

1 CITY OF EAST POINT

2 **PLANNING & ZONING COMMISSION**

3 October 21nd, 2010 - 7:00 P.M.

4 Official Minutes

5 Regular Meeting

6 East Point, Georgia  
7 Jefferson Station  
8 1526 East Forrest Avenue  
9 4th Floor

10 **Board Members Present:**

11 Commissioner Dr. Herbert J. **BRIDGEWATER, Jr.**, Chair

12 Commissioner Shean **ATKINS**, Co-Chair

13 Commissioner Francine **JONES**, Provisional Chair

14 Commissioner Linda **SHELDON**

15 Commissioner Eddie **BRYANT**

16 Commissioner Dr. William **BRYANT**

17 Commissioner Dr. Lydia **WARES**

18 Commissioner Joel **TUCKER**

19 Board Members Absent:

20 Commissioner Eric **FRIEDLY**

21 Also Present:

22 Ms. Susan **GARRETT**  
23 City Attorney

24 Ms. Regina **CARTER**  
25 Senior Planner - Absent

Ms. Keyetta **HOLMES**  
Senior Planner

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**APPEARANCES**

**APPLICANT:**

**Page**

**Seyed Housseiniarani**

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**SPEAKERS**

Seyed Housseiniarani

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1 DR. BRIDGEWATER, JR.: Thank you. Ladies and gentlemen,  
2 it is a custom of this Body, that at this time, we observe a moment of  
3 silence and we ask that you do that, please.

4 **III. MOMENT OF SILENCE:**

5 DR. BRIDGEWATER, JR.: Thank you. At this time, we will  
6 stand and give the Pledge of Allegiance to the flag.

7 **IV. PLEDGE OF ALLEGIANCE:**

8 DR. BRIDGEWATER, JR.: Commissioners, we'd like to have  
9 an adoption -- a motion for tonight's agenda -- for the adoption of  
10 the agenda.

11 **V. ADOPTION OF THE AGENDA:**

12 MS. SHELDON: Mr. Chair.

13 DR. BRIDGEWATER, JR.: Commissioner Sheldon.

14 MS. SHELDON: I make a motion that we adopt the agenda as  
15 printed. DR. WARES: Second.

16 DR. BRIDGEWATER, JR.: It has been motioned by  
17 Commissioner Sheldon and seconded by Commissioner Wares that  
18 tonight's agenda be adopted. All in favor, let it be known by the  
19 word aye.

20 COMMISSIONERS: Aye.

21 DR. BRIDGEWATER, JR.: Opposes by the same sign.

22 COMMISSIONERS: (No response.)

23 DR. BRIDGEWATER, JR.: Thank you Commissioners. Also,  
24 we need a motion as requesting a motion for approval of the August  
25 19th, 2010 minutes for the City of East Point Planning and Zoning.

1 Do I hear a motion, please?

2 **VI. APPROVAL OF MEETING MINUTES:**

3 DR. BRYANT: Mr. Chairman. I make a motion at -- for the  
4 approval of the August 19th, twenty-ten meeting minutes.

5 DR. BRIDGEWATER, JR.: Is there a second?

6 MS. JONES: Second.

7 DR. BRIDGEWATER, JR.: It has been motioned by  
8 Commissioner William Bryant and seconded by Commissioner Jones  
9 that the approval of the August 19th, 2010 meetings for the City of  
10 East Point Planning and Zoning Commission be adopted. All in favor,  
11 let it be known by the word aye.

12 COMMISSIONERS: Aye.

13 DR. BRIDGEWATER, JR.: Opposes by the sign no.

14 COMMISSIONERS: (No response.)

15 DR. BRIDGEWATER, JR.: Hearing none, these minutes will be  
16 approved. And also we would need a motion, Commissioners, for the  
17 approval of our September 16th minutes -- 2010. Can I hear a  
18 motion?

19 COMMISSIONERS: (No response.)

20 DR. BRIDGEWATER, JR.: Commissioners, we need a motion  
21 for the September 16th, 2010 minutes. Do I hear a motion?

22 **VII. APPROVAL OF MEETING MINUTES:**

23 MR. TUCKER: Mr. Chair.

24 DR. BRIDGEWATER, JR.: Commissioner.

25 MR. TUCKER: I'll move that, huh, we, huh, adopt the

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September 16th, 2010 minutes.

DR. WARES: Second.

DR. BRIDGEWATER, JR.: It has been motioned by Commissioner Tucker and seconded by Commissioner Wares that we adopt the approval of the September 16th, 2010 minutes. All in favor, let it be known by the word aye.

COMMISSIONERS: Aye.

DR. BRIDGEWATER, JR.: Opposes by the sign no.

COMMISSIONERS: (No response.)

DR. BRIDGEWATER, JR.: Hearing none that the minutes are now approved.

**VIII. OLD BUSINESS:**

DR. BRIDGEWATER, JR.: Our first matter on the agenda, at this time, is going to be Case Number 2010P-002-08 for Duke Realty. At this time, we would hear, huh, from Staff regarding this matter.

MS. HOLMES: With regard to Case Number 2010P-002-08, Applicant, Duke Realty Limited. Final Plat for four (4) lots at 4800 North Commerce Drive, Camp Creek Business Center. The applicant has requested a withdrawal.

DR. BRIDGEWATER, JR.: Commissioners, you've heard from Staff in the matter involving Duke Realty and the Case Number has been sounded. The applicant has requested a withdrawal. Is there any discussion at this time?

MR. ATKINS: Mr. Chair, we need a motion and a second for discussion and I will make a motion if you are entertaining motions

1 now.

2 DR. BRIDGEWATER, JR.: Please do so.

3 MR. ATKINS: I move that we allow withdrawal for application  
4 number 2010 "P" as in Paul-002-08, Duke Realty Limited for 4800  
5 North Commerce Drive.

6 DR. WARES: Second.

7 MS. SHELDON: Second.

8 DR. BRIDGEWATER, JR.: It has been motioned by  
9 Commissioner Atkins and seconded by Commissioner Sheldon that  
10 the Case Number 2010P-002-08 for Duke Realty be allowed for the  
11 withdrawal. Are there any discussion of the matter?

12 MS. SHELDON: Mr. Chair.

13 DR. BRIDGEWATER, JR.: Commissioner Sheldon.

14 MS. SHELDON: I just wanted to confirm that we have a  
15 written correspondence of that request.

16 MS. HOLMES: Yes, we do.

17 MS. SHELDON: Thank you.

18 DR. BRIDGEWATER, JR.: Are there any other questions.

19 COMMISSIONERS: (No response.)

20 DR. BRIDGEWATER, JR.: All in favor, let it be known by the  
21 word aye.

22 COMMISSIONERS: Aye.

23 DR. BRIDGEWATER, JR.: Opposes with the sign no.

24 COMMISSIONERS: (No response.)

25 DR. BRIDGEWATER, JR.: Hearing none, the matter shall be

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withdrawn upon request. The next matter is Case Number 2010 "Z" as in zebra-009-08, citywide and I understand that this matter does require a public hearing. Is that correct?

MS. HOLMES: That's correct.

DR. BRIDGEWATER, JR.: Commissioner.

MR. ATKINS: Mr. Chair, at this time, I move that we open a public hearing for agenda item 2010 "Z" as in zebra-009-08.

DR. WARES: I second.

DR. BRIDGEWATER, JR.: It has been motioned by Commissioner Atkins and seconded by Commissioner Wares that we open the floor for a public hearing on this matter involving Citywide. All in favor, let it be known by the word aye.

COMMISSIONERS: Aye.

DR. BRIDGEWATER, JR.: Opposes by the same sign.

COMMISSIONERS: (No response.)

DR. BRIDGEWATER, JR.: At this time, I will go ahead and read the rules for our public hearing and they are as follows: The public hearing before the Planning and Zoning Commission shall be conducted in accordance with Section 10-2219 of the East Point Zoning Code and Development Regulations as follows: Persons before favoring or opposing the proposed amendment will then be provided an opportunity to address the Council.

The applicant for the proposed amendment or applicant's designee representative, if any, will be entitled to speak first, followed by other speakers in favor of the proposal for a total of

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fifteen (15) minutes.

Those who opposed the proposed zoning amendment will then be permitted to speak for a total of fifteen (15) minutes. By a majority vote of the Council, Commission may increase the total time for speakers provided that each side is given the same amount of time. If there's more than one speaker for a side, 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 himself or herself and state his or her 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 the first -- after first being cautioned, the speaker continues to violate the Rules of Decorum. At this --

MR. ATKINS: Mr. Chair, I have a question. I'm sorry. Hum, we held a public hearing for this particular agenda item at our last meeting, correct? And we did not advertise it for this month and so I may have spoken too soon in opening up the public hearing but, hum -- because I think we've only advertised agenda item 2010 "P" as in Paul-002-08. MS. HOLMES: You're correct, hum, Commissioner Atkins. We did not re-advertise this paper. Hum --

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MR. ATKINS: Are we still within our rights to move forward with this particular agenda item because we have held one public hearing but it was on the agenda for this month and it was not advertised?

MS. GARRETT: I believe that this Body can move forward, hum, with a public hearing if it desires and with an action on this matter. This is a recommending body. The critical issue is it be properly advertised and a public hearing be held, hum, before the City Council makes a decision on it. So, hum, having held one public hearing, it's up to the Commission whether you'd like to go forward with another one and then you may, hum, make your recommendation tonight.

DR. BRIDGEWATER, JR.: Commissioners, what is your pleasure?

MR. ATKINS: Well, I think that it's been moved and properly seconded so at this point, we have -- we have opened up for a public hearing and I made the motion. I'm the maker of the motion and I am okay with moving forward because as I stated earlier, we did have a public hearing last month and there's going to be another opportunity for this to be advertised again for a public hearing when it goes to Council so I'm okay with moving forward and I think Ms. Sheldon -- Commissioner Sheldon was the second, hum, on that. If you're okay with that, Commissioner?

MS. SHELDON: Absolutely.

DR. BRIDGEWATER, JR.: Thank you, Ms. Sheldon. At this

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time, we will hear from Staff.

MS. GARRETT: Having -- having moved for a public hearing, I would recommend that you go ahead and call for speakers to see if there're any here.

DR. BRIDGEWATER, JR.: Thank you. Then, at this time, if there are -- are there, hum, opponents -- proponents rather of the matter in favor of the Citywide ordinance that is before us, Case Number 2010Z-009-08. Would you come forward, please. State your name and address, if there are persons who are proponents in favor of.

PROponents IN FAVOR: (No response.)

DR. BRIDGEWATER, JR.: Are there persons who are in favor of?

PROponents IN FAVOR: (No response.)

DR. BRIDGEWATER, JR.: Are there persons who are in favor of?

PROponents IN FAVOR: (No response.)

DR. BRIDGEWATER, JR.: Are there persons who are in favor of?

PROponents IN FAVOR: (No response.)

DR. BRIDGEWATER, JR.: Hearing none, are there opponents who are opposed to the ruling?

OPponents: (No response.)

DR. BRIDGEWATER, JR.: Are there persons who are opposed to the ruling?

1 OPPONENTS: (No response.)  
2 DR. BRIDGEWATER, JR.: Are there persons opposed to the  
3 ruling?  
4 OPPONENTS: (No response.)  
5 DR. BRIDGEWATER, JR.: Having sounded three times,  
6 Councilman -- Commissioners, with no response, can I hear a motion,  
7 at this time, to close the public hearing?  
8 MR. ATKINS: Mr. Chair, I move that we close the public  
9 hearing for agenda item 2010 "Z" as in zebra-009-08.  
10 DR. WARES: I second.  
11 DR. BRIDGEWATER, JR.: It has been motioned by  
12 Commissioner Atkins and seconded by Commissioner Wares that we  
13 close the public hearing on this matter before the Commission.  
14 Discussion?  
15 COMMISSIONERS: (No response.)  
16 DR. BRIDGEWATER, JR.: Discussion?  
17 COMMISSIONERS: (No response.)  
18 DR. BRIDGEWATER, JR.: Hearing -- seeing -- hearing none,  
19 all in favor, let it be known by the word aye.  
20 COMMISSIONERS: Aye.  
21 DR. BRIDGEWATER, JR.: Opposes by the same sign, no.  
22 COMMISSIONERS: (No response.)  
23 DR. BRIDGEWATER, JR.: All right. And then the next matter  
24 before -- we need to sound --  
25 MR. ATKINS: Mr. Chair, I think that we need to hear from

1 Staff on this and then we had a motion to close the public hearing. I  
2 don't think that we had a motion to recommend, hum, an action to  
3 the Council.  
4 DR. BRIDGEWATER, JR.: -- to Council.  
5 MR. ATKINS: Yes.  
6 DR, BRIDGEWATER, JR.: So we need to hear from Staff.  
7 Thank you.  
8 MR. ATKINS: Yes.  
9 MS. HOLMES: With respect to Case Number 2010Z-009-08,  
10 Citywide, a Text Amendment to add Language for Temporary PODs  
11 in storage units, Staff's recommendation is approval.  
12 DR. BRIDGEWATER, JR.: Thank you. Commissioners.  
13 MS. SHELDON: Mr. Chair.  
14 DR. BRIDGEWATER, JR.: Commissioner Sheldon.  
15 MS. SHELDON: Hum, I have -- I make a motion that we  
16 approve, hum -- or we recommend approval of this Text Amendment  
17 for discussion.  
18 MR. ATKINS: I second for discussion.  
19 DR. BRIDGEWATER, JR.: It's been motioned by  
20 Commissioner Sheldon and seconded by Commissioner Atkins that  
21 we recommend to Council this matter for approval. At this time, any  
22 further decision? Commissioner Sheldon?  
23 COMMISSIONERS: (No response.)  
24 MS. SHELDON: We're all lost tonight (laughs) or I am  
25 anyway. Hum, I had a recommendation here. Hum, we had had a

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discussion about certain properties such as townhouses or properties that might not have a driveway, hum, and I have written some Text that, huh, for the Commission's consideration to be added to this, hum, Text amendment. Hum, it might be added, hum, between E and F and it reads as follows: In the event an applicant for permit has property which does not have a driveway or backyard, permitting and location of the temporary storage unit shall be at the discretion of the Planning and Zoning Department.

Should the applicant not concur with the Staff decision, the applicant can appeal the decision to the Planning and Zoning Commission. So that's -- I submit that for your discussion.

MR. ATKINS: And Commissioner Sheldon, I'm glad that you mentioned that and thank you for sharing that with me and that -- the piece about appealing to the Planning and Zoning Commission, the reason that I wanted that particular piece added is because I know that there are some, hum, issues that will come before the Planning and Zoning Staff that they can move on administratively, hum, and, in -- I believe those instances, we talked about within a certain parameter and because the only thing we said here is if there's not, hum, I guess, adequate space in the front yard to do that so if Staff comes up to the applicant and -- with a decision to the applicant it says that you're not allowed a POD, I think the applicant has a right to appeal that and so that's why I wanted that added, hum, in the language.

DR. BRIDGEWATER, JR.: Commissioners, are there other

1 points?

2 MS. SHELDON: I would just ask, hum, Staff for their reaction

3 to that if they're comfortable with that, too.

4 DR. BRIDGEWATER, JR.: I was going to ask Susan if she had

5 a response to that.

6 MS. GARRETT: My only, hum, recommendation would be that

7 if -- because it includes the phrase, "at the discretion of the -- of

8 planning and zoning Staff," is that what it says, that you include

9 some standard by which the Staff is suppose to make that

10 determination, hum -- what the criteria are that where and when

11 Staff should allow something in the front of side yard. It doesn't

12 have to be elaborate but it needs to give some standard.

13 MR. ATKINS: Okay. I agree and I understand that and it

14 might take a little bit more time for us to thoughtfully think that

15 through because off the top of my head one of the things, hum --

16 and Commissioner Sheldon, if you would read it again just to refresh,

17 hum, my memory on that.

18 MS. SHELDON: In the event an applicant for permit has

19 property which does not have a driveway or a backyard, permitting

20 and location of the temporary storage unit shall be at the discretion

21 of the Planning and Zoning Department.

22 MR. ATKINS: Hum, then I guess, now that I hear it again, we

23 might want to talk about it a little further because I think that all

24 properties must have a backyard, is that correct?

25 MS. HOLMES: I'm sorry.

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MR. ATKINS: All properties must have a backyard, all, hum -- I guess, all houses or residential development. Is it true that they must have a backyard?

MS. HOLMES: I wouldn't say, "must" but there is a rear-yard setback that is required, yes.

MR. ATKINS: Setback. Okay. Hum, because what I was going to add in terms of standard that the Assistant City Attorney spoke of would be something along the lines of if it, hum -- if topography poses a challenge, the driveway issue, hum, things of that nature, hum, if we might able to include something like that?

DR. BRIDGEWATER, JR.: Susan.

MS. GARRETT: I was going to suggest, first of all, it probably should be left to the Planning and Zoning Director. Hum, that's who actually makes the administrative decision that is appealable to this Body and one possibility would be to say rather than using discretion, the word discretion, saying that, hum, whatever -- after what you said, the Planning and Zoning -- the Planning Director may allow the, hum, POD to be located -- placed in another location, hum, provided that it is not in consistent with the -- with the intent of this ordinance or something like that. In other words, I think, depending on what the justification is for requiring them not to be normally placed in the front yard. Hum --

DR. WARES: Hum, I just had a question. Do you think, hum, Commissioner Atkins -- do you think that we should maybe think about have a visual because you won't know unless you see it, if

1 there's a probable, the ones that have a probable -- a visual  
2 something to be included so we'll no why they're actually doing that,  
3 to make it proper?  
4 MR. ATKINS: You mean, when they come for the appeal?  
5 DR. WARES: Yeah. When they come for the appeal, yeah, if  
6 its been denied, to show why they really want to place it somewhere  
7 else or why they think they should be considered.  
8 MS. GARRETT: Here's another option. Your recommendation  
9 could be rather than trying to provide the exact wording or exact  
10 procedure that this Body could recommend approval of the ordinance  
11 with a modification to allow, hum --  
12 MS. SHELDON: Other situations.  
13 MS. GARRETT: -- this situation and then --  
14 MR. ATKINS: I hear that.  
15 MS. GARRETT: -- that could be worked on before it comes  
16 back to the Council.  
17 MR. ATKINS: Okay. Hum, I hear that, but I would like for  
18 whatever language that is going to be included for this Body to be  
19 comfortable with that and I think that -- I think that we all have the  
20 same intent and I would like, hum, for us to have very thoughtful  
21 input on this. I think overall, we're pretty pleased with the way that  
22 it's written. I think that's just this one area that we're having some  
23 challenges with because everyone won't have a driveway. Everyone  
24 may not have a backyard that's conducive or accessible and so I think  
25 that we're just trying to address that and would like to do it in a very

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thoughtful way but I think that whatever the language is I know personally I would just like to be comfortable with it.

DR. BRIDGEWATER, JR.: So are you suggesting that we postpone it so that we have more time to work on the language?

MR. ATKINS: Is this --

MS. SHELDON: It's my understanding that this is needed very very quickly, hum --

DR. BRIDGEWATER, JR.: Before the Council?

MS. SHELDON: -- at the next Council meeting. What I might suggest is that we propose this language and I've added a few things and that Staff have an opportunity to look at it and then perhaps Email us with their final copy, hum, I mean, what we will essentially be doing is saying that we approve this. We recommend this for approval with, hum --

DR. BRIDGEWATER, JR.: -- modifications?

MS. SHELDON: -- with modifications and trust that the Staff will get back with us on that verbiage.

MR. ATKINS: Can I make another suggestion?

MS. SHELDON: Sure.

MR. ATKINS: Could I suggest that we table this agenda item. Take up the only item in New Business and then go into a Committee of a Hold for fifteen (15) minutes or so to talk about Language and then come back and vote on this particular Agenda Item?

MS. SHELDON: Sounds fine to me.

DR. BRYANT: Wait. Wait. I'm trying to understand what you

1 are saying, Commissioner. You're saying you want us to table this  
2 then go into a meeting for fifteen (15) minutes?

3 DR. BRIDGEWATER, JR.: Executive --

4 MR. ATKINS: Well --

5 DR. BRYANT: I'm just trying to understand what you are  
6 saying. What you're saying, I don't quite understand what are you  
7 saying?

8 MR. ATKINS: Huh, yes, Doctor Bryant, what I'm saying is that  
9 we only have one other item on the agenda and if we would table  
10 this particular agenda item -- I don't know on getting feed back -- if  
11 we would table this particular agenda item, take up the only piece of  
12 New Business and then go into a Committee of a Hold for fifteen  
13 minutes just so -- because really all we're trying to do is work out the  
14 Language for this so that we can go ahead and dispose of this and  
15 move it forward to Council.

16 DR. BRYANT: Okay. I can agree with that. I understand  
17 now.

18 MR. ATKINS: And so with that -- because there's a motion  
19 and a second on the floor, hum, would we need to withdraw the  
20 motion and the second and then motion to table, hum, and then,  
21 hum -- to bring up later in the agenda?

22 MS. GARRETT: Yes.

23 MR. ATKINS: I'd like to withdraw my second.

24 MS. SHELDON: I withdraw my motion.

25 MR. ATKINS: Mr. Chair, I move that we table agenda item

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2010 "Z" as in zebra-009-08 to, hum, later in the agenda after we have disposed of the only piece of New Business, which is agenda item 2010 "P" as in Paul-002-08.

DR. BRYANT: Second.

DR. BRIDGEWATER, JR.: It has been motioned by Commissioner Atkins and seconded by Commissioner William Bryant that we table the matter, hum, for further decision, huh, and the Case Number and all has been sounded. Commissioners, are there decision at this time?

COMMISSIONERS: (No response.)

DR. BRIDGEWATER, JR.: Hearing none, all in favor let it be known by the word aye.

COMMISSIONERS: Aye.

DR. BRIDGEWATER, JR.: Opposes by the sign no.

COMMISSIONERS: (No response.)

DR. BRIDGEWATER, JR.: Hearing none, then the matter will be tabled and we will move onto the next one. Hum, Staff will you sound the next item, please.

**VIII. NEW BUSINESS:**

MS. HOLMES: With respect to 2010P-002-08. Applicant Seyed Housseiniarani. Location 976, 982 and 988 Cleveland Avenue. A rezoning from R1A to C1, Neighborhood Commercial.

DR. BRIDGEWATER, JR.: Thank you.

MS. HOLMES: This requires a public hearing.

DR. BRIDGEWATER, JR.: And the rules have been stated for

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the public hearing. Keep that in mind. At this time, Commissioners I'll also entertain a motion to open the floor for a public hearing.

MR. ATKINS: Mr. Chair, I move that we open a public hearing for agenda item 2010 "P" as in Paul-002-08.

DR. BRIDGEWATER, JR.: Thank you. Can I have a second.

DR. BRYANT: Second.

DR. BRIDGEWATER, JR.: It has been motioned by Commissioner Atkins and seconded by Commissioner William Bryant that we open the public hearing on said matter. All in favor, let it be known by the word aye.

COMMISSIONERS: Aye.

DR. BRIDGEWATER, JR.: Opposes by the sign no.

COMMISSIONERS: (No response.)

DR. BRIDGEWATER, JR.: Hearing none, the floor is now open for -- to hear from the applicant. Yea, would you come and state your name and address please.

(Whereupon the Applicant Seyed Housseiniarani approaches the podium.)

MR. HOUSSEINIARANI: My name is Seyed Housseiniarani. I live at 10600 Haynes Forest Drive in Alpharetta, Georgia and I am an existing business owner at 1699 Washington Avenue and we have purchased this property at the -- its a building that's been vacant for many many years and that was the reason it was given and it went back to the residential zoning.

It is sitting by the street at Cleveland Avenue and all the

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surrounding area are businesses and we wish to change this to a commercial zoning so we can transfer our existing business into that and make it a pretty building rather than a vacant building at the present time.

DR. BRIDGEWATER, JR.: Okay. Well, thank you.

MR. HOUSSEINIARANI: Thank you.

DR. BRIDGEWATER, JR.: Are there other persons who'd like to speak in favor of?

OTHER SPEAKERS: (No response.)

DR. BRIDGEWATER, JR.: Are there other persons who'd like to speak in favor of?

OTHER SPEAKERS: (No response.)

DR. BRIDGEWATER, JR.: Seeing none, are there persons who'd like to speak in opposition to this matter?

OTHER SPEAKERS: (No response.)

DR. BRIDGEWATER, JR.: Are there persons who'd like to speak in opposition?

OTHER SPEAKERS: (No response.)

DR. BRIDGEWATER, JR.: Are there persons who'd like to speak in opposition?

OTHER SPEAKERS: (No response.)

DR. BRIDGEWATER, JR.: Having sounded the matter three times, not hearing any, Commissioners I'll entertain a motion to close the public hearing.

MR. ATKINS: Mr. Chair, I move that we close the public

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hearing for agenda item 2010 "P" as in Paul-002-08.

DR. BRIDGEWATER, JR.: Thank you. Is there a second?

MS. JONES: Second.

DR. BRIDGEWATER, JR.: It has been motioned by  
Commissioner Atkins --

MS. SHELDON: Discussion.

DR. BRIDGEWATER, JR.: Its been motioned by Commissioner  
Atkins and seconded by Commissioner Jones. At this time, huh, all --  
huh, discussion. MR. ATKINS: We would first have to have a -- we  
just closed the public hearing. That's it. So now we will hear from  
Staff and then we will have a motion and a second for discussion.

MS. HOLMES: Commissioners, on your agenda, the letter is  
"P." It should be "Z" as in zebra. It is a zoning paper. Please  
excuse the misprint. Further with regard to Case Number  
2010Z-002-08, Seyed Housseiniarani, 976, 982 and 988 Cleveland  
Avenue a rezoning from R1A to C1 Neighborhood Commercial, Staff  
recommendation is approval.

DR. BRIDGEWATER, JR.: Thank you, Staff. Commissioners, I  
will entertain a motion on this matter at this time. Go ahead with a  
motion on the floor, at this time, regarding the matter pending for  
the Commission.

MS. JONES: Mr. Chair.

DR. BRIDGEWATER, JR.: Commissioner Jones.

MS. JONES: I make a motion that we, hum, recommend  
approval of Case Number 2010 "Z" as in zebra-002-08.

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DR. WARES: I second.

DR. BRIDGEWATER, JR.: It had been seconded by Commissioner Jones -- motioned by Commissioner Jones and seconded by Commissioner Wares for the approval of said matter before the Commission. At this time, I will entertain a discussion.

MS. JONES: The discussion that, hum -- Ms. Holmes has already cleared up the discussion that I was going to bring to the Board about the Case Number so its been satisfied.

DR. BRIDGEWATER, JR.: Thank you. Are there others -- Commissioner.

MR. ATKINS: I just have a question. The applicant stated in his presentation that you wanted to move your business to this particular location. What exactly is your business, sir?

MR. HOUSSEINIARANI: Huh, I have two businesses right now. The business that I have in the City of East Point is a temporary staffing agency. It's called Best National Services. We have existing business in Charlotte, North Carolina and we just open up a location in East Point and we are in a temporary location right now. And we wish to get into a new location after the rezoning.

MR. ATKINS: Okay.

DR. BRIDGEWATER, JR.: Commissioners, are there others?

COMMISSIONERS: (No response.)

DR. BRIDGEWATER, JR.: Seeing none, all in favor let it be known by the word aye.

COMMISSIONERS: Aye.

1 DR. BRIDGEWATER, JR.: Opposes by the sign no.  
2 COMMISSIONERS: (No response.)  
3 DR. BRIDGEWATER, JR.: Hearing none, then the matter is  
4 approved and does pass.  
5 Commissioners, that does appear to conclude our New  
6 Business of this 21st day of October, 2010 from the City of East Point  
7 Planning and Zoning.  
8 Staff, are there any announcements that you wish to share?  
9 MS. HOLMES: Sir, you have to go into Committee Board.  
10 DR. BRIDGEWATER, JR.: Oh that's right. I'm ready to go. I  
11 forgot. You pulled that on me. Hum, so then we need a motion to  
12 adjourn and then come back is that the way we are going to do it ,  
13 like Executive Session?  
14 MS. GARRETT: A motion to adjourn into executive session.  
15 DR. BRIDGEWATER, JR.: All right. Commissioners, I'll  
16 entertain a motion to adjourn into Executive Session.  
17 DR. BRYANT: Mr. Chairman.  
18 MR. TUCKER: Mr. Chair.  
19 DR. BRIDGEWATER, JR.: Commissioner Bryant, William  
20 Bryant.  
21 DR. BRYANT: I make a motion that we adjourn into  
22 Executive Session.  
23 MR. TUCKER: And I second that.  
24 DR. BRIDGEWATER, JR.: Its been seconded by Commissioner  
25 Tucker -- motioned by Commissioner Bryant, William Bryant and

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seconded by Commissioner Tucker that we adjourn into Executive Session for further discussion on the matter involving the Citywide Ordinance. All in favor, let it be known by the word aye.

COMMISSIONERS: Aye.

DR. BRIDGEWATER, JR.: Opposes by the sign no.

COMMISSIONERS: (No response.)

DR. BRIDGEWATER, JR.: Hearing none we are temporary adjourn for executive session.

**IX. COMMITTEE AS A HOLD DISCUSSION:** (Held off the record.)

(Whereupon the City of East Point Planning & Zoning Commission holds a 15-minute Committee as a Hold Discussion off the record.)

(Back on the record.)

DR. BRIDGEWATER, JR.: Ladies and gentlemen --

VIDEOGRAPHER: Microphone, please.

DR. BRIDGEWATER, JR.: Sorry about that.

VIDEOGRAPHER: That's okay.

DR. BRIDGEWATER, JR.: Ladies and gentlemen, we are now calling to order the 20st of October, 2010 meeting of the East Point Planning and Zoning.

We are back into session now. Hum, as -- after our Committee Commission break and at this time, we're gonna ask our Assistant City Attorney, Susan Garrett, if she will speak as to the break so we can clear up the exit that it was not an Executive Break

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but it was a Committee Break.

MS. GARRETT: Mr. Chair, before I do that, I think we need a motion to go back into regular session.

MR. ATKINS: So we're actually not calling to order but we're resuming our regularly scheduled meeting and so Mr. Chair, I move that we resume our regular scheduled meeting now that we have completed our Committee as a Hold discussion.

DR. WARES: I second.

DR. BRIDGEWATER, JR.: It has been motioned by Commissioner Atkins and second by Commissioner Wares that we resume our commission meeting. All in favor, let it be known by the word aye.

COMMISSIONERS: Aye.

DR. BRIDGEWATER, JR.: Opposes by the same sign.

COMMISSIONERS: (No response.)

DR. BRIDGEWATER, JR.: At this time, Attorney Garrett.

MS. GARRETT: Yes, thank you, Mr. Chair. We wanted to clarify for the record and for the public that we misspoke, hum, before we, hum, went off the TV, hum, that we did not adjourn into Executive Session in a sense of not being in a public session.

We intended to and did, in fact, adjourn into Committee of the Hold and, hum, the meeting remained opened to the public during that discussion.

DR. BRIDGEWATER, JR.: Thank you. So now we will go back into the case that is before us in terms of Citywide, which is Case

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Number 2010Z-009-08 at this time. Commissioner.

MS. SHELDON: Mr. Chair.

DR. BRIDGEWATER, JR.: Commissioner Sheldon. I would like to offer the following Language as an addition to the Text, hum, that was presented before us.

MR. ATKINS: Okay. And I think that we probably have to make a motion and then a second --

MS. SHELDON: Oh, all right.

MR. ATKINS: -- and then offer the Language.

MS. SHELDON: All right. I make a motion to recommend approval of the Text with an amendment.

MR. ATKINS: Second for discussion.

DR. BRIDGEWATER, JR.: It has been motioned by Commissioner Sheldon and second by Commissioner Atkins for discussion at this time on the particular matter before the Commission, at this time. Commissioner Atkins, discussion.

MR. ATKINS: I think that Commissioner Sheldon actually will do the discussing.

MS. SHELDON: (Laughs) All right. I would like to offer the following verbiage, huh, as an addition to the Text.

In the event an applicant for permit has property which does not have a driveway or which has challenging topography or does not have adequate access to the rear yard, the Planning Director may allow the temporary storage unit or portable on-demand storage to be placed in an alternate location, provided that the location is in

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keeping with the intent of the Ordinance.

Pursuant to 10-2188, Secondary Variance Interpretation, if the applicant does not concur with the decision of the Planning Director, the applicant may appeal as a Secondary Variance Interpretation.

MS. GARRETT: Hum --

DR. BRIDGEWATER, JR.: Thank you.

MS. GARRETT: Commissioner Sheldon -- excuse me, Mr. Chair. Commissioner Sheldon, could you, hum, specify where, in the proposed ordinance, that language is suppose to go?

MS. SHELDON: Hum, lets see. Lets put that, hum, at, huh, in, huh, Section E., following the existing Text in Section 8.

DR. BRIDGEWATER, JR.: Are there further discussion?

COMMISSIONERS: (No response.)

DR. BRIDGEWATER, JR.: Hearing none, Commissioners are you ready to vote? All in favor let it be none by the word aye.

COMMISSIONERS: Aye.

DR. BRIDGEWATER, JR.: Opposes by the sign no.

COMMISSIONERS: (No response.)

DR. BRIDGEWATER, JR.: Hearing none, this matter does now pass. Thank you, Commissioners for your hard work and especially Commissioner Sheldon, Commissioner Atkins and all who contributed to this, huh, piece of additional input.

At this time, Staff, we will hear from you, if there are any announcements.

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**X. ANNOUNCEMENTS:**

MS. HOLMES: There are no announcements.

DR. BRIDGEWATER, JR.: Commissioners, are there announcements that either of you wish to share?

COMMISSIONERS: (No response.)

DR. BRIDGEWATER, JR.: Hearing none, then I'll entertain a motion to adjourn.

**XI. ADJOURNMENT:**

MR. ATKINS: Mr. Chair, I move that we adjourn our meeting.

DR. WARES: Second.

DR. BRIDGEWATER, JR.: Its been motioned by Commissioner Atkins and seconded by Commissioner Wares that we adjourn the October 21st, 2010 meeting of the City of East Point Planning and Zoning Commission. All in favor, let it be known by the word aye.

COMMISSIONERS: Aye.

DR. BRIDGEWATER, JR.: Opposes by the sign no.

COMMISSIONERS: (No response.)

DR. BRIDGEWATER, JR.: Then it is adjourned. Meeting adjourned.

(Whereupon this concludes the meeting for the City of East Point, Georgia Planning & Zoning Commission.)

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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 32 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 stenography services to take down the meeting minutes.

The foregoing meeting for the City of East Point Planning & Zoning Commission on October 21nd, 2010, at 7 o'clock P.M. were taken down by me and transcribed by me this 4th day of November, 2010.

Jeanene Harper  
Court Reporter