

**CITY OF CHAMBLEE, GA.
PUBLIC HEARINGS AND WORK SESSION
JULY 14, 2005
6:00 P.M.**

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

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

PUBLIC HEARINGS:

Variance Request:

**5300 Peachtree Road – Lofts @ 5300 (mixed-use condo/retail new development)
To increase the size, orientation, and projection restrictions for the principal
building sign.**

The applicant is requesting a variance from the sign ordinance regarding sign size and orientation of the sign to the building. The variance would allow the applicant to project the sign, 54 inches beyond the face of the building, 40 square feet in area and will project off the face of the building at a 45 degree angle.

Dan Cohen, with Pond & Company, read the City Planner's recommendation to approve the variance request (copy included in Minutes). Shaw Foote, with Charter Company, presented drawings of the proposed sign. The hearing was open for public comments.

Map Amendment:

**Removal of previous conditions on undeveloped O-I Property (3.37 acres) between
Keswick Drive and Sexton Woods Drive for proposed townhome development by
Paladin Properties.**

The applicant is requesting a map amendment in order to construct residential units. The subject site is approximately a three acre parcel located south and west of Keswick Drive and borders Keswick Park. Dan Cohen, with Pond & Company, read the City Planner's recommendation (copy included in Minutes). George Banks, president of Paladin Properties, presented the proposed development. The public hearing was open for public comment and several citizens addressed the concerns about the proposed development.

There was a recess before continuing the Public Hearings. The Public Hearing resumed at 7:45 p.m.

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Variances:

3393 Malone Drive- Redevelopment as mixed-use condo/retail building. To reduce the minimum lot coverage requirement from 60% to 36%.

The applicant is requesting a variance from Section 305 of the City Zoning Ordinance in order to redevelop the subject property to include a building sized below requirements to meet the minimum required lot coverage for this zoning. Applicant needs a variance due to an existing DeKalb county drainage easement restricting placement of any larger sized building than what is being shown on the plans. *The drainage easement is not shown clearly.* An easement appears to be on the on sheet PW-1/existing site conditions and was not denoted on the grading plans. It appears the proposed parking is located over the easement. In addition, there was no recorded easement submitted and no notations in the revision sections of the plans. The existing 1.69 acre property sits on the eastern side of Malone bounded to the South and East by Southern Railroad rights-of-way. The existing one story brick and metal building is approximately 16,354 +/- square feet.

Dan Cohen, with Pond & Company, acting by request as City Planner recommends accepting the request for variance conditional upon receipt of the recorded easement and re-submittal of plans noting the easement as a revision. This is to be submitted to the City before any further action is taken on the plans. The hearing was open for public comments.

5251 Peachtree Industrial Blvd. – Vacant building (formerly Pfizer/Upjohn). Subdivide the building for multiple tenant/uses; to reduce the minimum lot coverage requirements; to increase the maximum front yard setback; to increase the maximum side yard setback; to reduce the minimum required parking spaces.

The applicant is requesting three variances from Section 305.005 and on variance from Section 401 of the City Zoning Ordinance in order to use the existing building currently zoned as Mid City District “as is”. The existing building fronts Peachtree Industrial Blvd. and sits on 2.99 acres located at the northeastern corner of the intersection of Peachtree Industrial Blvd. and Malone Drive. The existing one story brick building approximately 47,933 +/- square feet is currently a nonconforming structure with respect to the following:

- **Parking:** the existing building requires 82 spaces according to the submitted Site plan while only 66 spaces are currently provided.
- **Building (floor to area ratio)** is less than the minimum required of 0.4.

Dan Cohen, with Pond & Company, acting by request as City Planner recommends denial of the request for variance. Because the plans presented were different from the proposed plans submitted. Councilmember Gibert made a motion to postpone the variance request for 30 days to review the new plans seconded by Councilmember Clarkson and carried unanimously.

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Councilmember Biles made a motion to adjourn Public Hearings at 8:55 p.m. seconded by Councilmember Copeland and carried unanimously.

Review Board Recommendations: Mid-City

3400 Malone Drive – 3400 Malone Drive Condos – mixed use development.

The project is a four story mixed use building on a 2.02 acre site on Malone Drive. The building will be comprised of three stories of 60 residential condominiums over one level of retail at street level. The retail spaces will be both retail and restaurant spaces. The residential condominiums are two bedroom two bathroom units and range in size from 1091 square feet to two story penthouses up to 2181 square feet. The street level restaurant spaces will open on to the sidewalk so that dining tables can be set outside. A new streetscape, including trees, benches, trash receptacles, decorative lighting and textured paving, will line both sides of Malone Drive at these two new buildings. Parking for the retail spaces and residential condominiums will be behind the building. Parking will be both surface and deck parking. The top of the parking deck will serve as an amenity deck for the condominium residents. The amenity deck will be landscaped and include a pool and pool house. Additional parking will be created on Malone Drive with the new streetscape design.

MARTA has a permanent utility easement along the northern property line and a permanent access and through drive to the gated detention pond behind. The plans have been revised to show a driveway at the rear of the property for access. Written approval from MARTA regarding the location of this drive is needed.

The Board recommends approval of the architectural and site plans as presented with the some conditions or clarifications (copy of recommendations included in Minutes).

With the MARTA easement in question, Councilmember King made a motion to Postpone approval of the plans until the MARTA easement is resolved, seconded by Councilmember Gibert, and carried with Councilmembers Copeland, King, and Biles voted in favor and Councilmembers Clarkson and Gibert opposed.

City Manager's Report and Staff Recommendations:

Proposed amendment to alcohol ordinance to allow beer and wine consumption on the premises at smaller establishments.

City Manager requested changing the Alcohol Ordinance that would allow the small establishments to sell beer and wine only.

Set dates to meet with planners regarding new zoning ordinance and comprehensive plan.

The dates will be set at the Regular Council Meeting.

Chief Johnson – report on GCIC staffing.

Chief Johnson addressed the need to increase the rate of pay for the GCIC staff and advised the Mayor and Council that a budget amendment would not be necessary.

The last salary increase for GCIC was two years ago.

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Star Pipe Products, LTD – 5305 Peachtree Industrial Blvd. appeal of Occupation Tax Certificate application (Mid City District – no outside storage).

Dennis J. Webb, Jr., with Smith, Gambrell & Russell, has filed a Notice of Appeal challenging the City’s refusal to issue an Occupation Tax Certificate. The City Manager submitted a summary of the property in question (a copy on file in the office of the City Clerk).

Councilmember Clarkson - Fill the position of Community Development Director on the City of Chamblee staff.

No action on this item until the Council Meeting.

Citizen Comment.

Don Biles addressed Mayor and Council with reference to future staffing.

There being no further comments, the Work Session was adjourned at 10:00 p.m.

EVELYN KENNEDY – MAYOR

BECKY CRAVEN – CITY CLERK