

# HBNA General Meeting Minutes – November 2013

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A meeting of the Historic Brookhaven Neighborhood Association was held on Monday, November 18, 2013 at 6:30pm at the Capital City Club.

Present were Board Members: Frank Clementi, Lisa Martinez, Susy Stovin, Wade McKenzie, Melissa Bryson, Anne Culberson, Hope Bawcom, Cathy Boston, Brian Ruediger, Maribett Varner, Gay Colyer, Ruth Skogstad, Tim Gartland, Carol Simpson and approximately 25 members of HBNA. Guests included J. Max Davis, Mayor of Brookhaven, Brookhaven Chief of Police Gary Yandura and Brookhaven City Councilman Bates Mattison.

The meeting was called to order by Frank Clementi at 6:30pm

Frank noted that the HBNA encompasses approximately 800 homes, 1,600 adults and 2,000 children in the Historic Brookhaven Neighborhood.

Board members introduced themselves by name and area of responsibility on the board. Frank noted that he would be ending his term as HBNA President at the end of the year and President Elect Lisa Martinez would begin her term as President at that time.

Frank noted the following board members terms were expiring at the end of 2013: Bob Connelly, Susy Stovin, Frank Clementi. A motion was made to reelect these board members for another two year term. The motion passed 28 for and 0 against.

J. Max Davis, Mayor of Brookhaven was introduced. He gave an update on the City of Brookhaven and said while a majority of residents favored the creation of the new city he was aware that many people were opposed and he hoped to change their minds.

He discussed the following:

- New Brookhaven Police Dept. with 55 officers, who were recruited as the best of the other existing police departments, new “take home” cars and an increased patrol presence.
- City Hall search. They have been looking for a location for months and hope to have a decision before Thanksgiving.
- Created a new zoning board (HBNA members Jed Beardsley and Hope Bawcom serve on the zoning board).
- Repairing pot holes, fixing broken sidewalks and paving 3-4,000 feet of new sidewalks soon.
- \$1MM cash reserve as well as a mileage rate cut.
- The city is planning town hall meetings and HBNA residents are invited to attend.

He summarized saying they had taken the local government apart, made it smaller, more efficient, more responsive, less corrupt. He then introduced Chief of Police, Gary Yandura.

Chief Yandura discussed the following:

- Rumors of roadblocks around neighborhood are untrue, although they may do roadblocks in the future. What people may be reporting is when an officer pulls someone over and another unit arrives as support.
- New speed signs on the way.
- Crime mapping should be available on line within 2 weeks.
- Potential in the future for cameras in the Historic Brookhaven monuments which could be linked to the city's PD, potentially with in-vehicle access for officers. Cost estimate is \$8-10k per networked camera, additional \$6-8k cost for having license plate recognition which would let law enforcement know when someone with an outstanding warrant entered the neighborhood. In response to HBNA member question, it was noted that the monument construction is a separate issue from camera purchase or installation. The monuments are built so that cameras could be installed but that has not been approved or funded at this point.
- Officer's response to burglary on E. Brookhaven and on Ashford Dunwoody.
- Fundraiser being coordinated by Friends of Brookhaven (not affiliated with HBNA) for acquiring 60 A.E.D. units for officer's vehicles.
- Response to HBNA member question about the 911 system for the city, Chief Yandura said they are currently using DeKalb's 911 system and due to some delays in that setup they are looking at alternatives.

Lisa Martinez noted that councilman Bates Mattison has attended several HBNA board meetings.

**Historic Brookhaven Foundation (HBF) Report:**

Jed Beardsley, President of NBF gave an overview of the foundations organizational structure and work. He also recapped the foundations finances and current projects as follows:

Contributions 1/1/11 through 5/17/13

	2011	2012	2013 YTD
Private Donor Count	62	65	64
Contributions			
Private	\$13,850	\$11,510	\$14,295
HBNA	0	\$ 5,000	\$ 1,000
HBHOA	0	0	\$ 1,000
Park Pride	0	\$ 2,268	0
Total	\$13,850	\$18,778	\$16,295

HBF SUMMARY CURRENT FUNDS

	5/14/13	11/17/13
• Monuments – E. Brookhaven	\$4,000	\$8,200
• Monuments – Peachtree-Dunwoody	1,300	1,600
• Club Davidson Triangle	5,725	5,725
• Other Micro Parks	0	3,450
• Donations not designated	4,000	5,473
• Working Capital base	\$2,100	\$2,100
• HBF Cash Balance 11/17/13		<u>\$26,548</u>

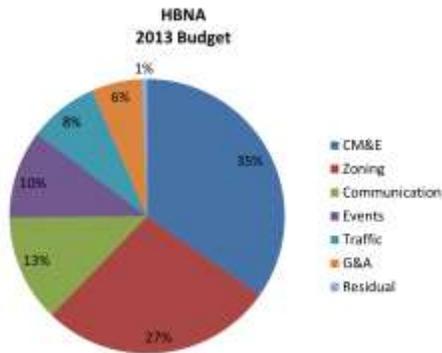
**Executive Committee Reports:**

**Secretary**

The October minutes, previously distributed via email were presented and approved by unanimous vote of the board (12 yes, 0 no). Wade McKenzie noted that the minutes are now available on the HBNA website. In response to a member comment full names, rather than last name and first initials, will be used in the minutes in order to make it easier for HBNA members to follow.

**Treasurer**

Brian Ruediger presented the current YTD 2013 financial statements for review. With the following information:



**HBNA Actual vs. Budget**

	YTD - 2013	Projected - 2013
Revenue	\$74.4	\$74.8
Community Maintenance & Enhancement	12.7	20.0
Zoning	13.8	20.6
Communication	7.0	9.5
Traffic/Transportation	4.8	6.0
Events	1.3	7.7
G & A	3.5	8.8
Total Expenses	63.1	75.6
Residual (Net Income)	53.3	\$...8

Brian noted the following for the HBNA budget:

- Strong Balance Sheet
- Adequate Reserves
- Balanced Budget for 2013
- Through Nov 2013, all expenditures within budget
- Income at or exceeding budget
- 2014 – Positive Membership trend

**Committee Reports:**

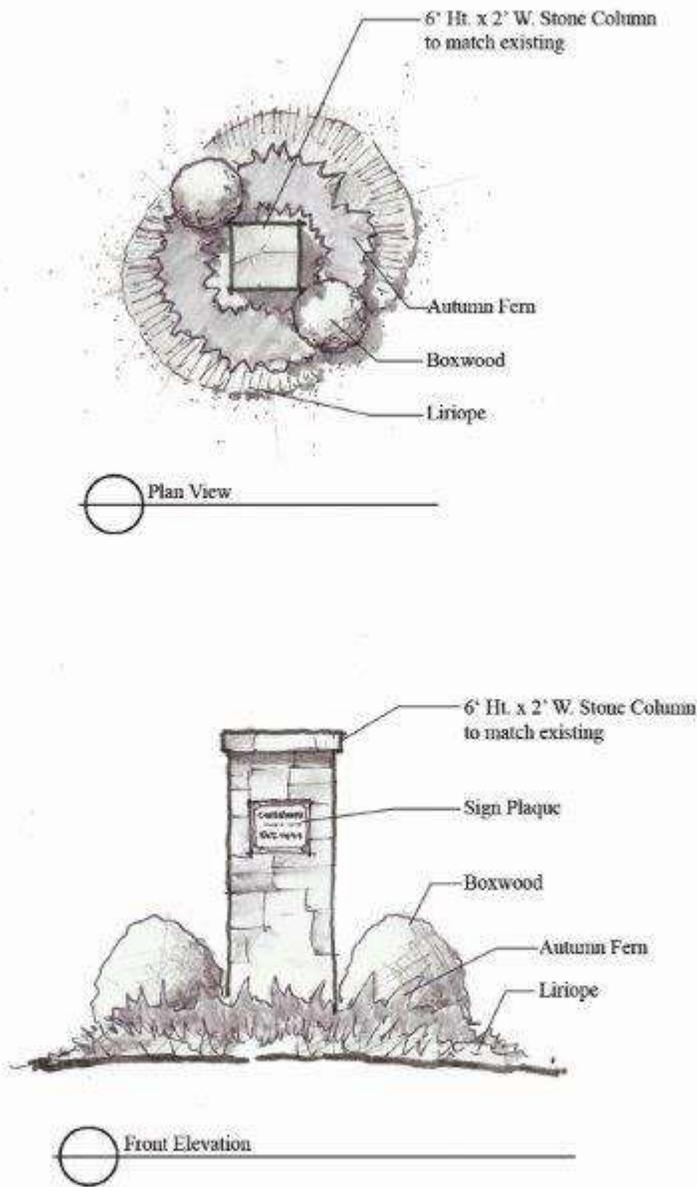
**Community Maintenance and Enhancement (CME)**

Tim Gartland, VP of the CME Committee, gave an overview of the committees responsibilities and work this year. Including:

- Completion of Club Davison Triangle renovation.
- Successfully negotiated new maintenance contract for common areas within HBNA (see Common Area Map).
- Developed standard landscape plan for new monuments. (see Monument Plan Illustration).



**Monument Plan Illustration**



**Entry Monument**



The following motions were voted on by the HBNA membership and board:

- Motion to include the Winall Down/Vermont triangle in maintenance plan for additional \$40/ month. Approved by a vote of 16 yes and 14 no.
- Motion to allocate \$757 to replace (2) dead dogwood trees at Club/Davidson triangle with (1) large oak to match existing. Specifically the placement of the tree should be not under a power line, full mature height should be appropriate to scale of the park. Approved by a vote of 27 yes and 0 no.
- Motion to allocate \$1,000 from CM&E budget to decorate 8 large and 1 small entrance monuments for Christmas. After some discussion about purchasing permanent wreaths and the challenge of storing them and one-time costs associated with permanently preparing the monuments for wreath/decoration attachment, the motion was passed by a vote of 14 yes and 0 no.

## Transportation

Lisa Martinez reported that the Transportation Committee would meet with Atlanta City traffic engineers this Thursday, November 21<sup>st</sup> to review their concept 3<sup>rd</sup> option design for the Winall Down/Vermont intersection. After review the committee will meet to discuss all three options and then review findings with HBNA.

Other potential areas of focus for the committee are:

- W.Club Dr. at Peachtree Dunwoody (entry/egress)
- Brookhaven Dr. at Peachtree Rd. (entry/egress, cut through traffic, drive time backup)
- Winall Down at Peachtree Dunwoody (Little Nancy Creek Park pedestrian safety, entry/egress)

HBNA member comments/questions included:

- Need for a lower speed limit (from 30 to 25mph) on Mabry Rd.
- Q: How does the committee look at projects? A: comments from neighbors and/or city. Try to prioritize.
- Stop sign at Club and Carter, consider making it a 3 way stop.
- Q: Brookhaven Dr. at Peachtree Rd., consider having an officer at the MARTA station during afternoon drive. A: Bates Mattison said the City of Brookhaven would do a traffic study.

Lisa Martinez concluded with the request for more volunteers for the Transportation Committee, including the position of VP to lead the committee. It was suggested that we post a request for volunteers on the HBNA website.

## Zoning – DeKalb

*(Noted that Jed Beardsley and Hope Bawcom excused themselves from the meeting prior to this portion.)*

Melissa Bryson gave an update on zoning issues in DeKalb County as follows:

### **Former Hastings Site:**

- Potentially will be expanded to include the Kauffman Tire site as well
- Plans have not been shared in detail, general plan is:
  - Ground floor retail
  - 4+ stories of high-end apartments above
- Current zoning does not allow residential so re-zoning will be required

### **Electronic Billboard:**

- Meetings with Brookhaven Mayor and City Manager have been taking place
- Group is interested in raising money in an effort to hire legal counsel and have it removed (If interested in helping contact Mike Elliott.)
- City of Brookhaven cannot do much since sign was erected before city was in place

### **Walgreen's Site:**

- Walgreen's purchased property at corner of Colonial and Peachtree in 2008.
- Walgreen's, DeKalb and now City of Brookhaven have debated development plans ever since
- New development plans have been shared and include 2 story office above expanded Walgreen's store
- Mostly compliant with the Overlay (see illustration below)



## Zoning - Fulton

Cathy Boston noted that a zoning application for 3700 Peachtree Road has been deferred by the county for 2 months.

### ***Tomlinson Property at Peachtree Rd.***

Gay Colyer reported that members of the HBNA Zoning Committee and neighbors from Club and Bellaire met on several occasions with the broker and the current developer. Kerry O'Brien, a resident on Club Drive who has been acting as the point person, gave a further update on the status of the property:

- Approximately 2.8 acre parcel, 2 acres in Brookhaven and .8 acres in Atlanta.
- Permits for the initially proposed six story 176 unit apt. building, were applied for and denied by DeKalb County.
- Prior to the official establishment of the City of Brookhaven, the developer applied to the DeKalb Co ZBA for administrative relief of this decision, and DeKalb Co staff recommended denial of this request.
- At the request of the City of Brookhaven, the matter was transferred from the DeKalb County to the City of Brookhaven for its ZBA to consider.
- In the course of several hearings before the Brookhaven ZBA, the applicant has been given deferrals to allow the owner to work with prospective developers / buyers to develop new plans that would be more acceptable to the nearby residents and the neighborhood.
- The last deferral was granted for a six month period for new plans to be developed to gain neighborhood support. Since then, the property owner's broker and a new developer have met with neighborhood representatives to review & consider new plans for developing the property for townhomes.
- The neighborhood's response to those plans has been that the development is too dense in general, but more importantly on the Atlanta parcel, and that there were traffic and related curb cut access issues.
- The new developer has not responded with new plans, and the Brookhaven ZBA is scheduled to hear this matter at the regular November 20<sup>th</sup> meeting.
- The Brookhaven planning staff noted that they have received no new information or any communications since the May ZBA meeting and have recommended denial of the appeal application.
- With no new acceptable plans offered, HBNA remains in clear opposition to the requested appeal application.

### ***Brookhaven Plaza:***

Carole Simpson gave the following report:

- Brookhaven Plaza is a 65,320sf retail center formerly anchored by a 44,689 sf Harris Teeter.
- The property is owned by a joint venture between DDR, a publicly traded REIT, and the Utah Pension Retirement System.
- When Harris Teeter withdrew from the Atlanta market, their lease was purchased and assumed by Kroger, who operated a grocery store in this space for a while.
- Although Kroger closed this store, it is obligated to pay rent under the original Harris Teeter lease through its expiration on 8/2018.
- With Kroger obligated to pay rent on this vacant space, DDR has no incentive or interest in doing anything with this property.
- Kroger has engaged a local retail leasing broker to market the space for sublease.
- To our knowledge there is no current development, leasing or sale activity on this property.

### ***Kroger expansion***

Lisa Martinez gave the following report:

- Plans for Kroger expanding their existing 43,000 sf store to a 80,000 sf super store format were originally presented and discussed in late 2011.
- To warrant their expansion, Kroger signed a long term lease with the owner of Cherokee Plaza.
- Kroger's expansion plans included the complete renovation of their existing store interior, an upgrade of their storefront and improvement of the site, primarily in front of their store.
- The proposed site improvements are primarily the addition of landscaped islands with trees in the parking lot and some landscaped islands along the Peachtree Road frontage behind the existing sidewalk.
- Since proposed expansion plans were initially presented, representatives of the Brookhaven Peachtree Community Alliance and various area neighborhood groups have sought to have Kroger improve their site / landscaping plans to include an Overlay compliant Peachtree Road street scape, (a design that would provide for a landscaped strip along the street, including a 15 ft wide sidewalk.)
- DeKalb County interpreted the Kroger expansion as a building renovation and not new construction and as such DeKalb County did not require compliance with the Overlay Ordinance for the specified Street scape improvements.
- Numerous neighborhood organizations including Historic Brookhaven, Brookhaven Heights and Brookhaven Peachtree Community Alliance have protested DeKalb County's interpretation of the ordinance and have met with DeKalb County, Kroger and City of Brookhaven officials in an attempt to require or persuade Kroger &/or the Cherokee Plaza owner to provide Overlay compliant street scape improvements.
- To date, no favorable response has been received.
- It was discussed that an appeal to Kroger from a customer point of view may be more impactful.

**Events**

Lisa Martinez reported that the neighborhood party "Sippin Soiree" on October 23<sup>rd</sup> was a success and came in within budget.

**Communication/Membership**

Lisa Martinez reported for Mark Roberts that HBNA currently has 657 members. Already for 2014 there are 543 members paid with a second dues notice yet to go out. Aaron Bawcom is working with Mark on further improvements to the HBNA website.

**New Business**

There was a final comment from an HBNA member that zoning on Peachtree appears to be our biggest pending challenge to the neighborhood.

There was also a call to spread the word for volunteers.

The meeting was adjourned at 8:30pm.