



The Buckhead Council of Neighborhoods

Board Meeting

March 14, 2013

Peachtree Presbyterian Church

6:30 – 8:30 PM

Meeting Minutes

Attendees

	Full Name	Neighborhood/Organization
1	Yolanda Adrean	City Council District 8
2	Andrea Bennett	North Buckhead
3	Katy Bryant	Buckhead Forest
4	Mark Carlson	Atlanta Classical Academy
5	Gordon Certain	North Buckhead
6	D Brooks Cowles	Community Funeral Service
7	Lee Friedman	Atlanta Classical Academy
8	Tom Gordon	Ardmore Park
9	Tiffany Harlow	Zone 2 Community Prosecutor
10	Amy Hillman	Buckhead Forest
11	Dan Hillman	Buckhead Forest
12	Mary Hunter	Peachtree Heights East
13	Kim Kahwach	Buckhead Forest
14	Jim King	Chastain Park
15	Walda Lavroff	North Buckhead
16	Penelope Malone	Chastain Park
17	Steven McConnell	Meadowbrook (Sandy Springs)
18	Karen McEnergy	Sandy Springs City Council
19	Alex McGee	Brookwood Hills
20	Jennifer Moyers	Mt. Paran-Northside
21	Kirk Oppenlander	Chastain Park
22	Garth Peters	Memorial Park & Buckhead Coalition
23	Mark Riley	Springlake
24	David Ross	Peachtree Battle Alliance
25	John Schaffner	Buckhead View
26	Bob Schneider	Garden Hills
27	Robert Schreiber	Unknown
28	Sally Silver	COA District 7 / North Buckhead
29	Katie Tolleson	Collier Hills North
30	Alex Wan	District 6 City Council
31	Debra Wathen	Paces
32	Dan Whisenhunt	Buckhead Reporter
33	Jack Whittaker	Buckhead Forest
34	Caroline Young	Northside Neighbor

Representation by Neighborhood

Neighborhood	Attendees (Designated BCN Rep/Alt shown in bold)
1 Ardmore Park	Tom Gordon
2 Brookwood Hills	Alex McGee
3 Buckhead Forest	Jack Whittaker , Amy Hillman, Dan Hillman, Katy Bryant
4 Chastain Park	Jim King , Penelope Malone, Kirk Oppenlander
5 Collier Hills North	Katie Tolleson
6 Garden Hills	Bob Schneider
7 Meadowbrook (S. Springs)	Steven McConnell
8 Memorial Park	Garth Peters
9 Mt. Paran-Northside	Jennifer Moyers
10 North Buckhead	Gordon Certain , Andrea Bennett, Walda Lavroff , Sally Silver
11 Paces	Debra Wathen
12 Peachtree Battle Alliance	David Ross
13 Peachtree Heights East	Mary Hunter
14 Springlake	Mark Riley

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BCN 2012/13 Officers (Executive Committee)

Office	Officer	Neighborhood	E-mail
Chairman	Jim King	Chastain Park	
Vice-Chairman	Tom Tidwell	West Paces Northside	
Secretary	Gordon Certain	North Buckhead	
Treasurer	Barbara Kennedy	Collier Hills	
Communications	Bob Schneider	Garden Hills	
Member at Large	George Mirgorod	Pine Hills	
Member at Large	Ann O'Connell	Mt. Paran Northside	
Parliamentarian	Glenn Delk	Historic Brookhaven	

BCN Standing Committees

Committee	Chair	E-mail
Executive Committee	Jim King	
Communications Committee	Bob Schneider	

BCN 2012/13 Liaisons

Topic	Liaison	E-mail
Education	Leslie Churchill	
Membership	(Open)	
Parks	Gordon Certain	
Property Taxes	George Mirgorod	
Public Safety	Barbara Kennedy	
	Tad Linder	
	Kim Kahwach	
Redistricting	Jim King	
Transportation, Development and Infrastructure	Diane Cox	
	Ron Grunwald	
	Deborah Wathen	
	Kristy Gillmann	

I. Welcome & Introductions

Jim King called the meeting to order at about 6:40 PM. A quorum was not present.

II. Approval of January Minutes

Minutes for the January and February meetings were not approved due to the absence of a quorum.

III. Admit New Member Neighborhoods

No neighborhoods asked to be admitted to BCN.

IV. Atlanta Classical Academy Presentation (Matthew Kirby)

Matthew Kirby spoke about the plans to create Buckhead's first charter school. He introduced ACA board members in attendance: Mark Riley (former member of Atlanta Board of Education), Dr. Lee Friedman (former principal at Sarah Smith Elementary and Westminster Elementary School), and Mark Carlson.

Riley said a charter school is a legal agreement between three parties: the State Board of Education, the local board of education (the Atlanta Public Schools, in this case) and the charter's board (the board of Atlanta Classical Academy). The basic premise of a charter is that they are freed from some of the rules but are expected to achieve higher results.

Why ACA? First, Riley explained that schools in our area are both large and at capacity. Additional capacity is needed. Second, parents should have the freedom to choose the kind of educational environment their children need. He said what we have now with APS is a "one size fits all" model – that model is not providing competitive results when compared to the state, the nation or the industrialized world. He thinks parents deserve an alternative other than using expensive private schools. The third aspect is to change the leadership structure. The nine individuals on the Atlanta Board of Education oversee about 100 schools and 47,000 students with a budget about \$600 million

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and about 4,000 employees – that’s a tough task. He said the highly qualified leadership of a charter school can provide local leadership to focus on one school and the needs of its community. Last, a charter school has autonomy. Schools operate by an underlying philosophy. The ACA is based on providing a K-12 classical, liberal arts school. Their mission is to develop their students in mind and character with a content-rich and classical curriculum that emphasizes three things: traditional learning, virtuous living, and civic responsibility.

They intend to start up the school with grades K-10 in the fall of 2014. They will submit their business plan to APS in April. The BOE will vote on the plan in June/July. The state will vote on the plan in August/September. That will give them about twelve months to set up the school. They are looking at several sites and are in negotiations and cannot divulge locations at this time. Their plan is to have a single campus for all grades. They plan to start with about 54 students per grade and will end up with an enrollment of 700 to 750 students – they don’t plan to grow forever. Their attendance zone will include all of APS. If the school is oversubscribed, there will be a lottery. “Carve outs” will be made for students whose parents are founding members of the board, employees of the school, and siblings of current students. ACA decided early on to manage the school themselves and not to bring in a national management company.

ACA is trying to get 2,000 signatures to document community support – see http://eepurl.com/wx4_r.

V. Sandy Springs Development Update (CM’s Yolanda Adrean & Karen McEnerny)

This presentation involves an update on the proposed 21-acre Sandy Springs Gateway (SSG) multiple-use (as opposed to mixed-use) project on Roswell Road in southern Sandy Springs extending to the Atlanta City Limits line. The development is intended to replace 426 old apartments with 700 new apartments, about 120,000 square feet of commercial and related parking.

Because of its size the project triggers the Atlanta Regional Commission’s “Development of Regional Importance” threshold. As a result, traffic impact studies have been conducted by the developer and reviewed by the Georgia Regional Transportation Authority (GRTA). These studies show significant increases in traffic on Roswell Road and the streets that connect to it. The increase on Roswell Road at the city limits is 5940 daily vehicles added to the existing volume of about 33,000 vehicles, an 18% increase. Even with these increases, the developer’s models forecast no degradation of intersection levels of performance from Roswell’s typical “D” levels of service.

GRTA issued preconditions on Sandy Springs and Atlanta to make a number of infrastructure improvements if the project is to be approved. These include several major changes and a number of minor ones. The biggest change is the requirement that Windsor Parkway’s intersection be relocated so it meets Roswell Road at a right angle and so it can become the major entrance point into and out of the project. Other changes that were discussed included the requirement for Atlanta to add a mid-block third lane to permit eastbound West Wieuca Road traffic to turn into the project. Another Atlanta change is that new dedicated left turn lanes be created at Roswell Road at Wieuca Road and West Wieuca Roads. These Atlanta changes would have to be funded by the City of Atlanta with no funding from either the developer or Sandy Springs.



City Councilmember **Karen McEnerny** represents the Sandy Springs district where proposed project is to be located. She opposes the project but believes that Mayor Eva Galambos and a majority of the Sandy Springs City Council will approve it. She is very concerned about the transition zone from the four-story development to neighborhoods to the west and the magnitude of the project impacting traffic. The relocation of Windsor Parkway will involve a new five-lane road which will take out existing commercially viable structures: one option takes out a 1937 historic church structure, the other a popular Popeyes fast food business. McEnerny knows the potential cost of taking out these business sites but cannot discuss them because negotiations are in process – some funds are available for this realignment including those to provide sidewalks along Roswell Road up to Glenridge Drive. She is also

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concerned by the increase in Sandy Springs apartment dwellings and the decline in owner-occupied homes to potentially less than 50%.

The project is expected to impact traffic in Atlanta's North Buckhead and Chastain Park and Sandy Springs Cherokee Park and High Point neighborhoods. It will also complicate the traffic issues encountered today in the "Meadowbrook neighborhood", part of which is in North Buckhead and the larger remainder in High Point. It will also loom in the backyards of Cherokee Park homes – initially proposed building heights were up to 84 feet. Notably, while the development is very close to Chastain Park, none of its traffic studies were conducted during concert or athletic events, so major potential traffic issues were never explored.

Since the BCN meeting it was determined that a significant DRI being resurrected at the Prominence on Piedmont Road at Lenox Road is now likely to move forward with another 700+ apartment complex. This Buckhead project will likely send significant traffic (perhaps an additional 2% increase, making the total increase 20%) onto Roswell Road near the site of the SSG project. This traffic was not forecast in the SSG traffic studies (even though greater traffic was projected in a previously approved DRI), casting doubt on their projections of traffic condition projections. Likewise, SSG is projected to send 20% of its residential traffic to the area of the Prominence development, an area frequently plagued by gridlocks.

Several documents are available related to this presentation:

- Clarification by McEnery: www.nbca.org/BCN/Minutes/2013-04-05_McEnery_Clarification.pdf
- DRI Thresholds by McEnery: www.nbca.org/BCN/Minutes/McEnery_DRI_Thresholds.pdf
- Presentation by Certain: www.nbca.org/BCN/Minutes/2013-03-14%20BCN_SSGateway.pdf

The outcome of this situation is not clear. If Sandy Springs approves the project yet fails to make all of the improvements required by GRTA, that would threaten funding for the proposed Sandy Springs City Center project, planed for Roswell Road at Johnson Ferry Road. If Atlanta refuses to make the improvements required by GRTA, it might cause the project to be tossed back to GRTA for further consideration (and could cause problems for certain projects planned in Atlanta.)

McEnery said there is a revised site plan for the project that has been seen by some Sandy Springs officials but is not publicly available. The developer plans to meet with affected neighborhoods with this new plan on April 10. That revised site plan will incorporate the effects of the revised Windsor Parkway intersection and will hopefully reduce intensity of the development.

The major concern to Atlanta and Buckhead neighborhoods is that the project will eat up infrastructure money the city doesn't have and will significantly increase Roswell Road traffic by about 18% and feeder streets by various amounts with no benefit to our area. McEnery concluded by saying we need to gather facts to change officials' minds on this project. **Yolanda Adrean** commented that Roswell Road is a state road and it is not clear that the city governments can influence its use. However, she said the developer did not have enough right-of-way on West Wieuca Road to make the planned driveway into the project work – that driveway is located in the City of Atlanta.

VI. Buckhead Forest Land Use Policy Concern (Amy Hillman)

Amy Hillman said that the Buckhead Forest neighborhood is impacted by two major churches. They want those churches to prosper but for their growth to be responsible and not impact the neighborhood's security and quality of life. She also said that hers is a historic neighborhood and has been working with **Erica Danylchak** of the Buckhead Heritage Society to be listed in the national register of historic neighborhoods (see www.nbca.org/BCN/Minutes/2013-03-18_Buckhead_Forest_Historic.pdf.)

This presentation involves a proposed expansion by the Peachtree Road United Methodist Church (PRUMC) into the residential parts of the Buckhead Forest neighborhood. PRUMC is currently mostly located on commercially zoned property in SPI 9. She said SPI 9 was intended to encourage more thoughtful, smarter urban development including pedestrian-oriented streetscaping, moving away from surface parking lots, having suitable transitions to neighborhoods, and the goal of preserving neighborhoods.

She said the project they are concerned with proposes to bulldoze two R-4 homes and replace them with a 40'-foot high, 50,000 square foot youth center, shaped much like a "big box". The building will be about 20 feet from the nearest residential home with two stories of windows looking into the neighborhood. She said the building is bigger than Trader Joe's and has longer operating hours – 13 hours a day, seven days per week plus special events.

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Amy said no overall campus site plan has been submitted. The site plan for this project doesn't show the church. Understanding planning for impervious surfaces, landscaping, and traffic management is not possible without an overall site plan. She said the components of the church's expansion have all been pursued separately – there are four separate water detention facilities and separate parking facilities, each permitted separately. So the developer has never had to address the comprehensive impact of these changes. The neighborhood is asking for a campus plan and traffic studies. She doesn't understand how 50,000 square feet can be added without parking being added. She doesn't want her neighborhood gobbled up one lot at a time without comprehensive impacts being addressed.

Kim Kahwach said that the neighborhood had met with the church committee responsible for the development. She said that they agreed to ultimately provide an overall campus plan but so far had only provided the site plan for the special use permit they now want considered. Kim said they want the entire campus plan as part of the application.

Dan Hillman said the precedent that all neighborhoods should be concerned about is if a developer is permitted to simply go one lot in from the SPI and conjoin it to a large commercial campus to thereby avoid the requirements of the SPI. He is afraid the life of his neighborhood is threatened if this precedent is set. He said the proposed development does not address the water runoff problems from the church complex the neighborhood is experiencing today.

Sally Silver, representing Councilman Howard Shook's office, said that Howard had been asked by both the church and the neighborhood to try to mediate the issue with the church and neighborhood. She said that she didn't consider this to be an SPI issue since a special use permit can be filed in any zoning district. Kim responded that she thought it was an SPI issue because the church was candid that the reason they were moving the planned building from the original location inside the SPI to the one on R-4 land because it was much cheaper there than in the SPI area. Kim has an email confirming that.

Sally added that she was in support of having all churches file a master site plan. She said, when she was Chair of NPU-B, that she told the church that a master plan must accompany their special use permit application if the application was to be approved by the NPU, much less by the City.

Katy Bryant said she lives next to the proposed building site. She said every adjoining property owner has gone on record against the special use permit because they believe their homes will lose value and they will lose quiet use of their R-4 property. She said over the last 15 years over 150 units of affordable housing has been lost in the area as part of the \$15 million, parcel by parcel acquisitions by the church. She expressed many other concerns. She added that in her years of involvement this will be the most egregious encroachment into a neighborhood that she has ever seen.

Jim King noted that BCN is not the NPU or the ZRB, but we are concerned neighbors. There is a 60-day hold on the application. If progress isn't made soon, the neighborhood may wish come back to BCN next month.

VII. Cheshire Bridge Land Use Policy Concern

Ron Grunwald asked that this item be on the agenda but he was delayed in returning from a trip to Adairsville and could not participate. Grunwald's principal concerns were unanticipated consequences and the precedent set for other areas in the city.

Councilmember Alex Wan proposed legislation involving Cheshire Bridge and explained it as follows. In 1999 a task force established a vision for the north and south ends of the corridor. In 2001 the City adopted neighborhood-commercial district 4 (NC4) on the north side and NC5 on the south. The zoning for those areas was established in 2005. Since then not much progress has happened with eliminating non-conforming uses. He said that Georgia Supreme Court case law supports a municipality "amortizing" a non-conforming use. He said no one in the state has tried it yet. He said for areas that have successfully used amortization, the best practices have involved allowing a time period to recoup their investment and come into compliance. His ordinance proposes a minimum of two years for non-conforming uses to come into compliance. If the owner didn't agree, they would have the option of an appeal to the Board of Zoning Adjustment (BZA) which would empanel an appropriate review committee to review the economics of the appellant's business to determine a proper time period for compliance.

The ZRB deferred consideration of the legislation for 60 days. When neighborhood-commercial zoning was set on Cheshire Bridge, boilerplate wording was used; in other areas in the city tailored requirements were used. As a result a number of businesses such as restaurants are non-compliant

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because of issues such as insufficient square footage. The NPU-F zoning committee is looking at the situation. Another 60 day deferral is likely. The City Law Department is reviewing alternatives.

VIII. Proposed Football Stadium & Infrastructure Costs Discussion

Ron Grunwald, among others, expressed concern that money from the possible \$250 million “quality of life” infrastructure bond issue might be used to pay for infrastructure required for the proposed stadium. **Yolanda Adrean** said she was adamantly opposed to such a use. She outlined where things stood on the stadium. She said yesterday (March 10) at 4:45 she was given a piece of legislation that hadn’t been introduced but likely would be introduced and voted on the following Monday. The approach being initiated by the proponents of the stadium through the legislation was to use a resolution approved by the City Council to dedicate hotel/motel sales taxes to fund \$200 million in bonds for the stadium instead of an ordinance, which would necessitate public hearings. The \$200 million is the most that can be borrowed under state law. The Falcons would assume 100% of the risk for the repairs and maintenance required for the new stadium. The Falcons would put up \$800 million to match the city’s \$200 million. The Falcons would put up \$50 million for infrastructure surrounding the stadium. Community benefits are sought for surrounding neighborhoods who didn’t get much of what was promised when the original stadium was built, so Arthur Blank’s Foundation is putting up \$15 million for community benefits. Some money from an existing TAD will also be invested in those communities.

Yolanda said, as compared to other stadium deals across the nation, this one is not so bad. She said if the legislation comes up for a vote, she’d like for the Falcons to pay for *all* the infrastructure and she’d like the City Council to have a seat at the table over the stadium’s design. She thinks this could be really terrific for the city if done right.

Alex Wan said he is skeptical of the economic impact numbers that have been provided. He thinks the involvement of Invest Atlanta in managing the effort rather than the City is a “little indirect”. He thinks the mayor has the votes and that they are trying to get the best deal they can get before the vote is taken.

It was clear from the questions and answers during the meeting that definitive answers for many issues are currently unknown.

IX. Committee and Liaison Updates

- **Communications Committee** – No report.
- **Education** – **Tom Tidwell** reported
- **Executive Committee** – Did not meet. No report.
- **Membership** – No Report.
- **Parks** – No Report.
- **Property Taxes** – No Report.
- **Public Safety** – No Report.
- **Redistricting** – No Report.
- **Transportation, Development and Infrastructure** – No Report.

X. Old / New Business

Email Voting – Voting for bylaws revisions for email voting is being done on paper ballots.

XI. Community Concerns – No Report.

XII. Announcements – None.

XIII. Next Meeting – April 11, 2013

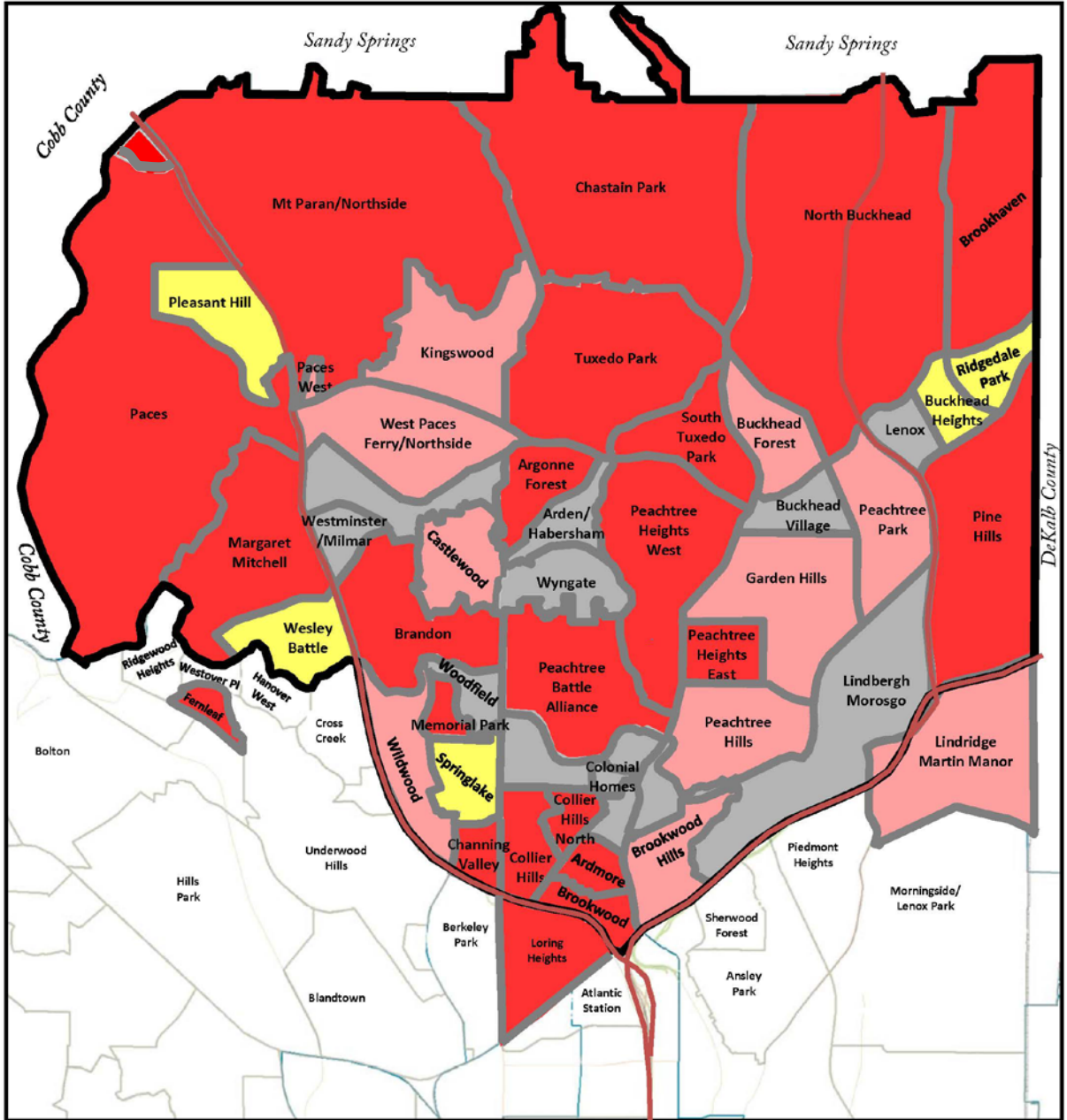
XIV. Adjourn - The meeting adjourned at about 8:40 PM.

Note: *The opinions expressed by the speakers and individual neighborhood representatives in these minutes do not necessarily represent those of BCN or its member neighborhoods.*

Prepared by Gordon Certain
BCN Secretary
April 8, 2013

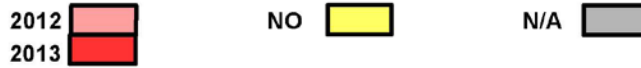
Buckhead Council of Neighborhoods

Paid Membership as of 04/07/13



LEGEND

Paid Membership as of 04/07/13



BCN Organizational Status as of 3/11/2013																							
		BCN Dues					Representation at BCN Board Meetings																
	Neighborhood	2009	2010	2011	2012	2013	2008	2009	2010	2011	2012	2013											
							3 meetings	12 meetings	11 meetings	11 meetings	12 meetings	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1	Arden/Habersham																						
2	Ardmore Park	✓	✓	✓	✓	✓	100%	67%	91%	92%	83%	✓	✓	✓									
3	Argonne Forest				✓	✓					33%		✓										
4	Brandon				✓	✓						✓	✓										
5	Brookwood		✓	✓	✓	✓		17%	45%	82%	58%												
6	Brookwood Hills			✓	✓			8%		45%	25%	✓		✓									
7	Buckhead Forest	✓	✓	✓	✓		100%	75%	100%	18%	42%	✓		✓									
8	Buckhead Heights							8%															
9	Castlewood	✓	✓		✓			17%		27%	8%												
10	Channing Valley					✓				18%	8%	✓	✓										
11	Chastain Park	✓	✓	✓	✓	✓	100%	100%	100%	100%	100%	✓	✓	✓									
12	Collier Hills	✓	✓	✓	✓	✓		67%	82%	91%	200%		✓										
13	Collier Hills North			✓	✓	✓		8%	9%	27%	50%	✓		✓									
14	Fernleaf				✓	✓					42%	✓											
15	Garden Hills	✓	✓	✓	✓			75%	91%	63%	75%		✓	✓									
16	Grant Estates	✓	✓	✓		✓	100%	83%	82%														
17	Historic Brookhaven	✓	✓	✓	✓	✓	33%	58%	91%	63%	75%	✓	✓										
18	Kingswood	✓			✓		33%	8%	9%	9%													
19	Lindbergh									9%													
20	Lindridge Martin Manor	✓	✓	✓	✓		33%	25%	55%	9%	8%												
21	Loring Heights			✓	✓	✓				82%	75%	✓	✓										
22	Margaret Mitchell	✓	✓	✓	✓	✓		33%	64%	91%	50%												
23	Memorial Park	✓	✓	✓	✓	✓	67%	58%	91%	91%	75%	✓	✓	✓									
24	Mt. Paran-Northside	✓	✓	✓	✓	✓	100%	75%	55%	82%	75%	✓	✓	✓									
25	North Buckhead	✓	✓	✓	✓	✓	100%	100%	100%	100%	100%	✓	✓	✓									
26	Paces	✓	✓	✓	✓	✓	67%	58%	55%	72%	67%	✓	✓	✓									
27	Paces Battle									18%	17%												
28	Paces West	✓	✓					7%		9%	8%												
29	Peachtree Battle Alliance	✓	✓	✓	✓	✓	100%	83%	64%	72%	67%		✓	✓									
30	Peachtree Heights East	✓	✓	✓	✓	✓	67%	50%		63%	83%		✓	✓									
31	Peachtree Heights West	✓	✓	✓	✓	✓	33%	25%	73%	63%	100%	✓											
32	Peachtree Hills	✓	✓	✓	✓		100%	75%	45%	36%	42%												
33	Peachtree Park	✓	✓	✓	✓		67%	83%	55%	36%	58%												
34	Pine Hills		✓	✓	✓	✓	33%	8%	91%	91%	92%	✓											
35	Pleasant Hill																						
36	Ridgedale Park	✓	✓	✓			100%	58%	73%	18%													
37	Springlake		✓	✓					55%	18%													
38	Tuxedo Park	✓	✓	✓	✓	✓	67%	75%	73%	63%	25%	✓											
39	Wesley Bohler	✓	✓					17%	9%	9%													
40	West Paces Northside	✓	✓	✓	✓	✓	67%	67%	64%	82%	58%	✓	✓										
41	Wildwood			✓	✓		33%		27%	72%	67%												
42	Wyngate										8%												
Totals		26	28	28	30	24	Avg:16	Avg:16	Avg:18	Avg:19	Avg:18	18	19	12									