

**BOARD OF MAYOR  
AND COMMISSIONERS**

JONATHAN ELMORE

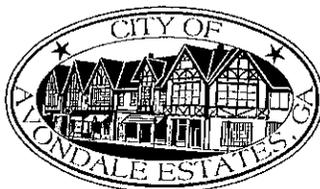
MAYOR

TERRY GIAGER  
MAYOR PRO TEM

RANDY BEEBE  
COMMISSIONER

BRIAN FISHER  
COMMISSIONER

ADELA YELTON  
COMMISSIONER



R. CLAI BROWN  
CITY MANAGER

GINA HILL  
CITY CLERK

ROBERT E. WILSON  
CITY ATTORNEY

STEPHEN W. NICHOLAS  
CITY JUDGE

**BOARD OF MAYOR AND COMMISSIONERS  
SPECIAL CALLED WORK SESSION**

**May 4, 2016**

**5:30 p.m.**

**AGENDA**

Members present: Jonathan Elmore, Mayor  
Terry Giager, Mayor Pro Tem  
Adela Yelton, Commissioner  
Brian Fisher, Commissioner

Members absent: Randy Beebe, Commissioner

Staff present: Clai Brown, City Manager  
Gina Hill, City Clerk  
Stephen Quinn, City Attorney  
Keri Stevens, City Planner

Item No. 1 Meeting Called to Order

Item No. 2 Adoption of Agenda  
Commissioner Fisher moves to adopt agenda. Commissioner Yelton seconds. All ayes.

Item No. 3 Review of South City Partners Development Agreement

Mayor Pro Tem Giager: We don't have a recommendation from the planning and zoning board yet. But we know they have all the information.

Commissioner Yelton: I appreciate having this information. I remember asking South City Partners during the first meeting how many zoning variances they would need and they said two or three. Now I see at least 20. Also, does the planning and zoning board (PZB) have the most updated information?

City Manager Brown: The development agreement is written to reflect the site plan. The PZB has until about the middle of June to make a recommendation to the Board of Mayor and Commissioners (BOMC). The PZB has a public hearing on May 16<sup>th</sup>.

Commissioner Fisher: All of this is subject to change, correct?

City Manager Brown: Correct.

Commissioner Fisher: Weren't there some changes to the exterior?

City Manager Brown: We don't know yet. The developer is working on what they say are minor changes but we won't know until we get the plans back. Depending on the changes, the project might have to go back before the architectural review board (ARB). That won't necessarily have anything to do with the zoning. But these plans before us are what the PZB is working from. The BOMC can add items to the development agreement if you choose.

Commissioner Fisher: Do we know what the rental rates will be?

City Manager Brown: I think it is between \$1,200 and \$1,500 or higher.

Commissioner Fisher: Do we know what the size breakdown will be?

City Planner Stevens: That information is not on the most recent plans. There will be 205 units at the most.

Commissioner Yelton: So we don't anticipate any changes would involve asking for more zoning variances, do we? And is this the right time to start talking about what South City Partners can do for our community as far as business development or education goes?

Mayor Pro Tem Giager: I know they're willing to take on the entire infrastructure of the project. They haven't asked us for any kind of partnership at this point.

Commissioner Yelton: Except for the zoning variances.

Mayor Pro Tem Giager: That's going to happen with any development. It doesn't hurt them to ask.

Commissioner Yelton: In addition to that, I've seen where some developers will come in and sponsor a school or community event. It's more like promotion, advertising, sponsorship.

Mayor Elmore: That hasn't been discussed as far as I know.

Mayor Pro Tem Giager: I think that is more common with retail establishments.

Commissioner Fisher: A lot of things have to be worked out between now and then. Right now, I'm more focused on the level of density, will it attract the kind of people we want to attract, the streetscape, the greenspace. It's our first big project and it will set the standard for future projects. I'm interested in any changes they make to the plans. How do the apartment sizes compare to other areas like Decatur and Buckhead? Are they the type and size that will be in demand?

Mayor Pro Tem Giager: I hear that smaller apartments are the trend. I think the main thing we need to look at is height. I'm not against it, however. I know we have special zoning for the Fenner-Dunlop property such as requiring wi-fi, hardwood floors, etc. Can we do that in this situation?

City Planner Stevens: We cannot. That was specific to the downtown business district.

Mayor Pro Tem Giager: I'm just glad we have this right now. I encourage others to go to the PZB meeting. But I think it's a good development and I think our attorney did well with the development agreement.

Commissioner Fisher: Has the retail space changed at all since the last plan?

City Manager Brown: The amount of retail space went from 10,000 square feet to about 7,000 square feet.

Commissioner Fisher: Does that include the leasing office?

City Manager Brown: No.

Commissioner Yelton: Is it typical to include a net revenue projection or benefit to the city?

City Attorney Quinn: No. You could ask for that information but I don't think you could hold them to any particular kind of performance.

#### Item No. 4

#### Public Comment

Dennis Burns/26 Dartmouth Ave: (PZB member) I'd like to compliment the developer on a great package with great visuals. It really helps. The grade slopes down as it goes back. So they could possibly have the building shorter at the front without losing space. I also think it would be nice if the greenspace there was deeded to the City in perpetuity.

City Manager Brown: It's in the development agreement that there has to be public access to that greenspace forever.

Dennis Burns/26 Dartmouth Ave (PZB member): The stronger the restrictions to guarantee that, the better off we'll be in the future.

Mayor Pro Tem Giager: Five-story apartments will be built by the Marta station diagonally from this development so I think it will fit well. The ARB has discussed that. The developers are in a crunch with apartments because they're building a parking deck.

Paul Brown/3271 Kensington Rd: How many public parking spaces will there be?

City Planner Stevens: There are 287 total spaces. Twenty-seven are on the street. Two hundred and five will be allocated to the units if the number of units goes up that high.

Paul Brown/3271 Kensington Rd: I feel one parking space per apartment is not enough. I think the transformers should be hidden better as well. Also, the first time the developers presented to the public they agreed to join with the PATH but it's not on the site plan.

Mayor Elmore: I do like the idea of a path and I think it should go all along the railroad tracks to Laredo. I don't remember them agreeing to that. It could go down Hillyer. I need to go back and listen to the minutes from that meeting.

Commissioner Yelton: Paul Brown, I remember you asking about the PATH at the meeting and I think they said they would look into it. I think it's a good idea and worth looking into. It would be nice to know how many smaller apartments will be included because they will likely only have one person living in them and they may be using Marta.

Lisa Shortell/6 Clarendon Pl: What is the status of the canopy trees in the development's green space? I know there were some issues with GDOT on those. Is that in the development agreement?

City Manager Brown: It's not in the agreement. The developers would have to get approval through GDOT.

Lisa Shortell/6 Clarendon Pl: Have there been discussions with GDOT?

City Manager Brown: Not on our end. That has to come from the developer. They have to get approval. That wouldn't happen through the City.

Lisa Shortell/6 Clarendon Pl: In the site plan, is there room to plant canopy trees in the future? Are the planting beds big enough and will they be maintained?

Commissioner Fisher: The plans we've seen do have canopy trees on them and we haven't seen anything different. For me, all the exterior elements are extremely important because it is the first of many. We have to set the right precedent. I think they agree and are on board with that.

City Manager Brown: The material the PZB has includes a variance from 30 feet to 60 feet. That's in regards to spacing, not the species of the tree. They didn't want to block the retail in the front.

Mayor Pro Tem Giager: That's right. You won't be able to see the businesses or their signs with shorter trees next to them.

Paul Brown/3271 Kensington Rd: Does our ordinance only require one parking space per unit?

City Planner Stevens: Yes.

Paul Brown/3271 Kensington Rd: Is that typical for Decatur or other areas? There will likely be more than one car per unit and those people will also have visitors.

Commissioner Yelton: The building may not be fully occupied at any given time.

City Manager Brown: The Board can always amend the zoning ordinance. We can always survey other cities for comparison.

Mayor Elmore: Changing it right now would change the entire economics of a project. It could make projects unfeasible based on lots of factors like land cost and construction cost. You have a good point.

Mayor Pro Tem Giager: My son is 29 years old and he does not have a car. He takes public transportation. And access to Marta is a good thing about this project's location. I also know people in their 50s that take Uber everywhere. I think parking is something we need to look at but things are changing.

Martha McDermott/6 Kingstone Rd: I agree with Mayor Pro Tem Giager. What he described is the trend right now.

Susie Deiters/2 Clarendon Ave: I think what you are saying makes it even more important that we have some kind of path as part of the development.

Paul Brown/3271 Kensington Rd: The side of the building facing Hillyer needs more focus and attention. Also, can we ask that the first level of the parking garage be screened with a lattis or something?

Susie Deiters/2 Clarendon Ave: I appreciate all your hard work. I know the Board is dealing with a lot right now.

Mayor Elmore: Thank you for saying that. What are the next steps?

City Manager Brown: The PZB is having their public hearing on May 16<sup>th</sup>. But this will be up for discussion several more times. If there are things you want to add to the development agreement, the attorney needs to know that. The developers say that nothing will change as far as zoning goes. But if there are changes, the project may have to go back before the ARB. The 60-day clock has already started for the PZB to consider their recommendation for the development.

Mayor Elmore: I'm not sure if they can lower the height and redistribute the apartments. I think the path is very doable. The transformer screen doesn't bother me. And I don't quite fully understand the tree issue, I need to research that some more.

Commissioner Fisher: I don't mind the height as long as it matches development around it. I do like the idea of asking them to consider the path. Screening the bottom level of the parking garage would also be nice.

Commissioner Yelton: I'm happy to have the chance to get together and talk about it. I think the aesthetics are very important. I think Paul Brown makes a good point about the parking and I think the path is a good idea. Overall I think it's a great project and if we have a chance to be part of the conversation then let's take advantage of it.

Mayor Pro Tem Giager: I'm interested to see what the PZB recommends.

City Attorney Stephen Quinn: I heard mention of a certain number of parking spaces available to the public and that is not something in the development agreement. We can mandate that in the agreement if it's important to the City.

Mayor Elmore: Yes, absolutely.

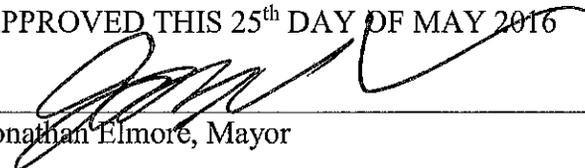
City Attorney Stephen Quinn: We don't need to ask for it in the agreement if it's something already outlined in the zoning ordinance.

Mayor Elmore makes a motion to enter into executive session to discuss real estates. Commissioner Yelton seconds. All ayes.

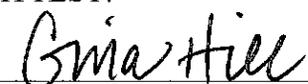
Item No. 5                      Executive Session – Real Estate

Item No. 6                      Adjournment

APPROVED THIS 25<sup>th</sup> DAY OF MAY 2016

  
\_\_\_\_\_  
Jonathan Elmore, Mayor

ATTEST:

  
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Gina Hill, City Clerk