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CITY OF EAST POINT
PLANNING & ZONING COMMISSION

November 20, 2014 - 7:00 P.M.
Official Meeting Minutes

Jefferson Station
1526 East Forrest Avenue
4th Floor Council Chambers
East Point, Georgia 30344

Board Members:

Commissioner Shean **ATKINS, Chair**

Commissioner Linda **SHELDON**

Commissioner Joel **TUCKER, Vice Chair**

Commissioner Laura **BORDERS - Absent**

Commissioner Gregory **FANN, Provisional Chair -Absent**

Commissioner Patricia **LOVETT - Absent**

Commissioner Thomas **CALLOWAY**

Commissioner Stephanie **GORDAN**

Commissioner Willard **MAXWELL**

Also Present:

Ms. Linda **DUNLAVY**
City Attorney

Ms. Keyetta **HOLMES**
Senior Planner

Richard **RANDOLPH**
City Engineer

Videographer

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I. CALL TO ORDER:

COMMISSIONER ATKINS: Good evening. I'm Shean Atkins and I'm the Chair of the East Point Planning & Zoning Commission and at this time, I will call to order our November 20th, 2014 meeting. If you would, please, Staff, give me Roll Call.

II. ROLL CALL:

MS. HOLMES: Commissioner Lovett.
COMMISSIONER LOVETT: (No response.)
MS. HOLMES: Commissioner Borders. (No response.)
MS. HOLMES: Commissioner Calloway.
COMMISSIONER CALLOWAY: Present.
MS. HOLMES: Commissioner Fann.
COMMISSIONER FANN: (No response.)
MS. HOLMES: Commissioner Atkins.
COMMISSIONER ATKINS: Present.
MS. HOLMES: Commissioner Tucker.
COMMISSIONER TUCKER: Here.
MS. HOLMES: Commissioner Sheldon.
COMMISSIONER SHELDON: Present.
MS. HOLMES: Commissioner Gordan.
COMMISSIONER GORDAN: Here.
MS. HOLMES: Commissioner Maxwell.
COMMISSIONER MAXWELL: Here.
MS. HOLMES: Mr. Chair, you have a quorum.
COMMISSIONER ATKINS: Thank you very much. At this

1 time in lieu of a prayer, this Body observes a Moment of Silence.

2 **III. MOMENT OF SILENCE:**

3 COMMISSIONER ATKINS: Thank you. If you would, please,
4 stand me and join me in the Pledge of Allegiance.

5 **IV. PLEDGE OF ALLEGIANCE:**

6 COMMISSIONER ATKINS: Commissioners, at this time, I'll
7 entertain a motion to adopt the agenda as printed.

8 **V. ADOPTION OF AGENDA:**

9 COMMISSIONER SHELDON: So moved.

10 COMMISSIONER ATKINS: Is there a second?

11 COMMISSIONER TUCKER: Second.

12 COMMISSIONER ATKINS: It's been moved by Commissioner
13 Sheldon and seconded by Commissioner Tucker that we adopt the
14 agenda as printed. All in favor sound aye.

15 COMMISSIONERS: Aye.

16 COMMISSIONER ATKINS: All opposed sound no.

17 COMMISSIONERS: (No response.)

18 COMMISSIONER ATKINS: Hearing none, the ayes have it.
19 The agenda is approved and we will follow it as printed.
20 Commissioners, at this time, I'll entertain a motion to approve our
21 October 16th, 2014 meeting minutes.

22 **VI. APPROVAL OF THE OCTOBER 16, 2014 MEETING**

23 **MINUTES:**

24 COMMISSIONER TUCKER: So moved.

25 COMMISSIONER ATKINS: Is there a second?

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COMMISSIONER MAXWELL: Second the motion.

COMMISSIONER ATKINS: It's been moved by Commissioner Tucker, seconded by Commissioner Maxwell that we approve our October 16th, 2014 meeting minutes. All in favor sound aye.

COMMISSIONERS: Aye.

COMMISSIONER ATKINS: All opposed sound nay.

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, the ayes have it. Our October meeting minutes are approved.

The next item on the agenda is Old Business. This is an item that was deferred from our last meeting to this meeting. It did require a public hearing. We he would a public hearing at our last meeting, so we will not have a public hearing for this Agenda Item this evening.

Staff, at this time, would you please sound the Agenda Item.

VII. OLD BUSINESS:

MS. HOLMES: Case Number 2014M-005-09, Citywide, applicant. Application request a Text Amendment to Special Event, Small.

COMMISSIONER ATKINS: Commissioners, as I stated before, we held a public hearing at our last meeting. At this time, I will entertain a motion. Staff's recommendation is approval. I'll entertain a motion on this Agenda Item.

COMMISSIONER SHELDON: Mr. Chair.

COMMISSIONER ATKINS: Yes, Commissioner Sheldon.

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COMMISSIONER SHELDON: I don't believe we have gotten the verbiage clean on this yet. We are trying to do it via email and we have until next Tuesday, is that correct, to have it ready for Council, at the next Council meeting? That's what we were told in our Work Session last week.

MS. HOLMES: That's when the Agenda Item will be forward to City Council. However, this is your only opportunity to make a recommendation for it.

COMMISSIONER SHELDON: Okay.

COMMISSIONER ATKINS: Well, would it be our only opportunity, unless this Body votes to have a special call meeting, to specifically take up this issue?

ATTORNEY LINDA DUNLAVY: Correct.

COMMISSIONER ATKINS: Okay. So Commissioners, again, you've heard Staff's recommendation and Staff's recommendation is approval. Commissioner Sheldon has asked a question regarding this. Before we have more discussion, if we could get a motion and a second so that we can enter into discussion.

COMMISSIONER SHELDON: Motion to approve or recommend. Is it a recommendation?

COMMISSIONER ATKINS: Yes, it is. Is there a second?

COMMISSIONER TUCKER: I second.

COMMISSIONER ATKINS: Okay. It's been moved by Commissioner Sheldon, seconded by Commissioner Tucker to move approval. Any discussion?

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COMMISSIONER SHELDON: Mr. Chair.

COMMISSIONER ATKINS: Yes, Commissioner Sheldon.

COMMISSIONER SHELDON: My notes -- and this was discussed in email today by a few of us. My notes indicated that we wanted to completely eliminate the Class F and Class G as an option -- I don't know if your notes reflect that as well -- which would have minimized the verbiage changes that we have to deal with it and there was some serious discussion regarding small events, you know, private parties, which, I think, has been taken care of with the verbiage that we have here.

My notes indicated that we would strike lines -- the underlined portions of Lines 36, 37 and 38. Well, let's see.

COMMISSIONER ATKINS: After special events on Line 36?

COMMISSIONER SHELDON: Yes, that we were going to eliminate the whole Class F and Class G categories because they're small and we had other means for dealing with those. So that's what I have. I'm sorry. I don't have much more than that. Everything else in this draft that was sent by the attorney looks good to me and the attorney had some advise on those smaller classes as well.

COMMISSIONER ATKINS: Okay. Any other discussion?

COMMISSIONER TUCKER: Madam Attorney, you want to say something?

ATTORNEY LINDA DUNLAVY: Sure. If you want to hear from me on this. A lot of this really is not a matter of law what you adopt, but it's a matter of policy. I agree with Commissioner Sheldon

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that there was considerable discussion about whether or not Classes F and G, which are for those events of less than -- is it 200 people -- but they should not even be considered special events and should not be required to get administrative use permits.

I think the concern of Staff, with respect to eliminating those categories, is that 200 people can be a fair significant number of people if they are, you know, blocking public roadways, if they are outside, if they have large tents erected, if they're selling merchandise, cooking food -- and so they're concern would be that perhaps 200 or less should actually require a permit. However, that's really just a matter of policy. There would be some sort of hybrid that you might want to consider, such as these events really just requiring notification to the City of East Point that they are going to take place so that the City would know that these events were occurring.

The other concern of Staff in exempting these smaller small events is that everyone will say, oh well, we anticipated less than 200 people and so we don't need a permit and that would be somewhat problematic and then with respect to the other issue that was raised, which I think is a relatively minor issue was how do we defined a special event that takes place on private property and I think that we've done that in the proposed draft by exempting from the definition of special event, events that take place at somebody's residence where the owner is actually present or occupies the property.

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I really think it's just a simple policy decision at this point, whether you want to require permits for events under 200 and, if so, how do you go about it? Do you have, you know, a notification process? Do you have a smaller fee perhaps for these people or you have no fee for these people for having these very small events or do you just outright say they aren't special events and don't need a permit and I can't really make that decision for you legally, but I just wanted to let you know what the concerns of Staff are in exempting all of those events for less than 200.

COMMISSIONER ATKINS: Any other discussion from the Commissioners?

COMMISSIONER CALLOWAY: I had a question about the motion that's on the floor. For approval, it would be approval as it was written including Class F and Class G or striking Class F and Class G?

COMMISSIONER SHELDON: For me it would be striking Class F and Class G.

COMMISSIONER CALLOWAY: Yes. I just had a couple of things to say about that and actually, I think, that it was Class F, which would have be to 50 to 100 and so it would have been below a 101, would therefore be exempting it, if I'm not mistaken on that. Can you double check that, on that number?

ATTORNEY LINDA DUNLAVY: Yes, I'm sorry, Commissioner Calloway, you're correct. It would be -- the Class F is for 50 to 100 attendees so if you exempt Class F and G, it would be all of those for

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under 100 attendees. I misspoke. It's not under 200.

COMMISSIONER CALLOWAY: But I think that the concerns that Ms. Dunlavy brought up that, you know, whether it's 100 or 200, I think, that you do allow -- if it's not narrow and defined, you do allow the ability of people to come and say, well, we're only expecting a hundred people and especially if it's an event whether it's for profit, you know, even a hundred people, if they're milling about in the streets, would impede the flow of traffic.

I would like to see those classes still included or if those classes aren't included, some way of narrowing that definition of not making it just a threshold as a number of people and I also believe that we had added in -- but it's contained wholly within the City, the City park ordinance would take effect and so I do support that change and the private event, if it's hosted, as a residence and hosted by the owner or occupant, but I would like to see Class F and G included or some sort of narrowing of that 101 peoples in some way.

COMMISSIONER ATKINS: Okay. Commissioner Calloway, the motion on the floor is to strike F and G and so if that is your desire, then you would need to offer a substitute motion, but right now the motion on the floor is to strike Classes F and G.

COMMISSIONER CALLOWAY: I'll let the motion stand, but I was just -- as discussion, I was just bringing that concern into the forefront, you know. If it is the consensus and the will, this Body to strike those two, then, of course, I believe, we should vote it up or

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down.

COMMISSIONER ATKINS: Any other discussion?

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: I have a bit of discussion on this ordinance so I do think that there has been a lot of discussion about this text amendment and we've not had the benefit of doing this in person together. As a Commission, we've done this actually electronically via email, which has been not the best way to do it and so it's a bit cumbersome and so I've gone through this and so I have a few things, so I don't know exactly how we'll vote on it this evening when we vote it up or down, but I'll start on Section 1.

So in Line 39 -- and these are just some housecleaners cleaning up some stuff. The word, "department" needs to be capitalized and Line 40, the word "planning" needs to be capitalized and then, "zoning" needs to be capitalized on Line 40. You see those?

ATTORNEY LINDA DUNLAVY: Yes.

COMMISSIONER ATKINS: Okay. If you go over to Line 77 and this is about Class E, "a special event at which attendance is anticipated to be between 101 and few than 250," that needs to be actually 249 because 250 is included in Class D. So it's up to actually 250 and then in Class D it's from 250 to 1,999 and then above it goes to 2,000 to -- you see that?

ATTORNEY LINDA DUNLAVY: Yes.

COMMISSIONER ATKINS: So that needs to be cleaned up as

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well. So it should say, "101 to 249."

I agree with the motion that it would be my preference to strike Lines 80 through 92. That's Classes F and G. I have questions of Staff. If you start at Line 112, Special Event, Small because starting at 107, we talk about Special Events Large and then we go to 112 for Special Event Small and Special Event, Small, it states that a special event as defined above here wherein less than 2,000 are anticipated.

In my mind, I think 1,999 people is isn't necessarily small and so --

ATTORNEY LINDA DUNLAVY: This is how the ordinance was originally passed in April of 2013, so that's why that language continues.

COMMISSIONER ATKINS: Right. And so, I guess, there for my point is that I think that we should look at that. I mean, almost 2,000 and we're talking about here that it would just be an administrative approval, I believe so I would have some concerns about that because that's a lot of people.

Such events maybe permitted only upon the approval of an administrative permit. Application by the direct of Planning & Zoning for the procedures and standards -- what other departments are engaged and involved under the administrative permit?

MS. HOLMES: All eight.

COMMISSIONER ATKINS: All eight?

MS. HOLMES: All eight review and the departments review all

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of the Special Event, Small permits including and the ones we've done for the 4th of July, for the Taste of East Point, for all of those.

COMMISSIONER ATKINS: Okay. So if that is a part of the standard procedures, then I would be okay with that. If we go down to Line 124, where it says, " the Department of Planning and Zoning shall be responsible for the review and processing of all Small Special Event administrative permits, regardless of the type of event willing he would. If approval of other City departments is necessary prior to the approval of such event -- so does that mean that Planning & Zoning for this administrative permit would not necessarily have to involve other departments?

MS. HOLMES: That's correct. That's correct for any permit. That's correct for any permit that's submitted to the department. If the department is not -- if electric is not going to be involved, then we would not submit it to electric. If they are not going to use any of the utility polls or they're not going to turn any of the utility polls off, we would not involve electric because they would not be a reviewing party.

COMMISSIONER ATKINS: Okay. So I think about an event that let's say is 1,500 people and so the way this ordinance is written currently in this form, you may or may not reach out to East Point Police, right because here it says, necessary and so I believe that Staff would then have a discretion to decide who's necessary.

ATTORNEY LINDA DUNLAVY: Right.

COMMISSIONER ATKINS: And my challenge with that is that

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I think that it exposes us as a City to greater risks because someone could make a decision, well, it was only a thousand people. They said a thousand people. I don't think I need to get this department involved.

MS. HOLMES: It's not based on the number of people. It's based on the event specific, so when they come in to submit for the event, the policy is to go over the application to find out what it is that they intend to do and then the departments that are associated with what they intend to do are involved in the review process so it's not people. It's what the event is.

ATTORNEY LINDA DUNLAVY: Who they circulate to within the City of East Point is going to be determined on the nature of the event. If you have a specific event where there is not going to be any public streets that are going to be closed, then the department would exercise it's discretion to not circulate this, for example, to the department and to the police or something like that because it's unnecessary and so it's very similar to the kind of review that is done when you have a building permit or land disturbance permit based upon the nature of the disturbance or the building that you propose.

Certain departments may not be necessary. That was the intent of the language. Now maybe the language doesn't capture it as closely as you would like it to, but that's the intent. Not to say that, oh, they have the discretion to determine whether or not to circulate it, period. They must circulate it to the departments that are involved. They would have to review it for alcohol or for blocking

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of streets, that kind of thing.

COMMISSIONER ATKINS: No blocking of the street, no alcohol, just a lot of people.

MS. HOLMES: They would have to block the street for a lot of people because anything that's held downtown and you have two state roads, so they have to block the street and have a request from DOT, so that would have to go to police.

COMMISSIONER ATKINS: Okay. If it's not downtown, if it's not a state road --

MS. HOLMES: If it's not a state road -- people in the public right-of-way would cause a review by the police. That's required. That's traffic control. That is required. There's no incidence where we have had a special event where it hadn't gone to police that's impacted public right-of-way.

COMMISSIONER ATKINS: Okay. All right. I can't to go over to the next page. Starting with Line 134 and it's starts to talk about the zoning classes and it gives several. Of those zoning classes, which zoning class is not listed?

MS. HOLMES: Residential alone.

COMMISSIONER ATKINS: Okay. So residential has to be in conjunction with institutional?

MS. HOLMES: That's correct.

COMMISSIONER ATKINS: Okay. And I have some questions at Line 151. Having the permit posted -- if it's an event and there are a lot of people, how does that work if you have your permit, if

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you have a music festival on the Commons?

MS. HOLMES: I have not seen one where they don't have the central check-in station or a central location where all of the persons have checked in, so that's where they generally post their permit.

COMMISSIONER ATKINS: Okay.

MS. HOLMES: It's on a green piece of paper and you can't get through.

COMMISSIONER ATKINS: Okay. And that makes more sense to me, but this says specifically visible from the street, so if they're check-in place is not close to the street, then it isn't visible from the street, so that makes what you just said more sense to me and so if that's a requirement, according to this ordinance, then I'm just thinking, well, wow, it's a lot of people then it may not be able to be posted there.

The other thing at 158, it starts to talk about the time, 8 a.m. Does that allow for setup? So if somebody is having a road race that's going to start at 8 a.m. and they want to start to set up at 7:30, that would not be allow?

MS. HOLMES: No. They can set up 7:30, operation to began at 8:00, the activity to began at 8:00.

COMMISSIONER ATKINS: Okay. If we go over to 168, can you talk to me a little bit about the tents and the rational because I think it says it that tents less than 5,000 square feet do not require a building permit and I don't know how the City of East Point does that, but obviously if it's of some magnitude of that size, what type of

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review is done for 5,000 square feet. It's fairly large and so I don't know what type of review we do for that. I can't even imagine many houses in the City of East Point that would be less than -- that would be greater than, you know, 5,000 square feet, so that's a huge tent and so for it not to have a building permit or -- I don't know if there's another process to, you know, make sure that it's meeting some standards.

MS. HOLMES: That information was gathered from the Chief Building Official. We consulted with him when we initially did this ordinance and he provided the information regarding the 5,000 square foot threshold. Anything above that then he himself goes out and checks the tie-downs and the polls and everything thing to make sure that they're secure according to his requirements. I can't speak to exactly what he does.

COMMISSIONER ATKINS: So the City is comfortable with the 5,000 square feet. Okay. That's all I have, but I am in favor of striking the classes F and G. Thank you for answering those questions. Is there any other discussion?

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, there's a motion on the floor to approve striking Classes F and G. That would be Lines 8 through 92; correct, Ms. Sheldon?

COMMISSIONER SHELDON: Yes, and then there's a reference, any reference to Classes F and G, like Line 36 with the exception of Class G events. Those that are unlined there are

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unlined specifically for removal as I understand it, in this draft.

COMMISSIONER ATKINS: Okay. All right. All in favor sound aye.

COMMISSIONERS: Aye.

COMMISSIONER ATKINS: All opposed sound nay.

COMMISSIONER CALLOWAY: Nay.

COMMISSIONER ATKINS: Okay. We have one nay and four ayes. Motion carries. Our next Agenda Item is New Business, 2011 "P" as in Paul-003-04 and 2014 "P" as in Paul-007-10. This is a preliminary plat. Staff, would you please sound this Agenda Item.

VIII. NEW BUSINESS:

MS. HOLMES: Case Number 2011P-003-04 concurrent Case 2014P-007-10, applicant is Duke Realty, LLC, location is 0 North Commerce Drive. Applicant seeks a preliminary plat revision to Unit 6.

COMMISSIONER ATKINS: Staff recommends approval. Commissioners, you've heard this Agenda Item. It does not require a public hearing. At this time, I'll entertain a motion.

MS. HOLMES: Is there any discussion. I know there was an item that was not on the preliminary plat that you received in your packet and you have received information here tonight with regard to that update. In addition to that, I do have a condition.

COMMISSIONER ATKINS: So, yes, we will open up discussion, but we have to have a motion and a second.

COMMISSIONER SHELDON: Motion to approve for their

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recommendation.

COMMISSIONER ATKINS: This is approval.

COMMISSIONER SHELDON: Motion to approve.

COMMISSIONER ATKINS: Yes, is there a second?

COMMISSIONER CALLOWAY:

COMMISSIONER ATKINS: Okay. Any discussion?

COMMISSIONER SHELDON: Mr. Chair, have Staff to the condition that they wish to add and, I believe, we have amended drawings at this point that address Richard's concerns from the Work Session.

MS. HOLMES: Staff's recommendation is approval, conditional. Staff cannot ascertain the exact parameter or content in terms of infrastructure of the Fulton County Easements which is designated on the preliminary plat as such a condition of approval for the final plat will be the applicant's design sewer for any project to be connected to the City of East Point's sewer system.

COMMISSIONER SHELDON: Mr. Chair, I would like to amend my motion to approve to include the condition as stated by Staff.

COMMISSIONER ATKINS: Does the second still stand?

COMMISSIONER CALLOWAY: The second does stand.

COMMISSIONER ATKINS: Okay. All right. Any other discussion?

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: So the motion on the floor is for approval to include Staff's conditions and there's a motion. To

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approve, all in favor sound aye.

COMMISSIONERS: Aye.

COMMISSIONER ATKINS: All opposed sound nay.

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, the ayes have it.

Motion carries. Staff, would you please sound the next Agenda Item.

MS. HOLMES: Case Number 2014U-014-10, Dr. Ralph Bell, Sheltering Grace Ministry, location is 3409 Washington Road.

Applicant seeks a Special Use Permit for a Group Residence Large.

COMMISSIONER ATKINS: This Agenda Item requires a public hearing. At this time, I'll read the rules for our public hearing.

(Whereupon the City of East Point Planning and Zoning Rules for Public Hearing are read into the record.)

COMMISSIONER ATKINS: Public hearings before the Planning & Zoning Commission shall be conducted in accordance with Section 10-2219 of the East Point Zoning Code and Development Regulations as follows:

Persons both favoring and opposing the proposed case will be provided an opportunity to address the Commission. The applicant for the zoning case 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 (15) minutes. Those who oppose the proposed zoning case will then be permit to speak for a total of fifteen (15) minutes. By majority vote of the Commission, may increase the time allowed for each speaker, provided that each side is

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given the same amount of time. If there is more than one speaker for a side, the Chair or the presiding office may limit the time allotted to each individual speaker other than the zoning applicant. The zoning applicant may reserve a portion of his or her allotted time for rebuttal.

Speakers must adhere to the rules of decorum. Prior to speaking, each speaker shall identify him or herself and state his or her address. Each speaker shall speak only to the merits of the zoning case under consideration, shall address remarks only to the Commission and shall refrain from making personal attacks on any other speaker. The presiding office may refuse the speaker the right to continue if, after first being cautioned, the speaker continues to violate the rules of decorum.

You've heard our rules for public hearing. Commissioners, at the time, I'll entertain a motion to open the public hearing.

COMMISSIONER GORDAN: So moved.

COMMISSIONER ATKINS: Is there a second.

COMMISSIONER TUCKER: Second.

COMMISSIONER ATKINS: It's within moved by Commissioner Gordan, seconded by Commissioner Tucker that we open the public hearing. All in favor sound aye.

COMMISSIONERS: Aye.

COMMISSIONER ATKINS: All opposed sound nay.

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, the ayes have it.

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The public hearing is now open. Is the applicant present this evening?

AUDIENCE: His representative.

COMMISSIONER ATKINS: The applicant's representative is here. If you would please come forward and approach the podium. State your first and last name and your current address.

(Whereupon the Applicant's Representative Lawrence Bogan approaches the podium.)

MR. BOGAN: My name is Lawrence Bogan, B-o-g-a-n. I'm representing Dr. Bell, who is the executive director of Sheltering Grace. I have been with Sheltering Grace for seven, eight or nine years, something like that. I'm the Board Chairman.

COMMISSIONER ATKINS: And state your case.

MR. BOGAN: Basically what we do is we support and work with single women, pregnant women in crisis and we have been doing this for a number of years up in Cobb County and we have developed some incredible programs to help the women, not just deliver a healthy baby but to move through maybe some pitfalls they have had in their life, to try to give them life, you know, life skills, balance a checkbook, how to take care of a baby, how to get your GED if you don't have a high school diploma, how to get a job, those condition kind of issues and it's been amazing over the years.

We had a fundraiser at my church. This is really how I got involved with this group as strongly as I have. It's called the Baby Bottle Boomerang and you bring baby bottles to church and you give

1 them out to your parishioners and they take them home and fill them
2 with coins and checks and single dollar bills and you get the kids
3 involved and everything and we thought it would be a good idea if
4 the parishioners could meet some of the women who lived in our
5 home. We have two homes down in Cobb County, three bedrooms
6 each and the first group of the two women had already had their
7 babies and been in the program eight or nine months and was just a
8 pleasure. I mean, they were just so thankful someone had finally
9 fulfilled the promise in their life and they have come so far as far as
10 their potentials to be successful in life.

11 They couldn't stay there all day with two young babies, so
12 they had to go back to the home and two new applicants have been
13 brought in and I don't want to say rough around the edges, but the
14 difference is night and day between what our women are like when
15 they start and what they're like when they graduated.

16 It's a very structured program and classes, we have got a lot
17 of volunteers that are professionals that do pro bono work for us to
18 help with the classroom training of the women to give them the life
19 skills. It's a very structured environment and again, what we're
20 looking at here, if you grant us favor then they will all be staying in
21 this house and there will a permanent employee living in that house
22 with the women. All the work -- from my understand, the training
23 and the classes and all that will come to this house. Some of the
24 questions that have come up in the past were like, you know, fifteen
25 automobiles. There will be one or two automobiles there for the

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trainer when they come and go, but the women will get around in a van. We've got, I think, a sixteen- person van and maybe a secondary piece of automobile or something for overflow. They are all drug tested. No alcohol is allowed on the premises and basically I think we've done a great job of putting the program together and what we haven't done is is be able to share it with enough people and this will allow us to do that. Any questions?

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: We'll do questions late. It's a public hearing so you have an opportunity to address us, not for us to ask questions at this time. Are there any other proponents for this zoning case?

AUDIENCE: Yes.

COMMISSIONER ATKINS: Approach the podium and state your first and last name.

(Whereupon Proponent John Shivone approaches the podium.)

MR. SHIVONE: Yes. My name is John Shivone, 2401 Lake Park Drive, Smyrna, Georgia, 30080 and I'm with the Archdiocese of Atlanta. We are donating this home to Sheltering Grace Ministries. We see it is as very very good program. Many of our churches support it financially and with volunteers.

I've been with Dr. Bell as we have gone through the process and listened to him explain the program and we think it would be nothing be good for the community. We've had several offers on this

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property. We had one three month's ago. The Commission was not comfortable with that situation. I talked to Commissioner Nanette Saucier, asked if we brought someone to the community that they thought was appropriate and good for the community, would you entertain the zoning -- was told you would, so I'm hopeful that that will had happen and would appreciate it and I know the Ministry would certainly appreciate it if this goes through. Thank you.

COMMISSIONER ATKINS: Any other proponents for this zoning case.

AUDIENCE: (No response.)

COMMISSIONER ATKINS: Any other proponents?

AUDIENCE: (No response.)

COMMISSIONER ATKINS: Are there any opponents for this zoning case?

AUDIENCE: (No response.)

COMMISSIONER ATKINS: Any opponents?

COMMISSIONER ATKINS: Seeing none, Commissioners, at this time, I'll entertain a motion to close the public hearing.

COMMISSIONER TUCKER: So moved.

COMMISSIONER ATKINS: Is there a second?

COMMISSIONER SHELDON: Second.

COMMISSIONER ATKINS: It's been moved by Commissioner Tucker, seconded by Commissioner Sheldon that we close the public hearing. All in favor sound aye.

COMMISSIONERS: Aye.

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COMMISSIONER ATKINS: All opposed sound nay.

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, the ayes have it.

The public hearing is now closed. Staff, would you please sound your recommendation

MS. HOLMES: Yes, sir, but first I would ask the two speakers if they would complete speaker cards and leave them here at the table. Case Number 2014U-014-10, applicant is Dr. Ralph Bell, Sheltering Grace Ministry. Applicant location is 3409 Washington Road. Description is a Special Use Permit for a Group Residence Large. Staff's recommendation is approval with the following conditions: Copies of applicable local state and federal permit shall be provided to the Department of Planning & Zoning prior to the issuance of a Certificate of Occupancy and business license. Applicant will be required to contact with a commercial hauler for removal of solid waste.

COMMISSIONER ATKINS: Commissioners, you've heard from the applicant's representative. You've also heard Staff's recommendation. At this time, I'll entertain a motion.

COMMISSIONER TUCKER: Mr. Chair.

COMMISSIONER ATKINS: Yes, Commissioner Tucker.

COMMISSIONER TUCKER: On Case Number 2014U-014-10 I'm going to recommend approval.

COMMISSIONER ATKINS: Is there a second?

COMMISSIONER MAXWELL: I second the motion.

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COMMISSIONER ATKINS: It's been moved by Commissioner Tucker, seconded by Commissioner Maxwell that we recommend approval. Any discussion?

COMMISSIONER CALLOWAY: Mr. Chair.

COMMISSIONER ATKINS: Yes, Commissioner Calloway.

COMMISSIONER CALLOWAY: If Commissioner Tucker would entertain it, I would like to make a friendly amendment and to recommend approval with Staff's condition.

COMMISSIONER ATKINS: Would you entertain a friendly amendment Commissioner Tucker.

COMMISSIONER TUCKER: Sure, I just assumed that my motion would include their recommendation.

COMMISSIONER ATKINS: And Mr. Maxwell, does your second still stand.

COMMISSIONER MAXWELL: Yes.

COMMISSIONER ATKINS: Okay. So the motion now on the floor is approval to include Staff's conditions, recommend approval to include Staff's conditions. Any other discussion?

COMMISSIONER SHELDON: Yes.

COMMISSIONER ATKINS: Yes, Commissioner Sheldon.

COMMISSIONER SHELDON: Just one quick question of the applicant. If you would step to the podium so we can have your on camera. My question is what is the on-going relationship of the church of the Dioses with the organization as -- how do you describe that other than your fundraising and your volunteer support? Is this

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considered a ministry of the Catholic church?

MR. BOGAN: No, it's an independent ministry and even the women that come to join us, they don't have to be a certain religion. They don't have to have a certain -- we're just looking for volunteers that feel the same way we do, either it be financial help or time because it's a lot of labor involved in the training classes, but we're not affiliated with the Archdiocese in anyway. We're just a grateful beneficiary.

COMMISSIONER SHELDON: I see. You will have somebody 24/7 supervising?

MR. BOGAN: Yes.

COMMISSIONER SHELDON: And will you -- do you already have established relationships with physicians and maternity care and all of that in advance?

MR. BOGAN: Yes, two of our board members are doctors, but they advise us, but we have a lot of other doctors who will help with the delivery of the babies and whatnot.

COMMISSIONER SHELDON: All right. I think that answers my question. Thank you.

COMMISSIONER ATKINS: I have a question of Mr. Shivone, is that correct? You're with the Archdioceses?

MR. SHIVONE: I am.

COMMISSIONER ATKINS: Okay. And so I think that a part of that was answered, I think, with Commissioner Sheldon's in terms of the relationship with the Archdioceses and the organization. So

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you are donating -- and I'm assuming a perpetuity. This isn't a relationship.

MR. SHIVONE: They will obtain title. We will pass the title of the property to them; that's correct.

COMMISSIONER ATKINS: Okay. Because I know that there are other relationships that the Archdioceses have where you do like a long-term, you know, like Cristo Rey has a situation like that.

MR. SHIVONE: They have a lease with us.

COMMISSIONER ATKINS: A lease, that's correct, from the Archdioceses.

MR. SHIVONE: A five-year lease. This is nothing like that. We're just going to deed the property to them as a donation.

COMMISSIONER ATKINS: Okay.

MR. SHIVONE: Free and clear.

COMMISSIONER ATKINS: Okay.

COMMISSIONER SHELDON: So they will be responsible for all the maintenance and any kind of renovations or anything that's required?

MR. SHIVONE: Yes, ma'am.

COMMISSIONER ATKINS: Any other discussion, Commissioners?

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Okay. The motion on the floor is to recommend approval with Staff's conditions. All in favor sound aye.

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COMMISSIONERS: Aye.

COMMISSIONER ATKINS: All opposed sound nay.

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, the ayes have it.

We will recommend approval and the motion carries.

Staff, at this time, do you have any announcements?

IX. ANNOUNCEMENTS:

MS. HOLMES: No.

COMMISSIONER ATKINS: Commissioners, do you have any announcements?

COMMISSIONER SHELDON: Just wishing everybody a Happy Thanksgiving.

COMMISSIONER ATKINS: Thank you so very much. So that's all I have, too. Okay. So at this time, I'll entertain a motion to adjourn.

X. ADJOURNMENT:

COMMISSIONER SHELDON: So moved.

COMMISSIONER ATKINS: Is there a second?

COMMISSIONER CALLOWAY: Second.

COMMISSIONER ATKINS: It's been moved by Commissioner Sheldon, seconded by Commissioner Calloway that we adjourn. All in favor sound aye.

COMMISSIONERS: Aye.

COMMISSIONER ATKINS: All opposed sound nay.

COMMISSIONERS: (No response.)

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COMMISSIONER ATKINS: Hearing none, the ayes have it.
This meeting is now adjourned.
(Whereupon this concludes the November 20th, 2014
Planning and Zoning Commission meeting as regularly scheduled for
the City of East Point, Georgia.)

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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 33 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 November 20, 2014 at seven o'clock P.M. were taken down by me and transcribed by me on this 4th day of December, 2014.

Jeanene Harper
Stenographic Stenographer