

1 CITY OF EAST POINT

2 **PLANNING & ZONING COMMISSION**

3 June 16th, 2011 - 7:00 P.M.

4 Official Meeting Minutes

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

9 **Board Members Present:**

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

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

12 Commissioner Francine **JONES**, Provisional Chair

13 Commissioner Linda **SHELDON**

14 Commissioner Dr. William **BRYANT**

15 Commissioner Eric **FRIEDLY**

16 Commissioner Dr. Lydia **WARES**

17 Commissioner Joel **TUCKER**

18 Commissioner Davita **WASHINGTON**

19 Also Present:

20 Ms. Susan **GARRETT**  
21 City Attorney

22 Ms. Regina **CARTER**  
23 Senior Planner

24 Ms. Keyetta **HOLMES**  
25 Senior Planner

James **HAMMOND**  
Videographer

Richard **RANDOLPH**  
City Engineer

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APPEARANCES

APPLICANT(S): Page

City of East Point - (No appearance.)

Charles Petross - (No appearance.)

Victor Soto 11

James Shively 15

Betty Huffman 34

SPEAKERS Page

Shaunna Smith 17

Erica Bracey 17

Radcliff Angles 20

Chioma Duru 23

Jordan Bennett 36

Sybil Robinson 37

Chip Fincher 39

Darby Shaffer 40

Archie Polk 41

Mike Dekle 42

Ashley Crimmins 43

Michael Steverson 43

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**I. CALL TO ORDER:**

COMMISSIONER ATKINS: Good evening ladies and gentlemen. I'm Shean Atkins, Vice Chair of the East Point Planning and Zoning Commission. It is after the 7 o'clock hour. Our meeting was suppose to start at 7 o'clock so I'm gonna go ahead and start our meeting as our Chair instead. At this point, we'll go down the agenda. The first order on the business -- on the agenda is to Call to Order and the Roll Call, please, Ms. Holmes.

**II. ROLL CALL:**

MS. HOLMES: Commissioner Friedly.  
COMMISSIONER FRIEDLY: Here.  
MS. HOLMES: Commissioner Wares.  
VIDEOGRAPHER: Microphone, please.  
MS. HOLMES: Commissioner Wares.  
COMMISSIONER WARES: (No response.)  
MS. HOLMES: Commissioner Tucker.  
COMMISSIONER TUCKER: Here.  
MS. HOLMES: Commissioner Jones.  
COMMISSIONER JONES: Present.  
MS. HOLMES: Commissioner Atkins.  
COMMISSIONER ATKINS: Here.  
MS. HOLMES: Commissioner Sheldon.  
COMMISSIONER SHELDON: Here.  
MS. HOLMES: Commissioner Bryant.  
COMMISSIONER WILLIAM BRYANT: Here.

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MS. HOLMES: Commissioner Washington.

COMMISSIONER WASHINGTON: Here.

MS. HOLMES: Mr. Chair, you have a quorum.

COMMISSIONER ATKINS: Okay. Thank you. The next item on the agenda in lieu of a prayer, we acknowledge a Moment of Silence. At this time, we will take a Moment of Silence.

**III. MOMENT OF SILENCE:**

MR. ATKINS: Thank you. It comes to the time for the Pledge of Allegiance. If all would please stand.

**IV. PLEDGE OF ALLEGIANCE:**

COMMISSIONER ATKINS: Okay. Commissioners, at this time, I will entertain a motion to adopt the agenda as printed.

**V. ADOPTION OF AGENDA:**

COMMISSIONER SHELDON: Mr. Chair. I move we adopt the agenda as printed.

COMMISSIONER WILLIAM BRYANT: Second.

COMMISSIONER ATKINS: Okay. It's been moved and properly seconded that we adopt the agenda as printed. All in favor sound aye.

COMMISSIONERS: Aye.

COMMISSIONER ATKINS: All oppose sound nay.

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, the ayes have it. We will adopt the agenda as it is printed.

COMMISSIONER ATKINS: Also I understand that we just

1 receive our minutes from our May 19th meeting and so at this time,  
2 Commissioners, I will entertain a motion as to whether you'd like -- I  
3 don't know if you've had the opportunity to go over there or if you'd  
4 like to table this particular agenda item to our July meeting.

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

6 COMMISSIONER SHELDON: Mr. Chair.

7 COMMISSIONER ATKINS: Yes, Ms. Sheldon.

8 COMMISSIONER SHELDON: I move that we table this item  
9 for our next meeting.

10 COMMISSIONER ATKINS: Is there a second?

11 COMMISSIONERS: Second.

12 COMMISSIONER ATKINS: It's been moved and properly  
13 seconded that we table our the approval of our May 19, 2011  
14 minutes to our July meeting. All in favor sound aye.

15 COMMISSIONERS: Aye.

16 COMMISSIONER ATKINS: All oppose sound nay.

17 COMMISSIONERS: (No response.)

18 COMMISSIONER ATKINS: Hearing none, the ayes have it.  
19 We will table this particular agenda item to our July meeting. We've  
20 come down to Old Business and the first Agenda Item is 2011 "M" as  
21 in Mary-001-05. Staff, would you please sound this particular agenda  
22 item.

23 **VII. OLD BUSINESS:**

24 MS. CARTER: Applicant is City initiated amendment to the  
25 East Point Code of Ordinance. That's a miscellaneous amendment to

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the overlay map. Property location is Citywide. Applicant is seeking approval to amend Part 10, Planning and Development, Chapter 14, overlay district downtown architectural overlay for the City of East Point, Georgia to provide an effective date to repeal conflicting ordinances and for other purposes.

COMMISSIONER ATKINS: Okay. This particular item does not require a public hearing so at this time, I will here Staff's recommendation.

MS. CARTER: Staff's recommendation is approval of stated amendment to the East Point Code of Ordinances.

COMMISSIONER ATKINS: Commissioner, at this time will entertain a motion.

COMMISSIONER SHELDON: Mr. Chair.

COMMISSIONER ATKINS: Yes, Commissioner Sheldon.

COMMISSIONER SHELDON: Motion to approve application number 2011M-001-05.

COMMISSIONER ATKINS: Is there a second.

COMMISSIONER WILLIAM BRYANT: Second

COMMISSIONER ATKINS: Okay. It's been moved and properly seconded that we recommend approval of Agenda Item 2011 "M" as in Mary-001-05, which is a Citywide text amendment to amend the bounds of the downtown overlay -- architectural overlay district. All in favor sound aye.

COMMISSIONERS: Aye.

COMMISSIONER ATKINS: All oppose sound nay.

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COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, the ayes have it.

COMMISSIONER ATKINS: Staff, would you please sound the next Agenda Item 2011 "Z" as in zebra-009-04.

MS. CARTER: Applicant is Charles Petross. Property location is 2455 McAlpin Terrace. This application has already had a public hearing, although, it would require one. We've already had that last month. Applicant is seeking approval of rezoning from R-L, Residential Limited to R-2, Two Family Residential.

COMMISSIONER ATKINS: Okay. As Staff has already mentioned, this particular agenda item under normal circumstances, when we had the public hearing, and we did do that at our main meeting, so we will not have a public hearing today. So this time, I will hear Staff's recommendation.

MS. CARTER: Staff recommends the proposed -- approval of a proposed rezoning for R-L, Residential Limited to R-2, Two Family Residential.

COMMISSIONER ATKINS: Okay. Commissioners, at this time, I will entertain a motion.

COMMISSIONER JONES: Mr. Chair.

COMMISSIONER ATKINS: Yes.

COMMISSIONER JONES: I move that we recommend to City Council approval of the proposed rezoning from R-L Residential Limited to R-2, Two Family Residential.

COMMISSIONER ATKINS: And that's for --

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COMMISSIONER JONES: Case Number 2011Z-009-04.

COMMISSIONER ATKINS: Is there a second?

COMMISSIONER WILLIAMS: Second.

COMMISSIONER ATKINS: Okay. It's been moved and proper seconded that we recommend approval for Agenda Item 2011 "Z" as in zebra-009-04. All in favor sound aye.

COMMISSIONERS: Aye.

COMMISSIONER ATKINS: All oppose sound nay.

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, the ayes have it. Staff, now we're onto New Business and, Staff, the first agenda item is 2011 "V" as in Victor-002-05. Applicant is Toluca Foods. If you would that agenda item, please.

**VIII. NEW BUSINESS:**

MS. CARTER: Applicant is Toluca Foods. Property location is 987 Sampler Way. Applicant is seeking to reduce the front yard setback from 40 feet to 30 feet in the I-1, Light Industrial Zoning district for an addition to the existing building. This application requires a public hearing.

COMMISSIONER ATKINS: As Staff has mentioned, this particular agenda item requires a public hearing as does a couple of others on the agenda. At this time particular time, I will read our procedures for public hearings and they will apply to all of the agenda items that require a public hearing.

(Whereupon the Procedures for Public Hearing were read

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as follows:)

COMMISSIONER ATKINS: The applicant for the proposed amendments or the applicant's designated representative, if any, will be entitled to speak first, followed by other speakers in favor of the proposal for a total of fifteen minutes. Those who oppose the proposed zoning amendment will then be permitted to speak for a total of fifteen minutes. By majority vote, the Commission may increase the total time for speakers provided that each side is given the same amount of time. If there'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 allotted time for rebuttal. Speakers must adhere to rules of decorum. Prior to speaking, each speaker shall identify himself or herself and state his or her current address. Each speaker shall only speak on the merits of the proposed zoning decision under consideration, shall address remarks 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, at first after being cautioned, the speaker continues to violate the rules of decorum. So Commissioners, at this time, I will entertain a motion to open a public speaking -- a public hearing for this particular agenda item.

COMMISSIONER SHELDON: Mr. Chair.

COMMISSIONER ATKINS: Yes.

COMMISSIONER SHELDON: I move we open the public

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hearing for Case Number 2011 "V" as in Victor-002-05. Applicant is Toluca Foods.

COMMISSIONER ATKINS: Is there a second?

COMMISSIONER WARES: Second.

COMMISSIONER ATKINS: It's been moved and properly seconded we've opened up a public hearing for Agenda Item 2011 "V" as in Victor-002-05. All in favor, sound aye.

COMMISSIONERS: Aye.

COMMISSIONER ATKINS: All oppose sound nay.

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, the ayes have it. So is the applicant here?

(Whereupon the applicant approach the podium.)

COMMISSIONER ATKINS: State your name and address, please.

APPLICANT: My name is Victor Soto and I represent Toluca Foods at 987 Sampler Way, East Point, Georgia 30344.

COMMISSIONER ATKINS: Okay. You want to speak to your propose.

VICTOR SOTO: Yeah, first of all, 'um, thank you very much for your time and consideration regarding our variance application. As you know, Toluca Foods is an importer of -- spices imported from around the world and we sell to national food service company, distributors, wholesalers across the country. I've been a business owner here in Georgia since 2001. Moved to East Point since 2005

1 and have had success here despite the economic challenges business  
2 have had since 2008. We're fortunate and lucky to be in a position of  
3 expanding our business, thus having the need for the ten foot  
4 variance for the building expansion project. Allowing the variance  
5 with keep Toluca Foods in East Point for continued success and  
6 improve customer service, increase inventory storage space,  
7 expanded infrastructure needed for existing in additional sales and  
8 improve the working environment for Toluca Foods employees.  
9 Thanks again for your consideration and attention to this matter.

10 COMMISSIONER ATKINS: Thank you. Are there any other  
11 proponents for this particular agenda item that would like to speak?

12 AUDIENCE: (No response.)

13 COMMISSIONER ATKINS: Any other proponents?

14 AUDIENCE: (No response.)

15 COMMISSIONER ATKINS: At this time, are there any  
16 opponents for this particular agenda item that would like to speak?

17 AUDIENCE: (No response.)

18 COMMISSIONER ATKINS: Any opponents to this agenda  
19 item?

20 COMMISSIONER ATKINS: Hearing none and seeing none,  
21 Commissioners, at this time, I will entertain a motion to close the  
22 public hearing.

23 COMMISSIONER SHELDON: Mr. Chair.

24 COMMISSIONER ATKINS: Yes, Commissioner Sheldon.

25 COMMISSIONER SHELDON: I move we close the public

1 hearing for Case Number 2011 "V" as in Victor-002-05.  
2 COMMISSIONER ATKINS: Is there a second?  
3 COMMISSIONER WARES: I second.  
4 COMMISSIONER ATKINS: It's been moved and properly  
5 seconded that we close the public hearing for this particular agenda  
6 item. All in favor sound aye.  
7 COMMISSIONERS: Aye.  
8 COMMISSIONER ATKINS: All oppose sound nay.  
9 COMMISSIONERS: (No response.)  
10 COMMISSIONER ATKINS: Hearing none, the ayes have it.  
11 The public hearing is now closed. Staff, we'll hear your  
12 recommendation.  
13 MS. CARTER: Applicant is speaking to reduce the front yard  
14 setback from 40 feet to 30 feet in the I-1 Light Industrial zoning  
15 district for an addition to existing building. Staff recommends  
16 approval of the variance due to the hardship in accordance with  
17 Section 10-2079(B) of the East Point Code of Ordinances.  
18 COMMISSIONER ATKINS: Thank you, Staff. Commissioners,  
19 at this time, I will entertain a motion and please remember that  
20 because it is a variance, we don't have to make a recommendation to  
21 Council. We can just make a motion on whether to approve or to  
22 deny.  
23 COMMISSIONER TUCKER: Mr. Chair.  
24 COMMISSIONER ATKINS: Yes.  
25 COMMISSIONER TUCKER: I would like to make a motion to

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approve 2011V-002-05.

COMMISSIONER ATKINS: Is there a second?

COMMISSIONER SHELDON: Second.

COMMISSIONER ATKINS: It's been moved and properly seconded that we approve Agenda Item 2011 "V" as in Victor-002-05. All in favor sound aye.

COMMISSIONERS: Aye.

COMMISSIONER ATKINS: All oppose sound nay.

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, the ayes have it. The item is approved.

VICTOR SOTO: Thank you.

COMMISSIONER ATKINS: Staff, would you please sound the next Agenda Item 2011 "Z" as in zebra-012-04.

MS. CARTER: Applicant is James Shively. Property location is Redwine Road and North Commerce Drive. Applicant is seeking to rezoning property from C1, Neighborhood Commercial and R4, Multi-Family Residential to C-2, Central Business District. The proposed use of the property is for a family entertainment center. This application requires a public hearing.

COMMISSIONER ATKINS: Okay. Thank you. Commissioners, at this time, I will entertain a motion to open the public hearing.

COMMISSIONER FRIEDLY: I move that we open the public hearing.

COMMISSIONER ATKINS: Okay. Commissioner Friedly has

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made a motion to open the public hearing. Is there a second?

COMMISSIONER SHELDON: Second.

COMMISSIONER ATKINS: It's been moved and properly seconded that we open the public hearing for Agenda Item 2011 "Z" as in zebra-012-04. All in favor sound aye.

COMMISSIONERS: Aye.

COMMISSIONER ATKINS: All oppose sound nay.

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, the ayes have it. The public hearing is now open. Sir, would you please state your name and your address --

(Whereupon applicant approach the podium.)

APPLICANT: James Shively.

COMMISSIONER ATKINS: -- and please turn the microphone on. Thank you.

APPLICANT: James Shively. The developer and will be the owner of the project in question.

COMMISSIONER ATKINS: Would you like to speak to the agenda item?

APPLICANT: Yes, please. The Odyssey building -- the Family Entertainment Complex will be built on the six and a half acres of Redwine Road behind BJs. I will have at least a 150 new jobs with the 11 million dollar facility. It has very good access points that going to help eliminate traffic congestion. I think that we will add greatly to the community itself. It would certainly give an excellent

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draw to East Point community on Camp Creek.

COMMISSIONER ATKINS: Thank you Mr. Shively. Are there any other proponents for this particular agenda item.

MS. CARTER: Excuse me, Commissioner.

COMMISSIONER ATKINS: Yes.

MS. CARTER: I have four speaker cards for this particular case and they are Shaunna Smith, Emila Bracey, Ursula Walker and Chioma Diru.

COMMISSIONER ATKINS: Okay. We'll have the first speaker. That's Smith, that's Smith, is that correct?

MS. CARTER: Yes.

COMMISSIONER ATKINS: Shaunna Smith.

MS. CARTER: Bracey, Walker and Diru.

COMMISSIONER ATKINS: Ms. Smith, if you would please approach the podium.

ATTORNEY SUSAN GARRETT: Mr. Chair, for the purposes of time keeping, we do need to know if the person -- 'cause you need to take any one who's speaking in favor of the application.

COMMISSIONER ATKINS: I only ask for proponents at this time. Are you speaking in favor of this agenda item?

SPEAKER: Yes.

COMMISSIONER ATKINS: Okay. So these are only proponents at this time, those speaking in favor of the agenda item. Go ahead Ms. Smith.

(Whereupon Shaunna Smith approach the podium.)

1                   SHAUNNA SMITH: My name is Shaunna Smith.

2                   COMMISSIONER ATKINS: Push the button to turn the mic on,  
3 please and state your name and your address.

4                   SHAUNNA SMITH: My name is Shaunna Smith and I actually  
5 work within the marketplace and my address is 3780 Princeton Lakes  
6 Parkway. I am one of the managers of the Camp Creek World of  
7 Beverage and I think that this proposed project would bring --  
8 actually generate a lot of revenue for the area as well as create many  
9 jobs so I am definitely for the project.

10                  COMMISSIONER ATKINS: Okay. Thank you Ms. Smith. The  
11 next speaker.

12                  AUDIENCE: (No response.)

13                  COMMISSIONER ATKINS: Staff, the name of the next  
14 speaker, please.

15                  MS. HOLMES: Erica Bracey.

16                  (Whereupon Erica Bracey approach the podium.)

17                  COMMISSIONER ATKINS: Okay. Ms. Bracey, you are  
18 speaking in favor of, correct?

19                  ERICA BRACEY: Correct.

20                  COMMISSIONER ATKINS: Okay. Could you state your name  
21 and your address please.

22                  ERICA BRACEY: Good evening. My name Erica Bracey. I  
23 currently reside at 3475 Prince George Street, East Point, Georgia  
24 30344. I am a resident of the Williamsburg Community and my family  
25 resides at 3475 Prince George Street. I am here to express my

1 opinion in favor of approving the zoning that would allow Odyssey  
2 Entertainment Complex to be developed. There are a number of  
3 reasons why I'd like to see Odyssey built in East Point. But the top  
4 three revolve around community development, family-friendly  
5 entertainment and most importantly, economic development. My  
6 husband and I are raising two boys, seven and fourteen. We've lived  
7 in East Point for over fourteen -- for over ten years and one of my  
8 biggest frustrations with our community is our lack of family-friendly  
9 entertainment. When we want to spend an evening out with our  
10 boys doing things boys like to do, we are forced to travel to Dave and  
11 Busters, Dixieland leaving our dinner and entertainment dollars in  
12 Cobb County, Fayette County and Gwinett COunty respectively. In  
13 addition to family night out every year, I throw a birthday party for  
14 each of my grown boys. Since we've moved to East Point, I've been  
15 forced to go outside of my community to host the annual birthday  
16 event. For the past two years, we've traveled twenty miles South on  
17 75 to Pinstripes in Stockbridge and before that to American  
18 Adventures in Cobb County. We spend an average of four hundred  
19 to five hundred dollars per child, per birthday party, per year. I'm a  
20 strong supporter of recycling dollars within the community, however,  
21 because there aren't any local options at this time, I'm forced to take  
22 my business and my dollars elsewhere. Oh, and let's not forget the  
23 dozens of end of season football, baseball, soccer, track, swim and  
24 other sports banquets held each year. This Saturday we're having  
25 our baseball banquet up at Dave and Busters in Cobb County.

1 Thousands of dollars are being exported out of our East Point  
2 community because of lack of options. Economic development is a  
3 key factor in my decision to support the Odyssey Entertainment  
4 Complex. Odyssey is poised to provide dozens of full time and part  
5 time positions. These are positions that will put dozens of local East  
6 Point residents and possibly even my two boys to work one day. In a  
7 time of record-breaking unemployment, every job added in the  
8 marketplace puts our economy one step further ahead on the road to  
9 recovery. While I don't have the numbers, I'm sure the Zoning  
10 Committee, as well as East Point City Council, already know exactly  
11 how much tax revenue Odyssey Complex could potentially add to the  
12 bottom line of the City budget. Currently, that current -- excuse me.  
13 So in conclusion, I ask that the Zoning -- Planning and Zoning  
14 Committee, as well as East Point City Council will give the  
15 consideration to approving the Odyssey Entertainment Complex. The  
16 long-term positives definitely out weight the few short-term  
17 negatives. I ask that the Zoning Committee and City Council please  
18 take into consideration the number of growing households raising  
19 family in East Point.

20 COMMISSIONER ATKINS: Thank you. I think our next  
21 speaker is a Ms. Walker.

22 MS. HOLMES: 10 minutes and 42 seconds remaining.

23 COMMISSIONER ATKINS: 10 minutes and 42 seconds  
24 remaining. Ms. Walker, if you would please approach the podium.  
25 State your name and your address and you are speaking in favor of

1 this agenda item, right?

2 (Whereupon Ursula Walker approach the podium.)

3 URSULA WALKER: Huh, negative.

4 COMMISSIONER ATKINS: Negative. It's not time for you to  
5 speak yet.

6 URSULA WALKER: All right.

7 COMMISSIONER ATKINS: Okay. We'll have an opportunity  
8 for opponents to speak. The next speaker.

9 MS. HOLMES: Duru.

10 COMMISSIONER ATKINS: Duru. Opponent. Okay. Are there  
11 any other proponents for this particular agenda item?

12 AUDIENCE: (No response.)

13 COMMISSIONER ATKINS: Any other proponents? Okay. So  
14 you didn't sign a speaker card but I don't have an issue with you  
15 speaking as long as the rest of the Commissioners are okay with that.  
16 Commissioners, would it be okay if you got one more speaker?

17 ATTORNEY SUSAN GARRETT: Mr. Chair, I believe that if  
18 we're still within the fifteen minutes, we probably should allow  
19 additional speakers.

20 COMMISSIONER ATKINS: Yes. So, sir, please approach the  
21 podium.

22 (Whereupon Radcliff Anges approach the podium.)

23 COMMISSIONER ATKINS: State your name and your address.

24 MS. HOLMES: Sir, would you also fill a speaker card when  
25 you finish.

1                   SPEAKER: Absolutely. Huh, good afternoon. My name is  
2                   Radcliff Anges. I reside at 3239 Welmington Drive Atlanta, Georgia  
3                   30331. Huh, I'm an owner of a property in Princeton Lakes and, 'um,  
4                   for a lot of the reasons that the previous speaker just mentioned, I  
5                   don't value, huh -- and particularly family oriented, huh, events  
6                   within the Camp Creek area. I bought my home in 2007 and one of  
7                   the reasons I bought my home there because the, huh, tax  
8                   advantages of that development there at Camp Creek, huh, be it  
9                   shopping, entertainment, 'um, for a lot of the reasons why I wanted  
10                  to buy my property there. And I think that further development in  
11                  the area will increase families to move back into the area where as  
12                  you probably have noticed, a lot of families have moved out. A lot of  
13                  forecloses and a lot of people aren't necessarily buying home  
14                  because they don't have the funds -- the money but also because  
15                  they are not able to find things that are family-friendly. 'Um, there're  
16                  a lot of adult entertainment and adult things you can do this as far as  
17                  bars and restaurants but as far as, 'um, family entertainment, myself  
18                  as well, I got to travel to Alpharetta for go cart racing or, huh, other  
19                  places for rock climbing and other things that this particular  
20                  developer has in mind. I do appreciate that. Thank you.

21                  COMMISSIONER ATKINS: All right. Thank you. If you would  
22                  please see Staff and fill out a speaker's card.

23                  SPEAKER: Okay.

24                  COMMISSIONER ATKINS: Are there any other proponents?

25                  AUDIENCE: (No response.)

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COMMISSIONER ATKINS: How much time do you have left, Staff.

MS. HOLMES: The applicant has 9 minutes and 32 seconds remaining.

COMMISSIONER ATKINS: Okay. Any other proponents?

AUDIENCE: (No response.)

COMMISSIONER ATKINS: Okay. At this time, seeing there no other proponents, we will now hear from any opponents for this particular agenda item and the speaker on the card is Ursula Walker. Ms. Walker.

(Whereupon Ursula Walker approach the podium.)

URSULA WALER: My name is Ursula Walker. I reside at 210 Highland Court in, you know -- it's in Atlanta, South Fulton County and, 'um, the reason I'm an opponents with this, 'um -- it's all well and good because it's a family place but in order to participate we have to be able to pay and get to work. It's so crowded. The traffic is so bad already. 'Um, I was listening at the, 'um, speaker here saying the different access points. I don't know of any access point except Camp Creek. It's hard getting to work. It's hard coming from work. I have to leave my house and go North and Camp Creek is the way I go. It's some other route you can go but you have to leave about 30 minutes earlier. But, 'um, that was one of the main reasons. Another reason is they promise us things and once they get into the community and get our money, it's a whole different story. The trash around the area, all that is real bad since the shopping

1 plaza came there. So, 'um, I just wanted to know like who's  
2 responsible for cleaning up and picking up paper. It looks a mess.  
3 It's embarrassing and other shopping plazas don't like this bad.  
4 People come in, you know, and just build things all close together.  
5 'Um, that was one of the reasons. I just don't want it to be, you  
6 know, still looking trashy and the trash looks horrible. And that was  
7 it.

8 COMMISSIONER ATKINS: Thank you, Ms. Walker. The next  
9 opponent for this agenda item, Staff.

10 MS. HOLMES: Chioma Duru.

11 COMMISSIONER ATKINS: Ms. Duru.

12 (Whereupon Chioma Duru approach the podium.)

13 CHIOMA DURU: Hello. My name is Chioma Duru. Is there  
14 anything I need to press, sir. Okay. So I'm here to talk about --

15 COMMISSIONER ATKINS: Your address, please.

16 CHIOMA DURU: Oh, I'm sorry. I'm a homeowner -- I own  
17 property in Princeton Lakes at 3301 Saville Street but I currently  
18 reside in Mabelton, huh, 261 Twin Circle, Mabelton, Georgia. So, 'um,  
19 I bought my property in Princeton Lakes and Princeton Lakes is the  
20 subdivision that's closest to the development that Mr. Shively, huh,  
21 wants to build and I bought my property in Princeton Lakes in 2005  
22 as is single family -- it's just a single family home. Huh, prior to that,  
23 I grew up in Cobb County and lived there my whole life. Huh, I  
24 graduated from Harvard and came back and wanted to live in Atlanta  
25 and liver in an area that I thought had a lot of promise so I came to

1 this area and I really enjoyed that it was quiet. 'Um, but as time has  
2 gone on, we've seen a lot of development and, you know, as the  
3 woman before me mentioned, a lot of negative consequences. We  
4 have break-ins. Our, 'um -- our development has had to hire security  
5 personnel. 'Um, we don't have enough police -- East Point Polices,  
6 you know, literally, maybe point two miles away and they don't  
7 service us because we're technically in Atlanta and we would be the  
8 development that's most impacted by, huh, this new -- this new  
9 entertainment center that Mr. Shively wants to build and to be clear,  
10 I'm not against the entertainment center being in East Point. 'Um, as  
11 the young gentleman who came last mentioned, 'um, we do need  
12 those options but I just think it's in the wrong location and I think we  
13 realize that initially and that's why it's zoned the way it is. We  
14 simply -- my first -- my biggest issue is we cannot sustain the traffic.  
15 There a couple of stop signs and a couple of two-way streets. We do  
16 not have the capacity to support something like this. And I heard Mr.  
17 Shively mention access points. I'm really not sure what he's talking  
18 about. There's only two ways to come into the neighborhood. There  
19 is another similar sort of entertainment festival that was gonna  
20 happen last year and the reason it got cancel is because of safety  
21 concerns. There is not enough outlets and inlets into the  
22 neighborhood for us to safely, us being the residents of Princeton  
23 Lakes operate and be able to rely on emergency services when we  
24 have additional volume of this nature. 'Um, so traffic is by biggest  
25 concern. There have been a lot of accidents. I personally have

1 friends have accidents in this area because of the traffic. If any of  
2 you have ever, I guess, been on Camp Creek Marketplace trying to  
3 turn into 285 or any of that entire marketplace, you've seen how bad  
4 the traffic is. So how can we absorb such a large development. I'm  
5 not sure and I'm not saying that it's not possible but I haven't seen  
6 the plans and I haven't -- I haven't seen any additional access points.  
7 We have medical facilities there. You know, it's a really big problem  
8 if we bring another development and we cannot sustain the traffic  
9 flow. So that's a huge issue. 'Um, he mentioned that a 115 jobs  
10 would be created. Again, that's great and that's perfect but that's  
11 115 jobs being created at the cost or the impact -- the negative  
12 impact of 700 families who rightfully didn't come to Princeton Lakes  
13 knowing that it was gonna become a huge commercial development.  
14 I certainly didn't know that and I'm okay with the level of  
15 development that's there now but it's really sort of at the peak with  
16 what I think we can comfortably sustain. You know, I think about,  
17 you know, Chastain Park in Buckhead. You know, the people who  
18 chose to live there knew Chastain Park was there. They knew it was  
19 gonna be a major concert entertainment center. We don't have that  
20 luxury and as things are developing -- now that's why we're taking  
21 the initiative to come out and speak to let you know that this is  
22 seriously impacting us. 'Um, so that's another problem. 'Um,  
23 security, again, our homeowners association fees are already going  
24 to additional security. You know, I'm sure somewhere in the plan  
25 there is some plan for additional security but oftentimes what

1 happens is, it's there for the first year and then again it falls on us as  
2 a community. We got a lot of trash that we pick up. You know, our  
3 kids walk to school in this area. We've had to install, 'um, numerous  
4 speed bumps because of the traffic and, you know, people racing  
5 through our neighborhood and I just don't see how it's feasible to  
6 bring in such a large development giving the amount of traffic we  
7 already have, the safety concerns, the trash and have this work out  
8 in a good way. And it's a tough economy and I want the jobs, I just  
9 don't think this is the correct location, 'um, and I think already with  
10 the foreclosures we're seeing and the crime in the vacant  
11 households, bringing more and and I think the demographic gonna  
12 be younger children who may not have as much things to do during  
13 the summer, personally, you know, that concerns me and, you know,  
14 I'd much rather see that space used, you know, maybe as a new  
15 library as something else. I just don't think we can sustain the  
16 traffic. I don't think we have the ability to, 'um, provide the sort of  
17 security that we're gonna need and without those additional plans or,  
18 you know, some real tangible, you know, plans to that effect, I would  
19 really hope that you didn't rezone this area and just take a look and  
20 maybe consider some other areas. So that's really all I had to say.

21 COMMISSIONER ATKINS: Thank you. Are there any other  
22 opponents for this particular agenda item?

23 AUDIENCE: (No response.).

24 COMMISSIONER ATKINS: No other opponents?

25 AUDIENCE: No response.

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COMMISSIONER ATKINS: Okay. 'Um, the applicant, I believe, has some time for rebuttal. How much time is that, Staff.

MS. HOLMES: The applicant has 9 minutes and 32 seconds remaining.

COMMISSIONER ATKINS: Mr. Shively, you have 9 minutes 32 seconds remaining for rebuttal.

MR. SHIVELY: Thank you Council members. I'm gonna show you that I'm gonna take the highest level of, 'um, support in this community. I'm gonna personally take the lead in the preservation of this facility and neighboring, 'um, properties. You'll personally see me out there cleaning up. 'Um, I'm go in a have a very large -- a security team in place inside the facility and out. If you'll notice from the brochure, I've got very large corporate partners that I'm gonna be responsible for that have joined me in this project, Coca-Cola, staples, Targets, Publix. With those corporate dollars in place, it's mandatory that I maintain the highest level of excellence in this facility at all time. If you'll notice some -- the information that I posted on my wed site. I'm gonna certainly let parent know this place is not gonna be similar to the movie theater. You can't just drop off your children for babysitting service. You know, I'm gonna eliminate the walking traffic, the bicycle traffic with some of these rules and regulations in place so that this facility is at the highest standard at all times and Council members if you will approve my application, I guarantee that this is gonna be a tremendous addition to Camp Creek. Thank you.

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COMMISSIONER ATKINS: Okay. All right. Okay. And I think we have rebuttal. Okay. Commissioners, at this time, I will entertain a motion to close the public hearing for this particular agenda item.

COMMISSIONER SHELDON: Mr. Chair.

COMMISSIONER ATKINS: Yes, Commissioner Sheldon.

COMMISSIONER SHELDON: I move we close the public hearing for Application Number 2001Z-012-04.

COMMISSIONER WARES: Second.

COMMISSIONER ATKINS: Okay. It's been moved and properly seconded that we close the public hearing for Agenda Item 2011 "Z" as in zebra-012-04. All in favor sound aye.

COMMISSIONERS: Aye.

COMMISSIONER ATKINS: All oppose sound nay.

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, the ayes have it. This particular public -- the public hearing for this particular Agenda Item is now closed. Staff, we will hear your recommendation.

MS. CARTER: Staff recommends approval of the proposed rezoning from C1, which is Neighborhood Commercial to R4, which is Multi-Family Residential to C-2, Central Business District with the following conditions: Staff's recommendation is approval of the proposed rezoning from C1 Neighborhood Commercial and R4 Multi-Family Residential to C-2, Central Business District with the following conditions: Number 1, out door music shall cease and 11 p.m. during the weekdays and 2 a.m. during the weekends. Decibel

1 levels should be in accordance with the East Point Code of  
2 Ordinances. Number 2, outdoor light shall be in accordance with the  
3 East Point Night Sky Ordinance. Number 3, hours of operation shall  
4 cease, 'um Number 4 would be outdoor go-cart race shall be limited  
5 to electric cars only. Out door trash receptacle area shall be located  
6 near the principle structure and screened from the public  
7 right-of-way. Also must install planted landscape berm to mask the  
8 parking fronting along Redwine Road. Detention pond area should  
9 be enhanced with landscaping. Landscaping parking islands shall be  
10 in accordance with the East Point tree protection and Landscape  
11 Ordinance. Install landscaping on the's and west property lines.  
12 Traffic shall be required -- traffic study shall be required prior to Land  
13 Disturbance Permit. Architectural design features of principle  
14 structure shall be similar to the architectural design features of Camp  
15 Creek Marketplace and lastly, developer shall provide the City of East  
16 Point Electrical Utilities Department, a Utility Easement for installing  
17 and or maintaining any new electrical or other electrical  
18 infrastructures, meaning water, sewer, et cetera.

19 COMMISSIONER ATKINS: Thank you Staff. Commissioners,  
20 you've heard Staff's recommendation and the list of conditions. At  
21 this time, I'll entertain a motion for this agenda item.

22 COMMISSIONER SHELDON: Mr. Chair.

23 COMMISSIONER ATKINS: Yes, Commissioner Sheldon.

24 COMMISSIONER SHELDON: I move we recommend approval  
25 of application number 2011Z-012-04 with all Staff recommendations.

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COMMISSIONER ATKINS: Is there a second.

COMMISSIONER JONES: Second. Discussion.

COMMISSIONER ATKINS: Okay. It's been moved and properly seconded for discussion. At this time, I'll entertain discussion.

COMMISSIONER JONES: Mr. Chair.

COMMISSIONER ATKINS: Yes, Commissioner Jones.

COMMISSIONER JONES: I heard from the community that they had some concerns about the traffic problem that would be created from the addition of this project. It's my understanding that this project -- we're currently at the rezoning phase of the project so that it would be feasible for him to build the structure that he's anticipating so our agenda tonight is for rezoning only. It's mine understanding that the traffic -- the project will require a traffic study prior to LDP process and if I could just get one of the planners to sort of explain to the public what the second process of LDP process would be because we're not addressing that at this time.

MS. HOLMES: What Commissioners Jones is describing is the development process which happens immediately after the zoning process is complete. What the applicant will have to do is submit plans to our Department of Public Works that will be reviewed and the formal process is called LDP for Land Disturbance. During that part of the development all areas -- it's including Public Works, which comprises water or sewer, transportation, electric, et cetera. We'll review the project for the development effectiveness on that site. He

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must meet all those conditions prior to having the Land Disturbance Permit issued.

COMMISSIONER ATKINS: Thank you. Any other comments?

COMMISSIONER SHELDON: Mr. Chair. I'll also address to Staff. It's my understanding, as well, that you will have to read all of the design guidelines, all ordinances, all the requirements before he can proceed to even began to clear the land. So the whole -- all this does is give him the opportunity to move the project forward through the approval process.

MS. HOLMES: That is correct.

COMMISSIONER SHELDON: Thank you.

COMMISSIONER ATKINS: Any other comments from Commissioners.

COMMISSIONER TUCKER: Mr. Chair, I feel the community because anybody that's driven out on Camp Creek knows it's bad out there as it is and we need the business as well. I mean, I feel both. So I'm okay with voting tonight to change the zoning but the traffic impact analysis is something that I certainly will be looking at the next time it comes back.

COMMISSIONER ATKINS: Thank you, Commissioner Tucker. Any other comments from Commissioners?

COMMISSIONER WILLIAM BRYANT: Mr. Chair.

COMMISSIONER SHELDON: Yes, Dr. Bryant.

COMMISSIONER WILLIAM BRYANT: I concur with the other Commissioners. I realize that the traffic is real bad out there at 285

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and Camp Creek but I also realize that we really need the jobs in East Point and I just feel as if, based on what I've heard so far, that this gentlemen is doing a very good job and with this complex out there, if we decide to okay it and okay with that so far.

COMMISSIONER ATKINS: Okay. Any of comments Commissioners?

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, it's been moved and properly seconded. The motion is to recommend approval of Agenda Item 2011 "Z" as in zebra-012-04 with Staff's conditions. It's been moved and properly seconded. All in favor sound aye..

COMMISSIONERS: Aye.

COMMISSIONER ATKINS: All in favor sound nay.

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, the ayes have it. We recommend approval to Council. We've now been joined by Commissioner Bridgewater and at this time, I would allow Commission Bridgewater to take over the agenda with our next item.

COMMISSIONER BRIDGEWATER, JR.: Thank you, Commissioner Atkins. Madam Clerk, would you sound the next agenda, please.

MS. CARTER: Case Number 2011 "Z" as in zebra-013-05. Applicant is Betty Huffman. Property location is 1664 West Taylor Avenue. Applicant is seeking approval of rezoning from R1-A which is Urban Residential to R-3, Multi-Family Residential. The proposed

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use of the property is residential. This application requires a public hearing and I have several speaker cards for this application.

COMMISSIONER BRIDGEWATER, JR.: Thank you, Madam Clerk. Madam Clerk, has the rules of public hearing already been read?

MS. CARTER: Yes. Everybody's been cautioned the public should be conscious of the fact the rules of the public hearing are now in effect. As you come forward, would the first -- the applicant come forward, Madam Clerk.

COMMISSIONER BRIDGEWATER, JR.: Commissioners, at this time, I'll entertain a motion to with the applicant in place, I'll entertain a motion to open the public hearing.

COMMISSIONER ATKINS: Mr. Chair, I move that we open a public hearing for Agenda Item 2011 "Z" as in zebra-013-05 for 1664 West Taylor Avenue, rezoning from R1-A to R-3.

COMMISSIONER BRIDGEWATER, JR.: Thank you. Is there a second.

COMMISSIONER FRIEDLY: Second.

COMMISSIONER BRIDGEWATER, JR.: It's been motioned by Commissioner Atkins and seconded by Commissioner Friedly that we open a public hearing on said matter. All in favor let it be known by the word aye.

COMMISSIONERS: Aye.

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

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COMMISSIONERS: (No response.)

COMMISSIONER BRIDGEWATER, JR.: Hearing none, the applicant is at the podium. Ma'am would you state your name and address, please.

(Whereupon Betty Huffman approach the podium.)

BETTY HUFFMAN: My name is Betty Huffman.

COMMISSIONER BRIDGEWATER, JR.: There's a little button. Turn it on, please. There you go.

BETTY HUFFMAN: My name is Betty Huffman. I reside at 2824 Kingston Terrace. The property that I'm discussing, I'm to lease it out to elderly people and disabled people and I will work with the senior citizens to make sure they get involved with East Point Bowen Center. That's my plans.

COMMISSIONER BRIDGEWATER, JR.: All right. Thank you you Ms. Huffman. At this time, if there are persons who are proponents of the matter would like to speak in favor of, would you please come forward. Madam Clerk, have they signed in?

MS. CARTER: Yes.

COMMISSIONER BRIDGEWATER, JR.: Who's the first speaker?

MS. CARTER: The speakers that I have, I don't know if they're for or against but we will take all names that I will read for the project which is Mike Dekle, Chip Fincher, Darby Schaffer

COMMISSIONER BRIDGEWATER, JR.: Mike Dekle.

ATTORNEY SUSAN GARRETT: She's gonna read -- let me

1 clarify it. Excuse me. She's gonna read all the names for people we  
2 have speaker cards for. Any of those people who wish to speak in  
3 favor of the application would come forward and speak and then  
4 whoever is -- when we get to the the people speaking in opposition  
5 to it, it will be their turn. But she's just gonna read all the name on  
6 the cards first.

7 COMMISSIONER BRIDGEWATER, JR.: So as she reads the  
8 names, if you hear your name and you are in favor of the project,  
9 then would you line up behind the podium, please.

10 MS. CARTER: Archie Polk, Sybil Robinson and Jordan Bennett.

11 COMMISSIONER BRIDGEWATER, JR.: Anyone present that  
12 heard their name and if they are proponents in favor of the project?

13 AUDIENCE: (No response.)

14 COMMISSIONER BRIDGEWATER, JR.: Anyone in favor?

15 AUDIENCE: (No response.)

16 COMMISSIONER BRIDGEWATER, JR.: Seeing none, are there  
17 those who are in opposition of the project, would you come? If you  
18 heard your name, please come. When you come to the podium,  
19 would you be kind enough to state your name and address for us,  
20 please.

21 (Whereupon Jordan Bennett approach the podium.)

22 MS. HOLMES: Proponents have a total of fifteen minutes.

23 AUDIENCE: We're opponents.

24 MS. HOLMES: I'm sorry. Opponents.

25 AUDIENCE: Okay.

1 JORDAN BENNETT: Hi. I'm name is Jordan Bennett. I live at  
2 1751 Center Avenue. I've lived at Center Avenue for about 5 years  
3 now. I am actually -- we love the neighborhood. Many of ya'll I have  
4 spoken to before when we were fighting spot zoning in the past. I  
5 am actually purchasing the house next to me. I am in the process of  
6 it. I'm gonna be a land -- or a rental owner as well. I'm gonna put  
7 somebody in there and I'm gonna do it as a single family. Although  
8 at one time, that house was also multifamily but it has been  
9 converted back to single family. As you know, most of the homes in  
10 our neighborhood were constructed as single family homes. Most of  
11 them are rather small. Our neighborhood averages out -- the  
12 houses, they vary but most of 'em or about 1,500 square feet. This  
13 house is a prime example of the homes in our neighborhood. It's a  
14 small home and it was built approximately 1920 and it was used for  
15 most of its life as a single family residence. We are against the  
16 rezoning of R-3. We feel that having three folks or three families in a  
17 small home that once had just one family is not acceptable. There's  
18 a small shed in the back. It looks like maybe somebody should live  
19 there. It is not somewhere you want an old person living. Do you  
20 want your grandmother, your grandfather living in a little shed  
21 behind a house? The house is not in that great of condition now. It  
22 should be fixed up back into a single family residence. We don't  
23 have anything against Ms. Betty at all but we are very much in  
24 proponent of keeping our neighborhood R1 residential. If we're  
25 gonna spot zoning here, where does it end. We fought this many

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years ago and actually some of ya'll fought along beside me before you became -- before you were on the Zoning Commission. So I hope you remember when we all put this big document together about the eagles of spot zoning and how it actually worked out that we didn't get the spot zoning and we are now here still R1 residential. So thank you very much for your time and I ask that you do keep this an R1. It was built single family. It's been single family almost it's entire history and we don't need all the elderly folks living in a small dilapidated house that's cut up into little pieces.

COMMISSIONER BRIDGEWATER, JR.: Thank you Mr. Bennett. Next speaker. Just state you name and address as well.

(Whereupon Sybil Robinson approach the podium.)

SYBIL ROBINSON: I'm Sybil Robinson --

VIDEOGRAPHER: Turn the mic on.

SYBIL ROBINSON: Sybil Robinson, 1704 Taylor Avenue . I've been a resident of this area for nine plus years. I live less than a block away from this home. This home is surrounded -- it's been abandon for over a year. It's boarded up. The houses next to it have been be broken into. It had a home invasion of six individuals that came into the home and broke into the home. Two houses away, there's a Habitat for Humanity Home that was built there. It has a family there. There's a house on the corner that had a constant turnover of renters in the areas. We really need stability in the area. I mean, the police laugh at me. I walk my my dog every morning for the last eight years through East Point and they love me

1 'cause I'm always calling the police. It's always just a constant  
2 turnover when you have renters that move into the area. You don't  
3 have that sense of commitment to the community. They don't  
4 normally register to vote in the community. They're not necessarily  
5 becoming stakeholders in the community and it's just been  
6 deployable, really and it's not safe and I would hope that a house  
7 that is immediately next to the main street architectural overlay  
8 district is visible for a main street. If we want to develop the area,  
9 we could basically make this place a better place and have a home  
10 that would have consistency, stability, less crime, people that will get  
11 involve with the neighborhood watch program, that will be committed  
12 to the area. We don't need this turnover. I mean, we really don't  
13 need the volume. Immediately two houses from me, there a  
14 efficiency home, which is a 5-unit, boarding unit that constantly has  
15 the police. It's not -- when the police come, they don't come with one  
16 police car. They come with six, seven -- a bandwagon. I mean, it's a  
17 crazy environment to live in. I might right a book on that because  
18 there's just so much going on. Immediately across the street from  
19 me, in 2003, there was a townhome that was built that has never  
20 been habitated but basically it's had two or three different rental  
21 listings. They now, just as of yesterday put up a rent sign. It was  
22 boarded up for several years. It's just -- this is just not a good  
23 impact to our immediate area. It's isolated. It's an eyesore. It will  
24 not be a good contribution to our main street development for the  
25 economic development for the City. So I'm asking you not to rezone

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this. To let it be a single family home and hopefully get a single family in there that that bring stability to our neighborhood. Thank you very much.

COMMISSIONER BRIDGEWATER, JR.: Thank you Ms. Robinson.

COMMISSIONER BRIDGEWATER, JR.: Next speaker, would you come forward please.

(Whereupon Chip Fincher approach the podium.)

CHIP FINCHER: Hello, my name is Chip Fincher and I live at 2997 Church Street and, 'um, I agree with everyone. So far what we found is that there's plenty of empty housing in East Point. We're at no shortage whatsoever. We don't need to create additional empty units. I urge you and beg, Ms. Huffman to please get involved with our neighborhood association. We'd be so glad to help you fix up your house and make it a great single family home. I personally would be happy to help you paint, work in your yard, whatever you need to make it a nice place. This home has been empty for the three years I've lived in East Point. The windows are boarded up. Oftentimes on my way to work, I see a man sleeping on the front porch and I've seen zero progress whatsoever in the honor to do anything good for this property and I so appreciate that you want to do something now and I would love to help you but we don't need any additional housing. We just would love to maintain it as a single family home.

COMMISSIONER BRIDGEWATER, JR.: Thank you, sir.

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CHIP FINCHER: Thank you.

COMMISSIONER BRIDGEWATER, JR.: The next speaker please come forward.

(Whereupon Darby Shaffer approach the podium.)

DARBY SHAFFER: Thank you for your time. My name is Darby Shaffer. I live at 2970 Church Street.

COMMISSIONER BRIDGEWATER, JR.: Say your name again.

DARBY SHAFFER: Darby Shaffer.

COMMISSIONER BRIDGEWATER, JR.: Shaffer. Okay. Go ahead Mr. Shaffer.

DARBY SHAFFER: Okay. I am against the proposed zoning on this. 'Um, we have within a quarter mile to a half mile radius around this proposed, 'um plan is a -- no, it's probably at least fifteen to twenty empty rental houses right at the moment and so there's plenty of room in the area to do rental on other projects. I understand this lady would like to extend this. We already have a problem in the neighborhood with a lot of, 'um, foot traffic, a lot of drugs, a lot of problems with Center Park. We have a vibrant, vibrant, 'um, neighborhood community. We do our own cleanup. We do weekends. We done plantings. We've done signs. We'll work with the City to try to upgrade our neighborhood and in doing this, we would like to, you know, keep a grip on -- and if you add more density to the problem, it makes the problem worse. Thank you.

COMMISSIONER BRIDGEWATER, JR.: Thank you Mr. Shaffer.

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COMMISSIONER BRIDGEWATER, JR.: Next speaker.

(Whereupon Archie Polk approach the podium.)

ARCHIE POLK: My name is Archie Polk. I reside at 1700 West Hamilton Avenue.

COMMISSIONER BRIDGEWATER, JR.: Could you pull the mic up since you're tall. There you go.

ARCHIE POLK: There we go. Okay. Well, like I say I live at 1700 West Hamilton Avenue. I'm the block captain of the neighborhood association in that area, which is about a couple blocks from the property Ms. Huffman wants to convert. We welcome her to the community. Any ownership that's willing to participate, you know, we welcome. Huh, I don't see the best use of the property. Like the neighbors have said, we have various empty, 'um, you know, properties already and it shouldn't, in my opinion, huh, rezone for more density. Huh, you know, we have a real difficult situation in situation in East Point, you know. I mean, in Center Park, we're the most foreclosures in the City and, you know, and we just need to work together. Now, perhaps, you know, come type of commercial zoning that would work, 'um, but not the R-3 but if by chance, huh, like I say, she wants to do something with it, we'll be willing to help her as far as fixing it up because everyday, we're out picking up trash. We're out mowing lawns. Yeah, it's a tough battle but there's progress and we don't need to have, 'um, a situation where we're going back instead of going forward.

COMMISSIONER BRIDGEWATER, JR.: Thank you Mr. Polk.

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Any other speakers?

(Whereupon Mike Dekle approach the podium.)

MIKE DEKLE: Hi there. I'm Mike Dekle. I live at 1726 Williams Avenue.

COMMISSIONER BRIDGEWATER, JR.: Repeat your last name one more time.

MIKE DEKLE: Sure. It's Mike Dekle.

COMMISSIONER BRIDGEWATER, JR.: Dekle?

MIKE DEKLE: Yes.

COMMISSIONER BRIDGEWATER, JR.: Go ahead Mr. Dekle.

MIKE DEKLE: 'Um, I'm opposed to this because like many of the others, I feel we have plenty of renters in the neighborhood. In fact, we have apartments which are run down, 'um, a complete eyesore. 'Um, just hot bits of crime. Huh, I live on a street where in my block there are only four houses, one of which is mine. The other three or rental, 'um, and they're not taken care of. The owners leave the maintenance of the lawns and so forth to the tenants and the tenants don't do anything. 'Um, in fact, one of those homes just burned in May and the owners have done nothing about the house. There's a pile of trash this high burned in the front yard and the door is standing open and so forth. So, that's my opposition to this. I don't want to see more of that come in the neighborhood and I live only a block or two away from this as well. So that's my two cents.

COMMISSIONER BRIDGEWATER, JR.: Thank you Mr. Dekle.

Are there other speakers?

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(Whereupon Ashley Crimmins approach the podium.)

ASHLEY CRIMMINS: My name is Ashley Crimmins. I reside at 1786 Center Avenue. 'Um, and as a homeowner who has just got broken in last night and everything taken out of the house, we don't need any more additional people coming into the neighborhood who possibly will not invest and make it a before place to live. So I agree with everybody else that this is not a good move for the community to move forward but just to take one step back.

COMMISSIONER BRIDGEWATER, JR.: Thank you Mr. Crimmins and I extend my empathy of understanding the break-in. I'm sorry about that. Are there other speakers?

(Whereupon Micheal Steverson approach the podium.)

MICHAEL STEVERSON: My name is Michael Steverson. I reside at 1754 Center Avenue. I've lived in the community for going on two and a half, three years.

COMMISSIONER ATKINS: Say your name one more time.

MICHAEL STEVERSON: Michael Steverson.

COMMISSIONER ATKINS: Steverson?

MICHAEL STEVERSON: Yes, sir. 'Um, just like everybody else has stated, I'll just reiterating. We live in a wonderful community. The reason I came here is because of the kind of historical looking houses . I love the fact that it's not yet reached the point that it is a historic community where we can't change certain things but I do like the things they've put -- implemented, not allowing us to do certain things to the house. 'Um, it's a great community. I love it. There's

1 great people who live here and we do have a lot of houses that are  
2 for rent. 'Um, I'm not saying there's a problem with rentals. There's  
3 some great people who do come along and rent houses. Many  
4 people want to live in this area just to be able to rent for X amount of  
5 years they're here. Hopefully, they're here longer and want to buy.  
6 By putting more people into a single house, you do need to look at  
7 the fact that the house is not that large. My house is a fairly large  
8 house compared to everybody else in the neighborhood and I do live  
9 in a two bedroom, one bath house. It is not something that I feel  
10 that more than a single family should live in. And like you said, she  
11 wants to bring in somebody who's gonna be your grandmother or  
12 grandfather. Putting these people in this house is gonna be very  
13 tough. We got situations as far as parking. If they do have vehicles,  
14 it's gonna be more cars on the street just for per one house or if  
15 there's three people in that one house, there's gonna be three cars  
16 sitting at one place for three different people. We also got to look at  
17 the fact that the people who come in here are gonna create, 'um,  
18 havoc for the fact because it's a cheap place to stay. 'Um, it's very  
19 nice and easy to look at the fact that you're saying it's for elders but  
20 I'm pretty sure it's not gonna be anything that's gonna say that only  
21 elders can live in this house. It's more than one family. You're  
22 gonna start having people who are twenty-one and twenty-two years  
23 old who might just be able to get by just to say, hey, for two  
24 hundred dollars a month, I can live with a couple more families in  
25 this one house and they don't want dash they don't really bring

1 anything to the community that's gonna help us out. And that's  
2 basically all I have to say. Thank you.  
3 COMMISSIONER BRIDGEWATER, JR.: Thank you Mr.  
4 Steverson. Are there other speakers that wish to speak in opposition?  
5 AUDIENCE: (No response.)  
6 COMMISSIONER BRIDGEWATER, JR.: Are there others?  
7 AUDIENCE: (No response.)  
8 COMMISSIONER BRIDGEWATER, JR.: Commissioners, seeing  
9 none, I will entertain a motion to close --  
10 MS. HOLMES: I'm sorry, sir.  
11 COMMISSIONER BRIDGEWATER, JR.: I'm sorry. We need to  
12 hear from the applicant. She has some time left.  
13 MS. HOLMES: The applicant has 14 minutes and 35 seconds  
14 remaining.  
15 COMMISSIONER BRIDGEWATER, JR.: Ms. Huffman, come on  
16 up.  
17 (Whereupon Ms. Huffman approach the podium.)  
18 COMMISSIONER BRIDGEWATER, JR.: 14 minutes.  
19 MS. HUFFMAN: 14 minutes?  
20 MS. HOLMES: For rebuttal.  
21 MS. HUFFMAN: Okay. Huh, I understand the concerns but  
22 the gentleman that was speaking about the little shed, it's not a  
23 shed. It's a two bedroom apartment in the back. Huh, it has a living  
24 room, a large kitchen and dining room combine. It have a kind of  
25 like a sun room up front. So it has like over five rooms in that little

1 shed that he said. Now, in the duplex is -- it's four large bedrooms, I  
2 mean to say, yeah, all together, it's four large bedrooms but when I  
3 purchased the property, it was a duplex. It has -- already has two  
4 meters so multiple families were already living there. 'Um, it has  
5 two -- each side has two large bedrooms, kitchen and a living room.  
6 So I'm not gonna put some elderly person there and not keep the  
7 place up. If they can say no one living there now but the yards are  
8 kept up, the grass is cut every two weeks just like at my own home  
9 so and I would monitor my tenants and like I said earlier, I will work  
10 closely with the elderly to make sure they get involved in the  
11 community so I ask that you all do approve this. Thank you.

12 COMMISSIONER BRIDGEWATER, JR.: Thank you Ms.  
13 Huffman. Commissioners, at this time, I'll entertain a motion to close  
14 the public hearing.

15 COMMISSIONER SHELDON: Mr. Chair.

16 COMMISSIONER BRIDGEWATER, JR.: Commissioner  
17 Sheldon.

18 COMMISSIONER SHELDON: I move we close the public  
19 hearing for application number 2011Z-013-05. Property located at  
20 1664 West Taylor Avenue.

21 COMMISSIONER WARES: I second.

22 COMMISSIONER BRIDGEWATER, JR.: It's been mentioned by  
23 Commissioner Sheldon and seconded by by Commissioner Wares that  
24 we close the public hearing on the said stated matter. All in favor let  
25 it be known by the word aye.

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COMMISSIONERS: Aye.

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

COMMISSIONERS: (No response.)

COMMISSIONER BRIDGEWATER, JR.: Hearing none, the public hearing is now closed. Staff, we will hear from you at this time.

MS. CARTER: Applicant is seeking of rezoning from R1-A Urban Residential to R-3 Multi-Family Residential. The proposed use of the property is residential. Staff recommends approval of a rezoning.

COMMISSIONER BRIDGEWATER, JR.: Thank you, Staff. Commissioners, I'll entertain a motion at this time.

COMMISSIONER SHELDON: Mr. Chair.

COMMISSIONER BRIDGEWATER, JR.: Commissioner Sheldon.

COMMISSIONER SHELDON: I make a motion to deny Application Number 2011Z-013-05.

COMMISSIONER TUCKER: Second.

COMMISSIONER BRIDGEWATER, JR.: It has been motioned by Commissioner Sheldon recommending denial and seconded by Commissioner Tucker. Discussion. Commissioner Atkins.

COMMISSIONER ATKINS: I have a few questions of the application and the application had mentioned that her, I guess, her intent would be to rent the property out to seniors, to elderly or

1 disabled persons. Okay. And I believe that Fair Housing Act, that  
2 would be illegal -- did you get any federal funding to purchase the  
3 property, to renovate the property?  
4 BETTY HUFFMAN: No.  
5 COMMISSIONER ATKINS: Okay. So how then would you  
6 deny housing to someone who is not elderly?  
7 BETTY HUFFMAN: Well, I say elderly and disabled. Those  
8 are my plans so I can -- I'm sure I could work with Housing to get  
9 approval if I'm planning on --  
10 COMMISSIONER ATKINS: Are you familiar with Fair Housing  
11 Laws?  
12 BETTY HUFFMAN: Huh, somewhat, yes.  
13 COMMISSIONER ATKINS: Some what?  
14 BETTY HUFFMAN: Uh-uh.  
15 COMMISSIONER ATKINS: A little bit? A lot?  
16 BETTY HUFFMAN: A little bit.  
17 COMMISSIONER ATKINS: A little bit. Okay.  
18 BETTY HUFFMAN: Uh-uh.  
19 COMMISSIONER ATKINS: Okay, so you're familiar with those  
20 things that you're allowed to do and not allowed to do?  
21 BETTY HUFFMAN: I am, uh-uh.  
22 COMMISSIONER ATKINS: Okay. And so you're still addiment  
23 that it would be okay if one that was twenty-two, twenty-three,  
24 thirty-three came to make application, that you could deny their  
25 application based on age?

1 BETTY HUFFMAN: Well -- 'cause I'm going with the elderly  
2 and disabled. If that person was not disabled, then he would be  
3 denied.

4 COMMISSIONER ATKINS: Okay.

5 BETTY HUFFMAN: 'Cause that's my proposal.

6 COMMISSIONER ATKINS: How do you determine disability?

7 BETTY HUFFMAN: Well, you know, a person would have to  
8 be, 'um -- has to have some type of disability forms --

9 COMMISSIONER ATKINS: Right. The plan is how do you  
10 determine disability?

11 BETTY HUFFMAN: I wouldn't be able to determine. I would  
12 have, 'um, a doctor to determine that. If they're disabled, they  
13 would have some type of medical records.

14 COMMISSIONER ATKINS: Okay. And you're familiar with Fair  
15 Housing?

16 BETTY HUFFMAN: You know, there are some things I'm not  
17 quite familiar with so.

18 COMMISSIONER ATKINS: Okay. All right. I just wanted to  
19 ask you those questions.

20 BETTY HUFFMAN: Okay.

21 COMMISSIONER ATKINS: And also, did you ever receive --  
22 how long have you owned the property?

23 BETTY HUFFMAN: 'Um, probably about seven years.

24 COMMISSIONER ATKINS: About seven years?

25 BETTY HUFFMAN: Uh-uh.

1 COMMISSIONER ATKINS: And so for the time -- the duration  
2 that you've owned the property and the property has been boarded  
3 up, have you done anything to try to address any of the issues of the  
4 neighborhood in terms of the vagrants, the trash, any of the code  
5 violations or any of those things?

6 BETTY HUFFMAN: Well, I usually try to keep the property up.

7 COMMISSIONER ATKINS: You usually try to keep the  
8 property up?

9 BETTY HUFFMAN: I have kept it up, uh-uh. And there may  
10 have been a couple of times when someone else was living there and  
11 they may have had trash outside but I kept the property up 'cause I  
12 made sure that the lawn was cut every two weeks.

13 COMMISSIONER ATKINS: And when was the last time that  
14 someone lived there because I think that the reason that you're here  
15 today --

16 BETTY HUFFMAN: Uh-uh.

17 COMMISSIONER ATKINS: -- is because the property has  
18 been vacant for a minimal of one year, right?

19 BETTY HUFFMAN: It has been, right. Uh-uh.

20 COMMISSIONER ATKINS: Okay. So it's been quite a while  
21 since someone has lived there, correct?

22 BETTY HUFFMAN: Yes.

23 COMMISSIONER ATKINS: Okay. How long would you say?

24 BETTY HUFFMAN: Probably, I would say about a year and a  
25 half to two years.

1 COMMISSIONER ATKINS: Okay. Could it be three years or  
2 more?  
3 BETTY HUFFMAN: Would be but I'm not quite -- I don't think  
4 about three years.  
5 COMMISSIONER ATKINS: But you own the property but it  
6 could be a year and a half or maybe three years and you're not really  
7 quite sure, right?  
8 BETTY HUFFMAN: I'm not -- I don't think it's been three  
9 years. Uh-uh.  
10 COMMISSIONER ATKINS: Okay.  
11 BETTY HUFFMAN: It's been at least two years, one to two  
12 years.  
13 COMMISSIONER ATKINS: That's are all the questions that I  
14 have. Thank you.  
15 COMMISSIONER BRIDGEWATER, JR.: Commissioner Atkins,  
16 I'd like to follow up on something you said with Ms. Huffman.  
17 BETTY HUFFMAN: Uh-uh.  
18 COMMISSIONER BRIDGEWATER, JR.: Ms. Huffman one of the  
19 speakers, Mr. Steverson said that he was concerned with the fact  
20 that over a period of time during -- you were saying you were  
21 targeting seniors and elderly persons, that there was nothing to  
22 prevent the fact that some twenty-one, twenty-two year olds could  
23 also come and rent and that was the question that Commissioner  
24 Atkins also approached with you and then you repeat the statement  
25 that no, you were targeting seniors and elderly persons.

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BETTY HUFFMAN: Uh-uh.

COMMISSIONER BRIDGEWATER, JR.: But if a person comes who is under the Fair Housing Act and happens to be twenty or twenty-one, do you think that you would have the right to deny them?

BETTY HUFFMAN: I -- well, what I would tell the person is that if they are not disabled -- are you saying that these twenty-one year old persons are disable?

COMMISSIONER BRIDGEWATER, JR.: I didn't mention disable. I just said twenty-one.

BETTY HUFFMAN: I think I would have the right to, huh, deny the person even under Fair Housing because the of fact that I would put it out front that the person -- that they -- that whoever I'm talking to.

COMMISSIONER BRIDGEWATER, JR.: Okay. And my second and final question would be in terms of medical disability --

BETTY HUFFMAN: Uh-uh.

COMMISSIONER BRIDGEWATER, JR.: -- you're saying that you would rely only on a statement from a physician to determine if a person was disabled? Is that the criteria by which you would go by?

BETTY HUFFMAN: Well, if they're receiving some type of disability, yes, I would go by that if they're receiving some type of disability income.

COMMISSIONER BRIDGEWATER, JR.: But you are recognizant that somebody could be disabled and not receiving --

1 BETTY HUFFMAN: Oh, yes.  
2 COMMISSIONER BRIDGEWATER, JR.: -- state or federal  
3 disability?  
4 BETTY HUFFMAN: Right.  
5 COMMISSIONER BRIDGEWATER, JR.: So you would deny  
6 them, though?  
7 BETTY HUFFMAN: No, I will, 'um, make sure that they have  
8 they Fair disabled and I would be sure that we will find out -- get the  
9 medical information first.  
10 COMMISSIONER BRIDGEWATER, JR.: Thank you for  
11 responding.  
12 BETTY HUFFMAN: Uh-uh.  
13 COMMISSIONER WARES: Mr. Chair, I have a question.  
14 COMMISSIONER BRIDGEWATER, JR.: Commissioner Wares.  
15 COMMISSIONER WARES: Ms. Huffman, you've owned the  
16 property for seven years and I'd like to know when was it last fully  
17 occupied, the front and the back and since you've owned it for seven  
18 years, I'd like to know if it's anything that you can tell us as  
19 Commissioners and as the Citizens of East Point that would give us  
20 some indication that would, you know, make us change our feelings  
21 as to why --  
22 BETTY HUFFMAN: Uh-uh.  
23 COMMISSIONER WARES: -- the property is boarded up and,  
24 you know, not going to be -- appears that it will be changed to R-3?  
25 'Cause if you've owned it for seven years and you said you keep it

1 up, I know that you know it's more than than just cutting the grass.  
2 So I'm just wondering when was the last time it was fully occupied in  
3 the front and the back --

4 BETTY HUFFMAN: Uh-uh.

5 COMMISSIONER WARES: -- and is there anything else that  
6 you could tell us that would guarantee that if we changed it to R-3  
7 that something else would occur other than what's happened for the  
8 last seven years.

9 BETTY HUFFMAN: 'Um, what I would do is, 'um, okay. The  
10 property, like I said, it's been vacant, 'um, it's been vacant at least  
11 two years, one to two years -- one and a half to two years. 'Um,  
12 what I would do differently then when the people are there is I was  
13 monitor them. Is that what you are asking, right? I would monitor  
14 my tennants. 'Um, the reason it's boarded up is because people  
15 were actually going inside the property, 'um, living there or what  
16 have you so I decided along with the, 'um, -- the City Police  
17 Department informed me that maybe I would board the police up so  
18 that's what I did to keep, 'um, the prowlers out.

19 COMMISSIONER SHELDON: Mr. Chair.

20 COMMISSIONER BRIDGEWATER, JR.: Commissioner  
21 Sheldon.

22 COMMISSIONER SHELDON: I have a comment, too. The  
23 reason that I made the motion to deny is that I do know the Fair  
24 Housing Act Laws --

25 BETTY HUFFMAN: Uh-uh.

1 COMMISSIONER SHELDON: -- and I professionally work with  
2 people with disabilities --  
3 BETTY HUFFMAN: Uh-uh.  
4 COMMISSIONER SHELDON: -- and have for the last  
5 seventeen years and what you're proposing is not legal --  
6 BETTY HUFFMAN: Uh-huh.  
7 COMMISSIONER SHELDON: -- according to federal law --  
8 BETTY HUFFMAN: Uh-uh.  
9 COMMISSIONER SHELDON: -- and I don't see -- in order to  
10 make the property accessible for a person with disability and provide  
11 accessible parking, it would be very challenging on this particular  
12 piece of property. So I admire your good intentions but I don't think  
13 that this is the appropriate property for those intentions and I wanted  
14 to let everybody know what was making me want to deny this.  
15 BETTY HUFFMAN: Okay. 'Um -- Oh, no, I'm not asking  
16 questions.  
17 COMMISSIONER BRIDGEWATER, JR.: Thank you, Ms.  
18 Huffman. Commissioner Friedly.  
19 COMMISSIONER FRIEDLY: Just one -- I had a question for  
20 the applicant as well as a comment and not to pile on on this issue  
21 but, I guess, we're piggy backing on Commissioner Wares' question.  
22 Hypothetically, were this to be approve tonight --  
23 BETTY HUFFMAN: Uh-uh.  
24 COMMISSIONER FRIEDLY: -- and or recommended for  
25 approve tonight and then Council to approval it down the road, the

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day following that approval, would your intention be to put up a for rent sign or to begin a renovation process because we have -- we were provided with some photos -- I don't believe it was by you. I believe it was by a citizen -- of the property and it appeared from the photos that it was in fairly serious need of some work. So would you plan, were this to be approved, to do renovation on the property then look for renters of whatever category or to rent it as is?

BETTY HUFFMAN: Well, I would do renovations first and then put a sign up for renters.

COMMISSIONER FRIEDLY: And is there a reason why you haven't done the renovations in the pass seven odd years?

BETTY HUFFMAN: Well, yes. I didn't see the need of doing a renovation. It's not to the point where it's that bad. I just -- at that time, I just wasn't sure what I was going to do with the property. So I just left it boarded up.

COMMISSIONER FRIEDLY: Okay. And then, 'um, on the Staff analysis of the traffic impact, 'um, it says -- the question was the rezoning proposal was a result of the use which will or could cause an excess burdensome use on existing streets, transportation, facilities, utilities of schools, it says no, this proposal will not result in any of those because it needs an existing property but you could have an existing property and split it into a thousand units and then there would have to be some burden at some point so if you have a thousand people with two cars each, that's no impact on the streets? Is that the analysis?

1 MS. CARTER: There's a future land-use map. This property  
2 future land use is commercial so it is a less intense as R-3 for three  
3 family as opposed to the future land-use and commercial.  
4 COMMISSIONER FRIEDLY: Is that printed on the analysis?  
5 MS. CARTER: It should be.  
6 VIDEOGRAPHER: Microphone, please.  
7 MS. CARTER: So the lesser of the two intents -- the lesser of  
8 the two zonings would be R-3 as opposed to commercial so, no, it  
9 would no be as burdensome as commercial with a lower of the  
10 two --  
11 COMMISSIONER BRIDGEWATER, JR.: Commissioners.  
12 COMMISSIONER SHELDON: I have one more question.  
13 COMMISSIONER BRIDGEWATER, JR.: Commissioner Friedly,  
14 are you finish?  
15 COMMISSIONER FRIEDLY: Yes, sir.  
16 COMMISSIONER BRIDGEWATER, JR.: Thank you.  
17 Commissioner Sheldon.  
18 COMMISSIONER SHELDON: I understand this house was  
19 built sometime around the -- in the 20s and it was not rezoned to R-2  
20 until 1957 so it was not built as a duplex. Is that correct?  
21 MS. CARTER: We can only assume it.  
22 COMMISSIONER SHELDON: Oh, yeah, okay.  
23 COMMISSIONER BRIDGEWATER, JR.: Commissioner  
24 Sheldon, you finish?  
25 COMMISSIONER ATKINS: Yes, and I have a question of the

1 applicant. You mentioned before the meter of the property.  
2 BETTY HUFFMAN: Uh-uh.  
3 COMMISSIONER ATKINS: How many meters did you say are  
4 at the property?  
5 BETTY HUFFMAN: It has two meters and two gas meters,  
6 'um, two electric meters and two gas meters --  
7 COMMISSIONER ATKINS: Okay  
8 BETTY HUFFMAN: -- and one water meter.  
9 COMMISSIONER ATKINS: Okay. So that one water meter?  
10 BETTY HUFFMAN: Uh-uh.  
11 COMMISSIONER ATKINS: It has two gas meters  
12 BETTY HUFFMAN: Gas meters. Well, really it has three gas  
13 meters because one's in the back and one -- an electric is in the  
14 back so it has really three of each meters and I didn't put 'em there.  
15 They were there when I --  
16 COMMISSIONER ATKINS: One water meter?  
17 BETTY HUFFMAN: One water meter for the unit, for all three  
18 units.  
19 COMMISSIONER ATKINS: Okay. So earlier -- and the reason  
20 I asked the question was because earlier, you said that it had two  
21 meters. Okay. Now, you're saying that it has three and that the  
22 reason I asked the question -- one second, please. The reason I  
23 asked the question is because I also think that you are attempting to  
24 use it for three units, correct?  
25 BETTY HUFFMAN: No.

1 COMMISSIONER ATKINS: Not two units?  
2 BETTY HUFFMAN: It's two units that are duplex and one unit  
3 in the back, which is a house.  
4 COMMISSIONER ATKINS: So that's three, right?  
5 BETTY HUFFMAN: That's three, yes.  
6 COMMISSIONER ATKINS: Right, that's my point.  
7 BETTY HUFFMAN: Okay, but --  
8 COMMISSIONER ATKINS: So three units?  
9 BETTY HUFFMAN: I guess I'm thinking that -- 'cause I think  
10 some of the people mentioned that three people living in the same  
11 house but that's not the case.  
12 COMMISSIONER ATKINS: I never said people. I said units,  
13 Ms. Huffman.  
14 BETTY HUFFMAN: Yeah, units, three units.  
15 COMMISSIONER ATKINS: Yes, okay.  
16 BETTY HUFFMAN: But, no, I said that --  
17 COMMISSIONER ATKINS: There's one water meter, right?  
18 BETTY HUFFMAN: Yes.  
19 COMMISSIONER ATKINS: Okay. Thank you. Those are all  
20 the questions that I have.  
21 BETTY HUFFMAN: Yeah, okay.  
22 COMMISSIONER BRIDGEWATER, JR.: Commissioners,  
23 everyone's finish?  
24 COMMISSIONERS: (No response.)  
25 COMMISSIONER BRIDGEWATER, JR.: Ms. Huffman

1 Commissioner Friedly mentioned -- asked you about renovation of  
2 the property and you said that you were intended to renovate the  
3 property.

4 BETTY HUFFMAN: Uh-uh.

5 COMMISSIONER BRIDGEWATER, JR.: Doing it -- with that  
6 plan to renovate, have you given consideration to the fact that since  
7 you're going to be providing for elderly and seniors in terms of  
8 Handicap accessibility, parking, all of that. Have you taken all that  
9 into consideration?

10 BETTY HUFFMAN: Huh, Handicap, yes. Parking, I'm thinking  
11 that most seniors don't have cars and that's just my thought but  
12 there is, 'um, an area out there where we can put, 'um, parking out  
13 there if we needed to.

14 COMMISSIONER BRIDGEWATER, JR.: You don't know these  
15 seniors in Atlanta. My mother is 98 and she still drives.

16 BETTY HUFFMAN: Oh really.

17 COMMISSIONER BRIDGEWATER, JR.: Some seniors do drive.

18 BETTY HUFFMAN: Okay. I know they do.

19 COMMISSIONER BRIDGEWATER, JR.: Yeah, 'um, the other  
20 question -- a final question I wanted to ask you, too. If by chance  
21 the Commission chooses not to approve this, then what is your  
22 alternate plan for the property?

23 BETTY HUFFMAN: Well, like I said, I have two units that if  
24 the -- if the duplex is not turned into a duplex and it's converted back  
25 to a single, huh, housing, then, I have a house in the back, which

1 one alleged to being a shed. It's not a shed.

2 COMMISSIONER BRIDGEWATER, JR.: I'm sorry. They  
3 offended you with that.

4 BETTY HUFFMAN: No, no they didn't. No, they didn't. No,  
5 they really didn't.

6 COMMISSIONER BRIDGEWATER, JR.: All right.  
7 Commissioners, are there other questions?

8 COMMISSIONERS: (No response.)

9 COMMISSIONER BRIDGEWATER, JR.: If not, we'll close it.  
10 Commissioner Atkins, you got your foot on the button. You want to  
11 say something?

12 COMMISSIONER ATKINS: Yeah, we're just read to vote,  
13 yeah.

14 COMMISSIONER SHELDON: It's been a motion to deny with a  
15 second.

16 COMMISSIONER BRIDGEWATER, JR.: Yeah. Well, the  
17 motion has been made to deny and a second is in place. We were in  
18 discussion. All Commissioners have finished the discussion. Are you  
19 read for the question? All in favor let it be known by the word aye.

20 COMMISSIONERS: Aye.

21 COMMISSIONER BRIDGEWATER, JR.: Opposes by the sign  
22 no.

23 COMMISSIONERS: (No response.)

24 COMMISSIONER BRIDGEWATER, JR.: Hearing none, this  
25 matter is denied. Thank you Ms. Huffman for your time and your

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patience. Commissioners, at this time we'll entertain announcements.  
Staff, well Staff with you first.

**IX. ANNOUNCEMENTS:**

MS. HOLMES: No announcement, sir.

COMMISSIONER BRIDGEWATER, JR.: I'm sorry.

MS. HOLMES: No announcements.

COMMISSIONER BRIDGEWATER, JR.: Attorney Garrett, you  
have announcements or something you want to say?

ATTORNEY SUSAN GARRETT: Just a quick clarification  
that that was a recommendation for denial. It will still go to the  
Council.

COMMISSIONER BRIDGEWATER, JR.: All right. Clearly that  
is a recommendation for a denial and it will go onto Council for their  
consideration. Ms. Carter, you have anything you want to say?

MS. CARTER: No.

COMMISSIONER BRIDGEWATER, JR.: Commissioners, any  
announcements?

COMMISSIONERS: (No response.)

COMMISSIONER BRIDGEWATER, JR.: Let me just say thank  
you for our Vice Chair, Commissioner Atkins for taking over my  
tardiness. As you know, my mother is, as you said is 98, and he had  
fallen a couple of months ago and I was in the process of trying to  
get install what is called a locked box so that if -- in the instant the  
fire or police get there, they couldn't tear the door down. You have  
to have a locked box. So they have to put a code and it was really

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taking some difficulty of getting that down so I apologize for the lateness but thank you so very much. Commissioners, I'm entertain a motion at this time to close.

**X. ADJOURNMENT:**

COMMISSIONER SHELDON: Motion to adjourn.

COMMISSIONER WARES: Second.

COMMISSIONER BRIDGEWATER, JR.: It's be motioned by Commissioner Sheldon and seconded by Commissioner Wares that we adjourn. All in favor let it be known by the word aye.

COMMISSIONERS: Aye.

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

COMMISSIONERS: (No response.)

COMMISSIONER BRIDGEWATER, JR.: Hearing none, this meeting is adjourned.

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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 64 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 June 16thth, 2011, at 7 o'clock P.M. were taken down by me and transcribed by me this 24th day of June, 2011.

Jeanene Harper  
Stenographic Stenographer