

**CITY OF CHAMBLEE, GA.  
MINUTES  
PUBLIC HEARING AND WORK SESSION  
JUNE 14, 2007  
6:00 P.M.**

**PRESENT:** Mayor Clarkson, Councilmembers Wedge, King, Zanger, and Taylor.  
Councilmember Copeland absent.

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

**3393 Malone Drive - Eco-Lofts North (Michael Perkins) is requesting approval of a Development of Community Impact (variance request to reduce the mixed use ratio from 20% to 15% non-residential).**

The applicant is requesting approval of the architectural design for the subject Development of Community Impact (DCI) based on the application submitted on 02/26/2007. Pond & Company, City Planner, acting on behalf of the City, has reviewed the application in accordance with the procedures established in the City's Zoning Ordinance.

The proposed building totals 124,266 square feet and is to be located on a site of 1.37 acres. The building will be comprised of a mixture of commercial space and residence space, with the commercial space located on the ground floor.

Michelle Beesten, with Pond & Company, read the City Planner's opinion for the DCA. Pond & Company finds the design plans acceptable and recommends Architectural Review Board *approval*. The applicant may need to address applicable comments prior to presentation of the final design for City Council approval (copy included in Minutes).

The applicant is requesting variances from Section 407 of the City of Chamblee Zoning Ordinance in order to provide less than the required amount of non-residential uses on the subject site. Section 407 states that a minimum of 20% non-residential uses shall be provided in all mixed-use developments. Michelle Beesten read the City Planner's recommendation for *approval* of this variance request. It may be recommended that the applicant work to provide some alternative non-residential use on the second floor above the retail fronting Malone Drive (copy included in Minutes).

The Architectural Review Board met on June 5, 2006 for this mixed-use development. The Board made a motion to approve the project and the motion passed unanimously (copy included in Minutes).

Michael Perkins was present to address any questions. The hearing was open for public comments. There were no public comments.

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**Zoning Ordinance amendment to Section 1102 – Minimum buffer specifications table.**

Michelle Beesten, with Pond & Company, and Dan Schultz, Development Director, addressed the changes to the Zoning Ordinance with reference to the minimum buffer specifications table. This ordinance will have the second reading at the Council Meeting. The hearing was open for public comments. There were no public comments.

**Zoning Ordinance amendment to provide for Corridor Height Overlay District for State Highways.**

Michelle Beesten, with Pond & Company, reviewed the changes to the Zoning Ordinance with reference to the Corridor Height Overlay District for State Highways. The hearing was open for public comments. There were no public comments.

Councilmember Taylor made a motion to adjourn the Public Hearings at 6:25 p.m., seconded by Councilmember Wedge and carried unanimously.

**City Planner:**

**Update on variance request at 3571 Broad Street.**

The City Attorney will have a resolution for the Council Meeting rescinding prior action denying the requested variances at the May 2007 Council Meeting.

**Presentation of Sustainability Study for future development Broad Street at Peachtree Road.**

Michelle Beesten, with Pond & Company, presented a power point presentation on the Sustainability Study. After some discussion, several changes were requested and will be presented at the July 2007 Work Session.

**City Manager's Report and Staff Recommendations:**

**Request for clarification of intent: zoning ordinance section relating to threshold elevation for in-fill houses.**

This is reference to the new in-fill house being built at 3431 Hildon Road and in response to the notice to correct the foundation to make sure that the front threshold is not higher than allowed by City Zoning Code Section 512. If the owner chooses not to correct the problem, then a variance would be necessary.

(Action requested: If it is the intent of the Council to allow any adjustments to the threshold height (the County allows 2 feet, but has a max height of 28 feet) then the code should be amended; if it is the intend for the code section to stand, then a variance application would need to be filed by the owner if the corrective action necessary is unacceptable). Several of the property owner's neighbors spoke opposing the position of the threshold as it is current.

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**Development Director:**

**Patrick O'Donnell request for stream buffer variance at 1822 Eighth Street.**

The applicant is requesting a reduction of the stream buffer from 50 feet to 25 feet to build two new homes. Dan Schultz, Development Director, recommends *approval* of this request to reduce the stream buffer from 75 feet (including the 25-foot impervious surface) to 35 feet, using option B of the two plans submitted.

**Eco-Lofts South, 3400 Malone Drive, request to amend architectural approvals.**

The developer is requesting revising the Architectural Design of the building. The Development Director presented a power point representation of the original plans has approved and what was constructed. Several members of the Architectural Review Board were present to address the changes made to the plans. The Board was discouraged with the approved plans and the building that was built. The Board's opinion was that recommending approval sends the message that the architectural review process is meaningless. The Board requested meeting with the Council to discuss the changes in the building.

**Request from Clairwood Terrace to hold community meeting for proposed residential in-fill overlay.**

A meeting with the property owners and Development Director was set for June 19, 2007 prior to the Council Meeting at 7:00 p.m.

**Update on Peachtree Road traffic calming and request for approval of GDOT**

Betts Slingluff, with Pond & Company, presented the Peachtree Road Traffic Study (copy included in Minutes).

**Sponsor contract for construction of LCI project on Peachtree Road.**

This project has funds for the right of way phase. The contract allows the GDOT to provide to the city federal funds for the right of way acquisition.

**Park & Recreation Director: Nomination for RAC member replacement.**

Bruce Ramsey will be replacing Dan Zanger on the Recreation Advisory Committee. No action until the Regular Council Meeting.

**Chief of Police:**

**Recommendation regarding speed tables on Sexton Woods Drive at Chamblee Middle School and Keswick Park.**

Chief Johnson advised that the school has been open for a year without any significant problem, so do we still need speed tables on Sexton Woods Drive. The ones on Keswick Drive still need to be replaced and they are properly installed so they work as intended. The Council agreed with the Chief opinion on the speed tables.

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**Request for salary increase for re-hired police officer.**

Chief Johnson is asking permission to raise Brady Ends salary to \$45,000. Officer Ends left the department in good standing with 16 years of police experience and was rehired as a patrol officer.

**Request to declare vehicles surplus for disposal.**

A list of vehicles were submitted to be declared surplus.

**Update on proposal to change the name of Peachtree Industrial Blvd.**

City Manager gave an update on the information from GDOT with reference to changing the name within the City limits.

**Councilmember Wedge:**

**Revise benefit plan for all Elected Officials:**

**Pensions: Request to terminate all future pension for Elected Officials.**

**Insurance: Request to terminate all insurance benefits for Elected Officials and their families.**

No action will be taken until Regular Council Meeting.

**Mayor Clarkson:**

**Propose raise in pay for City Elected Officials.**

Arthur Gibert spoken in favor and Evelyn Kennedy opposed the proposed raise in pay.

No action will be taken until Regular Council Meeting.

**Approval LARP Project (LAU07-S010-00(413) DeKalb – Resurfacing of Chamblee Dunwoody Road (0.49 miles).**

No action will be taken until Regular Council Meeting.

**City Clerk/Election Superintendent:**

**Approval of Agreement from DeKalb County Board of Registration and Elections to conduct the November 6, 2007 General Municipal Election.**

This will be voted on at the Regular Council Meeting.

**Set Dates for November 6, 2007 Municipal Election qualifying period:**

**Qualifying period begins – Monday August 27, 2007 @ 9:00 a.m. and will close on Wednesday, August 29, 2007 @ 4:30 p.m.**

This will be voted on at the Regular Council Meeting.

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**Approval of Fiscal Year 2007 Audited Financial Statements.  
This will be voted on at the Regular Council Meeting.**

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

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***R. ERIC CLARKSON – MAYOR***

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***BECKY CRAVEN, CITY CLERK***