

1 CITY OF EAST POINT

2 **DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT**

3 November 19, 2015 - 7:00 P.M.
4 Official Meeting Minutes

5 Jefferson Station
6 1526 East Forrest Avenue
7 4th Floor Council Chambers
8 East Point, Georgia 30344

9 Board Members:

10 Commissioner Shean **ATKINS, Chair**

11 Commissioner Linda **SHELDON, Provisional Chair - Absent**

12 Commissioner Joel **TUCKER, Vice Chair**

13 Commissioner Laura **BORDERS - Absent**

14 Commissioner Gregory **FANN**

15 Commissioner Patricia **LOVETT**

16 Commissioner Thomas **CALLOWAY**

17 Commissioner Stephanie **GORDAN**

18 Commissioner Willard **MAXWELL**

19 Also Present:

20 Ms. Linda **DUNLAVY**
21 City Attorney - Absent

22 Ms. Keyetta **HOLMES**
23 Senior Planner

24 Willis **HATCHER**
25 City Engineer

Ms. Angela **BLATCH**
Associate Planner

Videographer
James **Hammond**

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I. CALL TO ORDER:

COMMISSIONER ATKINS: Good evening ladies and gentlemen. I'm Shean Atkins and I'd like to call our November 19th, 2015 meeting of the East Point Planning & Zoning Commission to order. At this time, Staff, would you please establish a quorum.

II. ROLL CALL:

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

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COMMISSIONER ATKINS: Thank you. At this time, we will take a Moment of Silence, not only for those in our country but also for all of those around the world who are experiencing so much violence and strife.

III. MOMENT OF SILENCE:

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

IV. PLEDGE OF ALLEGIANCE:

Thank you. At this time, Commissioners, I'll entertain a motion to adopt our agenda as presented.

V. ADOPTION OF AGENDA:

COMMISSIONER CALLOWAY: So moved.

COMMISSIONER ATKINS: Is there a second?

COMMISSIONER LOVETT: Second.

COMMISSIONER ATKINS: It's been moved by Commissioner Calloway, seconded by Commissioner Lovett that we adopt the agenda as printed. 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 agenda is adopted. Commissioners, at this time, I'll entertain a motion to approved our October 15, 2015 meeting minutes.

VI. APPROVAL OF THE OCTOBER 15, 2015 MINUTES:

COMMISSIONER TUCKER: So moved.

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COMMISSIONER ATKINS: Is there a second?

COMMISSIONER GORDAN: Second.

COMMISSIONER ATKINS: It's been moved by Commissioner Tucker, seconded by Commissioner Gordan that we approve our October 15, 2015 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 15, 2015 meeting minutes are approved. Our next item on the agenda is Old Business. This is Case Number 2015 "U" as in umbrella-009-09. The applicant is Wesley Bolden, Tri-Cities Church. We he would a public hearing for this Agenda Item at our last meeting so we will not have a public hearing for this item this evening. So at this time, I'll hear Staff's recommendation.

VII. OLD BUSINESS:

ATTORNEY LINDA DUNLAVY: Mr. Chair, point of order.

COMMISSIONER ATKINS: Yes.

ATTORNEY LINDA DUNLAVY: Staff has pointed out to me that in conjunction with this Special Use Permit, the applicant is also seeking a variance, Variance Number 2015VC-010-11 and there has been no hearing he would on that variance application.

COMMISSIONER ATKINS: Okay. The agenda only mentions Special Use Permit and so has it be duly noticed for the variance?

ATTORNEY LINDA DUNLAVY: Yes, yes it has.

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COMMISSIONER ATKINS: Okay. So then at this point, what I will do is I will read our rules for public hearing and we will he would a public hearing for the variance aspect for this application. These rules will also apply to the other two items on our agenda this evening, as they will also require public hearing.

(Whereupon the City of East Point Department of Planning and Community Development 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 Planning and 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 permitted to speak for a total of fifteen (15) minutes. By majority vote, this Commission may increase the total time for speakers provided that each side is given the same amount of time. If there is more than one speaker for a side, the Chair or the presiding officer may limit the time allotted to each individual speaker other than the zoning applicant. The zoning applicant may reserve a portion of his or her time for rebuttal.

Speakers must adhere to the rules of decorum. Prior to

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speaking, each speaker shall identify him or herself and state his or her current address. Each speaker shall speak only to the permits of the proposed zoning decision under consideration, shall address remarks only to the Commission and shall refrain from making personal attacks on any other speakers. The presiding officer may refuse a speaker the right to continue if, after first, being cautioned the speaker continues to violate the rules of decorum.

So you've heard our rules for public hearings. We will hear the public hearing for the variance aspect for this application. We will also have a public hearing for the next two agenda items so Commissioners, at this time, I'll entertain a motion to open the public hearing for the address of 2619 Dodson Drive.

COMMISSIONER FANN: Motion to open the public hearing.

COMMISSIONER ATKINS: Is there a second?

COMMISSIONER LOVETT: Second.

COMMISSIONER ATKINS: It's been moved by Commissioner Fann, seconded by Commissioner Lovett 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. The public hearing is now open. Would the applicant please address the podium.

(Whereupon Applicant Wesley Bolden approaches the podium.)

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COMMISSIONER ATKINS: State your first and last name and your current address.

MR. BOLDEN: All right. My name is Wesley Bolden and my address is 2625 Farley Street, East Point.

COMMISSIONER ATKINS: You can go ahead and present your case for the variance.

MR. BOLDEN: Yes. So I'm representing Tri-Cities Church. We are seeking a variance for relief from the parking ordinance, which the space that we're buying in the process of purchasing at 2619, is a church building that has been there since 1964 and housed Westside Christian Church and then later Point University used it as their chapel. We're not seeking to change or reconfigure the parking lot in anyway, but simply to use it as it has been used in the past and as we are currently using it. I think the parking lot has 60 spaces and we're short about 20 spaces but we also have secured a parking agreement with the renters next door to our building and so seeking a variance so that we can continue to use the parking and we'll be able to get our Special Use Permit.

COMMISSIONER ATKINS: Thank you, Mr. Bolden. Are there any other proponents here for this zoning case?

AUDIENCE: (No response.)

COMMISSIONER ATKINS: Any other proponents?

AUDIENCE: (No response.)

COMMISSIONER ATKINS: Any opponents here for this zoning case?

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AUDIENCE: (No response.)

COMMISSIONER ATKINS: Any opponents?

AUDIENCE: (No response.)

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

COMMISSIONER FANN: Motion to close the public hearing.

COMMISSIONER ATKINS: Is there a second?

COMMISSIONER CALLOWAY: Second.

COMMISSIONER ATKINS: It's been moved by Commissioner Fann, seconded by Commissioner Calloway that we close 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. The public hearing is now closed. Staff, would you please sound your recommendation.

MS. BLATCH: In Case Number 2015U-009-09, with Concurrent Variance 2015VC-010-11, Wesley Bolden of Tri-Cities Church for 2619 Dodson Drive, Staff recommends approval of the Special Use Permit for a church, temple or place of worship in the Residential Limited Zoning District. Staff also recommends approval of the Concurrent Variance to reducing the required number of parking spaces to 60 onsite parking spaces with the following conditions: Tri-Cities Church will utilize and establish parking agreement with Fulton Leadership Academy for an

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additional 46 spaces on Sunday.

Church parking shall be permitted at 2619 Dodson Drive and 2575 Dodson Drive. On-street parking is prohibited. If Fulton Leadership Academy ceases to exist or revokes their shared parking agreement, Tri-Cities Church must contact the Department of Planning and Community Development with alternate parking arrangements.

COMMISSIONER ATKINS: Okay, thank you, Staff.

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

COMMISSIONER FANN: Motion for approval.

COMMISSIONER ATKINS: Is there a second?

COMMISSIONER TUCKER: Second.

COMMISSIONER ATKINS: For discussion, Commissioner Calloway.

COMMISSIONER CALLOWAY: Could we get the Case Number on that for the approval since we should vote on them separately.

COMMISSIONER ATKINS: Okay. Would you state the Case Number, Commissioner Fann. You made the motion.

COMMISSIONER FANN: Yes, give them to me.

ATTORNEY LINDA DUNLAVY: The Case Number for the Special Use Permit, Commissioner Fann, is 2015U-009-09 and for the variance, it's 2015VC-010-11.

COMMISSIONER FANN: Both of them, I move for approval.

ATTORNEY LINDA DUNLAVY: As per Staff recommendation, Mr. Fann?

1 COMMISSIONER FANN: As far Staff recommendation.

2 COMMISSIONER ATKINS: Okay. And Commissioner Tucker,
3 your second still stands?

4 COMMISSIONER TUCKER: Yes, sir.

5 COMMISSIONER ATKINS: Okay. My discussion is the only
6 thing is that I'd like for us to revisit Condition Number One. I think it's
7 specifically says for, Sunday, and I think that that is restricting because
8 if in an event, the church has something there, outside of Sunday
9 where they need additional spaces, then I would like for this to apply
10 to those other days as well.

11 MS. HOLMES: Per this applicant's application, they are only
12 utilizing the church on Sundays. I understand Commissioners
13 information, but it's the only thing that we received in the application.
14 If the applicant is choosing to amend it or use it in a different way, that
15 would have to be a part of his application, which Staff is amenable to
16 accept.

17 COMMISSIONER ATKINS: Okay. And the reason that I say
18 that is I would I imagine that should there be a death of a parishioner
19 and there's a funeral and there's parking needs throughout the week,
20 then it goes beyond a Sunday service and so the conditions specifically
21 say, Sunday, and so then, of course, they would be in violation
22 because they would not have enough parking on those other days and
23 so would someone like to make a friendly amendment to those
24 conditions.

25 COMMISSIONER FANN: Well, let me ask a question. Are you

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saying they are going to have to make another application to do that and we could amend it. I just want to make sure.

MS. HOLMES: No. The applicant would need to amend the application in which they provided to us and their letter of intent and that information would move forward to City Council with the blessings from the Commission.

COMMISSIONER FANN: Okay. Well, I agree with everything Shean said and they barely have two or three revivals but I agree absolutely.

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

COMMISSIONERS: (No response.)

COMMISSIONER CALLOWAY: I'm good, thank you.

COMMISSIONER ATKINS: Are you sure?

COMMISSIONER CALLOWAY: I just wanted to have a motion amended.

COMMISSIONER FANN: Yes, I'm good with all of that. I mean, I think that it's everything that Shean said and it's amenable because one is, as Shean is saying, you know, people do die. There are funerals, you know, and I think that if that happens that there are church functions that you don't even look to happen so, yes, I agree with Shean. We ought to at least extend it for any day except for a Sunday, all day, any day of the week, seven days a week.

COMMISSIONER ATKINS: Okay. So to make sure that we perfect the record then we want to make sure that that is put in the

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form of a motion, striking the words, "on Sundays" and the Condition Number One, someone other than the Chair.

COMMISSIONER CALLOWAY: Mr. Chair.

COMMISSIONER ATKINS: Commissioner Calloway.

COMMISSIONER CALLOWAY: I'd like to make a substitute motion for approval of Case Number 2015U-009-09 and Case Number 2015VC-010-11, including the recommendations put forth by Staff except striking the word, "Sunday" in Condition Number One.

COMMISSIONER FANN: Second.

COMMISSIONER ATKINS: Okay. There's a substitute motion on the floor. It's been moved and properly seconded. Any other discussion?

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: All in favor sound aye.

COMMISSIONERS: Aye.

COMMISSIONER ATKINS: All opposed sound nay.

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, the ayes have it. Okay. Under New Business, our next Agenda Item is 2015 "V" as in Victor-010-10. Staff, would you please sound this Agenda Item.

VIII. NEW BUSINESS:

MS. BLATCH: In Case Number 2015V-010-10, the applicant is Smith Auto Spa, Camp Creek, LLC, location is 3538 and 3540 North Desert Drive. They're seeking a variance to increase the height of the dynamic digital billboard.

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COMMISSIONER ATKINS: Okay. Commissioners, this does require a public hearing. At this time, I'll entertain a motion to open the public hearing.

COMMISSIONER TUCKER: So moved.

COMMISSIONER ATKINS: Is there a second?

COMMISSIONER GORDAN: Second.

COMMISSIONER ATKINS: It's been moved by Commissioner Tucker, seconded by Commissioner Gordan 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. The public hearing is now open. Would the applicant please approach the podium and state your first and last name and your current address.

(Whereupon Applicant Representative Steve Rothman approaches the podium.)

MR. ROTHMAN: Good evening, Mr. Chair, members of the Planning & Zoning Commission. My name is Steve Rothman, 2849 Paces Ferry Road, Atlanta, Georgia. I'm an attorney and I represent Nate Smith with Smith Auto Spa. I was sitting next to him. Raise your hand, Nate. That's Nate and he's here to answer questions if you have any.

This is an application to allow a height for a dynamic digital

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billboard in excess of 35 feet. The standard to allow a variance, a grant a variance for that is that -- and I'm just going to read it directly from the code -- is that we have to show that there are conditions resulting from existing foliage, whereby a sign meeting the minimum letter size, square footage and height requirements cannot be read from the adjoining road so that's the sole criteria we've got to meet to justify the variance.

In this case, I'm just going to say, generally, that there's trees that block visibility of the sign from the road and so that's what these photos are and I'm going to go through those in a second but before I get to that, I think what's important -- maybe not legally important but for people in the room is to talk about signs a little bit because there is sometimes a viewpoint that we've got enough billboards, sign, signs everywhere are sign.

There's a song a long time ago about it that the last thing we need is more signage and that nobody wants to encourage the proliferation of billboards and what I wanted to do is to walk through a little bit why this isn't going to be making the situation if you don't like sign worse.

City Council in 2009 adopted a sign ordinance that limited billboards to two areas in the City really, those properties zoned I-1 and zoned I-2 and then they also said for properties like this property, you can have a billboard if -- and I'm just gonna use -- read you right from the code -- for every dynamic digital billboard permit that is issued, one traditional billboard owned by the permittee, Mr. Smith,

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must be removed. In other words, to have this one, we've got to get rid of an equal amount so we're not adding billboards to the City of East Point. So for those of you that don't like billboards and, of course, I'm up here -- and I'll say I like billboards, but those of you that don't like billboards, we're not adding billboards to the City of East Point. We have got to get rid of one so Council has already taken a legislative action to be pretty strict on that so we're asking to allow this one and so then we move on to the height question. Are we justified in having a higher sign?

You know, we had submitted with our application, images with it from a drone that went all the way up to 115 feet. We did one at 35 feet and I think everyone on the Commission saw that, could see that clearly the trees, the foliage is blocking it, which is what the criteria says. We went up to 115 feet and although there was a little bit of blockage, it was kind of clear and some of the feedback I got was, you didn't show us anything in between. How do we know we need -- you need 115? What about 90 feet?

So what we did is we went out and, of course, it rained a lot recently but yesterday we went out and we shot the drone. We got the drone and shot pictures so if you'll walk through this with me. The first set, I've given you each a set with three stapled sets. The first one is looking north, Camp Creek at 285. The first page is 50 feet. We go up to 75 feet and that thing right in front of you is an existing billboard pole and our guy, my client, wanted to, you know -- could he use that old pole but he's going to go with current standards in terms

1 of engineering on that but this is a 75 feet and what you can see there
2 is that the foliage is still blocking the view of 285. If you go up to 90
3 feet, next page, what you'll see is, yeah, you can see a little of 285 and
4 that's back there at the crossing, the intersection going over there but
5 that's still, you know, I think mostly screened. I think that's part of
6 your discretion but we feel like 90 feet is a little bit still too low. We
7 need to go up a little higher. The photo you had at 115 feet, which
8 was in the packages, showed clearance on that.

9 COMMISSIONER FANN: I have a question. Is this the old
10 Cracker Barrel?

11 MR. ROTHMAN: Yes, yes, sir.

12 COMMISSIONER ATKINS: We have to wait.

13 COMMISSIONER FANN: Okay.

14 MR. ROTHMAN: Yes. I should have said that. This is a old
15 Cracker Barrel site.

16 The next set that I've given you is if you're looking south
17 toward 285 and again, 50 feet were blocked by foliage, 75 feet, I think,
18 you can see. You can see the roadway from there and I'm just gonna
19 go ahead and cut to the chase. It's that northbound that we're really
20 blocked on trees. South we're pretty clear.

21 The next set, at 75, is looking east on Camp Creek and if you
22 go through 50 -- those are Evergreens along Camp Creek even at 90
23 feet were sub substantially blocked from vehicles and 115 is partially
24 visible but not that great.

25 The

1 MS. HOLMES: That we're bringing forward for you tonight is
2 that if we can go to 115 feet you've seen those drone pictures, it's still
3 partially blocked. We have great vision visibility to the south on 285,
4 pretty good visibility to the north and that is what we think is the least
5 amount; 115, we won't be mad if you say, 110. I mean, we're sort of
6 picking based on what the drone did but clearly 90 feet, I think you
7 could see is not high enough but at any rate, again, the standard for
8 variances is, do we need it because existing foliage is blocking the
9 viewpoint of the sign and I think these photos show that it is and we'd
10 like to get it up high enough so that we could be seen from the
11 roadway.

12 I guess, with that, I'd like to save the rest of my time for
13 rebuttal and, of course, we're here if you have questions. Thank you.

14 COMMISSIONER ATKINS: Thank you, Mr. Rothman. Are there
15 any other proponents here for this zoning case?

16 AUDIENCE: (No response.)

17 COMMISSIONER ATKINS: Any other proponents?

18 AUDIENCE: (No response.)

19 COMMISSIONER ATKINS: Any other proponents?

20 AUDIENCE: (No response.)

21 MR. ROTHMAN: Well, they're here but they're not gonna talk
22 and I'm gonna tell them I want to hog the microphone.

23 COMMISSIONER ATKINS: Any other proponents here who
24 have signed up to speak?

25 AUDIENCE: (No response.)

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COMMISSIONER ATKINS: Any other proponents here who signed up to speak?

AUDIENCE: (No response.)

COMMISSIONER ATKINS: Are there any opponents here for the zoning case?

AUDIENCE: Yes.

COMMISSIONER ATKINS: Would you please approach the podium, state your first and last name and your current address.

(Whereupon Opponent / Attorney Joseph Turner approached the podium.)

COMMISSIONER ATKINS: Did you give your speaker's card to Staff?

MR. TURNER: I'm sorry. I get here about ten minute ago and I will be happy to provide this. My name is Jospheh Turner. I'm an attorney here in Atlanta, Georgia and my address is 580 Cliftwood Court in Atlanta, 30328 so is I'm on the north side of town. It's one of the reasons I was late. I don't know exactly what was going on but, man, ya'll really have to work to get down here.

I am representing the owners of the former Comfort Inn and Suites, which is the adjacent property to this sign. My client have a number of concerns that have not be addressed privately or in anyway. The height is -- the bill -- Number One, it's a triple billboard sign. It's not just a single billboard sign. I would argue the standard of whether you can see it -- maybe that would work for one direction, but a triple direction sign, you'd you have to put -- you have to put it up at this

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height in order to be able to see it and it seems like the standard is relatively low.

Number Two, I don't think any structural design has been submitted to that. I think that should be submitted before you vote on it.

And Number Three, there's light pollution that comes into my client's building. My client feels that the billboard is unsafely close to their buildings. It also will block sunlight during the summer right over their pool and at night, it will shine into their building. They have concerns about those.

My client is more than ready to talk to the proponents about this sign but they have not offered to speak to my client in regards to that so, thank you.

COMMISSIONER ATKINS: Thank you. Are there any other opponents to this zoning case?

AUDIENCE: (No response.)

COMMISSIONER ATKINS: Any other opponents to this zoning case?

AUDIENCE: (No response.)

COMMISSIONER ATKINS: Any other opponents?

AUDIENCE: (No response.)

COMMISSIONER ATKINS: Okay. Seeing none, at this time, the balance of time, which is --

MS. HOLMES: 09:15.

COMMISSIONER ATKINS: Nine minutes and 15 seconds would

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belong to the applicant for rebuttal.

MR. ROTHMAN: I think you for the opportunity for rebuttal. We have not heard from Mr. Turner or his client so, you know, we're happy to talk. I do think what we heard tonight was, number one, you know, what I heard is that the standard is too low. You know, the standards found in the zoning ordinance -- and I don't know that -- I didn't hear how it was too low, but we're not responsible for the standard. I think we need the standard.

Secondly, there was a concern or a statement that their needed to be engineering drawing submitted but it's approved. Before we can get a permit, we've got to submit engineering drawings to the City and, you know, and we're happy with the condition of approval, although, it's a little redundant that something that says, you must submit, you know, plans stamped by an engineer in order to obtain a permit. Again, it's redundant. Just for your information, for example -- and I don't know -- I'm not an engineer, but these things are designed to with stand wind loads of 115 miles an hour, which is a, you know, a category three hurricane and East Point doesn't get a lot of category three hurricanes. Even Florida doesn't get a lot of those so we're, you know -- and we have to have that before we get a permit and we're happy to have a can be that does that.

I was not familiar with a pool. My client tells me there is a pool there but it's a covered pool that is inside. I'm not -- I've never seen it but, you know, I think, you know, this proposed sign is farther from that Comfort Inn than the existing -- the old Cracker Barrel sign is so

1 hopefully we can go forward and approve it. You know, again, we're
2 happy to talk to the neighbors. This application has been out there
3 and we've done our public participation outreach and haven't heard
4 from them and we've had, you know -- we've been available and had
5 the meetings. I'm not sure there's much to say that we can say
6 between we'll meet the standards required of the signs and that we'll
7 obtain the permits and that we think we meet the standard because of
8 foliage so with that, we're available to answer any questions you have.
9 Thank you.

10 COMMISSIONER ATKINS: Thank you, Mr. Rothman.
11 Commissioners, at this time, I'll entertain a motion to close the public
12 hearing.

13 COMMISSIONER TUCKER: So moved.

14 COMMISSIONER ATKINS: Is there a second?

15 COMMISSIONER MAXWELL: Second the motion.

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

19 COMMISSIONERS: Aye.

20 COMMISSIONER ATKINS: All opposed sound nay.

21 COMMISSIONERS: (No response.)

22 COMMISSIONER ATKINS: Hearing none, the ayes have it.

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

25 MS. HOLMES: Staff recommends approval of the variance to

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increase the height for a dynamic digital billboard from 35 feet to 115 feet with the following conditions: The dynamic digital billboard shall contain static messages only and shall not have movement nor flashing on any part of the sign structure or sign face. Each individual static message shall not have varying light intensity during the display of any single message. Transition between messages shall not use frame effects or other methods which results on a movement of a display image during transition between static messages. Each static message shall be displayed for a minimum of ten seconds in accordance with Georgia Law. Transitions between a static message shall be complete in not more than one second.

The dynamic digital billboard shall contain a light sensing device that will adjust the brightness display as natural ambient light conditions changes. The dynamic digital billboard shall operate at a brightness level of no more than 30 foot candles above ambient light levels as measured at a distance of 250 feet from the display face.

Upon the request of the City of East Point, Smith Auto Spa, Camp Creek, LLC shall arrange for an annual certification of the light intensity, showing compliance with this requirement by an independent contractor and shall provide to the City of East Point on or before June 30th annually.

Smith Auto Spa, Camp Creek, LLC shall provide to the City of East Point information for a 24-hour contact person who is able to turn off or repair the dynamic digital billboard if malfunction occurs. The dynamic digital billboard shall not utilize, house or contain any

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interactive features or components or function as an interactive sign to the travelling public.

Smith Auto Spa, Camp Creek, LLC shall operate the dynamic digital billboard in compliance with all Georgia Department of Transportation Rules and Regulation to electronic changeable message signs. Smith Auto Spa, Camp Creek, LLC shall participate with local, state and federal authorities to display, when appropriate, emergency information important to the travelling public, which is Amber Alerts, FBI Urgent Most Want Criminal and Emergency Management Information.

The City of East Point requires electrical services to be underground. Conditions number one through seven are in addition to the regulations required in Sign Ordinance Part 10, Chapter 7, Section 10-7017(e), Dynamic Digital Billboards.

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

COMMISSIONER TUCKER: Mr. Chair.

COMMISSIONER ATKINS: Yes, Commissioner Tucker.

COMMISSIONER TUCKER: I would like to make a motion for approval on Application Number 2015V-010-10, approval with condition as stated by Staff.

COMMISSIONER ATKINS: Okay. Is there a second?

COMMISSIONER FANN: Second for discussion.

COMMISSIONER ATKINS: Thank you, okay. It's been moved

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by Commissioner Tucker, seconded by Commissioner Fann for discussion. Any discussion.

COMMISSIONER FANN: Yes, I got discussion.

COMMISSIONER ATKINS: Okay, Commissioner Fann.

COMMISSIONER FANN: I said I wasn't going to bother you tonight but I'm bothering you. What's the difference between this sign and the sign that's down by -- just below Race Trac? What's the difference in the two signs?

MS. HOLMES: Actually, they would be pretty much the same. The other difference is this would be three-sided and that is one side, two sided.

COMMISSIONER FANN: So that again, I'm sorry.

MS. HOLMES: The only difference is that this sign would be three-sided so it would be a triangle and that sign is two-sided.

COMMISSIONER FANN: Okay.

MS. HOLMES: But that sign was actually permitted under this code that's currently in the stipulation.

COMMISSIONER FANN: Thank you.

COMMISSIONER ATKINS: I have a question and this is probably of our attorney. As it relates to conditions, what happens when -- so a billboard would come down and if this is approved and all goes well, this new billboard would go up. At any time that Smith Auto Spa, Camp Creek, LLC should relocate its business or go out of business, who owns the billboard and what would they have to go through as it relates to our City code?

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ATTORNEY LINDA DUNLAVY: I don't know who owns the billboard currently. The applicant is Smith Auto Spa, LLC, and so if -- well, perhaps Mr. Nate Smith wants to illuminate us on this.

(Whereupon Applicate Nate Smith approached the podium.)

MR. SMITH: Yes. I would own the billboard. I'm Nate Smith. My address is 3538 North Desert Road. That's where the permit is. I will own the billboard. It's been trusted into my kids. It's a family billboards so it would be for them forever so it's for teenager and my eight year old son so we will always own the billboard. It's not to be sold or anything.

COMMISSIONER ATKINS: And the reason I ask the question is because the conditions are specifically for Smith Auto Spa, Camp Creek, LLC and so if Smith Auto Spa, Camp Creek, LLC should move out of East Point January 1, 2016 then these conditions will not necessarily apply to the billboard in terms of the annual certification by an independent contractor; is that correct?

ATTORNEY LINDA DUNLAVY: I think perhaps you're right, Mr. Chair. You know, all of those conditions are keyed to the current applicant and the current owner. If the billboard were to change hands and it was the desire of this Commission to insert a condition saying, if ownership of the billboard changes hands, that this variance, you know, it sort of revoked, then this Board could probably do that. The transfer of ownership would certainly cut against all of these conditions, at least the way they are worded by Staff.

Now, if Chair wishes to reword these conditions so it's the

1 owner of the property or the owner of the billboard, whoever that may
2 be in the future, then certainly the Commission can do that but as
3 worded, yes, you're absolutely correct.

4 COMMISSIONER ATKINS: Right. Because based on what I
5 just heard, Mr. Nate -- I can't remember your last name -- Nate Smith.
6 Mr. Smith says that he owns or he will own the billboard. Well, those
7 are two different entities and so you can't -- you can be Mr. Nate Smith
8 but your name is not in the -- as a part of these conditions. A part of
9 these are Smith Auto Spa Camp Creek, LLC, specifically and so there
10 could be other partners, other owners, other -- a whole number of
11 things and so I just want to make sure that we get the language
12 correct.

13 MR. ROTHMAN: And I think we'd be fine with wherever it says,
14 Smith Auto Spa, Camp Creek, LLC substitute there the owner of the
15 billboard and that way the responsible --

16 MS. HOLMES: I'm sorry, I'm sorry. I would be fine with adding
17 in any subsequent owners in addition to Smith Auto Spa, LLC.

18 COMMISSIONER ATKINS: Okay. Well, let me ask this
19 question because based on what Mr. Smith said, Nate Smith is the
20 owner..

21 MR. SMITH: I'm the owner of Smith Auto Spa, Camp Creek.

22 COMMISSIONER ATKINS: Okay, so let's be specific. So for
23 these purposes, not just for these purposes, I mean, for it to be in
24 truth, then Smith Auto Spa, Camp Creek, LLC is the owner of the
25 billboard?

1 MR. SMITH: That is correct.
2 COMMISSIONER ATKINS: Is that correct?
3 MR. SMITH: That is correct.
4 COMMISSIONER ATKINS: Okay.
5 MR. SMITH: I misspoke and I apologize.
6 COMMISSIONER ATKINS: Okay. And so I would feel more
7 comfortable adding an additional condition that speaks to subsequent
8 owners of the billboard so that these condition will still apply.
9 Commission.
10 COMMISSIONER FANN: Well, I think that's what Keyetta just
11 said. Isn't that what you just said, Keyetta, subsequent?
12 COMMISSIONER ATKINS: But she said something different
13 than what the attorney said and so I'm just reiterating that.
14 COMMISSIONER FANN: So you need Joel to change his
15 motion to add that.
16 COMMISSIONER ATKINS: Or someone can offer a substitute
17 motion.
18 COMMISSIONER FANN: No, he don't mind amending your
19 motion do you, Joel?
20 COMMISSIONER TUCKER: No, I'm fine with amending it. I'm
21 just a little perplexed as to what we need to amend it to say.
22 ATTORNEY LINDA DUNLAVY: I think perhaps to meet
23 Commissioner Atkins' concern, you would add a 9th condition that
24 says, all of the foregoing conditions shall apply to any successor, owner
25 in interest to Smith Auto Spa, Camp Creek, LLC.

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COMMISSIONER TUCKER: Correct. I will amend my motion to include what the attorney just stated.

COMMISSIONER FANN: And I will second that motion.

COMMISSIONER ATKINS: And I just want to make sure that our court reporter has those words verbatim so that they are a part of the record and they are Condition No. 9 for this zoning case. Okay, thank you. All right. So Commissioners, there's a motion and a second, substitute motion and a second on the floor. Yes, Commissioner Calloway.

COMMISSIONER CALLOWAY: I just had a couple really quick things here and I know that we had discussed this in Work Session. Was there a limitation on the fall area? Were we correcting that?

COMMISSIONER ATKINS: Fall zone?

COMMISSIONER CALLOWAY: Fall zone?

ATTORNEY LINDA DUNLAVY: Yes. If you take a look at Code Section 10-7017 (1-F), I believe, it states that the lot on which the billboard is located shall have sufficient area to accommodate the fall zone and accepting the sign. No building structures or pertinence shall be contained in the fall zone and the fall zone is defined at the beginning of the sign ordinance to indicate that it is an area equal to 133 percent of the height of the structures in every direction so when this billboard goes to building permit, they will have to demonstrate that they can meet that fall zone requirement, as I understand it.

COMMISSIONER CALLOWAY: And would you all be able to meet that requirement, do you feel?

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MR. ROTHMAN: Well, we've either got to meet it or we've got to apply for a variance to waive it and Mr. Smith is in the process of looking if he can do that. He's engaged an engineer and they're do that. If they need a variance from that, we will apply for a variance to do that. Well, I don't want to get into the justification for it. I had said earlier, you know, these things are designed to with stand winds of 115 miles an hour or so but we will get into that if we need it but we haven't ask you to waive that. That's not before you tonight.

COMMISSIONER ATKINS: Right.

MR. ROTHMAN: We understand that that rule is there.

COMMISSIONER CALLOWAY: The reason I ask that question was because I didn't see any updated site plans and the one that you had presented at Work Session showed an area, that's marked off in red, where we were thinking about locating the sign and I don't think it met that particular condition within the ordinance.

MR. ROTHMAN: So if that -- so that site plan, I think you're right. You're accurate. That site plan would not be the bases for our building permit unless there was -- something changed but we understand that the rule that Ms. Dunlavy articulated it, you can't have a building, a pertinences, parking spaces within that zone. I mean, that's the way it is so we would have to follow that or we'll see you all again in a couple of months.

COMMISSIONER CALLOWAY: Okay. Thank you for that.

COMMISSIONER ATKINS: Any other discussion?

Commissioners, at the moment, there's a motion and a second on the

1 floor to approve with the condition as state, adding a ninth condition.
2 Any other discussion?
3 COMMISSIONERS: (No response.)
4 COMMISSIONER ATKINS: Hearing none, all in favor sound
5 aye.
6 COMMISSIONERS: Aye.
7 COMMISSIONER ATKINS: All opposed sound nay.
8 COMMISSIONERS: (No response.)
9 COMMISSIONER ATKINS: Hearing none, the ayes have it.
10 Motion is approved. Our next Agenda Item is 2015 "U" as in
11 unbrella-008-10, the Concurrent Variance of 2015 "V" as in Victor, "C"
12 as in Charlie-008-10. Staff, would you please sound this next Agenda
13 Item.
14 MS. BLATCH: Case Number 2015U-008-10, with Concurrent
15 Variance 2015VC-008-10. The applicant is Lee Mayweather. Their
16 location is 1405 Cleveland Avenue and they're seeking a Special Use
17 Permit for a church, temple or place of worship.
18 COMMISSIONER ATKINS: Okay. Commissioners, at this time,
19 I'll entertain a motion to open the public hearing.
20 COMMISSIONER FANN: Motion to open the public hearing.
21 COMMISSIONER ATKINS: Is there a second?
22 COMMISSIONER MAXWELL: Second the motion.
23 COMMISSIONER ATKINS: It's been moved by Commissioner
24 Fann, seconded by Commissioner Maxwell that we open the public
25 hearing. 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.

The public hearing is now open. Would the applicant please approach the podium, state your first and last name and your current address.

(Whereupon Applicant Lee Mayweather approaches the podium.)

MR. MAYWEATHER: My name is Lee Mayweather. My current address is 875 York Avenue. I'm here representing Miracle of Faith Ministries for the application of a Special Use Permit and a Concurrent Variance from Chapter 10-2118.

As indicated in our letter of intent to add on to our application, the church -- the property at 1405 East Cleveland Avenue is comprised of 0.688 acres and on this property, there a building, an existing building that's been vacant for a few years, quite a few years and it's approximately 2107 square feet. Our variance again states that we are after a use permit to have a place of religious worship and I'm here also with Pastor Reece, who will speak in a few moments. We're request our application for both the land-use for both the use permit and the Concurrent Variance be accepted and we have shown in our site plan that our proposed elevations that we will meet the parking requirements of 19 spaces. We will also have -- in the rear, we have enough room to place a detention pond to accommodate the run-off. We will also meet the landscaping requirements for the City of East

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Point that requires trees to be planted every so often around the perimeter of the parking lot and our parking lot will not encroach into the front yard set-back so at this time, I would like Pastor Reece to come up, if that's okay, to speak with the Commission.

COMMISSIONER ATKINS: Thank you, Mr. Mayweather. Are there any other proponents here to speak to this zoning case?

AUDIENCE: (No response.)

COMMISSIONER ATKINS: Any other proponents?
(Whereupon Pastor Reece approaches the podium.)

COMMISSIONER ATKINS: State your first and last name and your current address, please, sir.

MR. REECE: My name is Dwayne Reece. My address is 1405 Cleveland Avenue.

COMMISSIONER ATKINS: Okay.

MR. REECE: First of all, I just want to say good evening to each and every one of you and I thank you for giving me the opportunity to stand before you. With me being the pastor of Miracle Faith Ministries, when I first moved here to Atlanta to go to Clark Atlanta, I was living here in East Point. I didn't understand that I would be back here again like I am but with Miracle of Faith, we are a small ministry, less than ten people and God has elevated us to be able to purchase property to do his will. We understand with that particular property, it has not been used or anything and what we're asking tonight -- we're asking East Point to partner with us to make a difference in the community, not only in the community, but also in people lives. One of the things

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that I can honestly say, I do know that we can make a difference in this community and that we are willing to do what's necessary to do the will of God and I do want to thank you once again for your time and I really wish you would consider the denial so that we can go forth with the vision that the spirit of God has given me.

COMMISSIONER ATKINS: Thank you, Pastor Reece. Are there any other proponents here for this zoning case?

AUDIENCE: (No response.)

COMMISSIONER ATKINS: Any other proponents?

AUDIENCE: (No response.)

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

AUDIENCE: (No response.)

COMMISSIONER ATKINS: Any opponents?

AUDIENCE: (No response.)

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

COMMISSIONER GORDAN: So moved.

COMMISSIONER ATKINS: Is there a second?

COMMISSIONER FANN: Second.

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

COMMISSIONERS: Aye.

COMMISSIONER ATKINS: All opposed sound nay?

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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. BLATCH: In Case Number 2015U-008-10, with Concurrent Variance 2015VC-008-10, Staff recommends denial of the Special Use Permit for a church, temple or place or worship in the Commercial Redevelopment Zoning District. Staff also recommends denial of the Concurrent Variance to 10-2118.1, reducing the 100 foot distant requirement for a church, temple or place or worship when adjacent to residential.

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

COMMISSIONER FANN: Well, you know what my motion is. My motion is gonna be for approval, whatever those numbers are, just write it down. Thank you.

COMMISSIONER ATKINS: Okay.

COMMISSIONER FANN: My motion is more approval.

COMMISSIONER ATKINS: So Commissioner Fann, am I correct that you have a motion to approve, recommend approval for 2015 "U" as in umbrella-008-10 with a Concurrent Variance of 2015 "V" as in Victor, "C" as in Charlie-008-10?

COMMISSIONER FANN: Correct.

COMMISSIONER ATKINS: Okay. Is there a second?

1 COMMISSIONERS: (No response.)
2 COMMISSIONER ATKINS: Is there a second?
3 COMMISSIONER MAXWELL: I second.
4 COMMISSIONER ATKINS: Okay. Any discussion?
5 COMMISSIONERS: (No response.)
6 COMMISSIONER GORDAN: I have a question for Staff.
7 COMMISSIONER ATKINS: Okay.
8 COMMISSIONER GORDAN: Is that okay.
9 COMMISSIONER ATKINS: Sure.
10 COMMISSIONER GORDAN: I think in Work Session we
11 discussed that they were reasons for the denial, more specifically there
12 was no hardship presented. Can we go over those just so they can be
13 clear.
14 MS. HOLMES: The proposed institutional use is not compatible
15 with land uses that are immediately adjacent in Zone CR. The zoning
16 district is a mix-use pattern, retail commercial service, institutional and
17 residential land uses, which are primarily pedestrian and public transit
18 oriented. Further the Cleveland Avenue overlay district, which this
19 property is located in has a request for support of local and regional
20 development goals that promote alternative transportation, mixed of
21 uses, pedestrian environments, traffic and active living in green space.
22 In addition to that, the site plan that was presented by the applicant
23 did not include the 127 square feet of stage space which would make
24 them have to have 22 or 23 parking spaces and the 19 that are on site.
25 In addition to that, their issues of incompatibility for that corridor and

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for commercial uses that are intended for that district.

COMMISSIONER ATKINS: Okay. All right.

COMMISSIONER MAXWELL: Mr. Chair.

COMMISSIONER ATKINS: Yes, Commissioner Maxwell.

COMMISSIONER MAXWELL: Since Commissioner Gordan brought back exactly what we had said, so I withdraw my second.

COMMISSIONER ATKINS: You withdraw your second, okay.

COMMISSIONER MAXWELL: Yes.

COMMISSIONER ATKINS: All right. Well there is a motion and the second has been withdrawn. Are there any other Commissioners who would like to offer a second?

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Any other Commissioners who would like to offer a second?

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, the motion dies for a lack of a second. Are there any other motions for this zoning case?

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Any other motions? Commissioner Tucker.

COMMISSIONER TUCKER: Mr. Chair, I would make a motion to deny the application.

COMMISSIONER ATKINS: Is there a second?

COMMISSIONER LOVETT: Second.

COMMISSIONER ATKINS: Okay. Any discussion?

1 COMMISSIONER FANN: Discussion.
2 COMMISSIONER ATKINS: Okay.
3 COMMISSIONER FANN: You know you gonna get discussion.
4 COMMISSIONER ATKINS: That's fine, Commissioner Fann.
5 COMMISSIONER FANN: Thank you very much. I've never --
6 and with all the things that's going on in our society today, that we
7 would not allow for an institution in our community and churches
8 should be allowed anywhere, that we would prohibit churches but we
9 can have bars and strip clubs and everything else and I know we trying
10 to do this and trying to do that but the morale of our community is
11 most so I'm going to always be with the church. I'm going to always
12 stand with the church and I believe in my heart of hearts that a church
13 ought to be able to go anywhere and to say that a church can't be next
14 to residential places, well, we grew up with the church. It was right in
15 the community, right next door to people's home so now we separating
16 the community from the church. I would have never agree with that.
17 I'll never ever agree with that. I'll die and go to Heaven before I agree
18 with it so my vote will be, no, on the denial, thank you.
19 COMMISSIONER ATKINS: Any other discussion?
20 COMMISSIONER CALLOWAY: Mr. Chair.
21 COMMISSIONER ATKINS: Yes, Commissioner Calloway.
22 COMMISSIONER CALLOWAY: I certainly agree with some of the
23 points that Commissioner Fann made. I certainly would welcome you
24 within our community. We'd love to have you within our community,
25 just some of the concerns that we have here, of course, are that

1 there's not a Concurrent Variance that was applied for on the parking.
2 Also you're asking for a variance for the minimal set back
3 requirements. So there's a couple of issues but we would certainly
4 love to welcome you to our community and we would love to have you
5 here but, you know, just maybe if the space isn't exactly right, we still
6 would like you to come to our community.

7 COMMISSIONER ATKINS: Any other discussion?

8 COMMISSIONER MAXWELL: I agree basically with
9 Commissioner Fann but if we cut all these curves for the curve here
10 and if someone else, some other organization would look at what we
11 built for them, it would cause conflict so that's the reason I'm voting
12 against the church.

13 COMMISSIONER ATKINS: Thank you.

14 COMMISSIONER MAXWELL: Not for you but for people -- from
15 other applicants that come after you.

16 MR. MAYWEATHER: I'd like to address Commissioner Calloway.

17 COMMISSIONER ATKINS: The public hearing is now closed,
18 Mr. Mayweather. To address Mr. Calloway, he can ask you a question
19 specifically, but your opportunity to address the Commission is during
20 the public hearing unless otherwise either Staff or the Commission
21 would ask you a question specifically so it's not really a dialogue unless
22 you're asking a question. Okay. Any other discussion?

23 COMMISSIONER CALLOWAY: Mr. Chair.

24 COMMISSIONER ATKINS: Yes, Commissioner Calloway.

25 COMMISSIONER CALLOWAY: I certainly would like to ask Mr.

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Mayweather what he had to say before the Commission, if he had anything that he would like to add that may be pertinent to our decision here.

COMMISSIONER ATKINS: Absolutely. Now you may address Mr. Calloway.

MR. MAYWEATHER: Thank you Mr. Calloway. You mentioned that we didn't have a -- we were asking for a variance. I don't think we're asking for a variance for setbacks. We were asking for a Concurrent Variance from Chapter 10-2118 for the closeness of that 100 feet, that's what we're asking for.

ATTORNEY LINDA DUNLAVY: That is technically considered a form of a setback variance that you're asking for and Mr. Calloway is common, I believe -- not to take words out of his mouth. It's that's the observation of Staff was that you had not also asked for a Concurrent Variance on the parking because your parking does not comply with the zoning code. Your two or three spaces shy on your parking as proposed.

MR. MAYWEATHER: And I had indicated that talk with Ms. Blatch about that and we could easily have added two or three more spaces. That was no problem or we could have taken out seats.

COMMISSIONER CALLOWAY: The concern I had, of course, was whether you could add them or not, they're not presently there and therefore, we would need a Concurrent Variance to be applied for or added within the site plans that were submitted with this or -- because the issue, of course, is that if there is a Concurrent Variance, there has

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to be a public hearing. It has to be properly advertised and there's procedures that go along with that and the number of parking spaces was not based upon the number of seats. It was based upon the square footage of the largest assembly area within the building and unfortunately, I believe, you calculated that. You did not calculate the 137 feet for the stage, if I'm not mistaken and I believe it came out to 23 parking spaces, which there were 19 and unfortunately those 4 parking spaces, which you would only be allow a maximum of 1.9 to apply for administrative variance.

COMMISSIONER ATKINS: Any other discussion.

COMMISSIONER LOVETT: I certainly would welcome you to East Point. I have no objection and I would love to see here. The only two concerns that I have have to do with the overlay district and the proximity into the residential properties and those are my concerns.

COMMISSIONER ATKINS: Thank you, Commissioner Lovett. Any other discussion?

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, Commissioners, there's a motion on the floor to recommend denial for 2015 "U" as in umbrella-008-10 with the Concurrent Variance of 2015 "V" as in Victor and "C" as in Charlie-008-10. All in favor sound aye.

COMMISSIONERS: Aye.

COMMISSIONER ATKINS: All opposed sound nay.

COMMISSIONER FANN: Nay.

COMMISSIONER ATKINS: Hearing one, the ayes have it so

1 this Body would recommend denial. Okay. Thank you, Gentleman. At
2 this time, we move to announcements on our agenda.

3 **IX. ANNOUNCEMENTS:**

4 COMMISSIONER ATKINS: And I would start out this evening
5 with an announcement. As many of you can see whether you're here
6 or out in TV land that we are tonight without our Commissioner Linda
7 Sheldon as well as Commissioner Laura Borders and we hope to have
8 both of those Commissioners back with us very soon. I would like to
9 say that this Body extends it's condolences along with Staff to our
10 Commissioner Linda Sheldon for the loss of her life partner of 30 years,
11 Lee McClellan and this Body will also be presenting her with a token of
12 our love and appreciation and we want her to know that we offer our
13 full support to her as she experiences the various stages of grief for
14 her loss. Also we hope to have Commissioner Laura Borders back with
15 us very soon and last but not least, of course, Municipal Elections
16 happened during the month of November and I am here to say that
17 two of our Commissioners will be leaving us, as they are now Council
18 Members Elect and that is Commissioner Stephanie Gordan and
19 Commissioner Thomas Calloway so we look forward to your continued
20 service to our City. Okay. Staff, do you have any announcements.

21 STAFF: No.

22 COMMISSIONER ATKINS: Commissioners, do you have any
23 other announcements?

24 COMMISSIONER FANN: I got three.

25 COMMISSIONER ATKINS: Okay. Commissioner Fann has

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announcements.

COMMISSIONER FANN: Let me just say this. The Martin Luther King Commission -- this is an early announcement -- will hold its Martin Luther King Day on the second Sunday at New Grant Chapel AME Chuch. The Reverend Spencer, Lamar Booker with be the speaker and that Saturday night, we will have a Gala at the Bowden Center and it will be Commissioner Arrington will be our keynote speaker, Marvin Arrington so we want to invite everyone to come out especially all you new Council people, all you old Council people. I want ya'll to come out and celebrate with us in honoring the Legacy of the Late Dr. Martin Luther King. Thank you so very much, sir.

COMMISSIONER ATKINS: All right. Thank you. Any other announcements.

COMMISSIONER CALLOWAY: Mr. Chair.

COMMISSIONER ATKINS: Yes, Commissioner Calloway.

COMMISSIONER CALLOWAY: I just want to say since tonight is my last Planning & Zoning Commission meeting that it's been a pleasure to serve with everyone, my fellow Commissioners. It was a great opportunity to get to know everybody and also it's been a pleasure getting to know Staff, Ms. Keyetta Holmes, Ms. Geneasa Elias, Angela Blatch and, of course, our Council here, Ms. Linday Dunlavy and I certainly gonna miss you guys but I look forward to seeing great things coming my way on Council from you guys and being able to read the minutes of the spirit of discussion that we have here.

COMMISSIONER ATKINS: Thank you. Any other

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announcements?

COMMISSIONER TUCKER: Yes.

COMMISSIONER ATKINS: Commissioner Tucker.

COMMISSIONER TUCKER: Mr. Chair, I just wanted to -- as well as being a resident of Ward B to thank you the service of Councilman Lance Rhodes for his 12 years of service and to let Mr. Calloway know how excited I am to have him now representing us in B and, of course, my congratulations to Stephanie. Thank you.

COMMISSIONER ATKINS: Absolutely. We're excited. All right. Are there any other announcements?

COMMISSIONER FANN: Well, let me congratulate ya'll, too. It's a lot of work to be done and thank you so very much much and LaTonya -- we didn't thank LaTonya Martin, Councilwoman Martin for her service because she served four years. I want to thank her and really all the council people who are still serving, the Re-elected Cook and Gothard. So thank you so very much, Mr. Chair for letting me make my second announcement.

COMMISSIONER ATKINS: And at this time, I'll entertain a motion for adjournment.

X. ADJOURNMENT:

COMMISSIONER TUCKER: So moved.

COMMISSIONER ATKINS: Is there a second?

COMMISSIONER FANN: Second.

COMMISSIONER ATKINS: It's been moved by Commissioner Tucker, seconded by Commissioner Fann that we adjourn. All in favor

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sound aye.

COMMISSIONERS: Aye.

COMMISSIONER ATKINS: All opposed here sound nay.

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, the ayes have it.

This meeting is now adjourned thank you.

(Whereupon this concludes the regularly schedule meeting for the City of East Point Department of Planning and Community Development for the month of November 19 15th, 2015.)

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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 47 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 the City of East Point, Department of Planning and Community Development.

I was contacted by the offices of East Point, Department of Planning & Community Development to provide stenography services to take down the meeting minutes.

The foregoing meeting for the City of East Point, Department of Planning and Community Development , on November 19, 2015 at seven o'clock P.M., were taken down by me and transcribed by me on this 3rd day of December, 2015.

Jeanene Harper
Stenographic Stenographer