THE CITY OF Doraville

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CITY COUNCIL MEETING

Donna Pittman-Mayor

Robert J. Patrick-District 1
Trudy Jones Dean – District 2
Karen Pachuta – District 3
Pam Fleming – District 1
Brian Bates – District 2
Maria Alexander – District 3 Mayor Pro-Tem

AGENDA

September 16, 2013. 6:30PM

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
4. **APPROVAL OF MINUTES**
5. **APPROVAL OF MEETING AGENDA**
6. **PUBLIC COMMENT**
7. **CONSENT AGENDA**
8. **ORGANIZATIONAL AND PROCEDURAL ITEMS**
9. **REPORTS AND PRESENTATIONS**
   a) Executive Session
10. **UNFINISHED BUSINESS**
    a) Final Action- Conditional Use Permit for a Church on O-I for 2000 Clearview Ave. Suite 214, Doraville, Ga., Parcel #18 311 04 025
11. **NEW BUSINESS**
    a) Public Hearing - City Initiated Zoning Action to Nullify Previously Approved CUP for a Place of Worship at 2000 Clearview Ave. Suite 116 (parcel # 18 311 04 025)
12. **OTHER BUSINESS**
13. **COUNCIL COMMENTS**

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14. ADJOURNMENT

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THE CITY OF DORAVILLE
AGENDA ITEM SHEET and REPORT

Subject: Application for Conditional Use Permit for a church in O-I zoning district at 2000 Clearview Ave. Unit 214, Doraville, GA (parcel # 18 311 04 025) by Omar Garcia Zamudio

Date of Meeting: August 19, 2013

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Action Requested: Conditional Use Permit to allow a church in an existing O-I office park at 2000 Clearview Ave. Unit 214.

History, Facts, Issues: This application is to allow a church at the above referenced location. A CUP for a church was approved by the City Council on February 19, 2013 for the same applicant in the same complex in Suite 116. Suite 214 better meets the churches needs so the Applicant has submitted a CUP application for Suite 214. The original CUP permit was specific to Suite 116 requiring an additional application for Suite 214.

Churches are allowed in the O-I zoning district as a conditional use as per Sec. 23-907 of the city code. The property is developed as an existing multi-building office complex (see site plan submitted by Applicant). Based upon the requirement for 1 parking space per 200 s.f. of area dedicated to public use for assembly without fixed seating and the requirement for 1 parking space per 300 s.f. of gross floor area there is no net increase in the amount of parking that would be required. The adjacent properties to the west and south are zoned O-I, the property east was recently rezoned from C-2 to O-I with a conditional use permit granted for an assisted living facility; and the Clearview Ave. and the I-285 corridor are directly to the north of the subject property.

Options: Grant the conditional use permit, grant the conditional use permit with modifications or deny the conditional use permit.

Planning Commission Recommendation: The Planning Commission recommended approval of the CUP in a 4-0 vote with the following conditions:

1. No outside activities or events to be allowed.
2. The City initiate rezoning to remove the CUP previously approved at 2000 Clearview Ave. Suite 116 which will not be utilized by the church.

APPLICATION FOR CONDITIONAL USE PERMIT
IN THE CITY OF DORAVILLE, GEORGIA

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

In accordance with the Conflict of Interest in Zoning Act, O.C.G.A. Ch 36-67A, the following questions must be answered: Have you the applicant made $250 or more in campaign contributions to a local government official within two years immediately preceding the filing of this application? Yes _____ No X

If the answer is Yes, you must file a disclosure report with the governing authority of the City of Doraville showing:

1. The name and official position of the local government official to whom the campaign contribution was made.
2. The dollar amount and description of each campaign contribution made during the two years immediately preceding the filing of this application and date of each such contribution.

Laura Quijano 7/8/13
NOTARY DATE

Laura Quijano Notary Public DeKalb County, Georgia My Commission Expires September 30, 2016

7-8-13
SIGNATURE OF APPLICANT DATE

9/30/2016
EXPIRATION DATE / SEAL

Check One: Owner _____ Agent _____

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NOTE: 12 COPIES OF THE COMPLETED PACKAGE ARE REQUIRED FOR SUBMITTAL FOR REVIEW BY STAFF, PLANNING COMMISSION AND CITY COUNCIL. ALL APPLICATIONS SHALL BE COLATED AND SUBMITTED AS 12 SEPERATE PACKAGES INCLUDING ALL PLANS WHICH ARE TO BE FOLDED TO APPROXIMATELY 9" X 12" SIZE.

PLEASE READ THE FOLLOWING BEFORE SIGNING

This form must be completed in its entirety before it will be accepted. It must include all required attachments and filing fees. **An application which lacks any of the required attachments or information shall be deemed incomplete and shall not be accepted.**

Dorothy E Venable 7-2-13
NOTARY Dorothy E Venable DATE
Notary Public, DeKalb County GA
My Commission Expires:
September 8, 2015

07-02-13
SIGNATURE OF APPLICANT DATE

EXPIRATION DATE / SEAL

Check One: Owner _____ Agent ✓

City of Doraville Planning & Development Department

OWNER'S AGENT AUTHORIZATION

Date: _____

TYPE OF APPLICATION

( ) Land Use Plan
( ) Rezone
(✓) Conditional Use Permit
( ) Minor Modification
( ) Other _____

SUBJECT PROPERTY ADDRESS

2000 CLEARVIEW AVENUE Suite/Unit # 214
DORAVILLE, GA 30340

Tax Parcels # _____

TO WHOM IT MAY CONCERN:

(I) (WE), Kingport Kuo
(NAME OF OWNER(S)) (print or type)

being (owner)/(owners) of the property described above or as attached hereby delegate authority to

Omar Garcia Zamudio
(PRINTED NAME OF APPLICANT OR AGENT REPRESENTING OWNER(S)) (print or type)

to file an application on (my) / (our) behalf.

Notary Public NOTARY PUBLIC STATE OF GA FULTON COUNTY MY COMM EXP 11-06-16	Owner
Notary Public	Owner
Notary Public	Owner

THE CITY OF Doraville

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THE CITY OF DORAVILLE
AGENDA ITEM SHEET and REPORT

Subject: City Initiated Zoning Action to Nullify Previously Approved CUP for a Place of Worship at 2000 Clearview Ave. Suite 116 (parcel #18 311 04 025)

Date of Meeting: 9/16/13

Budget Impact: ☐Yes ☒ No

Budget Impact Amount: $ n/a

Funding Source:

☐ Annual
☐ Capital
☒ N/A

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Action Requested: Nullification of Existing CUP

Current Zoning: O-I with CUP for Place of Worship

Future Land Use Character Area: Major Highway Corridor (see attached map).

History, Facts, Issues: This is a City initiated zoning action to nullify an existing CUP to allow a church at the above referenced location. The CUP for a church was approved by the City Council on February 19, 2013 for the same applicant who will now be occupying Suite 214. Suite 214 better meets the church's needs and has a CUP pending Council action. As per the Planning Commission's recommendation in relation to the CUP for Suite 214 the City Council has directed staff to prepare this application to be acted upon concurrently with any action on the CUP for Suite 214.

Planning Commission Recommendation: The Planning Commission had not met on this matter prior to the deadline for Council Agenda package. Their regularly scheduled meeting for Sept. 4 was rescheduled to Sept. 11 due to a lack of quorum. However, as part of their recommendation of approval of the CUP for Suite 214 the Planning Commission recommended that the City initiate action to remove the existing CUP from Suite 116. This action is consistent with that recommendation to Council

Staff Comments and Recommendations: Approval of the City initiated zoning action.

Department: Community Development **Department Head:** Joe Cooley

Options: Approve the conditional use permit removal; approve with conditions; or deny.

Department: Community Development **Department Head:** Joe Cooley

Action Taken By Planning Commission: _____

_____