

**CITY OF CHAMBLEE, GA.
MINUTES
PUBLIC HEARINGS AND WORK SESSION
MAY 15, 2008
6:00 P.M.**

Present: Mayor Clarkson, Council Members Wedge, Robson, Hogan, Zanger, and Taylor,

PUBLIC HEARINGS

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

3619 Teal Road – variance to reduce rear yard from 20 feet to 15 feet and allow new home to project more than 3 feet in front of the new threshold but not more than 10 feet (tabled from April 15, 2008, Regular Council Meeting)

The applicant is requesting a variance from Section 1004 of the City Zoning Ordinance in order to reduce the rear yard setback from 40 feet to 19 feet to construct a new house; the new drawings also indicate steps that encroach to reduce the setback to 17 feet; Section 804-A, however, permits the step encroachment into setbacks (must be no closer than 10 feet from the rear property line, and no closer than 3 feet from a side property line). As per the City Zoning Ordinance, the rear yard is established by the rear lot line and the rear wall of the principal building. Michelle Alexander, with Pond & Company, read the City Planner's recommendation. Acting by request, as, City Planner, they recommend *approval* of the variance request. The property owner, David Cox, was present to address any questions from the public and/or Elected Officials. The hearing was open for public comments and no one spoke opposing the variance request. *(A copy of the City Planner's recommendation is included in the Minutes).*

3960 Clairmont Road – variance to reduce the required buffer for adjoining residential from 30 feet to 10 feet (tabled from April 15, 2008, Regular Council Meeting)

The subject property is 12,998.88 S.F. According to the dimensions on the revised submittal, dated 4-15-2008, the applicant proposes a 1,768 S.F. building. The applicant is requesting a variance from Article XI, Section 1102 of the City Zoning Ordinance in order to reduce the required buffer from 30 feet to 10 feet. Article XII, Section 1203, requires 1 space per 100 square feet of gross floor area. In this case 17.7 spaces would be required. The entire site is currently paved including the buffer zone and there is no existing vegetation. Access into the site is through the 30 feet buffer. Applicant proposes to utilize the existing curb cut. The site is non-conforming to the current zoning codes for NC-1 zoning district. Michelle Alexander, with Pond & Company, read the City Planner's recommendation. Acting by request, as City Planner, they recommend *approval* of this request for variance with the following conditions:

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- Variance approval applies *only* to the portion of the buffer required for access along Eighth Street to the site that is no greater than 35 feet and not to the entire length of the rear boundary of adjacent residential parcel
- Development shall include a continuous 12 feet height, at installation, evergreen landscape screen along the length of the encroached buffer allowed. Exception to the screen height requirement will be allowed within the sight triangle limits at the drive aisle on Eighth Street. The site must adhere to all landscape requirements set forth in the zoning code
- No structures are allowed in the buffer, including but not limited to dumpsters or, if required, retaining walls
- Applicant will provide documentation of shared parking agreement to the Development Director prior to issuance of LDP
- Applicant will provide documentation of property owner's permission for parking located outside of subject property's boundary ("R/W Abandoned by Prescription")

The applicant, Dr. Morrie Serwitz (Java Enterprises, Inc.) and John Kirkley, Site Engineer, were present to address any questions about the proposed coffee shop. The hearing was open for public comments. The Council addressed several concerns about the proposed coffee shop and the buffer.

There being no further discussion. Councilmember Robson made a motion to adjourn the Public Hearings at 6:55 p.m. seconded by Councilmember Taylor and carried unanimously.

Councilmember Robson made a motion to Suspend the Rules to add 3619 Teal Road to the Work Session Agenda and vote on the variance request, seconded by Councilmember Taylor with Councilmembers Robson, Hogan, and Taylor voting in favor and Councilmembers Wedge and Zanger opposed. Motion did not carry as it lacked a super majority.

City Planner/Development Director

Amend Schedule "A" of new contract (fee schedule) – City Planner (postponed from April Agenda)

The proposed new fee schedule for review by Pond & Company.

City Manager's Report and Staff Recommendations

Centennial Update: Melissa Roberts

Melissa Roberts gave an update on the May 31, 2008, "Taste of Chamblee" Events. Request to award contracts for the following projects from the CIP list:

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Centennial Park (old fire station property) design/build

Craig W. Sollenberger, BCW Company, presented his proposal for the “Centennial Park” next to City Hall (old fire station property).

Peachtree Road streetscape design (TE project)

Development Director presented the list of companies who bid on the RFP for the streetscape designs. The staff recommendation for company to do the streetscape design was Kimley-Horn.

Keswick Park pedestrian trail construction

Parks & Recreation Director presented the bid results for the Chamblee Multi-Use Trail but no company was named at this time for the project.

Requests for budget amendments:

Sign for Public Parking lot leased from MARTA

Police car wash funds

Chief Johnson is requesting a budget amendment in the amount of \$5000 to vehicle maintenance (87-20) to allow for the use of a car wash to keep the police vehicles clean.

Police K-9 unit

Chief Johnson is requesting a budget amendment to establish a K-9 unit. This request will require \$59,000 in one time expenses. This consists of \$38,000 for the additional vehicle and normal police equipment and \$21,000 for the dog, kennel equipment and vehicle equipment specifically related to the a k-9 unit. A transfer of \$30,000 for police salaries to capital with an additional \$29,000 will need to be appropriated with \$8,000 applied to capital and the remaining \$21,000 applied to a new line item for K-9.

Councilmember Wedge made a motion to approve the budget amendment to establish a K-9 unit seconded by Councilmember Taylor and carried unanimously.

Signs for Peachtree Blvd. name change

The cost estimate for the proposed street name change for Peachtree Industrial Boulevard to Peachtree Boulevard is \$6,645.00 the estimate includes the replacement of 15 overhead and mounted signs.

Funding to update sidewalk survey (Pond)

Pond & Company presented a proposal in the amount of \$16,570 to revise the Comprehensive Sidewalk Survey.

Update on Clairmont Bridge improvements

A letter from Carl V. Glover, Associate Director, DeKalb County Roads & Drainage, was reviewed with reference to the Clairmont Bridge repairs.

Request to extend CDBG agreement with DeKalb County

DeKalb County is requesting the CDBG agreement to extend.

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Update on Plant Nursery at Keswick Park – Parks & Recreation Director

No action was taken at this time .

Call meeting for May 29, 2008 to meet with GVIOG regarding City Manager search

The Called Meeting will be voted on at the Regular Council Meeting.

Discussion of possible regulation of employment agencies

This will be discussed further at the Regular Council Meeting when the City Attorney is present.

Request to make Hood Avenue a “No Truck” zone to protect new sidewalks

An ordinance will be prepared for 1st reading at the May Regular Council Meeting.

Infill Housing: Discuss lowering the allowed height of 34 feet

Councilmember Wedge requested the item be withdrawn from the agenda.

Approve City Contract with Department of Transportation (LAU08-S011-00(505)

DeKalb) for resurfacing of 0.27 miles on New Peachtree Road

The City Contract will be voted on at the May Regular Council Meeting.

Adopt 2008 Millage Rate

The 2008 Millage Rate will be voted on at the May Regular Council Meeting, after the final Public Hearing.

Citizen Comment

Councilmember Zanger challenged the remaining Elected Officials to participate in the annual Chamblee Road Race on May 17, 2008. There being no further comments the Work Session was concluded.

Executive Session

Motion to convene to Executive Session to discuss real estate was made by Councilmember Hogan, seconded by Councilmember Taylor and **carried** unanimously.

Motion to reconvene to Work Session at 8:55 p.m. made by Councilmember Taylor, seconded by Councilmember Zanger and **carried** unanimously.

Motion to instruct the City Attorney to make an offer to purchase said property made by Councilmember Taylor, seconded by Councilmember Zanger and **carried** unanimously.

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Motion to adjourn Work Session at 9:00 p.m. made by Councilmember Taylor, seconded by Councilmember Wedge and carried unanimously.

R. ERIC CLARKSON – MAYOR

BECKY CRAVEN, CMC – CITY CLERK