

**Minutes of the Chastain Park Civic Association
Board Meeting, February 26, 2007**

The February 2007 meeting of the Chastain Park Civic Association (“CPCA”) was called to order at 6:40 pm on Monday, February 26, 2007. Attendees are shown on Exhibit 1 which is attached hereto and made a part hereof. A quorum was not present at the commencement of the meeting; however following several changes in the membership of the Board, a quorum was present.

Jim King announced that several Board members need to be removed for a variety of reasons: Bob McCullough; Denice Burch; Heather Chronos; and Leigh Catherall. A motion was made and seconded to remove these individuals from the Board and was passed unanimously. With these changes, the number of Board members was reduced to 17, with 9 members thereby forming a quorum.

The motion was made, seconded and passed unanimously to approve the minutes from the January 2007 meeting.

Jim King reported low crime in the area in the last month. The mounted patrol has been active in the Park. The Atlanta Police Department cruisers have also been seen in the neighborhood. New crosswalk signs have been set out on Lake Forrest Drive and Powers Ferry Road.

Bill Kasper reported that there was no news on the amphitheater.

Todd Davis had a report of someone going through a homeowner’s trash in the early morning. This is being investigated. Mark Reece asked if the Chastain security patrol can write citations. Jim King stated that yes, they could.

As Heather Chronos has stepped down, Bill Kasper was asked to take her place as the Chastain Park Liaison and it was suggested that someone else work on security. A motion was made and seconded to that effect and was passed with 8 in favor and one abstention.

Jim King presented an overview of the plans for the Chastain aquatic center. The North Atlanta Swim Association has officially changed its name to Chastain Park Athletic Club. The City has pledged \$1.5 million in bond money toward the aquatic center and the Commissioner of Parks has approved the center. A motion and made and seconded to approve the pool concept. The motion passed with six in favor, one opposed and two abstentions.

Jo Elliott asked how the fundraising efforts would be made known to the constituency. Jo felt that we should tap into a wider area of the community than those that would normally be involved in Chastain Park activities. Jim feels that to be a responsibility of the relevant nonprofit organization which is in charge of fundraising. The aquatic center

plans will be shown at the upcoming annual meeting. It was also suggested that press coverage be solicited for the aquatic center. Anyone who has ideas concerning fundraising for the aquatic center was asked to contact Jim King. Jim provided a brief history of the evolution of the Chastain Park Athletic Club, citing how the North Atlanta Swim Association stepped in to run the Chastain pool several years ago when the City agreed to have a private organization run the pool in lieu of being run by the City of Atlanta.

Kirk Oppenlander was asked to present the NPU-A news. There currently is a two-part application before NPU-A to (1) rezone the first seven houses on Powers Ferry Road, starting next door to the Georgia Power substation and (2) redevelop such parcel. Reference was made to the CPCA's established land use and zoning policy which is no higher density than R-3. Kirk and other interested parties have attended several meetings with the developer to understand what he is trying to accomplish. The CPCA remains concerned with the density of the proposed development. The application happened quickly and the CPCA needs time to discuss all options and perhaps develop a comprehensive solution to zoning for CPCA to cover all the gateway streets into our area. A meeting was held on Saturday to discuss conservation easements, historic designation, and working with Georgia Power. The basic issue was investigating a PDH. Kirk would like to get the interested parties together (including Clair Muller and the City of Atlanta attorney) to investigate all the possible options. More time is required to do that and consequently the parties agreed to defer this rezoning on the NPU-A Zoning Board agenda. Hakeem Hilliard, attorney with McKenna Long & Aldridge, representing the developer, then presented his client's position. Mr. Hilliard thanked Kirk for his efforts. The original application was R-3 to RG-3 for 4.3 acres. Mr. Hilliard realized early on that his client would have to decrease the density of the development. The question: is there a way to protect the integrity of the CPCA policy. There is concern that the Sardis Church would be a historic designation. Kirk is looking for a way to draw a line and upzone to the five-way stop. Mr. Hilliard showed the most recent proposal of 20 units on 3.9 acres. There is a possibility to change the remaining single family lots on Powers Ferry to R-2B. Kirk asked what the compelling reason would be for the CPCA to change our current zoning policy. Mr. Hilliard responded that because of the Georgia Power substation located next door to this property, which is an industrial use, a higher density is appropriate.

Kirk commented on the requirements of a PDH. PDH does not change the density but does change the layout of a development. Jim King noted that the adjacent neighbors want something new in the area. Kirk responded that all of those people would be leaving. Jim King asked if the CPCA policy allowed for negotiation. Mark Reece noted that our policy boxes us in to R-3 (such as PDH). Jim King asked if the Board is willing to work toward a solution that would be something other than R-3. Penelope Malone commented on the unfairness of the development to homeowners who bought homes in the CPCA area expecting that the area would remain single family residential at its current density. Mr. Hilliard stated that one of the developers lives in the neighborhood and is concerned with the neighborhood. Bill Kasper stated that he did not know how this development would stop at Powers Ferry. Bill feels the economics over the next five

to ten years will put pressure on all homeowners in the Putnam-Lake Forrest-Powers Ferry area. A development of this nature sets the stage for further development. Jim King asked Brink Dickerson to speak on the NPU issues. Brink stated that it is being investigated. Brink has watched the creep process in so many communities in Atlanta that he is very suspicious of creep, and this is creep. If Brink thought this development would enhance the community he would be in favor of it. Every homeowner feels that it is in his best economic interest to build higher density. Brink is hard pressed to come up with a solution. This development will cause a loss of tree canopy. There will be no meaningful transition from this development to the single family homes adjoining it on Powers Ferry. Brink does not want to use the Georgia Power station as an excuse for degrading the neighborhood in future. Kirk sees much of Powers Ferry on the east side as vulnerable. Jim asked about the density of the Parkside development near the Field of Dreams. Mark Reece has looked at the development behind Phipps Plaza. Mark feels that the relevant question is the space between homes. Kirk Oppenlander noted that the development behind Phipps Plaza has a bit more of a buffer. RG-3 zoning allows a lot of different types of building. Jim King summarized that the sticking point is density. Jim does not want anything like the brownstones on Habersham in our neighborhood. Mr. Hilliard stated if there is a way to prevent 'creep', he is in favor of this. Kirk stated that we are not doing RG-3 now. One of the ways to assemble homeowners to be interested in selling is to offer twice the value to homeowners. The hearsay is that homeowners selling to this developer are being offered \$700K to \$750K. Kirk feels that developers follow a process similar to car purchasing; starting at an outrageous offer and then dropping to less outrageous. Kirk discussed various cost/profit scenarios. Jo Elliot asked Mr. Hilliard if eight nice residential homes were done there, would that be worth the developer's interest. Jo noted that the developer has tried to reduce the density, but the real question is: Do we want cluster homes at the gateway to Chastain Park? and Jo does not. Bill Kasper said that we would work with people who wanted to do single family homes. The issue is that many of the homes have only 75 feet per lot road frontage, so two lots would have to be purchased to have sufficient frontage for one home. The Board would not impose a greater frontage than currently exists on the present homes. Eight lots could be put on a PDH development with R-3 density. Mr. Hilliard expressed some concern about deferring his client's application before NPU-A if the CPCA is opposed. Jim King likes the wall and the sidewalks that the developer has proposed. A motion was made and withdrawn to vote on the presentation. Kirk would like to understand what is possible and would like to continue discussions. Jim King feels that we are moving in a positive direction in discussions to date.

The proposed Wieuca Road development then was presented by Mark Reece. Seven homes are being replaced by seven homes on the south side of Wieuca Road. This is in response to the neighbors on Lake Forrest Lane who did not want townhomes behind them. There are six buildings proposed on the north side of Wieuca Road, with 13 units each and underground parking. This would be three floors, with four units per floor. Level 1 is parking; Levels 2, 3 and 4 would be homes. The north side of Wieuca Road is bounded by the fire station, a multifamily complex and commercial properties. The initial response was good for people on Lake Forrest Lane; but the neighborhood at large feels that 78 condominium units is very high. A meeting will be held on Wednesday at

Galloway at 6:30 p.m. to discuss the proposed development with the developer and interested CPCA residents. Bill Kasper feels this is a very different kind of project because Wieuca Road is a deadend and not a feeder to the CPCA community. The developer has moved the water detention area to the north side from the south side. There was some feeling that five stories would be rather high. Mr. Patterson (a homeowner on Lake Forrest Lane) stated that he felt the density was probably still too high. A development that makes sense might protect the community. Jim asked why a PDH could not be done on the north side of the street. The CPCA concern is that NPU-B would give the developers what they want. Bill Kasper expressed a concern about the height of the units. There is today a 35 foot height limitation on our neighborhood. A suggestion was made to be consistent with the development on West Wieuca Road. Jim pointed out that we are being asked to make an exception for this development but not the other development (on Powers Ferry). Wieuca Road is zoned as single family in the CDP. Kirk has recommended that we not amend the CDP. Mark Reece thinks we should say that we like the south side and we are willing to work with them on the north side. The north side is 4.39 acres. The suggestion was made by Penelope Malone to recommend single family homes on the north side in keeping with the current zoning, home for home. Bill Kasper stated he would accept a higher density, but he is not sure what it is. Jim King expressed a need to have a consistent style throughout the community, and he asked Mark Reece to tell the developer we want a consistent look in our area and not a hodgepodge. Mark Reece says that not budging on the CDP is a good policy. Right now they are at 20 units per acre. The more permanent the solution we can build, the more benefit to our neighborhood. Mr. Patterson cited an offer to make this development a part of the community and the developer did not respond to that idea. The Lake Forrest Lane residents are feeling good that the current proposal is better than what they had. Jim King wanted to make the argument to be consistent and flexible to develop the character of the community to avoid being left out of the process. Mark Reece noted three or four projects on Roswell Road that are the same type of condo project that is being suggested here.

Mark cited a long, extended discussion that came before the NPU-B Zoning Board concerning a six-foot fence on Blackland Road. One neighbor objected to the fence and stopped the fence being constructed. Kirk Oppenlander cited many existing walls on Blackland Road. Mark stated this event demonstrated that true decisions are made at the Zoning Board.

Some discussion was conducted concerning development on Blackland Road, the Landmark Diner, and the Harold Bailey landscaping property. Jim King stated that the area needed to be watched.

Jubal Gatwood, who has attended the last two Board meetings, was approached about becoming a Board member.

There being no further business to conduct, the Board meeting was adjourned.

EXHIBIT 1

Name	4-06	5-06	8-06	9-06	10-06	11-06	1-07	2-07	3-07
Ron Bossick	X	X	X	X		X			
Michael Bunch		X	X			X	X		
Denice Burch		X							
Ron Carpinella		X			X				
Leigh Catherall									
Pat Chesney	X	X		X					
Heather Chronos		X	X			X	X		
Cameron Cole	X	X	X		X	X		X	
Todd Davis	X				X	X	X	X	
Brink Dickerson	X			X	X	X		X	
Maria Diedrich	X	X		X	X		X		
Jo Elliott		X	X		X		X	X	
Kelly Haner									
Bill Kasper	X		X		X	X	X	X	
Caroline King	X	X	X	X	X	X	X		
Jim King	X	X	X	X	X	X	X	X	
Penelope Malone	X	X	X	X	X	X	X	X	
Bob McCullough		X							
Ron Oertell		X							
Kirk Oppenlander	X	X	X	X		X	X	X	
Mark Reece	X	X	X	X	X			X	
Debbie Shay	X		X		X	X	X		
Justin Wiedeman			X	X	X	X	X		

GUESTS:

Bob Mason						X	X	X
3 CPCA residents							X	X