

CITY OF CHAMBLEE, GEORGIA  
MINUTES  
REGULAR COUNCIL MEETING  
APRIL 20, 2004

PRESENT: COUNCILMEMBERS CLARKSON, KING, GIBERT, AND BILES.  
COUNCILMEMBER COPELAND WAS ABSENT.

CALL TO ORDER.

APPROVAL OF MARCH 11, 2004, PUBLIC HEARING AND WORK SESSION AND  
MARCH 16, 2004, COUNCIL MEETING.

Councilmember King made a motion to approve Minutes as submitted, seconded by Councilmember Clarkson and carried unanimously.

APPROVAL OF MARCH FINANCIAL STATEMENTS AND LGIP REPORT.

Councilmember Clarkson made a motion to approve Financial Statements and LGIP Report, seconded by Councilmember King and carried unanimously.

VARIANCE REQUEST:

3534 Broad Street – Assistance League of Atlanta – Parking and Rear Setback.  
(Tabled at the March Council Meeting).

Councilmember Clarkson made a motion to table until the May Council Meeting, seconded by Councilmember King and carried unanimously.

REVIEW BOARD RECOMMENDATIONS:

The Battery of Chamblee Station - 3435 Miller Drive.

Councilmember Clarkson made a motion to approve the recommendation as submitted by the Review Board (copy of recommendation included in Minutes), seconded by Councilmember Biles and carried unanimously.

MidCity District – Planned Unit Development – Wal-Mart Retail Center – 5147 Peachtree Industrial Blvd.

Councilmember Gibert made the following motion to approve Wal-Mart P.U.D. application with stipulations. Because Wal-Mart has made diligent efforts to comply with City requests for design improvements and contributions to community quality of life, including traffic control, pedestrian access, landscape and green space, storm water management, and other safety and aesthetic measures in order to satisfy community concerns, I motion that we approve the P.U.D. application subject to the following conditions and stipulations that have been discussed and mutually agreed upon:

The Applicant shall:

1. Show all Stipulations to PUD approval on Cover Sheet of plans submitted for ANY permit reviews, including but not limited to Georgia Department of Transportation (GDOT), DeKalb County Roads and Drainage, Water and Sewer, Fire Marshal, Land Development, Storm water

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Management, or other departments, and City of Chamblee Land Disturbance, Demolition, or Building Permit reviews.

2. Applicant agrees that if GDOT or DeKalb County's applicable requirements with regard to any aspect of the development are less stringent than agreed upon by the Applicant and City of Chamblee, that the Applicant will abide by the agreement with the City to the extent possible.

3. Pay for design, permitting, installation and signalization of the intersection at the south entrance to the site, on Chamblee Tucker Road, including pedestrian crosswalks, islands, handicap ramps, and pedestrian signal activation devices (PedHeads), and construct same as directed by DeKalb County Traffic Engineering Department. These intersection facilities shall be designed to maximize pedestrian safety.

4. Make diligent good faith effort to meet with other property owners along Chamblee Tucker Road, and coordinate with their future development plans, and DeKalb County Traffic Engineering Department, to ensure that access to Chamblee Tucker Road is available and safe for the entire block subsequent to the Wal-Mart development.

5. Place all proposed site utilities underground.

6. Install all City streetscape requirements along property frontage, including along the east side of Chamblee-Tucker Road in the area to be widened to provide for the left-turn lane and intersection improvements at the International Farmer's Market driveway. This stipulation is conditioned upon Applicant's ability to acquire right-of-way such that would allow applicant to install such streetscape.

7. Re-signalize and re-time, as allowed and directed by Georgia Department of Transportation, the existing signalized intersection of Peachtree Industrial Boulevard (PIB) and Chamblee Tucker Road, to maximize pedestrian safety, particularly with respect to the proposed dual left turning movement from southbound PIB onto Chamblee Tucker Road, and the right turn lane from northbound PIB onto Chamblee Tucker Road.

8. Conduct no Tire and Lube Express or other automobile-related installation, maintenance or modification business on the site.

9. Develop no drive-through windows, lanes, or drive-through facilities or types of businesses whatsoever on the site.

10. Allow no outdoor vending machines, displays or storage of any kind on the site.

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11. Complete all building shells, landscape, sidewalks, lighting, streetscaping, exterior building treatments, underground utilities, parking garage security systems, pedestrian plazas, traffic striping and signalization, dumpster/utility/truck court screening, bus stop shelter, site furniture, trash receptacles prior to Wal-Mart receiving a Certificate of Occupancy from the City of Chamblee. Construction details and exterior finishes shall be consistent with submitted renderings, elevations and perspective drawings.

12. Design storm water system in accordance with DeKalb County requirements for Storm Water Detention and Water Quality. Design calculations and maintenance program shall be part of the detailed information submitted with the application for site development permit to the city. Detention facilities shall be placed in underground vaults, as shown on the applicant's site plan.

13. Diligently pursue acquisition of the Railroad Right-of-Way along the southeast side of the site, and construct a Multi-purpose Trail thereon to a width of 8 feet, appropriately graded, drained, stabilized and paved to City standard.

14. Diligently pursue with DeKalb County the easement to cross County Right-of-Way beneath the existing Clairmont Road Bridge, and construct a Multi-purpose Trail connection between the City's future Trail and the sidewalk along PIB, as shown on the applicant's site plan.

15. Provide extended parapets as shown on plans submitted to the City, to screen all rooftop utilities and mechanical units from public view from all sides of the site, including the Clairmont Road Bridge.

16. Screen all dumpsters and service areas from public view.

17. Allow shop tenants and customers unrestricted access the upper parking spaces.

18. The islands shown shall consist of up to 8' width of plain concrete walk, with the rest being stamped, patterned, or alternate material accent strip(s) with planters, benches and other furnishings and landscape features. Widths may vary to allow for the proposed planter pots, and any meander or curvature of the walk. Provide a wider stamped crosswalk area to the "main" island in front of Wal-Mart's lobby, and special treatment, such as an arbor, (exact design to be determined,) in the "main" island between Wal-Mart's lobby entrance and the crosswalk to Plaza No. 2.

19. Provide a landscape zone along the sidewalk between the parking area and the stand-alone shops, containing trees and other landscape planting to soften the appearance of the parking area and accent the buildings. (Typical detail to be submitted by design team.) Provide additional landscape planters along front of Wal-Mart Store (locations to be determined by design team).

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20. Provide lush landscaping and hardscaping on the site and around the buildings, particularly at the "Plazas", as shown on the illustrative renderings, adapted to Tenant requirements, to include pavers, seating, lighting, planting cutout areas, as appropriate. Provide additional ground level landscape over what is currently shown on page L-2 of Landscaping Plan, as determined by the design team and City Staff, at Bus Stop, south side of the main entrance, along building frontages facing Chamblee Tucker Road.

21. Provide water-conserving "xeriscape" landscape design whenever possible. Provide all landscape on grade with irrigation. Areas on parking structure such as planters will be watered by use of hose bibs. Maintain all landscape in good health and replace dead plants within appropriate planting season.

22. Make shopping carts physically unable to leave the site.

23. Provide sufficient numbers of litter receptacles and maintain with ample capacity for trash at all times.

24. Provide ample lighting, visibility, security cameras linked to Security monitors, emergency phones, and frequent Security patrols, as submitted.

25. Post signs and enforce policies to prevent service and delivery vehicles from parking and leaving their motors idling in the loading areas or elsewhere on the site for more than 10 minutes.

26. Provide only the amount of signage on building and monument signs as shown on Applicant's signage plan, which in some cases exceeds the maximum allowed by Code. No future additions or increases will be allowed.

27. Reduce light pollution by equipping all light fixtures with shields and glare cut-off devices to keep all light focused on the ground and at lowest allowable levels that will not compromise safety and security. Light shall not be directed outward beyond property boundaries.

28. Wal-Mart agrees to use best construction practices during construction of the development.

29. Provide bicycle racks for commuters (employees), as well as in adequate numbers in front of the stores for the public.

30. Sell no guns or ammunition at this site.

The motion was seconded by Councilmember King and carried unanimously.

CITY MANAGER'S REPORT AND STAFF RECOMMENATIONS.

Resolution and Agreement with Mercy Housing to develop Senior Housing.

Councilmember Clarkson made a motion to adopt Resolution and Agreement (copies included in Minutes) with Mercy Housing, seconded by Councilmember Gibert and carried unanimously.

RAM Development Request for approval of sign package for Shops of Chamblee.

Councilmember Clarkson made a motion to approve sign package, seconded by Councilmember Biles and carried unanimously. (The directional sign will be handled at a later date.)

Request for approval of final plat to re-subdivide 2025 Harts Mill Road.

Councilmember Gibert made a motion to approve re-subdivide 2025 Harts Mill Road with stipulation that drainage from the lots will be directed toward the street, seconded by Councilmember Biles and carried unanimously.

Public Works Director – Proposal for project management – Construction of Solid Waste Transfer Station.

Councilmember King made a motion to accept the proposal for project management for construction of Solid Waste Transfer Station proposed by Robert and Company (copy included in Minutes), seconded by Councilmember Biles and carried unanimously.

Request to declare surplus and auction truck.

Councilmember Clarkson made a motion to declare the truck surplus and auction with sealed bids, seconded by Councilmember King and carried unanimously.

Second Draft of right of way landscape maintenance agreement tabled in March for comment from Councilmember Gibert.

Councilmember Gibert made a motion to table until the May Council Meeting, seconded by Councilmember Biles and carried unanimously.

Chamblee Antique Dealers Association regarding festival billing procedures.

Susan Bulit, from Great Estates, was present at the Council Meeting representing CADA and for clarification of the City's procedure for 2005 advertising billing per the City's auditor.

The City will reimburse CADA for advertising with the submission of bills up to \$5,000. The City's auditor advised against a lump sum check because that sum of money need backup.

Ted Rhinehart – DeKalb County Public Works Director update on Buford Highway sidewalk projects.

City Manager read a letter from Mr. Rhinehart with reference to the Buford Highway sidewalk project; Mr. Rhinehart was not able to attend the Council Meeting.

Request for approval of revised Peachtree Industrial Blvd. Master Plan Streetscape Design (Tabled in March for comment from Councilmember Gibert).

Councilmember Gibert made a motion to table until the May Council Meeting, seconded by Councilmember Clarkson and carried unanimously.

Request to proceed with update to sign ordinance.

Councilmember Gibert made a motion to have Ross and Associates review the current sign ordinance, seconded by Councilmember King and carried unanimously.

SET DATE FOR PUBLIC HEARING FOR REZONING OF 3285 AND 3315 MCGAW DRIVE FROM I-1 TO NC.

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Councilmember Clarkson made a motion to set the Public Hearing for the May 13, 2004, Work Session and publish and post the required notices, seconded by Councilmember Biles and carried unanimously.

FORMATION OF CHAMBLEE GA 101 – COUNCILMEMBER CLARKSON.

Councilmember Clarkson made a motion for the Staff to draft an outline of the proposed Chamblee GA 101, seconded by Councilmember Biles and carried unanimously.

FIRST READING OF ORDINANCES.

Change Closing Time for Agenda for Council Meeting.

Soil Erosion and Sedimentation Control.

Amend Zoning Ordinance (Sections 206, 031, 304, 305, 306, 401, 402, and add Section 214).

Amend Chapter 34 “Preservation of Trees”.

Joe Fowler, City Attorney, read the first reading of the above ordinance.

SET DATES FOR PUBLIC HEARINGS FOR 2004 AD VALOREM TAXES (DATES REQUESTED: MAY 13, 2004 2 11:30 A.M. (1<sup>ST</sup> OF 3), MAY 13, 2004 @ 6:00 P.M. (2<sup>ND</sup> OF 3), AND MAY 18, 2004 @ 7:30 P.M. (FINAL REQUIRED PUBLIC HEARING FOR SETTING 2004 MILLAGE RATE).

Councilmember Clarkson made a motion to set the requested dates for Public Hearings for the 2004 Ad Valorem Taxes, seconded by Councilmember Gibert and carried unanimously.

CITIZEN COMMENT.

Several citizens addressed the Mayor and Council with reference to the Wal-Mart Retail Center and other agenda items.

There being no further business, Councilmember Clarkson made a motion to adjourn at 9:30 p.m., seconded by Councilmember Gibert and carried unanimously.

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*EVELYN KENNEDY - MAYOR*

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*BECKY CRAVEN – CITY CLERK*