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BOARD OF MAYOR AND COMMISSIONERS
JOINT SPECIAL CALLED WORK SESSION
WITH THE DOWNTOWN DEVELOPMENT AUTHORITY
February 9, 2016
6:30 p.m.

MINUTES

BOMC Members Present: Jonathan Elmore, Mayor
Terry Giager, Mayor Pro Tem
Randy Beebe, Commissioner
Adela Yelton, Commissioner
Brian Fisher, Commissioner

DDA Members Present: Matt Delicata, Chair
Sam Collier
Rachel Herzog
Jessica Covington
Dave Deiters
Parke Kallenberg
Nick Purdy

Staff Present: Clai Brown, City Manager
Gina Hill, City Clerk
Keri Stevens, City Planner
Karen Holmes, Admin Assistant

Item No. 1 Meeting Called to Order by Mayor Elmore

Item No. 2 Adoption of Agenda
Commissioner Beebe makes motion to adopt agenda. Commissioner Fisher seconds. All ayes.

Item No. 3 Discussion of Downtown Development Schemes

Mayor Elmore: Welcome new DDA members. This is about the 13 acres that Euramex owns and the four acres the City owns. We've had positive meetings with Euramex but we're not getting where we want to go.

They asked us to show them what the City wants. With the other Board members' approval, I reached out to residents John Threadgill (landscape architect), David Sacks (landscape architect), and Bill Clark (architect) to help. They generously gave their time. They put some ideas together and John will give a presentation. Here is some zoning for the Mill District: The policy is to be compatible with surrounding properties, including architectural style, scale, siting of buildings. Encourage excellence in the design, landscaping, location of parking to attract new businesses and development. Create an environment, an urban village where residents and visitors can live, work, and play. Encourage a balanced mix of retail, residential, professional, civic, entertainment, and cultural uses. Provide a walkable, interconnected, mixed use design but accommodates vehicles. Improve the aesthetics and functionality with sidewalk oriented buildings and pedestrian and vehicular access through an appropriately scaled grid system.

John Threadgill: This is just a first step. It is not meant to be definitive. Let's start with remembering this was a planned community. At the time, there was more emphasis on the residential side of the City. No master plan was ever built just like it was drawn. Keep that in mind when looking at these drawings. If even half of the things on these drawings were built it would be quite an accomplishment. We have good zoning for the Mill District and central business district to get us where we want to go within the spirit of the master plan. That's the primary study area. The secondary area is the erector set property also owned by Euramex. There is a big drop in topography at the Fenner Dunlop property. That property is mostly concrete now but historically there was a street grid back there. Those streets were probably removed so parcels of land could be combined. Zoning requires this big of a piece of property to be subdivided. Reintroducing this historic street grid will do accomplish that. There are zoning regulations that were there before the City annexed it. There is a 3 to 5-story height limit. The reintroduced streets would be city streets and would not belong to the developer. The developer also has to provide about 1.2 acres of green space per the zoning. That could be done with a retention pond to aid in drainage in the northwest corner of the property. A 2 acre town green was cited in the master plan, which I think is about the minimum needed. We should make it as big as we can for events. Part of this exercise was to find a place for the town green. The credit union property is already owned by the City and it's 2.3 acres. One disadvantage is it's on the street. Some people would prefer it be more tucked back for safety and because of the traffic noise. There are ways to divide the grid differently. A green space away from the street would encourage development around it and you could see it better. But if it's not visible from the street people might have trouble finding it. It's also Euramex's property. If the town green is not on city-owned property that adds a layer of difficulty. Zoning doesn't allow for a grocery store or other big box store downtown but you could allow it as a conditional use but the maximum size would be 30,000 square feet. Most grocery store chains are building about 45,000 square foot stores. They prefer to build 60,000 square foot stores. You also have to take into account a loading dock and parking. There are also no windows on the sides and back of grocery stores because that's where storage, kitchens, etc. are located. That's an issue with creating a walkable downtown. Loading docks are loud, smelly, and have big trucks coming in and out all the time. It's not going to help adjacent development

or the character of downtown. I don't think a grocery store is a good fit for the historic part of downtown. When you have a town green, you want ground floor retail surrounding it. We did five schemes and they all have benefits and drawbacks. Most of the green space sizes are about 2.5 acres. The space that AutumFest takes up is a little over 2 acres. The Little Wine Shop building is even older than the Tudor Village. One question when it comes to walkable downtowns is how far people willing to walk for a particular retail destination. The rule of thumb is about ¼ miles or about 5 minutes is usually not a big deal if you are able bodied. A half miles or 10 minutes is more for exercise. It would be about a 10 minute walk from the Fenner Dunlop property to the grocery store if there was one at the site of the erector set. That could be a pretty easy sell. Many homes in the residential area could also be an easy 10 minute walk too. From a character standpoint, a grocery store at the erector set property makes more sense too. Because of the stoplights there too, it makes for easier access. However, the road network doesn't work well in the back. The property owners back there appear to be friendly and may cooperate with the city to correct some of the road network. A 46,000 square foot grocery store would fit pretty well here. Other small businesses could screen the parking from the road.

Mayor Elmore: Thanks to Mr. Threadgill (applause) for his time. These are ideas. I want to open it up to hear from the Board, DDA, and you, the public. This is our town. What we do is going to stay there a long time. Euramex has proposed a 46,000 square foot grocery store, apartments, and townhomes. I think those are all great. I think it will make us more sustainable and bring more diversity. We are not saying no to any of that. What we're saying is we want to see a different arrangement. Buildings come and go but the street grid usually persists. Ours was gobbled up by Fenner Dunlop over time but now we have the chance to restore that. We want streets that are walkable, on street parking, nice sidewalks, trees, mixed use we can all enjoy and not just an insular residential compound with a grocery store. We want to establish the street grid and then use zoning to fill it in. I agree with John that a grocery store of that size is not appropriate in our downtown. That's a one-acre building. I think the erector set area is more appropriate.

Parke Kallenberg/DDA: Being able to visualize this really helps. Another thing I think is important is affordable retirement properties. I think a smaller grocery store is more appropriate. Us deciding what we want as a city may actually empower a developer so they know what they're working with.

Jessica Covington/DDA: I would be hard pressed to find a scheme I didn't like. I think it's important to have the green space shielded from the street. Then again, it would be nice to at least see the green from the street to draw interest. I think redoing the old streets is a great idea.

Dave Deiters/DDA: The Board has done a great job of getting us into this dialogue with Euramex (applause). I like all the schemes. The street grid is very important. The retention pond is a great idea. Having a place downtown for festivals would really help downtown businesses.

Sam Collier/DDA: I echo everything I've heard. I think it's DDA's role to incentivize good ideas. We should figure out how to help them implement this. For example, if you're doing something the community wants, the community will help you with some of the infrastructure. Even so, park front and lake front property is very valuable. People will flock to this because it will be a fun place to walk and hang out.

Matt Delicata/DDA: Redoing the street grid is very important. The town green is just as important. Adding new businesses can put pressure on existing businesses. I want us to be aware of that.

Rachel Herzog/DDA: I think the green space and pond area alone will bring people here. I think moving the grocery store to the erector set area is a better fit.

Commissioner Fisher: Thank you for your hard work and I'm glad we're having this conversation. I think zoning is a guide and not an absolute. I would vote to change zoning if it was best for the city. To me, the most important things are the grid, sidewalks, walkability. I think the green is really important with the Tudor Village at the epicenter of it and the feasibility of the project. We have to make sure that what we're suggesting is appropriate with what we have right now. And right now, we don't have the density to support it. I am concerned about the timeliness of the project. I deal with this kind of thing in my work and we're at the end of the cycle. We should do something soon or we'll end up having this same conversation 4-6 years from now. The grid is more important to me than the grocery store.

Mayor Elmore: Commissioner Fisher makes a good point. We do want to work with Euramex. They are long-term partners. They build things and hold onto them. We've had good conversations with them and they're very professional. But we also have to put ourselves in their shoes and think about this financially.

Commissioner Yelton: I know the developers feel like a grocery store is the economic engine of the project. I know we want to partner with Euramex but if we had to move forward without them, what would that look that? Let's keep our small local businesses in mind.

Commissioner Beebe: I'm proud of our DDA and the City staff. I remember some confrontational meetings about this in the past but now it seems like we're all on the same page.

Mayor Pro Tem Giager: I just want to point out that the historic streets were not the City's. So we did not let Fenner Dunlop get rid of those streets because they were not ours at the time. Also, I don't think a small grocery store will be competitive in this area. I think it will be hard to get a grocery store to come here and I don't think the developers will accept a small one. The City and boards have spent a lot of time doing the master plan and zoning. I don't want that to be reopened again. There are financing questions we have to look at. There may be bonds, buying and selling property. So there will be things that will have to be done behind closed doors in executive sessions.

City Manager Brown: This is an exciting time in our city. We've received over $200,000 in grants over the last four years that have allowed us to do a lot of studies like the walkability study. We just got approved for a $2.8 million LCI grant. We annexed Fenner Dunlop and the parcels leading to Sams Crossing. Fisher Paty bought the Tudor Village and has put roughly half a million dollars into upgrades. There's also Tudor Square and Wild Heaven. Hats off to the Mayor and residents who put this together.

John Threadgill: We really made an effort with these schemes to build on the master plan and not revisit them. When in development, you want to go into it knowing the rules and not continuously facing a moving target. We're playing by the rules and we want Euramex to play by the rules.

Item No. 4 Public Comment

Dee Merriam/8 Lakeview Pl: This is very exciting. Smaller blocks are more walkable – 200-300 feet. I think the town green is the most important part of what we're talking about. Think about what we want to have happen on that town green and that will drive how big it needs to be. Also, we have great assets in the nearby MARTA stations. Let's really think about making a promenade for those walking and biking from those.

Bill Clark/11 S. Avondale Plaza: Can you talk about the tax allocation district, or TAD?

John Threadgill: The City is lucky to have a TAD in place for this part of downtown. A TAD is a mechanism for spurring redevelopment. It captures the change in the taxable value of land after redevelopment. For example, if a piece of undeveloped property is worth $1 million but worth $15 million after it's developed, the TAD takes the difference in the amount of taxes on that and puts it in a special fund that's used to fund the redevelopment, either directly or indirectly. Indirectly, it can be used to leverage bonds.

Paul Brown/3271 Kensington Rd: TADs are very important and a City can get a lot out of one.

John Threadgill: I recommend we look into the TAD and extending it. It can get tough politically because a lot of people, like the county and school board, have to agree to it.

Kathy Kingsbury/817 Stratford Rd: What percentage of property in our city is covered by the TAD? Because there's a cap. TADs are wonderful but some projects are successful and some are not. One question is how do we pay for the extra services we provide the TAD area?

John Threadgill: That's part of the politics about this. The Board has to make that decision. The good thing is that we want a town green and development that is consistent with our master plan zoning and the TAD is a great incentive for the developer.

David Sacks/89 Dartmouth Ave: This is very exciting. I think our economic engine is creating a place. Doing really good development is above and beyond what cities normally do. We have a blank slate and this is a good opportunity to

do quality work. We can make a place people want to come back to. It has to be done in tandem with someone like a Euramex. We probably need them to build the residential before we see a lot of retail come in.

Eileen Hickey/70 Dartmouth: I'd like to applaud the Board for reaching out to these residents to help out. The grid is great. We want real multi-use. The town green and its size is really important. If the green space is on city property, that can move forward and act as an activator for development. Having the green space at the end of a T-shaped street or walkway really does a lot for how it presents.

John Threadgill: Yes, that's a good thing. Your vista becomes a destination. Some minor quirkiness like that can make a really interesting downtown.

George Kennedy/116 Center St: I'm impressed with what I see. I like the idea of the grid. Please keep in mind that all of this impacts those of us who have been here for years.

Richard Eels/659 Stratford Green Way: I love the lake, pushing the town green to the west. I like what everyone did and I appreciate all the work.

John Pomberg/3280 Kensington Rd: Can we put all this information on our website so we can refer back to it?

Sharon Saliba/56 Clarendon Ave: I think we should emphasize senior living and make a commitment to that.

Mayor Elmore: They are proposing townhomes and apartments which could be options for seniors. That's one thing I like about what they're offering, a broader range of housing stock. Another model is living above a space you could lease as a boutique, etc. I like that flexibility. Right now we're trying to get a handle on the streets and public realm.

Susie Deiters/2 Clarendon Ave: I'm very for a town green. This collaboration is great. I am not afraid of high density. We need roofs over heads before feet on the street.

Kathy Kingsbury/817 Stratford Rd: How many apartments are they proposing?

City Manager Brown: It's about 200 apartments and 80 townhomes. With the other developments going in around us, there is a lot going on. We need to think about the impact of that.

John Threadgill: It's projected that more single family dwellers will move into apartments. The target market and demand for apartments will change.

Bob Wess/56 Clarendon Ave: Is there a place for public parking?

Mayor Elmore: Not a parking deck. But all of these parcels will have to have their own parking on the parcel. There will be some underground decks I believe. We hope to have a lot of on street parking.

Bob Wess/56 Clarendon Ave: We need to think about that. Parking is really difficult in Decatur even though they have lots of on street parking, for example.

John Pomberg/3280 Kensington Rd: Keep in mind that steps and elevations are not good for seniors.

Candace Jones/9 Fairfield Dr: I like the stormwater lake idea. A good sized town green is good. Everyone needs to play by the rules.

Kay Connelly/10 Dartmouth: This is such a great time for our city! We need to support this if we ever want it to happen. Thanks to all involved. By the way, I'm not in favor of a big box grocery store.

Unknown Resident/3242 Wiltshire Dr: I just moved here from Decatur and this is very exciting. I think your approach is different from Decatur's and that's a good thing. Sustainability and trees and community are very important.

Matt Delicata/DDA: I'd like to read a statement:

First and foremost, it is the Downtown Development Authority's intent to always comply with the law and to be as transparent as possible with all matters that we handle.

With that being said, at the DDA's January 7th, 2016 meeting, prospective authority members were interviewed in executive session.

Shortly after the meeting was held, an open meetings complaint was filed with state Attorney General's office asserting that the DDA discussed board vacancies and interviewed candidates in executive session in violation of the Open Meetings Act, which states that meetings by an agency to discuss or take action on the filling of a vacancy in the membership of the agency itself shall at all times be open to the public. O.C.G.A. 50-14-5(b)(2).

At the time, it was the DDA's understanding that interviewing prospective members constituted "personnel" matters which could be handled in executive session.

This interpretation and opinion was provided by the City Attorney and relayed to the DDA by the City Manager.

Unfortunately, and as the statute above states, any matter concerning the appointment of a member to an authority being discussed by the authority itself must be held in an open session.

The City Attorney's opinion was in regards to whether the Board of Mayor and Commissioners' discussion of new appointments to the DDA could be held in executive session and was not specific to the DDA's January 7th meeting agenda.

The DDA acted upon the information provided to it. The violation was inadvertent and accidental.

Ultimately, we volunteer our time to help strengthen our community, and although we made a mistake, we are working hard to prevent any more in the future. All DDA members are participating in training sessions to better understand the governing laws and we are in constant communication with the DDA's attorney to ensure full compliance with the Open Meetings Act.

We are now focused on moving things forward, and we encourage all to attend future DDA meetings.

City Manager Brown: I appreciate Matt saying that. I want everyone to know that Matt got his advice from me based on a misunderstanding with the city attorney.

Item No. 5 Adjournment

Mayor Pro Tem Giager moves to adjourn. Commissioner Fisher seconds.

APPROVED THIS 23rd DAY OF MARCH 2016

Jonathan Elmore, Mayor

ATTEST:

Gina Hill, City Clerk