

CITY OF EAST POINT
PLANNING AND ZONING COMMISSION

REGULAR MEETING

February 21, 2008

Official Minutes

Regular Meeting

East Point Law Enforcement Center
2727 East Point Street
East Point, Georgia 30344

Board Members Present.

Members Present

Shean Atkins, Vice Chair
Herbert Bridgewater, Jr.
Myron Cook
Thomas Harper
Paul Lawler
Pam Patterson
Linda Sheldon, Chair

Staff Present

Valerie Ross, City Attorney
Geneasa Elias, Assistant Director, Planning & Zoning
Regina Carter, Senior Planner, Planning & Zoning
Keyetta Holmes, Senior Planner, Planning & Zoning

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Transcribed by:

Ruby Carney
Executive Administrative Assistant
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Proceedings:

Mr. Atkins: Please make sure that you speak loudly and clear, so that we may be able to catch that on our audio, for those who are viewing this at home.

I would like to call this meeting to order and in lieu of a prayer we will do a moment of silence. At this time we will take our moment of silence. Thank you all.

We also have our flag tonight so at this time will everyone please stand and repeat the Pledge of Allegiance to the Flag.

Everyone repeated the Pledge of Allegiance.

Adoption of Agenda

Mr. Atkins: Commissioners, everyone has received an agenda for this evening. So if you are here tonight for the Planning & Zoning meeting, if you picked up an agenda we have one change to the agenda. According to our bylaws, we must elect officers tonight so we will add that to the agenda and that will take place right after approval of the January minutes. There is one correction and with that correction I will entertain a motion to accept the agenda with that correction.

Dr. Bridgewater: Mr. Chair.

Mr. Atkins: Yes Sir.

Dr. Bridgewater: I make a motion to accept the agenda with the additional inclusion of the election of officers to the agenda.

Mr. Cook: I'll second that.

Mr. Atkins: It has been moved and properly seconded that we accept the agenda with that one particular correction. All in favor sound aye.

Body: All responded aye.

Mr. Atkins: All opposed sound the same. Hearing none, the ayes have it.

Approval of the January 17, 2008 Minutes

Mr. Atkins: Commissioners, at this time we will also approve our January 17th minutes. I would like for you to go over those minutes. Are there any corrections to the minutes? Hearing none, at this time I will entertain a motion to approve the minutes of our January 17, 2008 meeting.

Ms. Sheldon: So moved.

Mr. Atkins: Asked for a second.

Dr. Bridgewater: Second.

Mr. Atkins: It has been moved and properly seconded that we will approve the minutes of our January 17, 2008 meeting. All in favor sound "Aye." All oppose sound the same. There is none, the "ayes" have it.

Election of Officers

Mr. Atkins: Here is where we will inject our election of officers. The three officers that we will elect tonight will be Chair, Vice Chair and a Provisional Chair. Commissioners, at this time I will entertain a motion to open the floor for nominations for the position of Provisional Chair.

Dr. Bridgewater: Mr. Chair:

Mr. Atkins: Yes.

Dr. Bridgewater: I would like to make a motion that we nominate our chair, a woman, is the Honorable Commissioner Ms. Linda Sheldon.

Mr. Atkins: Ok. I had opened the nominations for Provisional Chair, but we will go in that order. We can do all the nominations, if you like at once, then we can vote at once and we can take care of that. Linda Sheldon has been nominated for Chair. Are there any other nominations from the floor?

Commissioners: No response.

Ms. Sheldon: Did you ask me if I'll do it?

Dr. Bridgewater: You have no choice.

Ms. Sheldon: I believe I'll do it.

Dr. Bridgewater: Mr. Chair, are you going to close it?

Mr. Atkins: It is in the form of a motion and it's on the floor. So will go ahead and chair, because it was moved and properly seconded. So, all in favor of Linda Sheldon being Chair, sound aye.

Body: Responded with Aye.

Mr. Atkins: All opposed, sound the same. Hearing none, the Aye's have it. Linda Sheldon is chair. Now we will open the floor for nominations for Vice Chair.

Ms. Sheldon: Mr. Chair:

Mr. Atkins: Yes ma'am.

Ms. Sheldon: I nominate Shean Atkins to assume in the position of Vice Chair.

Dr. Bridgewater: Second

Mr. Atkins: It has been moved and properly seconded, are there any other nominations?

Body: No response

Mr. Atkins: All in favor of sound aye.

Body: Responded with aye.

Mr. Atkins: All opposed sound the same. Hearing none, Shean Atkins is Vice Chair, once again to the Commission for this great city of East Point Planning and Zoning Commission. I will now open the floor for nominations for Provisional Chair?

Ms. Sheldon: Mr. Chair.

Mr. Atkins: I would like to nominate Dr. Bridgewater to assume the position of Provisional Chair.

Mr. Harper: Second.

Mr. Atkins: It has moved and properly seconded, are there any other nominations.

Commissioners: No response.

Mr. Atkins: All in favor sound aye.

Commissioners: Responded with aye.

Mr. Atkins: Opposed sound the same. Hearing none, Dr. Herbert Bridgewater will be our provisional chair.

Mr. Atkins: At this time, since we do have a new chair, I will turn the meeting over to Ms. Linda Sheldon, the new chair for 2008 Planning & Zoning Commission.

Ms. Linda Sheldon: Thank you very much. At this point we will take on our old business and I will ask that staff sound each case number, and I'll turn it over to you.

Old Business

Mrs. Carter: Under old business the first case is: **2007P-020-010**, Applicant Neil Page.

Ms. Sheldon: And as I understand that this particular application has been withdrawn. Is that correct?

Mrs. Carter: Applicant has requested a withdrawal.

Ms. Sheldon: Do we have a written request for that?

Mrs. Carter: Yes.

Ms. Sheldon: Alright, great.

Mr. Atkins: We do not have to accept, but we have vote on it.

Ms. Sheldon: Ladies and gentlemen, I will entertain a motion on this particular case number.

Mr. Atkins: Madam Chair. I move that we accept the withdrawal for application 2007P-020-010.

Mr. Harper: Second

Ms. Sheldon: It has been properly and properly seconded. All those in favor say aye.

Commissioners: Responded with aye.

Ms. Sheldon: Those opposed. Motion carried unanimously.

Mrs. Carter: The next case is case number **2007Z-016-10** with a concurrent variance case number **2007V-019-10**. Applicant is Madison Commercial. Property location is Redwine Road & North Desert Road. Applicant is seeking a rezoning with a concurrent 2-part variance: R-1 to CL, R-1 to R-4, R-3C to R-4 and CL to R-4; a 2-part concurrent variance to allow shared parking between tract 2 and tract 3 as shown on site plan and to increase the number of units per building for midrise apartments. This application requires a public hearing.

Ms. Sheldon: Ladies and gentlemen I entertain a motion to open a public hearing, but before I do, I'd like to give our audience the rules. We will entertain proponents first; the applicant and proponents first each will have five minutes to present their opinions. Then we will entertain opponents and give the applicant five minutes to rebut. So at this point I'll entertain a motion to open the public hearing.

Mr. Atkins: Madam Chairman, I move that we open the public hearing.

Dr. Bridgewater: Second.

Ms. Sheldon: It has been moved and properly seconded all those in favor?

Commissioners: Responded with aye.

Ms. Sheldon: All those oppose. No response. The public hearing is now open. Is the applicant here to present this project? No response. There being no applicants present are there any proponents for this project? No response. There being none, is there anyone who which to speak opposed to this project? There being none. I will entertain a motion to close the public hearing.

Dr. Bridgewater: Madam Chair.

Ms. Sheldon: Yes.

Dr. Bridgewater: I make a motion that we close the public hearing.

Mr. Harper: I second.

Ms. Sheldon: It has been moved and properly seconded that we close the public hearing. All those in favor?

Commissioners: Aye.

Ms. Sheldon: All those opposed? There being none, the public hearing for these two cases is closed and if staff will give their recommendation.

Mrs. Carter: The current application is under review by GRATA; therefore staff recommends **DEFERRED** until March 2008 P&Z meeting.

Ms. Sheldon: Are there any questions or comments from the commission?

Commissioners: No response.

Ms. Sheldon: There being none, I'll entertain a motion.

Mr. Atkins: Madam Chair, I move that we accept deferral for these concurrent applications **2007Z-016-10 and 2007V-019-10** until our March Planning & Zoning Commission meeting.

Dr. Bridgewater. Second.

Ms. Sheldon: I have a second by Dr. Bridgewater.

Mr. Atkins: I don't think we could hear that.

Dr. Bridgewater. Second.

Ms. Sheldon: Speak up.

Mr. Atkins: We have some people at home watching this meeting.

Ms. Sheldon: We do not have microphones this evening, so everybody please speak up. It has been moved and properly second those in favor say aye.

Commissioners: Responded with aye.

Ms. Sheldon: Anyone opposed? There being none, these two items will be **DEFERRED** until our March meeting. Next Item?

Mrs. Carter: The next case is **2007V-022-11**. Applicant is OB Camp Creek LLC, Sherwin Williams. Property location is 3521 Camp Creek Parkway. Applicant is seeking a variance to construct two (2) additional 8-foot monument signs on outparcel #8 Sherwin Williams commercial site; one, facing Camp Creek Parkway and the other facing Creek Pointe Avenue. This application requires a public hearing.

Ms. Sheldon: Commissioners I will entertain a motion to open a public hearing.

Mr. Atkins: Madam Chairman I move to open a public hearing for item 7, 2007V-022-11.

Mr. Harper: Second

Ms. Sheldon: It has been moved and properly seconded that we open the public hearing. All in favor say aye?

Commissioners: All responded.

Ms. Sheldon: Those opposed? The public hearing is now open. We will now hear from the applicant. Please state your name.

Applicant: My name is Steve Rothman, 2849 Paces Ferry Road. I'm here on behalf of the applicant. This is a variance for the signage that the staff described. We are in agreement with staff's conditions of eliminating the height requirements to eight feet and all the other conditions with that we worked closely with staff and appreciate all the input we got from them. And the interest of time, I will end there. If there any questions, I'd be happy to answer.

Ms. Sheldon: Thank you. Are there any other proponents for this project? There being none. Is there anyone here that would like to speak against this project? There being none, I would like to entertain a motion to close this public hearing.

Mr. Atkins: Madam Chair, I move to close this public hearing for case number 2007V-022-011.

Mr. Harper: Second.

Ms. Sheldon: It has been moved and properly second that we close the public hearing. Ms. Sheldon: All those in favor say aye.

Commissioners: Responded with aye.

Ms. Sheldon: Opposed? The public hearing is now closed. Staff will you now give your report.

Mrs. Carter: Per the meeting held January 30, 2008, staff recommends **APPROVAL** of an eight (8) foot three (3) panel monument sign with the following condition. The monument sign shall be placed on the outparcel 4.

Ms. Sheldon: Is there a height issue as well?

Ms. Carter: Eight (8) foot, three (3) panels.

Ms. Sheldon: Commissioners I'll entertain a motion on this item.

Dr. Bridgewater: Madam Chair, I'd like recommend **APPROVAL on Case # 2007V-022-011**.

Mr. Harper: Second.

Ms. Sheldon: He's not quite finished.

Dr. Bridgewater: Let me finish. The case involving the OB Camp Creek LLC Sherwin Williams approval for the eight foot 3 panel monumental sign with stipulations as pointed out by staff.

Ms. Sheldon: Your second still stand Mr. Harper?

Mr. Harper: Yes.

Ms. Sheldon: It has been moved and properly seconded. All those in favor say aye.
Commissioners: Responded with aye.

Ms. Sheldon: Those opposed? Motion passes. Next item.

Mrs. Carter: The next case is **2007V-023-11**. Applicant is Camp Creek Point, LLC; the property location is 3507 Camp Creek Parkway. Applicant is seeking a variance to construct an additional monument sign approximately 11-feet in height at outparcel #1; Starbuck's/T-Mobile commercial site. It would also include a panel for Regions Bank on outparcel #10. The sign proposes to face Camp Creek Parkway. This application requires a public hearing.

Mr. Atkins: Madam Chair, I move that we open a public hearing for case # 2007V-023-11.

Dr. Bridgewater: Second

Ms. Sheldon: It has been moved and properly seconded that we open a public hearing. All those in favor say aye.

Body: Responded with aye.

Ms. Sheldon: All those oppose. There being none. The public hearing is now open. Is there a representative for this project would you please step forward.

Representative: Good evening, my name is Steve Brockman, 2849 Paces Ferry Road. This variance was reviewed by staff closely with the other one you just heard. My client is in agreement with the staff recommendation. I respectfully ask that you approve the variance in line with the staff's recommendation.

Ms. Sheldon: Thank you sir. Are there any other proponents for this project? There being none, is there anyone who wishes to speak against this project. There being none. I will entertain a motion to close the public hearing.

Mr. Atkins: Madam Chair, I moved to close the public hearing for case number 2007V-023-11.

Mr. Harper: Second

Ms. Sheldon: It has been moved and properly second that we close the public hearing. All those in favor say aye.

Commissioners: Responded with aye.

Ms. Sheldon: Those opposed. There being none, the public hearing is now closed; and if staff will give their report.

Mrs. Carter: Per the meeting held January 30, 2008, **staff recommends APPROVAL** of an eight (8) foot three (3) panel monument sign to be located fifty feet east of the existing monument sign at Camp Creek Pkwy and N Commerce Drive. Panels on the sign shall include Starbuck's, T-Mobile and Regions Bank.

Ms. Sheldon: Thank you. I will entertain a motion on this item at this time.

Dr. Bridgewater: Madam Chair

Ms. Sheldon: Yes.

Dr. Bridgewater: I recommend approval for the variance on case number 2007V-023-11 at 3507 Camp Creek Parkway for an eight (8) foot sign with three (3) panel monumental.

Ms. Sheldon: Do I have a second.

Mr. Harper: I second.

Ms. Sheldon: It has been moved and properly seconded. Is there any discussion? There being none. All those in favor say aye.

Commissioners: Responded with aye.

Ms. Sheldon: Those opposed. There being none. **This item is APPROVED.**

Ms. Sheldon: Now we will move onto new business.

NEW BUSINESS

Mrs. Carter: Case # **2008Z-001-01**. Applicant is Wilson, Brock & Irby – Larry Dingle. The property location is Will Lee Road at Ridge Road. The applicant is seeking Rezoning from unzoned, AG-1 and BP to R-1 CUP. This application requires a public hearing.

Ms. Sheldon: Commissioners, I will entertain a motion to open a public hearing.

Dr. Bridgewater: Madam Chair, I recommend we open a public hearing on case # 2008Z-001-01.

Ms. Sheldon: Do I have a second?

Mr. Cook: Second.

Ms. Sheldon: It has been moved and properly seconded. All in those favor say aye?

Commissioners: Responded with aye.

Ms. Sheldon: Those opposed? The public hearing is now open. Is the applicant here?

Applicant: Good evening, Steve Brockman, 2849 Paces Ferry Road. My law firm filed this application, but the representative Duke Realty, Sandra Reeves has been working with this and with staff and it has gone really smooth so I know very little about it, other than we are in agreement with staff's recommendation. My client is here if there any detailed questions that you need to ask. I simply ask that you recommend approval of this in line with staff's recommendation.

Ms. Sheldon: Thank you sir. Are there any other proponents that wishes to speak on this item? There being none. Are there any opponents who wish to speak on this item? There being none, I will entertain a motion to close the public hearing.

Mr. Atkins: Madam Chair, I move that we close the public hearing on item # 2008Z-001-01.

Ms. Sheldon: Do I have a second?

Mr. Cook: Second.

Ms. Sheldon: It has been moved and properly seconded that we close the public hearing, all those in favor say aye.

Commissioners: Responded with aye.

Ms. Sheldon: Those opposed? The public hearing is now closed. You may make your report.

Mrs. Carter: **Staff recommends APPROVAL with the following conditions:**

1. Applicant must provide more than one access point to the development per Public Works.
2. In addition provide 25 ft landscape buffer on the eastside of the property adjacent to the office park in accordance with buffered standards.
3. Applicant must meet stream buffer requirements.

Ms. Sheldon: I will entertain a motion on this item Commissioners.

Mr. Atkins: Madam Chair I move approval of this application with the following conditions as stated by staff; that the applicant has at least one more access point. Any particular place for that particular access point, staff?

Mrs. Carter: Determined by public works.

Mr. Atkins: Determined by public works, ok. A 25 ft landscape buffer on the eastside of the property, is that correct?

Mrs. Carter: Yes.

Mr. Atkins: Ok, and the ...

Mrs. Carter: Stream buffers.

Mr. Atkins: Stream buffer requirements.

Ms. Sheldon: Do I have a second?

Mr. Harper: Second.

Ms. Sheldon: Thank you. It has been moved and properly seconded that this item be approved with conditions. All in those favor say aye.

Commissioners: Responded with aye.

Ms. Sheldon: Those opposed. This item is **APPROVED with conditions**. Next item.

Mrs. Carter: The next item is **2008Z-002-01**. Applicant is the City of East Point. Property location is unaddressed Bonecho Drive. Applicant is seeking a Rezoning from Unzone to R-1. This application requires a public hearing.

Ms. Sheldon: Commissioners I will entertain a motion on the public hearing on this item.

Mr. Atkins: Madam Chair, I moved that we open a public hearing on item 2008Z-002-01.

Ms. Sheldon: Do I have a second.

Dr. Bridgewater: Second.

Ms. Sheldon: All those in favor say aye.

Commissioners: Responded with aye.

Ms. Sheldon: All those opposed. There being none, the public hearing is now open for this item. Is there anyone wishes to speak on this item? Anyone wishes to speak opposed to this item? There being none, I will entertain a motion to close the public hearing.

Mr. Atkins: Madam Chair, I move to close the public hearing.

Mr. Harper: I second.

Ms. Sheldon: It has been moved and properly second that we close the public hearing. All those in favor say aye.

Commissioners: Responded with aye.

Ms. Sheldon: Those opposed. There being none, the public hearing is closed. We will have the staff report now.

Mrs. Carter: Approval of applicant's request to rezone from unzoned undeveloped land to R-1.

Ms. Sheldon: Alright Commissioners I'll entertain a motion on this item.

Dr. Bridgewater: Madam Chair.

Ms. Sheldon: Yes.

Dr. Bridgewater: I recommend approval for rezoning of the undeveloped land to a zoning qualification of R-1 in case number 2008Z-002-01 on Bonecho Drive.

Mr. Atkins: Second.

Ms. Sheldon: It has been moved and properly seconded. All those in favor say aye.

Commissioners: Responded with aye.

Ms. Sheldon: All those opposed. This case number has been **APPROVED**. Thank you. Next item.

Mrs. Carter: The next case is **2008V-001-01**. Applicant is Southern Civil Engineers. Property is location is Welcome All Road & Ben Hill Road. This application requires a public hearing. Applicant is seeking a variance to reduce the stream buffer from 75 feet to 0.

Ms. Sheldon: Okay Commissioners. I will entertain a motion to open the public hearing.

Dr. Bridgewater: Madam Chair. I recommend that in case number 2008V-001-01 that we open a public hearing on this matter.

Mr. Atkins/Mr. Harper: Second.

Ms. Sheldon: It has been moved and properly seconded that we open a public hearing. All those in favor say aye.

Commissioners: Aye

Ms. Sheldon: Those opposed. There being none. The public hearing is for this item is now open. If the applicant is present we will entertain your comments at this point.

Applicant: My name is Tony Poole; I'm with the McDonald Development Company. My address is 6411 Telafor, Atlanta, GA. I went over the issues last week. I will be more than happy to answer any questions; as much or as little detail that you would like for us to go into. I will let you guys generate the questions.

Ms. Sheldon: Alright thank you. Are there any others who wish to speak in favor of this project?

Guest: My name is Dick Van Sason from Southern Civil Engineering and Tony Poole with McDonald Development, Civil Engineer. I will be the engineer for this project. I will be available for any questions that you may have.

Ms. Sheldon: Thank you. Are there any other proponents to this project? There being none. Are there any opponents who wish to speak on this project? There being none, I will entertain a motion to close the public hearing.

Mr. Atkins: Madam Chair, I moved that we close the public hearing.

Dr. Bridgewater: Second.

Ms. Sheldon: It has been moved and properly seconded that we close the public hearing for this project. All those in favor say aye.

Commissioners: Responded with aye.

Ms. Sheldon: Those oppose? There being none, the public hearing is now closed. We will look into the staff report at this point.

Mrs. Carter: The variance applicant has met all four (4) criteria as required by the East Point Code of Ordinances. **Staff recommends APPROVAL** of the reduction in the stream buffer ordinance from 75 feet to 0.

Ms. Sheldon: Thank you commissioners. I will entertain a motion on this item at this point. Do we have a motion? We can't have a discussion without a motion.

Mr. Atkins: Madam Chair, I move that we approve item 2008V-001-01.

Ms. Sheldon: Do I have a second?

Dr. Bridgewater: Second.

Mr. Atkins: For discussion?

Ms. Sheldon: It has been moved and properly seconded. Is there any discussion?

Mr. Atkins: I would just like for the sake of the viewing public I know that we talked about this in our work session, yet the question can be directed to you.

Mr. Van Sason: Yes.

Mr. Atkins: We talked about this in our work session and during the public hearing; which was your opportunity to talk about this project. If you would just in a very brief way talk about the conditions that necessitate the variance so that the citizens watching from home will also know.

Mr. Sason: Absolutely. Basically, what we have here is McDonald Development has 180 tract here and we have owned since 1988. We also own property on the other side Welcome All Road as well as on the other side of the bridge. We can move into this development as a tax base to the City of East Point. We basically built out on the other side, this is kind of held up, but it has kind of come to fruition with the widening at Ben Hill Road to be supported and pushed through as well as Southern Civil Engineers doing the planning with Ben Hill Road. What we have here is we were under a score of engineered permits to mitigate some ...stream buffer here permitted to set to expire very soon. What we would like to do here is to take care of these impacts as we speak and gone through and work with Mike McBrier on the plans and he has approved similar to the conservation soil lawyer. They are currently looking at them, but what this enables us to do is respond quickly to a potential tenant/purchaser somebody who would like to build a building and move in to this piece of property. This gives us the ability to respond and be competitive against some of the other jurisdictions; Fulton and some of the other folks that may be buying to the second the tenant. So this gives us the ability to compete with those folks and have these items taken care of.

Mr. Atkins: Can you talk a little less about competition and the tenant more so about the land issue and the stream buffer for this particular section of the plat.

Mr. Sason: Yes, sure. What we have here is a fairly tough topographic area in order to make this site work and to produce what it is presently zoned and can be zoned for this piece of property since we bought it is larger dumpster utilities. This is a master plan so that you can see what we have planned on the site. This stream buffer, I'll show you some pictures of it as well, runs up through here in this area right here. In order to make this site work to produce the type of buildings that tenants will go down in this area need to have this stream buffered and has been approved by the Core of Engineers as well as the State of Georgia at this point. Paid on in litigation, paid on in litigation cost, at this point this will enable us to present this to tenants and satisfy their needs. Just to go back a little bit, this stream is listed as a funeraled stream; no throwing water in it is basically a definition of a funeraled stream is basically a ditch. There may be some ground water underneath it. When ground water gets hot, it may seep up through it. Our plans on mitigating this little piece of stream here is to put in a French drainery, which is a piece of fabric with balk in if water does come up it does have a way to get to continue the path it was on before to get down to the stream. So we are not balking up, we're not eliminating the stream per se, because it was one there ground water

was able to come back up. We are giving the ability to make it to where it was suppose to go the first place. That's basically, what we are proposing to do.

Mr. Atkins: In the State of Georgia, we've been experiencing a drought, I'm not sure that water is going to come back up or not.

Mr. Sason: I will tell you when we bought this property in 1988, we did an overall weapons specimen of this piece and took out the core out here; this stream did not even pop up on the radar. This did not even pop up until about nine (9) months ago when we took EPD out to walk the property one more time between _____. This is when this little dent popped up and they said it was filled with funeral stream, which is a dry ditch. It's for a water runoff. This makes it real hard to see. These are just pictures, when we were up there we took pictures. You can tell it actually, this was taken last Friday, after our meeting the other night, I wanted to bring this as you can tell that it rained about 48 hours before, and there is no water in this stream. According to this, I called it a terminal stream because I didn't know the technical terminology for it. So that is what we are proposing to do.

Mr. Atkins: Thank you.

Ms. Sheldon: If I might ask this is what you referred to the other night as Public Works referred to as an unnamed tributary.

Mr. Sason: Yes, ma'am, an unnamed tributary.

Ms. Sheldon: And you have met with Public Works and they support your recommendation.

Mrs. Carter: Yes.

Mr. Sason: Mike, we have worked with him and he has approved how we propose to get that water from ever come back up, how we will get it and get it down to the stream so that we can keep the natural flows that were there back down to where the creek shows up. We are not proposing to enter any of these adjacent stream. However, you notice there is a stream here and we are not proposing to do any of the stream buffers there those will stand for it's simply that this tributary literally has popped up in the last year.

Ms. Sheldon: Are there any other questions, Commissioners? There being none. All those in favor in approving this item, say aye.

Commissioners: Responded with aye.

Ms. Sheldon: Those opposed? There being none, the item is **APPROVED**. Next item.

Mrs. Carter: Next item is case number **2008P-001-01**. Applicant is Kris Kolarich. Property location is 3005 Semmes Street. Applicant is seeking approval of a preliminary plat subdivision parcel into two (2) parcels: Tract #1 of .177 acres and Tract #2 of .178 acres respectfully.

Ms. Sheldon: Alright Commissioners, I'll entertain a motion on this item.

Dr. Bridgewater: Madam Chair.

Ms. Sheldon: Yes, Dr. Bridgewater.

Dr. Bridgewater: I recommend approval on case # 2008P-001-01 for Kris Kolarich at 3005 Semmes Street for a preliminary plat subdivide; recommend approval, please.

Mr. Harper: I second that.

Ms. Sheldon: It was been moved and properly seconded, any discussion? Or questions? There being none, those all in favor say aye.

Body: Responded with aye.

Ms. Sheldon: Those opposed? There being none, the preliminary plat is **APPROVED**. Next item.

Mrs. Carter: Last case, **2008P-002-01**, applicant is Todd Terwilliger. Property location is Laurel Ridge Subdivision on Washington Road. Applicant is seeking approval of the Laurel Ridge Subdivision and Apartments Final Plat Amendment to correct recorded lot dimensions on lot #'s 13 through 18 and the change to the pool area to a picnic common area. Applicant has requested withdrawal of application.

Ms. Sheldon: Alright and do we have written request for that withdrawal?

Mrs. Carter: Yes.

Mrs. Sheldon: Alright Commissioners, I will entertain a motion on this item.

Dr. Bridgewater: Madam Chair.

Ms. Sheldon: Yes, Dr. Bridgewater:

Dr. Bridgewater: In case # 2008P-002-01 for Todd Terwilliger, I recommend that we accept the result of withdrawal of this matter.

Ms. Sheldon: Do I have a second?

Mr. Harper: I second.

Ms. Sheldon: It has been moved and properly seconded that we accept the withdrawal on this item. All those in favor say aye.

Body: Responded with aye.

Ms. Sheldon: Those opposed? There being none, this item is withdrawn. Are there any announcements?

Mrs. Carter: No, there are none.

Mrs. Sheldon: I want to remind everyone that we did discuss the option of moving the time to that we need up by half an hour to help staff out. I would like us to make that decision at the next work

session. So if you will all think about that and think about any conflicts you may have and then staff will let us know what we need to do in order to make that happen.

Mrs. Carter: Ok.

Mr. Atkins: Also, for that particular issue for the change of our time frame for our commissioners meeting, I don't know if the bylaws state that if 7:30 or was that is something the commission can decide. Because we did change our work session times, we were able to do that.

Ms. Ross: Actually, in the ordinance as it relates to time.

Ms. Carter: While we are waiting for Ms. Ross there is an announcement, Saturday from 9:00-12:00 at Atlanta Christian College, Planning & Zoning will be hosting a Charrette for developers. Some of the students and neighboring residents, because Atlanta Christian College is looking to move and we are inviting developers there for possible input to what should replace it. So you are more than welcome to come Saturday from 9:00-12:00 in the Library on the Atlanta Christian College campus.

Ms. Sheldon: Thank you. Ms. Ross.

Ms. Ross: As it relates to the time we would have to amend the time, because Section 10-1006 it states that the Planning and Zoning Commission shall meet monthly on the 3rd Thursday in each month at 7:30.

Ms. Sheldon: Ok.

Ms. Ross: So we will definitely have to amend that.

Ms. Sheldon: Well, I would like to ask that if we are serious about this then we will need to take it up with the City Council to make an amendment to make a change to that. If you would all would have some discussion in your office about how important this is to help you out I think the commission is more than happy to accommodate and ...

Mr. Atkins: I think also, do we need to have an ordinance drafted Ms. Ross?

Ms. Ross: Uh, huh.

Mr. Atkins: If you could actually prepare this for our next work session and allow us the opportunity to see a first draft, we might be able to massage that at our March work session and then if it is something that is palatable to us that we can vote on it at the March meeting and forward it on to Council. In addition to what Ms. Shelton was saying about helping staff out we also preliminarily discussed, that it would help the citizens out; we also feel that perhaps if we made the meeting for 7:00 it would give them enough time still to get home from work, but to be able come to the meeting and get home at a decent hour and we definitely want to be able accommodate as many of the citizens of the city if possible. Particularly on issues that require public hearings.

Ms. Ross: So you want it at 7:00 instead of 7:30?

Mr. Atkins: Yes, correct.

Ms. Sheldon: And we will not change this meeting time for our work session, since we don't have everybody here tonight until we have this discussion at our next work session. So everything stands as is at this point, and we will make any adjustments starting next work session. Any questions, announcements, concerns?

Dr. Bridgewater: Madam Chair.

Ms. Sheldon: Yes, Dr. Bridgewater.

Dr. Bridgewater: I would like to welcome our new Commissioner, Paul Lawler; it's a pleasure to have him join us.

Mr. Lawler: Thank you.

Ms. Sheldon: Thank you for doing that.

Mr. Lawler: It's a pleasure to be here.

Ms. Sheldon: And I would also like to congratulate Dr. Bridgewater who received an award from the Police Department this evening. So ...

Mrs. Carter: Wow.

Dr. Bridgewater: Thank you.

Ms. Sheldon: Congratulations.

Body: Congratulations was extended to Dr. Bridgewater.

Ms. Sheldon: It's pretty fancy.

Dr. Bridgewater: There it is.

Ms. Sheldon: Very good. This is for years of service to the East Point Police Department.

Dr. Bridgewater: Police Chaplain.

Ms. Sheldon: Very nice.

Mrs. Carter: Wow.

Ms. Sheldon: Alright Commissioners, I will entertain a motion to close.

Dr. Bridgewater: Madam Chair.

Ms. Sheldon: Yes.

Dr. Bridgewater: I make a motion that we adjourn.

Mr. Harper: Second.

Ms. Sheldon: All in those in favor?

Body: Responded with aye.

Ms. Sheldon: Those oppose? Meeting stands adjourned.