 MR. ATKINS: All opposed sound the same.
2 THE BODY: (No response)
3 MR. ATKINS: Hearing none, the "ayes" have it. We will
4 recommend approval with conditions of agenda item 2009 "P" as in
5 Paul-002-06.
6 MR. KURZ: Thank you very much.
7 MR. ATKINS: Our next agenda item is 2009 "P" as in
8 Paul-004-08. This particular agenda item also requires a public
9 hearing. Commissioners at this time I will entertain a motion to open
10 the public hearing.
11 DR. BRIDGEWATER: Mr. Chair, I make a motion that we
12 open the public hearing on case 2009P-004-08.
13 MR. COOK: Second.
14 MR. ATKINS: It's been moved and properly seconded that we
15 open a public hearing. All in favor sound "aye."
16 THE BODY: Aye.
17 MR. ATKINS: All opposed sound the same.
18 THE BODY: (No response)
19 MR. ATKINS: Hearing none, the "ayes" have it. The public
20 hearing is hereby open. The rules for the public hearing will still
21 apply. Are there any proponents for this particular agenda item?
22 This is item 2009 "P" as in Paul-004-08. Location description
23 is 1497 Fulton Avenue, final plat townhomes.
24 (Whereupon speaker approached the podium)
25 MR. ATKINS: Sir, would you please state your name and your

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address.

SPEAKER: My name is Chad Henderson with the law firm of Hollowell, Foster & Gepp. Our address is 233 Peachtree Street, 1200 Harris Tower, Atlanta, Georgia 30303. I'm the attorney for the applicant Century Security Bank.

MR. ATKINS: Okay. Is there anything that you'd like to say regarding this particular application?

MR. HENDERSON: No, sir. The Staff is recommending deferral. Hum, we agree, I'm here to answer any questions that anyone has.

MR. ATKINS: Thank you. Are there any opponents for this particular agenda item?

(No response from audience)

MR. ATKINS: Seeing none, Commissioners, at this time I will entertain a motion to close the public hearing.

MR. HARPER: Mr. Chair, I make a motion that we close the public hearing.

DR. BRIDGEWATER: Second.

MR. ATKINS: It's been moved and properly seconded that we close the public hearing, all in favor sound "aye."

THE BODY: Aye.

MR. ATKINS: All opposed sound the same.

THE BODY: (No response)

MR. ATKINS: Hearing none, the public hearing is closed for this particular agenda item. At this time, I'll hear Staff's

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recommendation.

MS. CARTER: Staff's recommendation is to defer this application until October meeting.

MR. ATKINS: Commissioners, we've held our public hearing, we've heard Staff's recommendation which is to defer this particular agenda item until October meeting. At this time I will entertain a motion.

DR. BRIDGEWATER: Mr. Chair.

MR. ATKINS: Yes, Dr. Bridgewater.

DR. BRIDGEWATER: I make a motion in case number 2009P-004-08 for Century Security Bank that we defer the matter pending public works until our October meeting 2009.

MR. ATKINS: Is there a second?

MS. PATTERSON: Second.

MR. ATKINS: Its been moved and properly seconded by Ms. Patterson. All in favor sound "aye." Is there any discussion? I'm sorry.

THE BODY: (No response)

MR. ATKINS: Hearing none all in favor sound "aye."

THE BODY: Aye.

MR. ATKINS: All opposed sound the same.

THE BODY: (No response)

MR. ATKINS: Hearing none the "ayes" have it. This particular agenda item will be deferred until our October meeting. Thank you. That brings us to our announcements on the agenda.

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VIII. ANNOUNCEMENTS:

MR. ATKINS: Are there any announcements from Staff?

MS. CARTER: None.

MR. ATKINS: Okay. Commissioners, are there any announcements?

DR. BRIDGEWATER: Mr. Chair, I would, hum, ask Staff if they would be cognizance of the fact that someone needs to be at the door. Commissioner Patterson and I were out in the rain. There was nobody there and so that's why we were detained. We could not gain entrance into the building, so I would appreciate it if someone would make sure when we have our Commission meetings that there is someone there so to make sure that all Commissioners can gain access and that we won't have tardiness, please.

MR. ATKINS: Okay. Are there any other announcements?

THE BODY: (No response)

MR. ATKINS: All right. Hum, at this time, I will entertain a motion to adjourn.

IX. ADJOURN:

DR. BRIDGEWATER: Mr. Chair, I make a motion that having completed all of the business of the City of East Point Planning & Zoning Commission that we now adjourn.

MR. ATKINS: Is there a second?

MR. HARPER: Second.

MR. ATKINS: Its been moved and properly seconded that we adjourn our meeting of September 17th, 2009. All in favor sound

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"aye."

THE BODY: Aye.

MR. ATKINS: All opposed sound the same.

THE BODY: (No response)

MR. ATKINS: Hearing none, the meeting is hereby now
adjourned. Thank you.

(Whereupon the meeting adjourned at 7:33 P.M.)

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CERTIFICATE

GEORGIA:

FULTON COUNTY:

I hereby certify 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 28 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 East Point Planning & Zoning Commission.

I was contacted by the offices of East Point Planning & Zoning Commission to provide court reporting services to take down the meeting minutes.

The foregoing proceedings for the East Point Planning & Zoning Meeting on September 17, 2009, 7 o'clock P.M. were reported by me and transcribed by me.

This, the 1st day of October 2009.

Jeanene Harper
Court Reporter