

July 21, 1967

A regularly scheduled meeting of the Planning and Development Committee of the Board of Aldermen was held on Friday, July 21, 1967 at 2:00 P. M. in Committee Room #2, Second Floor, City Hall.

The following Members were present:

Rodney Cook, Chairman
E. Gregory Griggs
John Flanigen
George Cotsakis
Q. V. Williamson

Absent: Charles Leftwich
Jack Summers

Also Present: Collier Gladin, Planning Director
Sam Massell, Vice-Mayor
Tom Shuttleworth, Departmental Staff
Robert Lyle, Associate City Attorney

The Chairman called the meeting to order and the following business was considered:

1. Public Hearing - Annexation Petition.

Chairman Cook explained this annexation involved 47 lots lying to the north of Jett Road, contiguous to the city limits of Atlanta; that the petition for annexation by the residents of the area has qualified for public hearing under the criteria established by law.

Mr. Gladin briefly explained that 27.62 acres were involved, totaling 47 lots. Of these 47 lots, 44 are occupied and 3 are vacant. He then stated under the requirements of Section 6 of the Annexation Ordinance, the City is required to make plans for the extension of services to the area proposed to be annexed and shall, prior to the public hearing provided for in Section 3 of said Ordinance, prepare a report setting forth such plans to provide services to such area.

Mr. Gladin then submitted said report, stating that the Department's of Fire, Police, Construction, Water and Sanitation have indicated, by letters included in the report, that adequate services can be provided to the annexed area.

He stated that the Department of Planning recommends approval of this petition. A show of hands indicated about 10 people were present in favor of the annexation and about 6 in opposition.

The Chairman stated the Committee would hear from those in favor and then the opponents.

First, Mr. John Sikes of Bryn Mawr Circle appeared and tendered a signed list of persons wishing to withdraw their names from the petition they previously signed for annexation to the City of Atlanta. He also submitted a separate petition of opposition for the record. The proponents asked that the names on

this petition be read aloud, which the Chairman did, as follows: Barbara S. Newland; Marshall C. Newland; Constance W. Balnis; Henry J. Balnis; W. B. Ray, III; Mrs. W. B. Ray; James M. Robinson; Frank J. Breunig, Jr., and Jane R. Breunig.

The Chairman then asked Mr. Gladin to check this list against the original petition to determine if it would still qualify. However, the staff was unable to determine this during the meeting because of the complexity of such calculations.

The following persons then spoke in favor of the annexation:

MR. C. A. LORENZEN, 4624 JETTRIDGE DRIVE. - I have been a resident of Atlanta for two years and have resided on Jettridge all that time. We have been very interested in becoming a part of the City of Atlanta since moving here. My wife submitted a petition in 1965 but at that time the annexation issue was coming up and in view of this it was thought advisable that the petition be withheld. I feel there are tremendous advantages for the people in Fulton County and the people living adjacent to Atlanta to being a part of the City. I think Atlanta is a very progressive City. I think that in order for Atlanta to grow that the community surrounding the cities has to be a part of it. Those of us in Fulton who work in Atlanta have got to help the City grow. We earn our salary here and I think that we are a part of Atlanta, therefore, it is absolutely essential that petitions similar to this be adopted.

MR. GEORGE FREER, 4625 BROOKHOLLOW ROAD. - I am a new resident of Atlanta, but I am very interested in this area becoming a part of the City because we are part of the City. We partake of the services and the name of the City and we are hopeful of partaking of the government of the City of Atlanta. Those of us in the proposed area do not have adequate fire protection. I believe those of us who have children are very interested in coming in the Atlanta School System. We can see nothing but good, as far as the services of the government of the City of Atlanta, that would come of us becoming a part. When it comes time to dispose of our property, it is much more in our favor that this property be within the city limits. I want to go on record as supporting it wholeheartedly.

MR. DICK HODGES, 4615 BROOKHOLLOW ROAD, supported the annexation for the basic reasons as previously stated.

MR. GENE STELTEN, TWIN SPRINGS ROAD. - From an accompanying map on display, Mr. Stelten pointed out that this area is basically divided into three divisions - Millbrook and two others, which have been developed as subdivisions longer than Millbrook. He stated that the sentiment for annexation in the Millbrook subdivision is about 83% of the homeowners and 81% of the electors, so they are overwhelmingly in favor of it. To the south (Jettridge Forest Subdivision) prior to the submittal of the withdrawal petition, the people were 47% in favor of annexation by homeowners and 40% by electors, so the sentiment here is strong for annexation. In the third subdivision (3 lots on Bryn Mawr Circle cul-de-sac) the sentiment for annexation was less than 50%. The names on that petition fall within this group. If this will make a difference in your deliberation, I wanted to point out this factor.

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There were then random questions and answers from the audience.

Q - "I have a senior going to Sandy Springs. Will she be able to finish the last year at Sandy Springs"? Mr. Gladin replied affirmatively.

"Is there any change anticipated in the sewer arrangement in the whole area; will any additional sewers be needed?" Mr. Gladin stated there are no anticipated new sewers.

Q - "Will our homes be reappraised for tax purposes and what experience do you have as far as appraisals goes?"

Chairman Cook replied the homes will not be reappraised since there now exists a joint City-County Board which functions for both governments. As to past experience, Mr. Cook cited the case of the Sandy Springs Annexation, as an example, stating there would have been a moderate increase in ad valorem taxes if annexed to the city, however, this would have been largely offset by lower charges in other areas, such as water, fire, sanitation, etc. and he felt this would be typical with the case at hand.

Q - "In talking with the people, the fears expressed had to do with installation of new service facilities and higher taxes. Can you give us some assurances about this since this is our main fear?"

In response to this question, Mr. Cook read aloud the letters from the Water Department, the Construction Department and the Police Department. These letters are on file in the proper Docket.

Q - "If this is approved will our children be transferred to other schools in September?"

Mr. Cook stated they can be transferred this September, but graduating seniors can elect to remain in the school they are presently in until graduation.

Q - "If this is approved, when would this area become a part of the City?"

Mr. Gladin stated if it is approved by this Committee today, it would go to the following meeting of the full Board of Aldermen for formal action, and would become effective on signature of the Mayor, which would be shortly thereafter.

Q - "When would the taxes become effective?"

Mr. Cook stated the City of Atlanta taxes would become applicable January 1, 1968 but the City services would become effective immediately.

JOHN SIKES, 4575 BRYN MAWR CIRCLE, spoke in opposition. There are three homes on my street seeking to come in. The first basis of my objection is a number of people in the neighborhood appeared to want to come into the City because they feel it will affect their house values. They have tried to sell

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and lost buyers because they are not in the city. They feel this is a situation where they can help their property values so they can move away and increase our taxes. They are not looking to pay the extra taxes. My second objection is the Dykes High School. If you put one more child in Dykes, the walls will burst out. I understand it will be a couple of years before more space would be available. Most of the people in the lower end of Jettridge where the opposition is coming from have had children in the county school and we like the county schools. Most of the people talking about going into the City schools are the more recent residents further out and they have not had the good experience with the County schools we have. We resent being "saddled" with extra taxes to set up a number of people beyond us to see this as a added value inducement.

ALICE STROMQUIST, 4540 JETTRIDGE DRIVE, spoke in opposition, stating she had hoped to wait until all of Sandy Springs could be brought in.

MR. JOHN BURNETT, 4545 JETTRIDGE DRIVE. The proponents mentioned inadequate fire protection. There is a fire station down at West Conway and Northside Drive which services this area. I don't know what else could be done by the way of additional fire protection. We pay an extra mill tax to use that fire station. I could drive to this station in about a minute.

In response to the question of increased taxes, Mr. Cook stated to Mr. Sikes the staff would be glad to provide him with the difference in tax figures on an individual basis if he would like, and he believed the people would be surprised at how little the difference will be, taking into account the reduced cost of services from the increase.

Regarding fire rates, Mr. Cook stated, if you come inside the City taxes would be reduced by one mill, which you are now paying for fire protection, and your fire protection will be increased with a likely reduction in fire rates.

JOHN BEAMER, 4525 JETTRIDGE DRIVE. I don't want to be annexed primarily because of the school situation, until Dykes has additional facilities.

Mr. Cook stated the staff nor the committee had heard any opposition until today and all efforts until now has been to get the children in the city schools by September. If you wish to keep your children where they are and try to work it out with the School Department, we will check on the school situation. The new Dykes High School has been funded; so has the new elementary school on Mt. Paran. Both were funded in 1965. The land has been bought and the money is available. The contract should be let in the Spring and construction started. It will be about an 18 month building program.

From the audience - "we are not against coming into the City. We just think the timing is bad."

A young lady, who did not identify herself, stated that a school teacher, who has taught in both the City and County schools there is a vast difference in the two systems, the City being the better one.

Q-"Will the new Dykes High School be consolidated?"

Mr. Cook stated he could assure everyone there will not be a consolidated school. I think the schools are located with the possibility of annexation in mind in relationship to the population.

Q - "Will there be the possibility of any annexation around the new School later?"

Mr. Cook stated they could petition for annexation if they elected to.

Mr. Sikes stated that since everybody below this line (pointing to the map) wants to stay out to take this area which is the last and newest of the three subdivision and leave the area as it is.

Mr. Cook stated the Committee would look into this in Executive Session.

Mr. Cook asked the audience if most of their objections have to do with the schools, to which those in opposition replied yes.

Mr. Cook asked them if the school problems could be worked out, would this help.

Mr. Sikes stated this is actually an over-simplification since some of the people who withdrew their names do not have children, but this would be desirable.

The matter was then referred to Executive Session.

In Executive Session, following a discussion period, the Committee unanimously agreed to approve the Ordinance, subject to it qualifying under the 60% elector's requirement and the 60% land area requirement, and further, that the Planning Department staff would check with the Board of Education to see if the children in the area could continue at county schools in cases where their parents do not wish them to be transferred to city schools.

Tree Ordinance - Public Hearing.

Mr. Cook briefly explained the purpose and intent of the Tree Ordinance, and then called on Mr. Gladin, Planning Director, who briefly reviewed the 27 sections of the Ordinance, emphasizing it covers two major areas, one of protection, the other of planting and maintenance.

Mr. Cook then recognized and expressed appreciation for the large audience in attendance for the hearing and opened the meeting to questions and answers.

Q - "Is this restricted to just scenic routes and main thoroughfares, or will it be in all neighborhoods"?

Mr. Gladin stated it is restricted to the Street Tree Planting Zone along Major Thoroughfares and Scenic Drives, as defined in the Ordinance, with the Exception of Section 10, which relates to the stripping of property over the entire City.

From the audience - There are other places in the City that should also be protected.

Q - "What is the definition of a major and minor street"?

Mr. Cook stated that a listing of these streets is available; that they are streets, such as Peachtree, Ponce de Leon, etc.

Mr. Gladin further explained they are radials from the Central Business District that link the expressway to the Central Business District and outlying areas.

Mr. Cook stated they are based largely on traffic and width size.

Q - "Is there a section already related to existing residences or is it applicable to property if there is a house there or not?"

Mr. Cook stated it is related to any residentially zoned property in so far as the Tree Protective Zone is concerned.

The following persons then spoke in support of the Tree Ordinance:

Mr. Ben Jones, Vice-President of the Springlake Civic Association; Mrs. Wallace Anderson, in behalf of the League of Women Voters (A Statement was presented for the record); Mrs. C. R. Brumbly, Member and Officer of the Fulton County Federation of Garden Clubs; Eugene Lowry, Architect; Mary Nikas, 85 Avery Drive, N. E.; Ann Moore, Chairman of the Downtown Beautification Committee of the Chamber of Commerce; Joe Harrell, Jr., Collier Hills Civic Association; Melba Ciferly, Georgia Conservancy; Jocelyn Hill, Georgia Botanical Society; Ed Daugherty, Landscape Architect and Harry Baldwin, Atlanta Civic Design Commission. Gerald Thurman, Attorney, representing the Georgia Power Company, protested certain portions of the Tree Ordinance saying it would interfere with Georgia Power's routine topping of trees to protect lines; that they favor the Ordinance itself, but would request an amendment which would keep it from interfering with the company's work.

Mr. Cook explained that the latest revised draft of the Ordinance removed the tree planting and maintenance standards sections, which would eliminate most of Georgia Power's objections.

C. D. Lebey, Jr., President of the Atlanta Real Estate Board, said his organization agreed with the intent of the Ordinance, but felt that as presently drawn it would vest too much power in one man, namely, the "City Arborist".

In answer to questioning by Chairman Cook, he suggested a better approach would be through strengthening the Zoning Ordinances.

A representative of the Telephone Company, who did not submit his name, supported the position of the Georgia Power Company.

Warren Coleman, immediate past President of the Men's Garden Club of Atlanta, spoke in support of the Tree Ordinance, as did Wadley Duckworth, resident of North Atlanta; and Edith Henderson, Architect and Member of the Atlanta Civic Design Commission.

Mr. Sam Massell, Vice-Mayor, asked Mrs. Henderson if she felt as an architect that sidewalks must follow a straight line; that the Ordinance now prohibits trees within five (5) feet of the sidewalk and that he was opposed to this and would like her opinion.

Mrs. Henderson replied that she did not feel that sidewalks should be in a straight line; that the last place a tree should be is between the sidewalk and the street. That she felt it would be desirable for the trees to be planted on property off the sidewalk and arch over the street.

Mrs. Hascal Vernard, Garden Club of Georgia, and John Mixon of the Georgia Forestry Commission, spoke in support of the Ordinance.

The matter was then referred to Executive Session.

In Executive Session, the Committee discussed the proposed ordinance which had been re-drafted to delete the tree planting program in addition to several other changes as proposed by the staff (see draft "C") section by section suggesting that several additional changes be made. The major change as recommended by Mr. Lyle of the City Attorney's Office was that the Tree Protective Zone apply to all city streets rather than just major streets since he felt that under the police powers of the City this would be considered less discriminatory by the Courts.

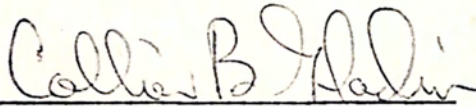
The Committee gave tentative approval to the ordinance subject to the suggested changes being made by the staff with the aid of the City Attorney's Office, with the re-drafted ordinance being brought back to the Committee for their final approval.

Mr. Gladin presented each Committee member with a preliminary staff report on the amount of vacant land in the City of Atlanta by zoning districts. This information was compiled for and furnished to the Housing Resources Committee. The report recommended a joint meeting of these two Committees to examine the City's housing policy.

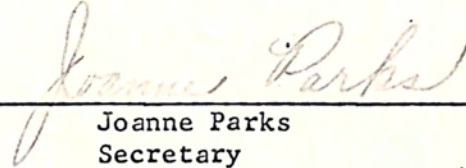
There being no further business, the meeting was adjourned.

Approved:

Respectfully submitted:



Collier B. Gladin
Collier Gladin
Planning Director



Joanne Parks
Joanne Parks
Secretary

mc/jp