

CITY OF EAST POINT
PLANNING & ZONING COMMISSION

June 21, 2007 - 7:30 p.m.

Official Minutes

Regular Meeting

East Point, Georgia - East Point City Auditorium

Board Members Present: Mr. Steve BENNETT, Chair
 Mr. Shean ATKINS, Vice Chair
 Dr. Herbert J. BRIDGEWATER, JR.
 Mr. Myron COOK
 Mr. Thomas HARPER
 Ms. Francine JONES
 Ms. Pam PATTERSON
 Ms. Linda SHELDON

Also Present: Ms. Geneasa L. ELIAS, AICP
 Assistant Director, Planning & Zoning

 Mr. Herbert HUMPHREY
 Director, Government Operations

 Ms. Valerie A. ROSS, Esq.
 Office of the City Attorney

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A P P E A R A N C E S

APPLICANTS:

IZZY (ISIDORE) GOULD, Frontier Realty Group

LANDMARK DESIGN for McCar Homes

FRED INNES, Earth Wise Properties, LLC

LARRY LUCAS for ECHEZONA NWAJAGU

GEORGE BAGLIANO, Hotel Evolution, LLC

CITY OF EAST POINT

CITY OF EAST POINT (Item #2)

MATT ORNSTEIN, Old Fairburn OSCP2, LLC

LANDMARK DESIGN for McCar Homes (Item #2)

CIVIL TECH ENGINEERING

QUINTON WATSON, Urban Construction

FRANCES PRESIDENT

SPEAKERS:

ERICA CLARK

ERIC FREEDLEY

Transcript Legend

(sic) - Exactly as said.

(phonetic) - Exact spelling unknown.

-- Break in Speech Continuity.

. . . Indicates halting speech, unfinished sentence or omission of word[s] when reading.

Quoted material is typed as spoken.

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Exhibits

None.

- - -
P R O C E E D I N G S
- - -

(Whereupon, the June 21, 2007 East Point
Planning & Zoning Commission was called to order by
Mr. Steve Bennett, Chair, presiding, at 7:35 p.m.)

- - -

I. CALL TO ORDER

MR. BENNETT: Ladies and gentlemen, we will come to order
for the June meeting of the East Point Planning and Zoning
Commission.

II. MOMENT OF SILENCE

MR. BENNETT: In lieu of an invocation, this body
recognizes a moment of silence so anyone wishing to do so can do
that at this time.

- - -

(Whereupon, there was a moment of silence)

- - -

III. PLEDGE OF ALLEGIANCE

MR. BENNETT: And we thank you. We'll move on. If
everyone would, please rise and join us in the Pledge of
Allegiance.

- - -

(Whereupon, there was a break for the Pledge of Allegiance)

- - -

IV. ADOPTION OF THE AGENDA

MR. BENNETT: Thank you. And Commissioners, at this time we need to adopt the agenda. I will entertain a motion to adopt the agenda you have in front of you.

MS. SHELDON: Motion to adopt the agenda.

MR. BENNETT: We have a motion.

MR. HARPER: Second.

MR. BENNETT: And a second by Mr. Harper. All in favor?

THE BODY: Aye.

MR. BENNETT: Opposed?

THE BODY: (No response)

MR. BENNETT: The motion carries and the agenda is adopted.

- - -

(Whereupon, the Agenda was adopted)

- - -

V. APPROVAL OF MINUTES

MR. BENNETT: And we'll move on to approval of the May 17th minutes. Do we have a motion for approval?

MR. HARPER: I have a correction.

MR. BENNETT: Mr. Harper, would you hit your mike, please?

MR. HARPER: I have a correction on the minutes. Ms. --

MR. BENNETT: Okay, you want . . . you want to make a motion with an amendment?

MR. HARPER: Yes --

MR. BENNETT: Okay.

MR. HARPER: -- to amend the minutes. I make a motion to amend. Ms. Pam Patterson was absent on the last meeting.

MR. BENNETT: Okay, all right. So, we have a motion with a correction to remove Ms. Patterson's name from the members present. Is there a second?

DR. BRIDGEWATER: Second.

MR. BENNETT: We have a second by Dr. Bridgewater. Are there any other corrections or deletions?

THE BODY: (No response)

MR. BENNETT: All in favor to accept the motion with the said correction?

THE BODY: Aye.

MR. BENNETT: Opposed?

THE BODY: (No response)

MR. BENNETT: And the Motion carries. And the minutes are adopted with said correction.

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(Whereupon, the Minutes were adopted as amended)

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VI. OLD BUSINESS

MR. BENNETT: We will move on to our old business. And Geneasa, I will turn it over to you for the first item.

MS. ELIAS: The first item under Old Business is case number 2006P-018-11. It is a request to approve the final plat for a townhouse development in the C2-C zoning district located at Red Wine Road and North Dessert Drive.

The applicant is requesting approval of the final plat for 85 single-family, attached, residential townhouse units on 10.130 acres. This case was deferred by the Planning and Zoning Commission on April 19th, 2007 and on May 17th, 2007. Tonight staff is recommending deferral of the final plat until the associated easement has been acquired by the developer

MR. BENNETT: Okay, thank you. All right Commissioners, I'll entertain a motion on the item.

MS. JONES: Mr. Chair.

MR. BENNETT: Yes, Ms. --

MS. JONES: I make a motion to table the first item -- to defer the first item until the July meeting.

MR. BENNETT: Alright. We have a motion to table this item until the July meeting. Is there a second?

MR. HARPER: I'll second that.

MR. BENNETT: A second by Mr. Harper. Any further discussion?

THE BODY: (No response)

MR. BENNETT: All in favor?

THE BODY: Aye.

MR. BENNETT: Opposed?

THE BODY: (No response)

MR. BENNETT: The motion carries and the item is tabled until the July meeting.

- - -

(Whereupon, the Motion passed)

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MS. ELIAS: The next item under Old Business is case number 2007P-008-04. It is an application for a request approval of final plat in the AG-1 CUP zoning district. The project is Lakeside Preserve, Phase 3A located at 3600 Old Fairburn Road. The applicant Landmark Design for McCar Homes is requesting approval of the final plat for 32 single-family, detached residential units on 42.420 acres. The application was first heard by the Planning and Zoning Commission on May 17, 2007 and was deferred until the June Planning and Zoning Commission.

At this time staff is recommending approval of the final plat with the following Public Works conditions: There will be DHB, as in boy, Hold on lots 7 through 23 which means that a licensed engineer, or surveyor must stamp the plans submitted for a building permit. And the other condition is a DHC Hold on lots 7 through 23 which means that verification will be required that the finished floor is at least three feet above the hundred year flood area.

MR. BENNETT: Okay, thank you. And commissions I'll entertain a motion on the item.

DR. BRIDGEWATER: Mr. Chair.

MR. BENNETT: Dr. Bridgewater

DR. BRIDGEWATER: Recommend approval of this particular plat with the stated conditions of hold on the DHB for lots 7 through 23 and on the DHC lots 7 through 23, and all other stipulations that were specified.

MR. BENNETT: Okay. Alright, we have a motion.

MS. SHELDON: Second.

MR. BENNETT: And a second. Any other discussion?

THE BODY: (No response)

MR. BENNETT: All in favor?

THE BODY: Aye.

MR. BENNETT: Opposed?

THE BODY: (No response)

MR. BENNETT: And the motion carries and it is approved with the conditions.

- - -

(Whereupon, the Motion passed)

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MS. ELIAS: The next item under Old Business is case number 2007P-009-04. It is a request of approval of final plat in the R-1 zoning district located at Golden Drive and Cherry Blossom

Lane, known as the Golden Acres subdivision. The applicant, Earth Wise Properties; Mr. Fred Innes representing Earth Wise.

The applicant is requesting approval of the final plat for a 12 lot subdivision on 7.808 acres. This case was also heard at the Planning and Zoning Commission meeting on May 17th and was deferred pending approval of the health department approval.

At this time staff is recommending approval of the final plat with the following Public Works requirements: There are going to be DHB, as in boy, Holds on lots 5, and lots 7 through 12, which require a licensed engineer or surveyor submit stamped plans for a building permit. And then, DHC Holds on lots 5, and lots 7 through 12, which means verification is required that the finished floor is at least 3 feet above the hundred year flood area.

MR. BENNETT: Okay, thank you. And Commissions, we'll entertain a motion.

DR. BRIDGEWATER: Mr. Chair.

MR. BENNETT: Dr. Bridgewater.

DR. BRIDGEWATER: Mr. Chair, I recommend approval with the necessary holds as stipulated under DHB, lot 5 and also lots 7 through 12, as well as DHC holds on lot 5 again, lots 7 through 12 and all other stipulations that were specified.

MR. BENNETT: Okay. Is there a second on this?

MR. HARPER: I'll second that.

MR. BENNETT: Second by Mr. Harper. Any further discussion?

THE BODY: (No response)

MR. BENNETT: All in favor of the motion?

THE BODY: Aye.

MR. BENNETT: Opposed?

THE BODY: (No response)

MR. BENNETT: And the motion carries and the item is approved with the stated conditions.

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(Whereupon, the Motion passed)

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MS. ELIAS: The last application under Old Business is case number 2007V-007-04. It is a variance request to the Infill Ordinance to allow the construction of a two-story structure located at 1328 East Mercer Avenue. The applicant is Larry Lucas for Echezona Nwajagu.

The applicant is seeking to build a two-story home. The Infill survey indicated that, at most, he could construct a 1 1/2 story home. Staff -- This case was first heard at the Planning and Zoning Commission meeting on May 17th, 2007. A public hearing did take place. The application was deferred until the June meeting pending submission of the public participation report.

Staff has received the public participation report and neighborhood comment form, therefore staff is recommending approval of the variance request.

MR. BENNETT: Okay, thank you. And Commissioners, I'll entertain a motion on the item. Mr. Atkins.

MR. ATKINS: Yes. I move approval for the variance request at 1328 East Mercer Avenue to allow for a two-story structure at that address.

MR. BENNETT: Alright, we have a motion for approval.

MS. SHELDON: Second.

MR. BENNETT: And a second by Ms. Sheldon. Any further discussion?

THE BODY: (No response)

MR. BENNETT: All in favor?

THE BODY: Aye.

MR. BENNETT: Opposed?

THE BODY: (No response)

MR. BENNETT: And the motion carries and the variance is granted.

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(Whereupon, the Motion passed)

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VII. NEW BUSINESS

MR. BENNETT: Geneasa, we'll move on to New Business.

MS. ELIAS: The first four applications under New Business are going to require a public hearing. The first one is case number 2007V-008-04. The applicant is Hotel Evolution. Neel Shaw is the representative.

This is a five-part variance request to the CL commercial limited zoning district. They're also requesting variances dealing with parking requirements, building height, business licenses, and regulations.

MR. BENNETT: Alright. And at this time Commissioners, I'll entertain a motion to open a public hearing on this item.

MS. SHELDON: Motion to open a public hearing.

MR. HARPER: Second.

MR. BENNETT: A second by Mr. Harper. All in favor?

THE BODY: Aye.

MR. BENNETT: Opposed?

THE BODY: (No response)

MR. BENNETT: And the motion carries.

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(Whereupon, the Public Hearing was opened)

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MR. BENNETT: The public hearing is open and we will hear from the applicant first on this item. If you would come down to the podium, you know. If you have any comments you'd like to make now is your chance.

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(Whereupon, the Speaker approached the podium)

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MR. ATKINS: Mr. Chair, before they start, if you would state the rules for the public hearing.

MR. BENNETT: Okay.

MR. ATKINS: And I guess --

MR. BENNETT: Okay.

MR. ATKINS: -- so that if we have several of them.

MR. BENNETT: Okay. When we open the public hearing we will entertain comments from the applicant first. And then we'll listen to any proponents -- anyone in favor of the application. Then we will listen to opponents -- anyone who may be against the application. And then we will give the applicant a chance for rebuttal. And, we normally limit, you know, everyone to about three minutes on the time. So --

MR. BAGLIANO: Good evening. My name is George Bagliano. I'm representing Neel in this variance request. And we are here to request that we get approval for the variances requiring height restrictions, parking counts, room reduction, the alcohol boundary, and the material -- the main -- the main material used for the building.

MR. BENNETT: Okay. Alright, and if you would just stick around in case there are any questions or whatever, you know.

MR. BAGLIANO: Okay. I'll step to the side.

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Whereupon, the Speaker exited the podium.

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MR. BENNETT: In case you have any other comments. Are there any other proponents -- any other people that would like to come down and speak on behalf of this item, speak in favor of these requests?

There being none, I'll ask are there any opponents? Anyone that would like to come down and speak against this application -- these variance requests?

And there being none, Commissioners, I'll ask for a motion to close this public hearing.

DR. BRIDGEWATER: Mr. Chair.

MR. BENNETT: Dr. Bridgewater.

DR. BRIDGEWATER: I make a motion that we close the public hearing.

MR. BENNETT: Okay.

MR. HARPER: I'll second that.

MR. BENNETT: A second by Mr. Harper. All in favor?

THE BODY: Aye.

MR. BENNETT: Opposed?

THE BODY: (No response)

MR. BENNETT: The motion carries.

- - -

Whereupon, the public hearing was closed.

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MR. BENNETT: And the public hearing is closed.

And Geneasa, you'll proceed with the staff report.

MS. ELIAS: For clarification, this is a five-part variance request to the commercial limited zoning district for the construction of a Hilton Garden Inn hotel and future restaurant located at Bobby Brown Parkway and Cambridge Avenue.

The five variances being requested are: Part 1 - to reduce the number of hotel rooms from 200 as required by the CL zoning district to 145 rooms. Part 2 - to reduce the required number of parking spaces from 153 to 145 parking spaces. Part 3 - to increase the building height from 35 feet as required by the CL zoning district to 73.5 feet. This is in reference to Part 10, Article C, Section 10-2055.F.3.C. Part 4 - to use efis (phonetic) as the principal exterior material as opposed to it as an accent material as required by the CL zoning district, Part 10, Section 2055.F.3.B. And then the last variance request, Part 5 - to allow the sale of alcoholic beverages within the hotel and restaurant out-parcels. And this reference

Ordinance is Part 11, Article A, Section 11-1021 and Article E, Section 11-1104.

Based on the criteria that must be addressed in reviewing the variance request -- And I want to ask, do you all want me to go through each of them under the criteria, or I can go straight to the recommendations?

MR. BENNETT: Could -- Let me ask you a question. Are your recommendations different from what we have in front of us -- or your criteria? I mean, does everything stay the same?

MS. ELIAS: Everything stayed the same as discussed in work session.

Staff is recommending approval of parts 1, 2, 3 and 5 of the variance request. However, on part 4 of the variance request, staff is recommending that the exterior material of the hotel structure be constructed of 51% brick or stone and 49% efis. And that is because staff has not found a true hardship to construct the majority of the structure in efis.

MR. BENNETT: Okay. Well, I guess I'll leave that up to the Commissioners. We can ask that this -- her staff report be made part of the record or we can have her read it into it.

- - -

Whereupon, the Speaker approached the podium

- - -

MR. BENNETT: You know, if there's not any objection, I'll just ask that it be made part of the record, unless anybody has an objection.

MR. BAGLIANO: Pardon me. There's . . . there's a slight correction that we have to make.

MR. BENNETT: I can't . . . I can't allow you to talk now. The public hearing is closed, I'm sorry. You can . . . you can.

MR. BAGLIANO: Even if her information is incorrect?

MR. BENNETT: Uh-huh (Affirmative).

MS. SHELDON: We'll get there.

MR. BAGLIANO: Okay.

- - -

Whereupon, the Speaker exited the podium

- - -

MR. BENNETT: Right. Now, I'm sorry. Does anyone have a problem with us just including Geneasa's information as part of the record or does someone want it read in?

MS. SHELDON: I . . . I would be very comfortable with the staff report being included as an attachment to the record.

MR. BENNETT: Okay. Geneasa, is that all right with you?

MS. ELIAS: That's fine.

MR. BENNETT: Okay.

MS. SHELDON: Mr. Chair, would it be appropriate to take these one at a time?

MR. BENNETT: Yes.

MS. SHELDON: Thank you.

MR. BENNETT: Okay. And so, Commissioners, at this time we will deal with Part 1 of the variance request. I'll entertain a motion on Part 1 of the variance request.

MS. SHELDON: Mr. Chair, I make a motion that we approve Part 1 of the variance request to reduce the number of hotel rooms from 200 to 145.

MR. BENNETT: Okay.

MR. HARPER: I second that.

MR. BENNETT: We have a motion and a second to approve Part 1. Any further discussion?

THE BODY: (No response)

MR. BENNETT: All in favor of the motion?

THE BODY: Aye.

MR. BENNETT: Opposed?

THE BODY: (No response)

MR. BENNETT: The motion carries and Part 1 of the variance is granted.

- - -

(Whereupon, the Motion passed)

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MR. BENNETT: I'll entertain a motion on Part 2.

MR. ATKINS: Mr. Chair, I move that we approve the variance request to reduce the number of required parking spaces for 153 to 145 at this particular address.

MR. BENNETT: All right.

MR. HARPER: I'll second that.

MR. BENNETT: I have a second by Mr. Harper. Any further discussion?

THE BODY: (No response)

MR. BENNETT: All in favor?

THE BODY: Aye.

MR. BENNETT: Opposed?

THE BODY: (No response)

MR. BENNETT: And the motion carries. And Part 2 of the variance is granted.

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(Whereupon, the Motion passed)

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MR. BENNETT: I'll entertain a motion on Part 3.

MS. JONES: Mr. Chair.

MR. BENNETT: Ms. Jones.

MS. JONES: I make a motion to approve Part 3 increasing the building height from 35 feet as required to 75 -- to 73.5 feet.

MR. BENNETT: Okay.

MS. SHELDON: Second.

MR. BENNETT: We have a motion and a second to grant Part 3 of the building height. Any other comments?

THE BODY: (No response)

MR. BENNETT: All in favor?

THE BODY: Aye.

MR. BENNETT: Opposed?

THE BODY: (No response)

MR. BENNETT: And the motion carries and Part 3 of the variance request is granted.

- - -

(Whereupon, the Motion passed)

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MR. BENNETT: I'll entertain a motion on Part 4.

MS. SHELDON: Mr. Chair.

MR. BENNETT: Ms. Sheldon.

MS. SHELDON: I make a motion that we approve Part 4 of the variance request to use efis as a -- Let's see. As a -- an exterior material surface for the floors above the first floor but that the first floor remains brick or stone.

MR. BENNETT: Okay. Is everyone clear on her motion? Is there a second?

MR. HARPER: I'll second that motion.

MR. BENNETT: A second by Mr. Harper. Any further discussion?

MS. SHELDON: I'd like to just clarify. I think the hardship that's . . . that's presented here is that this is a taller building than is normally part of this particular zoning. And given the design of the building, the way it's being proposed in elevation, it does make sense to have efis be the primary material but only above the ground floor level. And I believe that the applicants are amenable to that.

MR. BENNETT: Okay. All right. Any further discussion?

THE BODY: (No response)

MR. BENNETT: All in favor of the motion?

THE BODY: Aye.

MR. BENNETT: Opposed?

THE BODY: (No response)

MR. BENNETT: And the motion carries on Part 4 of the variance request.

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(Whereupon, the Motion passed)

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MR. BENNETT: And we'll entertain a motion on Part 5.

MS. SHELDON: Mr. Chair.

MR. BENNETT: Ms. Sheldon.

MS. SHELDON: I make a motion that we approve Part 5 of the variance request to allow the sale of alcoholic beverages within the hotel and restaurant out-parcels.

MR. BENNETT: All right.

MR. ATKINS: I second that motion.

MR. BENNETT: We have a second by Mr. Atkins. Any further discussion?

THE BODY: (No response)

MR. BENNETT: All in favor?

THE BODY: Aye.

MR. BENNETT: Opposed?

THE BODY: (No response)

MR. BENNETT: And the motion carries. And Part 5 of the variance is granted.

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(Whereupon, the Motion passed)

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MR. BENNETT: And to the applicant -- Any information you need to make sure is correct, just please, do so with staff.

And Geneasa, we'll move on.

MS. ELIAS: This is an application for a rezoning which requires a public hearing. The application is case number 2007Z-004-05. It is a request to rezone from the medical institutional zoning district to the R-1A urban residential

zoning district. The location is 1662 Ware Avenue. This is a rezoning initiated by the City of East Point.

MR. BENNETT: Okay. And at this time I'll entertain a motion to open a public hearing on this item.

MR. HARPER: I make a recommendation to open a public hearing on this item.

MR. BENNETT: Okay. It's been moved --

MS. SHELDON: Second.

MR. BENNETT: -- by Mr. Harper and seconded by Ms. Sheldon. All in favor?

THE BODY: Aye.

MR. BENNETT: Opposed?

THE BODY: (No response)

MR. BENNETT: The motion carries and the public hearing is now open.

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(Whereupon, the public hearing was opened)

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MR. BENNETT: Since the City is the applicant we have the information here. But I'll ask. Are there any proponents? Anyone that would like to come down and speak in favor of this item? Come on down and if you would give us your name, please.

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Whereupon, the Speaker approached the podium

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MR. FREEDLEY: I'm Eric Freedley (phonetic) on behalf of the, excuse me, the Frog Hollow Neighborhood Association. And we would urge the -- that you approve this rezoning because the neighborhood does not (sic) feel that it's an appropriate use for the facility in the midst of a residential neighborhood.

MR. BENNETT: Okay.

MR. FREEDLEY: Thank you.

MR. BENNETT: Thank you. Are there any other proponents -- people that would like to speak on behalf of this -- speak in favor?

If not, are there any opponents? Anyone who would like to come down and speak against this rezoning request?

There being none, I'll entertain a motion to close this public hearing.

MS. SHELDON: Motion to close the public hearing.

MS. JONES: Second.

MR. BENNETT: And a second. All in favor?

THE BODY: Aye.

MR. BENNETT: Opposed?

THE BODY: (No response)

MR. BENNETT: And the motion carries. The public hearing is closed.

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(Whereupon, the public hearing was closed)

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MR. BENNETT: And Geneasa, if you would continue with your staff report.

MS. ELIAS: Again, this is an application for a rezoning from medical institutional to R-1A urban residential located at 1662 Ware Avenue. It is initiated by the City of East Point. It currently was serving as a rehabilitation group home that received a certificate of occupancy conditioned to a group home for women. The city is proposing to rezone it to a residential zoning district R-1A for the proposed use as a residential property.

Based on the analysis as required in the Ordinance, staff has found that rezoning this property to a residential use would be compatible with the existing and surrounding neighborhood. The zoning would not affect the use and/or development of adjacent land and uses in the area. There would be no adverse effects created by the rezoning of this particular property at 1662 Ware Avenue. There is a reasonable and economic use and value of the parcel. If the rezoning is to take place, the property will reflect the general character and use of the neighborhood.

And then, how would the proposed rezoning affect the reasonable economic use and value of nearby properties. It

would again reflect the general character and use of the surrounding neighborhood. There is no excessive burden to streets, transportation facilities, utility, schools, or police powers if his property were rezoned to residential. The rezoning is in conformance and compliance with the 2026 Comprehensive Plan and the rezoning will remove a non-conforming grandfathered use from the community. And the use is compatible with the existing neighborhood.

Therefore, the staff is recommending approval of the proposed rezoning.

MR. BENNETT: Thank you. Now, I'll entertain a motion.

MR. ATKINS: Mr. Chair.

MR. BENNETT: Mr. Atkins.

MR. ATKINS: I move that we . . . that we approve the rezoning from M-1 -- M-I, medical institutional to R-1A urban residential at 1662 Ware Avenue.

MR. BENNETT: Okay. I have a motion to recommend approval of this.

MS. SHELDON: Second.

MR. BENNETT: And a second. Any discussion?

THE BODY: (No response)

MR. BENNETT: All in favor?

THE BODY: Aye.

MR. BENNETT: Opposed?

THE BODY: (No response)

MR. BENNETT: And the motion carries and the recommendation for approval should be forwarded to Council.

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(Whereupon, the Motion passed)

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MS. ELIAS: Okay, I'm going to have to go back a little bit. I was just informed of the correction that the previous applicant was referring to for the hotel at Bobby Brown and Cambridge Parkway.

On Part 1 of the variance request per a meeting that took place after the application was submitted, the request was changed from -- to reduce the number of hotel rooms from 200 to 174. And that's due to the requested increase in height. And I guess I want to make sure with the City Attorney that we are approaching this appropriately so that the Commission can vote on that variances again.

MR. ATKINS: On the prevailing side.

MS. ROSS: Okay. As long as one of the Commissioners moves to reopen that agenda item for a motion and purposes of discussion that would be appropriate.

MR. ATKINS: And Madam Attorney, is it also -- has to be a Commissioner who's on the prevailing side, we can go back to

reconsider? I think since it was voted unanimously it could be any Commissioner to do that.

MS. ROSS: That's correct.

MR. ATKINS: Okay. I move that we go back to reconsider the variance request which was Part 1 -- the reduction in hotel rooms for application 2007V-008-04 at Bobby Brown Parkway and Cambridge Avenue to reconsider that particular request.

MS. SHELDON: Second.

MR. BENNETT: All in favor?

THE BODY: Aye.

MR. BENNETT: Opposed?

THE BODY: (No response)

MR. BENNETT: The motion carries and the item is back for consideration.

- - -

(Whereupon, the Motion passed)

- - -

MR. BENNETT: Will you guys allow me a question before we proceed?

MR. ATKINS: Yes.

MR. BENNETT: Are we not supposed to vote on what's advertised though, if it's been changed or whatever? The variance request that's been changed, does it not have to be re-

advertised? And another question, did he say he wanted to reduce it down to 174?

MS. ELIAS: Uh-huh (affirmative).

MR. BENNETT: And we voted on 145 so, I mean, we're not going to penalize him for having more parking than is required.

MS. ELIAS: More hotel rooms.

MS. ROSS: More hotel rooms.

MR. BENNETT: Oh, I thought you said parking. I'm sorry.

MR. ATKINS: Hotel. It's the rooms, Part 1. Madam Attorney, while you're looking at that to answer the question of the Chair, is it also within our purview? Because, I think, he does have a very legitimate point for the Commission. Just because they made a request for a variance at a certain, I guess, number. For us to recommend the numbers that -- We would have the authority to change that if we saw fit; is that correct?

MS. ROSS: That is correct. And as it relates to the Chair's question, that is duly noted as it relates to the advertisement. But as long as you stay within that range that's fine. So, if he's asking for 200 to 175 instead of 200 to something that's less than what's been requested, then you -- the Commission, would be within its right to do that.

MR. BENNETT: Yes, okay.

MS. ROSS: You don't have to stick, per se, to what staff's recommendation is. If the Commission finds it to be reasonable to go somewhere within that range, then that would be fine.

MR. BENNETT: Okay, all right.

MS. ELIAS: And just for clarification, I have a copy of the legal notice as it was advertised. And it was advertised to state that it would be a five-point variance request to the CO zoning district and business license regulations regarding alcoholic beverages for a proposed hotel. So, there were no specific numbers.

MR. ATKINS: And that was the one in the South Fulton Neighbor, so we did not say specifically, any numbers? So, we're still good on that as well?

MS. ELIAS: No, we did not.

MR. ATKINS: Okay.

MR. BENNETT: All right. So, now the request is to grant a variance on Part 1 from a reduction of 200 rooms to 174 rooms; is that correct?

MR. ATKINS: I . . . I think so. Geneasa --

MS. ELIAS: That's right.

MR. ATKINS: -- is it 174 rooms? What is that number again?

MS. ELIAS: He wants to reduce the number of hotel rooms from 200 to 174.

MR. ATKINS: 174.

MR. BENNETT: All right.

MR. ATKINS: Yes.

MR. BENNETT: All right.

MR. ATKINS: Okay.

MR. BENNETT: I'll entertain a motion on that request.

MR. ATKINS: Mr. Chair, I move that we grant the variance to reduce the number of hotel rooms from 200 to 174 for application 2007V as in victor -008-04.

MS. SHELDON: Second.

MR. BENNETT: Any further discussion?

THE BODY: (No response)

MR. BENNETT: All in favor?

THE BODY: Aye.

MR. BENNETT: Opposed?

THE BODY: (No response)

MR. BENNETT: The motion carries.

- - -

(Whereupon, the Motion passed)

- - -

MR. BENNETT: And the variance is granted to 174 rooms. Thank you. Now, Geneasa, I think we're up to Bayard Street.

MS. ELIAS: Thank you for that moment. Okay, the next application is a rezoning application which requires a public

hearing. The application number is 2007Z-005-05. The applicant is the City of East Point. And it is a request to rezone properties located between Bayard Street and Harris Street from the CR commercial redevelopment zoning district to R-1A urban residential.

MR. BENNETT: Okay, at this time I'll entertain a motion to open a public hearing on this item.

MR. HARPER: Make a motion to open a public hearing.

DR. BRIDGEWATER: Second.

MR. BENNETT: A second. All in favor?

THE BODY: Aye.

MR. BENNETT: Opposed?

THE BODY: (No response)

- - -

(Whereupon, the public hearing was opened)

- - -

MR. BENNETT: And the public hearing is now open. And we'll entertain -- Since this is City initiated, I'll ask are there any proponents; people that would like to come forward and speak in favor of this item?

There being none, I'll ask are there any opponents -- anyone who would like to come forward and speak against this item?

MS. CLARK: (Inaudible).

MR. BENNETT: Yes, ma'am. You can come. It may be something we have to defer to staff.

- - -

Whereupon, the Speaker approached the podium

- - -

MR. BENNETT: But I'll . . . I'll let you come ask your question. May not be something we can answer.

MS. CLARK: My name is Erica Clark (phonetic). And, like I heard on the last Ordinance there was like a women's group home. I wanted to know how that would affect -- how the rezoning would affect a women's group home in that area. Would it affect it?

I'm sorry. With it being a residential setting, would it be affected as opposed to it, you know, not being?

MR. BENNETT: I think that was the last item.

MS. CLARK: But this is kind of --

MR. ATKINS: Her question is --

MS. CLARK: -- it's for this one, though. Even though, like this instead of it being changed from the medical to residential, this one is going from the commercial to the residential; correct? Is that right?

MR. ATKINS: From commercial to -- yeah. I think her question is -- If we vote to rezone this to residential from this commercial zoning, how would that affect the operation of a group home; correct?

MS. CLARK: Correct.

MR. ATKINS: It would require a special use permit.

MS. CLARK: Right.

MR. ATKINS: So you'd have to come before -- You'd have to make application through staff, and come before the Commission for a special use permit. That would be the case.

MS. CLARK: Okay.

MR. ATKINS: Staff, would you like to add anything?

They're conferring.

MR. BENNETT: Any other? You want to elaborate on his answer in any way?

MS. ELIAS: The only other comment that was given listening to the City Attorney, was that unless it would -- the group home were already operating. Then it would then become a legal non-conforming use.

MR. BENNETT: Correct.

MR. ATKINS: As grandfathered in?

MS. ELIAS: Yes.

MR. BENNETT: It's already in place.

MR. ATKINS: Yeah.

MS. CLARK: Okay. I think I got it.

MR. BENNETT: You got that?

MS. CLARK: Thank you.

- - -

Whereupon, the Speaker exited the podium

- - -

MR. BENNETT: All right. Are there any other people that would like to make comments?

I'll ask for a motion to close this public hearing.

DR. BRIDGEWATER: Mr. Chair, I make a motion that we close the public hearing.

MR. BENNETT: All right.

MR. HARPER: Second.

MR. BENNETT: A second. All in favor of the motion?

THE BODY: Aye.

MR. BENNETT: Opposed?

THE BODY: (No response)

MR. BENNETT: The motion carries and the public hearing is closed.

- - -

(Whereupon, the public hearing was closed)

- - -

MR. BENNETT: Geneasa, proceed.

MS. ELIAS: This is an application to rezone properties located between Bayard Street and Harris Street from CR commercial redevelopment to R-1A urban residential. This is a City initiated rezoning.

For clarification and for record keeping, there were properties advertised in the South Fulton Neighbor that listed properties located at 1359, 1337, 1341, 1349, and 1353 East Cleveland Avenue. Staff has deleted those properties from the rezoning application because they do front out on the commercial corridor and were a part of the Cleveland Avenue Corridor Study.

Based on the analysis for the rezoning, if these properties were rezoned from CR to R-1A that rezoning would bring those properties into a consistent use with the surrounding neighborhood. Rezoning those properties will preserve the residential integrity of the existing community while allowing those commercial uses along Cleveland Avenue to not encroach into the residential neighborhood.

The rezoning would maintain the existing uses of the adjacent and nearby properties and prohibit and protect the encroachment of commercial into the existing neighborhood. The rezoning -- The existing CR zoning does not -- does have reasonable economic use but would harm the residential character of the neighborhood if the properties were developed as commercial.

The rezoning to R-1A would protect the integrity and use of the properties and prevent the encroachment of commercial into the residential areas. The rezoning would stabilize the use and value of adjacent and nearby properties. There is no excessive

burden on streets, transportation facilities, utilities, schools, or police powers. The rezoning is in compliance with the 2026 Comprehensive Plan. And the preservation of stable and existing neighborhoods is a policy of the Comprehensive Plan. And this rezoning would maintain the character and use of the properties within the community.

Therefore, staff is recommending approval of the proposed rezoning.

MR. BENNETT: All right. And Commissioners, I'll entertain a motion on the item.

MR. HARPER: Make a motion to approve.

MR. BENNETT: Okay.

MR. ATKINS: Second for discussion.

MR. BENNETT: And we have a second by Mr. Atkins and -- for discussion.

MR. ATKINS: Yes. I don't want this to be messy or confusing, but I do think that we should try, as much as possible, to be as correct as possible.

What the City is asking for is a rezoning for -- as stated from staff, for properties located between Bayard Street and Harris Street. So, if you live on Jefferson Avenue between Bayard Street and Harris Street, you may think that your property is being rezoned. So, there is a document that is attached to the information that we have and I think that we

should try to at least say the names of those streets. And I think they're mostly Carnegie Avenue, Fulton Avenue, Randall Street -- and you did say something about East Cleveland. What was advertised has several addresses on East Cleveland, but what we have in our package here, there's only one -- 1359; is that one excluded as well?

MS. ELIAS: Yes. That one on East Cleveland is excluded.

MR. ATKINS: Okay. And I think that's the only East Cleveland address. So, at that point it's not just addresses between Bayard and Harris because we do have a few on Harris. So, I -- Perhaps the easiest way to do this is to have this document a part of the official record, minus the 1359 East Cleveland. But for those people who live between Bayard and Harris, if you live on Bryan (phonetic), Jefferson, or Windburn (phonetic), it's none of those addresses. And they're mainly addresses -- Fulton Avenue, Carnegie Avenue, Randall Street, and --

MS. ELIAS: Harris.

MR. ATKINS: -- a few on Harris Street. Yes, a few on Harris Street. And only specifically, those addresses listed in this document with the exception of 1359 East Cleveland.

MS. ELIAS: That is correct.

MR. ATKINS: Okay.

MS. SHELDON: Mr. Chair.

MR. BENNETT: Ms. Sheldon.

MS. SHELDON: I would also point out that this is a zoning from CR to R-1A, which also is consistent with the rest of the neighborhood, just to emphasize that this is to prevent encroachment of commercial directly into that neighborhood.

MR. ATKINS: And to protect the residential character, so, yes.

MR. BENNETT: Okay. Any further discussion? All in favor of the motion?

THE BODY: Aye.

MR. BENNETT: Opposed?

THE BODY: (No response)

MR. BENNETT: And the motion carries and the recommendation for approval will be forwarded to Council.

- - -

(Whereupon, the Motion passed)

- - -

MS. ELIAS: The next case is a rezoning application and requires a public hearing. The case number is 2007Z-006-05. It is a request to rezone from R-1 single-family residential to R-1 with a community unit plan (CUP) overlay on 46.277 acres. The property is located at an unassigned address at Old Fairburn Road. The applicant is Old Fairburn OSCP2, LLC and the

representatives are Matt Ornstein (phonetic) and Mike Schueller (phonetic).

MR. BENNETT: Okay, Commissioners, at this time I'll entertain a motion to open a public hearing.

MR. HARPER: I make a motion to open the public hearing.

MR. ATKINS: Second.

MR. BENNETT: And a second. All in favor of the motion?

THE BODY: Aye.

MR. BENNETT: Opposed?

THE BODY: (No response)

MR. BENNETT: And the public hearing is now open.

- - -

(Whereupon, the public hearing was opened)

- - -

Whereupon, the Speaker approached the podium

- - -

MR. BENNETT: And we do have the applicants at the podium. If you would give us your name.

MR. ORNSTEIN: My name is Matt Ornstein, the applicant. And basically, what Geneasa said is a good summary of the application. And we went to the Planning and Zoning work session and the recommendations that came forth during the session are acceptable to us. So, we respectfully ask for your approval on this rezoning application.

MR. BENNETT: Okay, thank you. That all your comments?

MR. ORNSTEIN: (Nods affirmatively)

- - -

Whereupon, the Speaker exited the podium

- - -

MR. BENNETT: So, are there any other proponents -- people that would like to come down and speak in favor of this application?

And there being none, I'll ask are there any opponents -- anyone that would like to come down and speak against this application?

And there being none, I'll ask for a motion to close the public hearing.

DR. BRIDGEWATER: Mr. Chair, I recommend the closing of the public hearing.

MR. BENNETT: Okay.

MR. HARPER: I'll second that.

MR. BENNETT: And a second by Mr. Harper. All in favor to close the public hearing?

THE BODY: Aye.

MR. BENNETT: Opposed?

THE BODY: (No response)

MR. BENNETT: And the motion carries and the public hearing is closed.

- - -

(Whereupon, the public hearing was closed)

- - -

MR. BENNETT: And Geneasa, you will proceed, please.

MS. ELIAS: The applicant is requesting that the property be rezoned from R-1 single-family residential to R-1 with a CUP community unit plan overlay on 46.277 acres. The applicant is proposing to construct 151 single-family detached units.

Based on the analysis by the -- by staff the proposed rezoning is compatible with the adjacent uses. The proposed rezoning would produce additional residential units in the area. The proposed rezoning does not have an adverse impact on nearby adjacent properties. The proposed rezoning would have a reasonable and economic use and value if it is rezoned. If the property is rezoned, it would be classified as residential as opposed to its current undeveloped classification.

The rezoning would be consistent with the use and value of adjacent and nearby properties. There would not be an excessive burden on existing streets, transportation facilities, utilities, schools, or police powers. The rezoning is in compliance with the 2026 Comprehensive Plan for the City. And, the rezoning is compatible with current developments that are under construction in the area.

Therefore, staff is recommending approval with the following conditions: That the development contain a minimum of 20% open space and/or green space to include an amenity package. And that there be two trees planted per each front yard. This is the same condition that was placed on Lakeside Preserve.

MR. BENNETT: Thank you. Commissioners, I'll entertain a motion on this item. Ms. Sheldon.

MR. HARPER: I'll make a motion to . . . I'll make a motion to approve with the conditions stated by staff.

MR. BENNETT: Okay. Motion for approval.

MS. SHELDON: Second for discussion.

MR. BENNETT: Okay. Second for discussion by Ms. Sheldon.

MS. SHELDON: I think we discussed, in the work session, the possibly of planting two trees per lot as opposed to just the front yard because some lots are more amenable to a backyard tree; if the maker of the motion would accept a friendly amendment.

MR. HARPER: I'll accept the friendly amendment.

MR. BENNETT: Okay.

MS. SHELDON: Then my second stands.

MR. BENNETT: Okay. Any further discussion?

MR. ATKINS: Yes.

MR. BENNETT: Shean.

MR. ATKINS: Were there also discussions about the types of trees? I mean, we wouldn't want pine trees. And I don't know. I missed that part of the discussion.

MR. BENNETT: I don't think there was anything brought up about the type of trees.

MS. ELIAS: I don't remember anything about the type of trees to be planted.

MR. ATKINS: Okay.

MS. ELIAS: But the applicant, once he comes in for a preliminary plat and then again for LDP -- The applicant would be required to submit a landscape plan.

MR. ATKINS: Okay.

MS. SHELDON: I have a question. Does the CUP overlay delineate caliber, size, and types of trees by any chance; does anyone know?

MS. ELIAS: I would have to refer to the Zoning Ordinance to find out.

MS. SHELDON: Fine.

MS. ELIAS: So I can check with you and give that information --

MS. SHELDON: Okay.

MS. ELIAS: -- to you.

MS. SHELDON: Thank you.

MR. BENNETT: Okay. Any other discussion?

THE BODY: (No response)

MR. BENNETT: Everyone understand the motion?

THE BODY: (No response)

MR. BENNETT: All in favor?

THE BODY: Aye.

MR. BENNETT: Opposed?

THE BODY: (No response)

MR. BENNETT: And the motion carries with a recommendation
to Council for approval with the stated conditions.

- - -

(Whereupon, the Motion passed with conditions)

- - -

(Whereupon, the Speaker approaches the podium)

- - -

MR. ORNSTEIN: Thank you.

- - -

Whereupon, the Speaker exited the podium

- - -

MR. BENNETT: Thank you.

MS. ELIAS: The next applicant -- Oh, that closes the items
that require a public hearing.

The next application is 2007P-010-05. It is an application
for a final plat in the AG-1 CUP community plan overlay zoning
district. The location is Lakeside Preserve, Phase 2D at 3600

Old Fairburn Road. The applicant is Landmark Design for McCar Homes.

The applicant is requesting approval of the final plat for 20 single-family detached residential units on 4.336 acres.

Staff is recommending approval of the final plat with the following Public Works conditions: The condition is that there be DHA Holds on lots 315, 316, 263, and 264. A DHA Hold means that verification is required; that no structure is constructed over a catch basin or any other public structure.

MR. BENNETT: Thank you. Do we have a motion on this item?

DR. BRIDGEWATER: Mr. Chair.

MR. BENNETT: Dr. Bridgewater.

DR. BRIDGEWATER: I recommend approval with all the stated conditions by the City that there be a DH Hold -- DHA Hold on lots 315, 316, 263 and lots 264.

MR. BENNETT: All right, we have a motion for approval with the stated conditions.

MR. HARPER: I make a second.

MR. BENNETT: And a second. Any further discussion?

THE BODY: (No response)

MR. BENNETT: All in favor?

THE BODY: Aye.

MR. BENNETT: Opposed?

THE BODY: (No response)

MR. BENNETT: And the motion carries.

- - -

(Whereupon, the Motion passed with conditions)

- - -

MS. ELIAS: The next application is application number 2007P-011-05. It is requesting approval of a preliminary plat in the R-1C single-family residential zoning district. The property is located at an unassigned address at Jailette Road. The applicant is Civil Tech Engineering for the owner Camp Creek Landing LLC.

The applicant is requesting approval of the preliminary plat for a 27 lot subdivision on 11.6 acres.

Staff is recommending approval with the following conditions: The first set of conditions that I will read are conditions of Public Works. Which are that no driveway access be allowed onto Jailette Road; that sidewalks be provided along Jailette Road per typical section approved by Public Works; that all alleys must be denoted as private; that the developer must tie into East Point Water; acceleration and decel lanes are required at Jailette Road; also note that additional right-of-ways may be required along Jailette Road per typical section. And the last Public Works requirement that water and sewer must be available prior to LDP.

The remaining conditions of the preliminary plat are that the detention areas be constructed of enhanced landscaping; that a minimum 20 . . . 20% of the acreage be dedicated as green space/open space and that is not to include the detention areas; and that two trees be planted per front yard of each lot.

MR. BENNETT: Thank you. Commissioners, I'll entertain a motion on this application. Mr. Harper.

MR. HARPER: I make a motion to approve with the stipulations of the staff.

DR. BRIDGEWATER: Second.

MR. BENNETT: And a second by Dr. Bridgewater. Any discussion? Ms. Sheldon.

MS. SHELDON: Again, this was the one that we discussed about having two trees per yard rather than per front yard -- per lot rather than per front yard. If you would be so kind as to amend.

MR. HARPER: So amended.

MS. SHELDON: Thank you.

MR. BENNETT: Any further discussion?

THE BODY: (No response)

MR. BENNETT: All in favor?

THE BODY: Aye.

MR. BENNETT: Opposed?

THE BODY: (No response)

MR. BENNETT: And the motion carries with the noted conditions.

- - -

(Whereupon, the Motion passed with conditions)

- - -

MS. ELIAS: The next application is 2007P-012-05. This is a request for a subdivide in the R-1A zoning district located at 2302 Delowe Drive. The applicant is Quinton Watson of Urban Construction and the owner is Dominique Grove (phonetic).

The applicant is requesting approval of the subdivide on 0.459 acres into two lots -- 9,093 square feet and 8,541 square feet, respectively.

Staff is recommending denial of the subdivide due to the creation of non-conforming lots less than 10,000 square feet which is the requirement of the R-1 zoning district.

MR. BENNETT: Okay, thank you. I'll entertain a motion on this item.

MR. ATKINS: Mr. Chair.

MR. BENNETT: Mr. Atkins.

MR. ATKINS: I move to deny the application to subdivide 2302 Delowe Drive into two non-conforming lots.

MR. BENNETT: Okay. We have a motion for denial.

MS. PATTERSON: Second.

MR. BENNETT: And a second by Ms. Patterson. Any further discussion?

THE BODY: (No response)

MR. BENNETT: All in favor?

THE BODY: Aye.

MR. BENNETT: Opposed?

THE BODY: (No response)

MR. BENNETT: And the motion carries and the application is denied.

- - -

(Whereupon, the Motion passed)

- - -

MS. ELIAS: The last application under New Business is case number 2007P-013-05. It is requesting approval of a subdivide in the R-1A urban residential zoning district located at 2992 Eighth Street. The applicant is Frances President of Presidential Solutions; the owner is Milton Redding (phonetic).

The applicant is requesting approval of the subdivide on 0.459 acres into two lots which would be 8,138 square feet and 11,865 square feet, respectively.

Staff is recommending . . . staff is recommending approval of the subdivide with the condition that all comments provided by Public Works are addressed at the time of plan review.

MR. BENNETT: Okay.

MS. ELIAS: And the lots are consistent with the R-1A zoning district which requires a minimum lot size of 7500 square feet.

MR. BENNETT: Okay, thank you. Commissioners, I'll entertain a motion on the item.

MS. SHELDON: Mr. Chairman.

MR. BENNETT: Ms. Sheldon.

MS. SHELDON: I make a motion that we approve the subdivision at 2992 Eighth Street with the condition that all comments provided by Public Works are addressed at the time of plan review.

MR. BENNETT: Okay. We have a motion. Is there a second?

MS. JONES: Second.

MR. BENNETT: A second by Ms. Jones.

MR. BENNETT: Any further discussion?

THE BODY: (No response)

MR. BENNETT: All in favor?

THE BODY: Aye.

MR. BENNETT: Opposed?

THE BODY: (No response)

MR. BENNETT: The motion carries and the subdivision is approved with the stated conditions.

- - -

(Whereupon, the Motion passed with conditions)

- - -

MR. BENNETT: And Commissioners, that brings us to the end of our agenda.

MR. ATKINS: Mr. Chair.

MR. BENNETT: Are there any announcements?

MR. ATKINS: If we could just go back and clean up something; I would really like to do that.

MR. BENNETT: What's that?

MR. ATKINS: It's to reconsider 2007Z-005-05. That is the application where we talked about the addresses. The City is the applicant. And I made the announcement. What I did not do, is I did not ask the maker of the motion to accept that as a friendly amendment -- to adopt that document minus the address on East Cleveland.

And so I'd like for us to reconsider, so that we can go back and do that and we can perfect that for the record.

MS. SHELDON: Second.

MR. BENNETT: You already put that in a motion?

MR. ATKINS: Yes, that is my motion.

MR. BENNETT: Okay. You've got a second. All in favor?

THE BODY: Aye.

MR. BENNETT: Opposed?

THE BODY: (No response)

MR. BENNETT: And the motion is back up for reconsideration.

- - -

(Whereupon, the Motion passed)

- - -

MR. ATKINS: Mr. Chair, I'd like to ask the maker of the motion to approve that rezoning from CR to R-1A, to accept as a friendly amendment the document provided to us by staff that lists the addresses minus the East Cleveland address.

Mr. Harper was the maker of the motion, yes.

MR. HARPER: Yes. I'll accept that.

MR. BENNETT: Thank you. All right, Mr. Harper has accepted that as an amendment. So, does everyone understand the motion now?

THE BODY: (No response)

MR. BENNETT: All in favor of the motion?

THE BODY: Aye.

MR. BENNETT: Opposed?

THE BODY: (No response)

MR. BENNETT: The motion carries with the proper second.

- - -

(Whereupon, the Motion passed)

- - -

MR. ATKINS: Thank you.

VIII. ANNOUNCEMENTS

MR. BENNETT: Any further announcements or items you want to discuss?

IX. ADJOURN

DR. BRIDGEWATER: Mr. Chair, I guess in the absence of Mr. Granberry I will make a motion that we adjourn.

MR. BENNETT: A motion to adjourn; is there a second?

MR. HARPER: I second.

MR. BENNETT: All in favor?

THE BODY: Aye.

MR. BENNETT: Opposed?

THE BODY: (No response)

MR. BENNETT: The motion carries and the meeting is adjourned.

- - -

(Whereupon, the Motion passed)

- - -

(Whereupon, the meeting adjourned at 8:30 P.M.)

- - -

CERTIFICATE

STATE OF GEORGIA)

COUNTY OF FULTON)

I, DEB MCGHEE SPEIGHTS, Certified Court Reporter
in and for the State of Georgia,
do hereby certify that the foregoing proceedings for the:
East Point Planning & Zoning Commission Meeting
on June 21, 2007, 7:30 P.M.
were reported by me and transcribed by me,
and the same is true and correct in the above-stated case.

This, the 10th day of July 2007.

◆◆◆◆

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