

**CITY OF CHAMBLEE, GEORGIA
REGULAR COUNCIL MEETING
DECEMBER 21, 2004
7:30 P.M.**

PRESENT: Councilmembers Clarkson, Copeland, King, Gibert, and Biles

Mayor Kennedy called the meeting to order at 7:30 P.M.

Approval of Minutes: November 10, 2004, Public Hearing and Work Session, November 16, 2004, Regular Council Meeting, and November 29, 2004, Called Council Meeting.

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

Approval of November 2004 Financial Statements and LGIP Report.

Motion to approve November 2004 Financial Statements and LGIP Report made by Councilmember Copeland, seconded by Councilmember Clarkson and carried unanimously.

Review Board Recommendation:

Ferguson Enterprises – 3436 Miller Drive – Signs, Modify Front door, Pedestrian Access.

Councilmember Copeland made a motion to approve Review Board recommendations for the signage, storefront door, and sidewalk as presented with the following conditions:

- 1. The tenant should install a *privacy fence* along the side property line from the rear of the building back to the edge of the parking lot to block out the slightly barbed wire fence and storage materials/dock in the yard at AirGas Products.**
- 2. The tenant needs to clarify the hours of operation to determine if additional *lighting* is required in the parking lot or along the side of the building for 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 consumers 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.**

Seconded by Councilmember Clarkson and carried unanimously.

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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.

Jimmy Adams, PBS&J, requested the City Planner's amended opinion with reference to item #4 (The condition under consideration for this variance request is the result of unlawful actions taken by the property owner) be read into the minutes.

Motion to deny the variance request and instruct Code Enforcement to observe and make sure all work is permitted made by Councilmember Gibert, seconded by Councilmember King and carried unanimously.

City Manager and Staff Recommendations:

a. Adopt Supplemental LCI Study for submittal to ARC.

Motion to adopt the LCI Study by Robert Charles Lesser & Company, LLC, and submit to the Atlanta Regional Commission made by Councilmember King, seconded by Councilmember Biles and carried unanimously. ARC will reimburse the City 50% of the cost of the study when approved.

b. Request for approval of revised Planned Unit Development:

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

Councilmember Copeland made a motion to **suspend rules to allow Jeff Belyea, Wolverton & Associates, to discuss changes to the Planned Unit Development,** seconded by Councilmember Clarkson and **carried unanimously.**

Councilmember Copeland made a motion to **approve the revised site plan associated with the Planned Unit Development for Wal-Mart that would include parking deck planters, in lieu of planting pots, be granted based upon the following conditions:**

- **Three inch (3") foam insulation shall be applied to the sides of the planter to help insulate the roots and guard against freezing**
- **The soil depth inside the planter shall be a minimum of three feet (3')**
- **Landscaping within the planter beds shall NOT count towards the required Site Density Factor**
- **Additional credits to be applied towards the Site Density Factor may be obtained by providing additional landscaping or ground coverage to areas that have not been designated as such on the previous landscape plan.**

Applicable density units shall be negotiated with the staff.

Seconded by Councilmember Clarkson and **carried unanimously.**

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2.RAM Development – Peachtree Industrial Blvd at Chamblee Dunwoody Road.
Motion to approve RAM Development land lot with staff recommendations made by
Councilmember Clarkson, seconded by Councilmember Gibert and carried
unanimously.

c. Set Date for 2005 Budget Public Hearing.

Motion to set the Budget Public Hearing date for January 6, 2005 @ 6:30 p.m. at the
Chamblee Civic Center made by Councilmember Copeland, seconded by
Councilmember Gibert and carried unanimously.

d. Authorize Mayor to sign contract for Stormwater Consultant.

Councilmember Gibert made a motion to authorize Mayor Kennedy to sign the
contract with CH2MHILL, 2005 Stormwater Consultant, seconded by
Councilmember Copeland and carried unanimously.

City Attorney:

a. Second Reading of Ordinance: Storm water.

City Attorney read Storm Water Ordinance.

Councilmember Copeland made a motion to adopt Storm Water Ordinance as read,
seconded by Councilmember King and carried unanimously.

b. First Reading of Sign Ordinance.

City Attorney read Sign Ordinance.

c. Stormwater Intergovernmental Agreement with DeKalb County.

Councilmember Clarkson made a motion to approve the Stormwater
Intergovernmental Agreement with DeKalb County, seconded by Councilmember
King and carried unanimously.

Citizen Comment (Each person is allowed three minutes).

Christopher Hunt addressed the Mayor and Council with reference to the City's
Recreational Program.

Councilmember Gibert made a motion to Suspend the Rules to discuss the 2005
Festival, seconded by Councilmember King and carried unanimously.

After discussing the festival, Councilmember Gibert made a motion to adjourn the
Council Meeting at 9:20 P.M., seconded by Councilmember Clarkson and carried
unanimously.

EVELYN KENNEDY – MAYOR

BECKY CRAVEN – CITY CLERK

