

CITY OF DORAVILLE
CALLED COUNCIL MEETING MINUTES
July 12, 2006

Present: Mayor, Ray Jenkins
Council, Marlene Hadden
Jason Anavitarte
Donna Pittman
Ed Lowe
Bob Spangler
Tom Hart

City Attorney, Rick Powell

Mayor Jenkins called the meeting to order.

Dan Cohen, with Pond and Company came forth and gave each Council Member a draft of a portion of the revised Zoning Ordinance. Mr. Cohen stated that he had been working on the Zoning Ordinance but need to know what the Council wanted put in the Zoning Ordinance before he could finish it. Mr. Cohen asked to meet with the Council Members and drive around the City with them to get a feel of what they wanted. Mr. Cohen stated the Comp Plan had just been transmitted and that he had to wait until the Comp Plan was finished to work on the majority of the Zoning Ordinance.

Mr. Cohen stated that he had worked on items in the Zoning Ordinance that did not pertain to the Comp Plan. The draft includes the Sign Ordinance, Buffer Screening and Landscape Requirements, Administration and Enforcement, and Rezoning Procedures. He had to wait on the Comp Plan for the specific Design Regulations. He has put in some suggested Development Regulation because this is one of the things that has caused difficulty from time to time. This defines what Developers are required to submit. This is not just for the zoning process it is more for site plan and development review.

What Developers have been handing in is not sufficient for the review process. The Developers do not know what to submit. Mr. Cohen had to negotiate back and forth with the Developers to get the information he needs for the review process.

This is not cost effective for the City or the Developers. If the Developers know what it is that they need to submit it makes the process a whole lot easier for all concerned.

Mr. Cohen stated that he understood that Pond and Company would be doing planning reviews and not Engineering services for the City. He would like for the Council to verify this.

Me. Cohen stated that there were questions from the Council and he wanted to address these questions.

Council Member Hadden stated that Council Member Hart told the Council that Pond and Company did not have the proper credentials to perform soil and erosion control reviews or inspections. Mr. Cohen stated that there were four people at Pond and Company that were qualified to do soil and erosion control

reviews and inspections. You do not have to have the certification until January 1, 2007, but they have two people who are certified.

Council Member Lowe asked if the two people had just recently passed the test. Mr. Cohen stated that one had passed the test on 01/27/2005 and the other on 05/05/2006. They have taken the classes and have taken the required test to become certified. You can't get the certification just by taking the class.

Mr. Hart stated that they have to send the plans to the Georgia Soil and Water Conservation District office to be approved.

Mr. Cohen stated the Georgia Soil and Water Conservation District approved the plans if project is over an acre. That is just a matter of practice; we do the reviews and make the judgments as whether the plans have to go over to the Soil and Water Conservation District office. Some municipalities are getting to the point of setting up their own on internal systems; you have to get the State to certify you so you don't have to send to the Soil and Water Conservation District office. But at the moment you are not in that position. That is state law.

Mr. Spangler asked if what Mr. Cohen was saying was because the City did not have the authority to review and stamp the plans then Pond and Company did not have the authority review and stamp the plans.

Council Member Pittman asked about Ms. Strickland's arbor. Mr. Cohen was supposed to go out and look at it. Mr. Cohen stated that he did go out and look at it. The plans submitted were not sufficient enough to determine what it was the Ms. Strickland was asking for. She had stated on the application she wanted to put up a Victorian rose arbor. This was not the case.

Council Member Pittman stated that Mr. Cohen had promised the Council that he would go out and look at it. Mr. Cohen stated that he could not meet with Ms. Strickland but he did go out and look at it. He did go out to the site to see if it was an accessory structure and not an add on. Council Member Pittman stated that Holly said that Mr. Cohen did not go out at all. Council Member Pittman stated that Holly said no one went out that it was not necessary for anyone to go out. Mr. Cohen stated that he did go out personally to look at it.

The Building Inspector did give Mr. Cohen more information and it helped with Mr. Cohen's decision on Ms. Strickland's arbor.

Council Member Lowe stated that it was strange that your own employees said that you did not go out there.

Mr. Cohen stated that it may or not be true but he did go out there with one of the engineers. This was being sold as an arbor but it is not.

Mr. Hart stated that it was understood that Mr. Cohen was going to work with Ms. Strickland but Mr. Cohen did not. They did not know if it was going to be attached to the house or unattached. You said that you were going to go out there and work with her.

Mr. Hart stated that the City has already lost money on the reviews because we have not been charging for the reviews.

Mr. Cohen stated that if you have these check list then the Developer will be aware of what they need to submit and what you need to change.

Mr. Spangler stated that when Ms. Strickland was turned down you stated that you would work on the Zoning Ordinance to avoid this in the future. Mr. Powell stated at that at a previous meeting that we were not meeting the criteria for reviews. **Mr. Cohen stated that was correct the City needs Development Standards.** Mr. Spangler stated that Mr. Cohen did not promise that he would approve Ms. Strickland's arbor.

Ms. Strickland did not know that she had not submitted the correct information.

The City Clerk stated that a resident would not go to the expense of getting a site plan drawn as would a business or a subdivision. Site plans are too expensive for a citizen to have drawn up for an accessory structure. The Council voted for a residential variance to be \$100.00.

Mr. Cohen stated that he understood about small variances and the City has requirements for small variance.

Mr. Cohen stated that people just drop stuff off with out having all of the information needed.

Council Member Anavitarte stated that this is what has happened in the past and he would like to see that change. Our neighborhoods are that way they are because of that fact and driving around the City proves that fact.

Mr. Cohen stated that the City has been fairly stringent in the Comp Plan and you will have the correct standards. Mr. Cohen wants to make sure the Zoning Ordinance is complimentary. Again, Mr. Cohen stated that he would like to spend a little time with the Council and find out what it is that the Council wants. This is time consuming but it is necessary. Show him buildings that you like or dislike. Mr. Cohen does not know what you want or like or dislike. The Comp Plan was to give you a big picture and he has to detail that picture and he could not get to that level until the Comp Plan was passed.

Council Member Hadden stated that she and Council Member Anavitarte had always called references before a Planner was hired and find out about the projects that they had worked on. Council Member Hadden stated that the references for Pond and Company were very good.

Council Member Hadden stated that Mr. Hart had stated that there was a City that was unhappy with Pond and Company. Mr. Hart stated that he had a meeting with Starbucks before Pond and Company was hired and was told by Starbucks that Pond and Company was fired by Starbucks for not reviewing plans in a timely manner.

Priscilla Murphy asked about the invoices. Mr. Cohen stated that they were working on them and would get to the City as soon as possible.

Mr. Spangler asked Mr. Hart what City was not pleased with Pond and Company. Mr. Hart stated it was Starbucks not a City. Council Member Spangler stated that Council Member Hart said that it was a City that was not pleased with Pond and Company.

Mr. Hart stated that the City still had to go through the Georgia Soil and Water conservation District to get plans reviewed. Mr. Cohen stated that until the City received certification from the State then the plans will have to go through the Georgia Soil and Water Conservation District.

Mayor Jenkins asked about getting itemized bills. Mr. Cohen stated that he was working on that. **Council Member Hart asked if they wanted to play hardball. If they wanted to play hardball, he could play hardball.**

Mayor Jenkins stated that the Council did not need to get into an argument.

Council Member Hart asked why it took sixty days to get a set of plans reviewed. Mr. Cohen stated that all the information was not on the plans. Thirty days is not an unreasonable time to review plans. We have to go back and forth with the applicant to get the information that is needed. You do not see this correspondence. Time is money.

Council Member Hart asked Dan Cohen if he did a final review on the building for the Pioneer Apparel Company.

Mr. Cohen stated that it went back to the Inspector's office, and he had not seen the plans since. Mr. Cohen was instructed to drop the plans off at City Hall and he did.

Mayor Jenkins stated that Mr. Cohen did what he was supposed to do.

Mr. Hart stated that the applicant for the Pioneer Apparel Company came in every day wanting to know where his plans were. It took forty days to review these plans.

Mr. Cohen stated that he sent the gentleman emails concerning the status of his plans.

Mr. Hart stated that the gentleman must not be able to read emails because he kept coming over here every day to see where his plans were.

Mr. Cohen stated that there was a bit of a language barrier and that makes it hard sometimes to make sure things are clearly communicated. Mr. Cohen was instructed to stop doing the review and he does not know where it stands at the moment. Mr. Cohen can give the Council the staff report.

Mayor Jenkins stated that when Mr. Cohen brought the plans back to the Inspector, The Inspector took the project over. The Pioneer apparel Company is already underway.

Mayor Jenkins asked why it took so long to get them back to Chuck. Mr. Cohen stated that he did not have adequate information to review the plans.

Council Member Hadden stated that she had a money question. Mr. Hart stated that you have cart blanche with Chamblee. Council Member Hadden has called over to Chamblee and found out that this is not true. Council Member Hadden asked how Pond and Company charged Chamblee compared to how they charged Doraville.

Mr. Cohen stated that he did not have unbridled authority at Chamblee but did have an approved fee schedule from Chamblee that he went by. **Mr. Cohen stated that he did not charge the developer or builder a fee. The fee is handled through the City.**

Mr. Cohen stated that Chamblee had Development Standards and the City of Doraville did not. You need these standards where reviews are concerned. These Development Standards let the developers know ahead of time what to submit on their plans. Mr. Cohen is at the City of Chamblee two afternoons a week. Any money for plan reviews goes directly to the City Clerk. Four to six weeks are the goal for turn around time in reviewing plans for the City of Chamblee.

Council Member Hart asked that if someone were to build in the City of Chamblee if Mr. Cohen would review the plans. Mr. Cohen stated the he or one of his staff would review the plans.

Council Member Hadden asked when Pond & Company's contract started with the City of Chamblee. Mr. Cohen stated about a year and half ago.

Council Member Hart stated that is not what the question is. The City of Chamblee has licensed Mr. Cohen to charge developer or builder a fee. Council Member Hart again asked if Mr. Cohen had any competition for reviewing plans for the City of Chamblee. They have to go through Mr. Cohen to get the plans reviewed. **Mr. Cohen stated that he does not charge a review fee. The fee is handled through the City.**

Mr. Cohen stated that he had a contract with the City of Chamblee just like he did with the City of Doraville to do plan reviews.

Council Member Hart asked if it took a week to review an infill house. Mr. Cohen stated yes, it could be sooner according to the work load.

Mayor Jenkins stated that we had a contract with Pond and Company and were paying the contract prices. Mayor Jenkins asked Council Member Hart what he wanted to do.

Council Member Hart stated that he did not like what happened to the Waffle House or Pioneer Apparel. We had two other entities, the Planning Commission and Chuck had turned the Waffle House down. They did not think it was a good idea to put parking spaces across the mall. Mr. Cohen did not bother to measure the parking spaces. He used the term adaptive reuse and I do not remember that being in our book.

Mr. Cohen stated that he would stand by his staff report.

Council Member Hadden stated that the parking was legal and we could not do anything about it if we wanted to.

Mr. Cohen stated that there was not enough parking to begin with. If the Farmers Market Shopping Center came in to day they could not make the parking under today's standards. The Waffle House was adding parking not worsening the parking conditions. You are not allowing property owners any improvements if you do not let them put in additional parking. The applicant still has not come back because there was a problem with loading space.

Again, Mayor Jenkins asked the Council what they wanted to do.

Priscilla Murphy asked about fees for rezoning and variances. The City Clerk stated that we did have a fee schedule for rezoning and variances.

Mr. Cohen stated that he did not want the City to loose money, so he suggested that Pond & Company do the amount of work for the amount listed in the fee schedule. It should be revenue neutral.

Council Member Hadden asked Mr. Cohen if he had attended meetings and did outside work and not billed the City for it. Mr. Cohen stated that he had attended night meetings without charging the City. Mr. Cohen stated that the City had never gotten a bill for mileage.

Mayor Jenkins thanked Mr. Cohen for coming to the meeting.

Mayor Jenkins stated that the Council would rearrange the agenda to allow for the Short Term Work Program to be the next item.

Mr. John Ford, with Robert and Company, asked if the Council had a copy of the work sheet. Mr. Ford stated that what they were doing tonight was to expedite the final element of the Comprehensive Plan. The Council had concerns about the Short Term Work Program and this is being addressed tonight. We are going to go through the list and delete those projects that are not wanted. This will be a straight forward process and we are hoping that we can accomplish it that way. Essentially one of the concerns was regarding accountability for the accomplishing the projects which are included in the Short Term Work Program.

Council Member Hadden stated that the hand out looked different from what the Council originally had.

Mr. Ford stated that it was the same items but in a different format so the Council could check off if they agreed or disagreed.

The City is required to submit the report of accomplishments for the past Short Term Work Program. This is stating whether the projects were completed, underway, pending, or deleted and what the schedule is.

Council Member Hart asked about the policies and stated that the policies related to the Short Term Work Program. Council Member Hart referred to the section that stated that an Urban Redevelopment Area would be established in a designated character area. Council Member Hart stated that the page should have already been but it is still in the policy statement.

Mr. Ford stated that these were policies for the Comp Plan but the policy including the Urban Redevelopment Area can be taken out.

Council Member Hart stated that we were going over items that we did not need or want. The Urban Redevelopment Area had been removed already.

After a lengthy discussion the following is how the Council marked their sheets. The Council will be approving the changes to the Short Term Work Program at a later meeting.

Worksheet - Short Term Work Program 2006-2010

Project Name	Description	Year	Responsible Party	Est. Cost
Town center Overlay & design guidelines	Regulate building location, orientation, height, bulk, parking location, mixed use, small business set aside, ground floor retail, streetscape requirements, materials, scale, banned uses. Town center area will be predominantly office and retail and civic land uses.	2007	City Staff / Consultant / Georgia DCA	\$50,000
Agree 7 Disagree 0 Modify 0 - Change Year				
Public amenity design guidelines	Identify preferred style of sign system, lighting, furniture, trash cans, kiosks, consistent street furniture entire study area. Can be part of the town center overlay project.	2007	City Staff / Consultant / Georgia DCA	\$20,000
Agree 7 Disagree 0 Modify 0 - Change Year				
Developer Development Guidelines	New overlay guidelines should be summarized into an easy to understand, highly graphic document illustrate design principles to developers. Document should be downloadable from city website.	2006-2008	City Staff / Consultant	Included in Hwy Overlay
Agree 7 Disagree 0 Modify 0				
Create downtown Doraville map and circulate	Create an illustrative, simplified map with major retail and civic destinations. Distribute the map at City Hall, the library, at the MARTA station, City Court, Arena, and online. Update map annually.	2007	City Staff	\$3,000
Agree 7 Disagree 0 Modify 0 - Change Year, Delete walking routes, add court and arena				
Create Downtown Development Plan Pamphlet	Circulate pamphlet to help developers and citizens understand the redevelopment plan vision and implementation steps	2007	City Staff	\$2,000
Agree 7 Disagree 0 Modify 0 - Change Year				
Redevelopment of New Peachtree	Prioritize early redevelopment on New Peachtree, Park, and Central corridors	2006-2010	City Staff	Staff Function
Agree 5 Disagree 1 Modify 0				
Design gateway elements & signage system for key locations	Design and install gateway elements at identified locations	2008	City Staff	\$20,000
Agree 1 Disagree 1 Modify 0 - Change Year				
Establish planning commission for design review in over districts	A planning commission can review development proposals to ensure they are consistent with articulated design standards in overlays. The commission is purely advisory, with final decisions in the hands of city council. Planning commissions normally have monthly meetings and are staffed with citizen volunteers.	2007	City Council / City Staff	Staff Function
Agree 6 Disagree 0 Modify 0				
Project	Description	Year	Responsible Party	Est. Cost
Incorporate a "Doraville International section into existing newsletter	Include a section about the many cross-cultural offerings of Doraville, including restaurants, shops, events, non-profits, education. Circulate the newsletter at City Hall, the library, and online.	2007	CITY OF DORAVILLE Staff, APACS	Staff Function
Agree 6 Disagree 1 Modify 0				
Redevelopment of US post office parcel	Work with USPS to promote redevelopment of the post office on New Peachtree.	2007	City Staff	Staff Function
Agree 3 Disagree 1 Modify 3 - Add New Peachtree to clarify which post office				
Brownfield testing and mitigation	Based on past land uses, compile a list of properties that may need brownfield testing. Prioritize list based on estimated risk and value for redevelopment. Work with county and US EPA to obtain resources for remediation.	2008	City Staff	Staff Function
Agree 7 Disagree 0 Modify 0				
Business recruitment strategy	Develop a business recruitment strategy based on competitive advantages of location, transportation access, and international image. Consider nearby resources such as Peachtree Dekalb Airport, Emory/CDC, and the International Village. Coordinate with available property list.	2008	City Staff / GA Tech Economic Development Institute	\$25,000
Agree 5 Disagree 2 Modify 0				
Buford Highway overlay and design guidelines	Regulate building location and orientation, mixed use, parking requirements, buffering requirements, streetscape requirements, signage, access management, interparcel access, bulk and height, materials, etc.	2008	City Staff / Consultant	N/A
Agree 0 Disagree 2 Modify 5 - Change cost to N/A				
Move utility lines off New Peachtree	Relocate or bury high-voltage utility lines off New Peachtree to alternate location. Coordinate with New Peachtree streetscape	2009	City Staff / Georgia Power	Unknown
Agree 1 Disagree 1 Modify 6 - Change funding source to private funds				
Town Square Park	Acquire land for new town square park in Doraville Town Center District	2009	City Staff	\$1,250,000
Agree 1 Disagree 1 Modify 6 - Change to acquire new park and revise cost to 1.25m				
Annual Asian community day	Celebrate Korean, Chinese, Vietnamese, and other Asian communities in town center area.	2010	City Staff / Volunteers	N/A
Agree 3 Disagree 3 Modify 4 - Delete Chamblee				
Annual Hispanic community day	Celebrate Hispanic community in town center area.	2010	City Staff / Volunteers	N/A
Agree 3 Disagree 3 Modify 4 - Delete Chamblee				
Project Name	Description	Year	Responsible Party	Est. Cost
International shuttle	Support a jointly operated shuttle between activity centers in order to reduce traffic congestion and facilitate transit usage	2010	Private developers	\$50,000

Agree 6 Disagree 1 Modify		Redevelopment of MARTA parcel	Work with MARTA to redevelop key surface parking areas into mixed use with first floor retail. Select a site along New Peachtree with easy access for MARTA patrons and Doraville city staff.	2006	MARTA / City Staff	None
Agree 6 Disagree 1 Modify		Taxi regulation review	Review regulations governing taxis with public comment. Revise regulations as needed	2006	City Staff	Staff Function
Agree 1 Disagree Modify 6 - Change year		Available property list	Prepare an inventory of existing sites / buildings within the core redevelopment area that includes ownership, condition, use, value of land, etc. Update regularly.	2008	City Staff	Staff Function
Agree 1 Disagree 2 Modify 4 - Change year; delete lease rates/terms		Code enforcement strategy	Review current code and survey residents for code enforcement priorities. Educate citizens the current code.	2007	City Staff	Staff Function
Agree 1 Disagree 3 Modify 3 - Delete forms and top ten list		Senior Housing	Explore senior housing opportunities with non-profit developers.	2008	City Staff	Staff Function
Agree 7 Disagree 2 Modify		Town Center area intersection improvements Central of New Peachtree	New Peachtree at Central Ave., New Peachtree at Park Ave. Buford Hwy at Central Ave A ramps, mast arm signals, pedestrian countdown timers textured crosswalks, signage	2007 - 20	City Staff / DeKalb County, GDOT	\$444,000
Agree 1 Disagree 2 Modify 4 - Change Year		[DELETE]: New Peachtree Roadway and Safety Enhancements	Non-peak hour parking on 4 lane segment, from south of MARTA station to Clearview Ave. striping, signage meters, signal optimization. Class 3 on-street bike route.	2006 - 2009	City Staff	\$264,000
Agree 1 Disagree 6 Modify		MARTA Pedestrian Improvements	Improve signs directing to pedestrian entrances from Central & Park. Create a covered walkway from deck to station. Remove interior fencing; restrict fencing to outer perimeter of station and busway. Remove out-of-date signs.	2006 - 2009	MARTA	\$12,500
Agree 7 Disagree Modify		Project Name	Description	Year	Responsible Party	Est.
Agree Disagree Modify 7 - Change year, change funding source to DeKalb		Shallowford Road and New Peachtree pedestrian and intersection safety improvements	Realign intersection of Shallowford Road and New Peachtree Road and improve pedestrian crossings, sidewalks, and signalization	2008 - 2010	City Staff, DeKalb County	\$790,000
Agree Disagree 4 Modify 2 - Change costs to unknown		New Peachtree Sidewalks - 4 Lane Area	Primary streetscape, sidewalks (10'), lighting, trees (30') street furniture. Consolidate telephone and cable with electric utilities	2007 - 2010	City Staff	Unknown
Agree Disagree 1 Modify 2 - Change costs to unknown		Sidewalks to schools	Improved sidewalks connecting Schools south of Buford Highway to Town Center, MARTA	2008 - 20	City Staff	Unknown
Agree Disagree 3 Modify 4 - Change costs to unknown		Central Avenue Sidewalks	Primary Streetscape, sidewalks (10'), lighting, trees (30') street furniture	2008 - 2011	City Staff	Unknown
Agree Disagree 1 Modify 6 - Change costs to unknown		Park Avenue Sidewalks	Primary Streetscape, sidewalks (10'), lighting, trees (30') street furniture	2008 - 2011	City Staff	Unknown
Agree Disagree Modify 7 - Change costs to unknown		[DELETE]: Buford Highway Streetscape	Install street trees every 30' on inside of sidewalk with property owner permission. Work with non-profit Trees Atlanta on tree installation. City will purchase trees, nonprofit will install.	2008 - 2011	City Staff	\$300,000
Agree 1 Disagree 6 Modify		Pinetree Plaza Extension	New 2 lane road with sidewalks connecting Buford Highway & New Peachtree, 2 intersection improvements	2008 - 20	City Staff / GDOT	\$2,000,000
Agree 6 Disagree 1 Modify		New Peachtree Sidewalks - 2 lane / Shallowford Area	Primary streetscape. Sidewalks (8'), lighting, trees (30'), street furniture. Consolidate telephone and cable with electric utilities.	2009 - 2012	City Staff	Unknown
Agree Disagree Modify 6 - Change costs to unknown		Shallowford Road Sidewalks	Secondary streetscape. Sidewalks (8'), trees (30'), street furniture. Consolidate telephone and cable with electric utilities.	2009 - 2012	City Staff	Unknown
Agree Modify 7 - Change costs to unknown						

The Council was not given any paperwork with regarding the Urban Redevelopment Program and it was not on their list of items to be considered and/or voted on. The Council took no action regarding this item being in or out of the actual submittal. Robert & Co. offered no explanation to the Council about the Urban Redevelopment program.

Lee Walton, with Mactech, stated that the master plan for the redesign of English Oak Park should be completed before any of the storm water repairs are done. Mr. Walton stated that a Town Hall meeting will have to be held before he can finish his design.

Council Member Hart made a motion to prioritize the master plan and approve the engineering work at English Oak Park. Council Member Anavitarte seconded the motion. Motion carried unanimously.

Stewart Anderson stated that the City had a free Planning Commission and wanted to know why the Planning Commission could not be involved in the Park planning.

Council Member Anavitarte stated that a Town Hall meeting will be scheduled for citizens input on the redesign of English Oak Park.

Ben Crawford stated that the Planning Commission did read the Ordinance correctly when they reviewed the Waffle House plans. Mr. Crawford asked when the Council would answer the six questions that the Planning Commission had asked.

Council Member Hadden stated that she had already given Cat Sherlock some paperwork.

Stewart Anderson asked what action had been taken on Pond and Company.

Mayor Jenkins stated that the Council was studying the issue.

Mayor Jenkins adjourned the meeting.

Ray Jenkins, Mayor

City Clerk