

**CITY OF CHAMBLEE, GEORGIA  
MINUTES  
PUBLIC HEARING AND WORK SESSION  
DECEMBER 16, 2004  
6:00 P.M.**

**PRESENT:** Council Members Clarkson, Copeland, King, Gibert, and Biles.

**Public Hearing:**

Mayor Kennedy read the Rules of Order for a Public Hearing.

**Variance Request – Chamblee Medical Clinic – 3739 Chamblee Dunwoody Road.  
The request is to allow concrete paving between the clinic and the property next  
door to improve access for delivery and emergency vehicles.**

The property under consideration for this variance is located at 3739 Chamblee Dunwoody Road. Over a year ago, the property owner was cited for paving without a permit. The property owner was advised that he was to cut out the pavement going across the side property line and put in the required five foot landscape strip. Instead of removing the concrete, the property owner built a large planter box along most of the side property line but left an area for vehicle access to the driveway on the adjacent property so delivery trucks and emergency vehicles could exit safely. The property owner is now applying for a variance to keep this access across the property. Jimmy Adams, with PBS&J, read the City Planners following recommendation. A variance is a modification of the specific provisions of the zoning ordinance granted when strict enforcement of the zoning ordinance would cause undue hardship owing to circumstances unique to the individual property on which the variance is granted. The applicant is concerned with the circulation of delivery trucks and emergency vehicles to this property. There is adequate room in the front of this property to provide for a driveway that could accommodate trucks and emergency vehicles. The pavement in the rear of the building is excessive and done in a manner that has a negative impact on neighboring properties due to inadequate drainage. PBS&J acting as City Planner for the City recommends denial of this variance request for 12-foot concrete driveway across the property line.

City Manager read a letter from Ray Chalfant, Jr. , Building Inspector, with reference to storm drainage at the site (copy of letter included in Minutes). The hearing was open for public comments. Councilmember Copeland addressed concerns about property behind the Medical Clinic.

**Proposed Sign Ordinance Amendments.**

Bill Ross, Ross & Associates, reviewed the proposed Sign Ordinance. The hearing was open for public comments.

There being no comments, the Public Hearing was adjourned at 6:45 p.m.

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**Review Board Recommendation:**

**Ferguson Enterprises – 3436 Miller Drive – Signs, Modify Front Door, Pedestrian access.**

The business is a retail and wholesale supplier of plumbing and HVAC equipment. The building sign is aluminum and not illuminated. The new monument sign has the same design and colors and is internally illuminated. The front door will be replaced with a double door with automatic openers and sidelight panels.

Approximately two-thirds of the interior will be renovated for a retail showroom with the remainder of the building being warehouse storage. A variance for a reduction in the required parking spaces was approved at the November Council Meeting. The Review Board recommended approval with the following conditions:

1. The tenant should install a *privacy fence* along the side of the property line from the rear of the building back to the edge of the parking lot to block out the unsightly barbed wire fence and storage materials/dock in the rear at AirGas Products.
2. The tenant needs to clarify the hours of operation to determine if additional lightning is required in the parking lot or along the side of the building for the security of customers.
3. The chain-link *gate* with barbed wire at the entrance to the rear parking lot should be removed.
4. The “look” of the *retail showroom* should reflect an appeal to retail customers and not just to trade sales (i.e. contractors).
5. The tenant or property owner should provide confirmation of an agreement to share a *dumpster* with the adjoining business, The Printing Center, and confirm the location of this unit.

**City Manager and Staff Recommendations:**

**Robert Charles Lesser & Company presentation of Supplemental LCI Study.**

The Robert Charles Lesser & Company presented an overview of the study. A copy of the study is available in the office of the City Clerk.

**Request for approval of revised Planned Unit Development:**

**1. Wal-Mart – Peachtree Industrial Blvd. at Chamblee Tucker Road.**

Previously, Council approved plans, which included placing trees in large concrete pots throughout the parking decks. During the construction document design and development it was learned that trees planted in large concrete pots do not survive due to heat absorbed by the concrete pots. Wal-Mart is requesting Council to consider a revision to the previously approved plans, by replacing the potted trees on the elevated parking deck with integrally constructed planting beds. It is their professional opinion the same number of trees will have a better chance of survival in planting beds of adequate size and depth, thereby allowing the root systems to survive.

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PBS&J, City Planner, has reviewed the Site and Landscape Plan re-submittal for the Wal-Mart parking deck. The proposed plans have been reviewed to assess the proposed *parking deck planters* for compliance with the City's Tree Protection and Zoning Ordinances. The City Planner agrees the proposed concrete planters are more aesthetically pleasing and do provide more shelter to tree roots than the previously proposed pots. However, there is a concern that the planter does not provide enough shelter from the freeze/thaw cycle, which may cause the trees to die. It is recommended that three inch foam insulation be applied to the sides of the planter to help insulate the roots and guard against freezing and increase the depth of soil in the planter to be a minimum of three feet. It is recommended that these units *not* be counted toward required density. The changes to the plans were open for discussion with the Council and Steve Jouriles, with Middough Consulting, Inc., and Jeff Belyea, with Wolverton & Associates.

**2. RAM Development – Peachtree Industrial Blvd. @ Chamblee Dunwoody Road.** Vincent Riggio, RAM Development Group, Inc., is requesting separating the parcels for Walgreens and Quiptrip, from the Shoppes of Chamblee. The lender is requiring that each be a separate parcel for collateral purposes.

**Set Date for 2005 Budget Public Hearing.**

The tentative date is January 6, 2005 @ 6:30 p.m. at the Civic Center. The date will be voted on at the Regular Council Meeting.

**City Attorney:**

**Storm Water Intergovernmental Agreement with DeKalb County.**

Angela Roberts and Dawn Abercrombie, with CH2M HILL, presented a proposal to assist the City in development of the stormwater utility program.

**Citizen Comment.**

There being no further comments, the Work Session was adjourned at 9:20 p.m.

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**EVELYN KENNEDY – MAYOR**

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**BECKY CRAVEN – CITY CLERK**

