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Berkeley Park Bulletin

August 2008

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President's Report

by Ron Horgan
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Dear Neighbors,

It is amazing that school will begin in a few days: where did the summer go? I hope everyone has been enjoying the Hotlanta weather as much as I have. This has been a busy summer here in Berkeley Park. The Howell Mill project is getting closer to completion with the addition of some timing strips that are going in now. Hopefully that will help keep the flow moving in the most efficient manner on such a heavily used intersection. We have held two mayoral meet and greets that were well represented by the neighborhood. The chili cook-off was another big hit. We have also had a bunch of crime unfortunately. Some progress has occurred on this front lately with the arrests of several of our regular thugs this past week. We have asked Kimani King from the DA's office to come to our August meeting along with Officer Britt-our beat officer-to give us an update. Please join us at the meeting August 18th and bring your comments and concerns before these individuals who are trying to help us.

On a lighter note we have been working on a few projects lately. First, several months ago Margaret Camac made a suggestion to install planters around the neighborhood as a way of bringing back the beautification efforts as a more organized committee. We are in the process of forming a group of neighbors to volunteer for this very important committee. If you would like to get involved with this let me know. I would like to be able to announce the names of those who volunteer for this committee at the August meeting so that at the October meeting we can put before the neighborhood a list of projects for approval of funding. Any suggestions for projects are welcomed. This should be a fun way for people to enhance our neighborhood. The second project is a New Resident Greeting Gift. Florist Atlanta has generously offered to donate a plant or arrangement. The board has put together a small packet that contains the history of the neighborhood, a list of important names and numbers for the city, membership information with meeting times and one of our stickers. If you know of any new homeowners who move in let me know and we can have a few neighbors drop the information off and welcome them. Dwight Glover is making some headway on "Berkeley Park" and in the next few months we will begin our sub area study group for the Beltline. These two in my opinion go hand and hand and as more details develop I

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will report on the progress. There will be a great need for volunteers to help support these neighborhood developments going forward.

We also have another liquor license transfer that we will want to vote on. This one goes before the NPU on August 26th. It is for "Swinging Richards" on Northside Drive. I have called the applicant and asked that he come to our meeting but have not heard back from him yet. I will continue to try to get him to come to the meeting. We are usually pretty accepting of liquor license request but we might be able to effect some change through this transfer process to the surrounding property that are owned by the same owner but are not maintain.

I want to give an update on the LCI project that Jim Martin has been working on for several months ([see article here](#)). The LCI is a study done by the Atlanta Regional Committee that will develop a plan that ties in all of the traffic patterns of a specific area to make a more "Livable Community." Jim's article and his further discussions will explain in more detail the full scope of what the LCI study produces. The short description of mine gives a base from which we can discuss the project from. It is an extremely important study that we absolutely need to have done with all of the redevelopment going on the borders of our neighborhood. The way it is funded is what we need to discuss in the neighborhood meeting. Most of the funding comes from the ARC and the remaining funding comes from outside sources. I am going to submit that we finally tap the Selig Fund for a portion and that we use a portion of the BPNA General Funds money. This study creates a long-term commitment for the future development of the area that the City and State buy into. The best way we can be at the table when decisions are made is by being a financial stakeholder in the process.

Neighborhood News

[A proposal for funding a Livable Centers Initiative study](#)

by Jim Martin

james.martin@me.gatech.edu

Proposed Howell Mill / Chattahoochee LCI study:

What is a LCI study? A LCI (Livable Centers Initiative) study is a study similar to our Blueprints study although it is more detailed and larger in scope. It is overseen by the Atlanta Regional Commission (ARC), which is a state-sponsored agency, and managed by the city's planning bureau. The result of the study is a planning document that includes a series of zoning, land-use, and transportation recommendations. These documents are normally adopted into the city's CDP (Comprehensive Development Plan) by legislative action following a community review. At that point future-land-use maps are amended (which will affect the fate of zoning applications in the study area) and projects are added to the city's to-do list, making them eligible for city funds. These projects are also eligible for funding by the state through the ARC's implementation funds. Neither of these potential funding sources would be available without the CDP and ARC-LCI plan recommendations. [More information on the LCI process can be found on the ARC's website](#). Past LCI studies are also available on the [Atlanta Planning Bureau's website](#): Notable among these past studies is the Upper West Side (UWS) LCI study. The area that was considered in this study has its northern boundary at the southern boundary of Berkeley Park (the Waterworks).

Why should we conduct a LCI study? I would like to propose an LCI study that will consider an area centered on the intersection of Howell Mill and Chattahoochee and including all of Chattahoochee Avenue and the commercial portion of Howell Mill. This area will include all of Berkeley Park and will therefore consider the traffic on our neighborhood streets from both a local prospective (as in what we might do about it on a street-by-street basis) and a regional prospective (as in where it is coming from or going to and how it might be slowed or redirected before it gets here). Along with traffic, the study will also give us a chance to consider land use in our area, particularly to our west where there are many industrially zoned parcels that we should expect to see rezoning

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applications for in the next few years. By completing the study, we can get ahead of those rezoning applications and hopefully steer the course of future redevelopment so as to minimize the adverse impacts on our area (like traffic) and maximize the potential benefits (land values, shopping, amenities, etc.). This is clearly preferable to waiting to see what happens, and trying to deal with everything on a case-by-case basis.

What area will be studied? The proposed study area will be bounded at its southern end by the UWS-LCI study boundary (the ARC will not fund overlapping studies) and at its Northwest corner by the Bolton-Moores Mill LCI study area boundary. On the east it will be bounded by Northside Drive, which was the subject of a flawed study by the city three years ago (this study did not involve the ARC). The remainder of the northern and western boundaries will be made up of Collier Road (the end of the commercial portion of Howell Mill) and Marietta Blvd (the western end of both Chattahoochee and Huff Road). A map of the study area is shown here. I have discussed this area with city planning bureau staff and with ARC staff. It has generally been well received. I believe that it could form the basis of a successful competitive proposal. It fits all of the categories and criteria by which the ARC judges LCI funding proposals. ([click here for a map of the proposed study area](#). [Adobe Reader](#) required)

Why should we do this now? This is the last year for which the ARC has funds for these studies. If we delay, we may not have access to ARC funding. Next year ARC will release implementation funds to support the actual construction of recommended projects. If we delay, we will not have access to these and other state funds that may become available. Since the ARC has not yet released its request for proposals (this will happen in September), we currently have the field to ourselves as far as preparing a competitive proposal and eliciting the city's support.

The city's planning Bureau is currently in disarray due to the recent round of budget cuts, so we are well positioned to set the agenda for this study and to get their support. They will be disinclined to pursue time-consuming alternatives once a viable plan has been presented to them. A successful study with city involvement should also improve access to city funds for project implementation.

How will this study be funded? The total cost of these studies is in the \$100,000 to \$125,000 range, excluding the labor of city planning staff, which is an in-kind contribution by the city. The ARC funds 80% of this cost for successful proposals. This leaves 20% (\$20,000 to \$25,000) to be funded by other sources (the city, the community, etc.).

At the present time, none of the Selig money, which was pledged in July 2004, has been spent. This is a potential \$100,000, which is not accruing interest and is therefore depreciating in value with each passing year. Options for spending this money that have been discussed include traffic calming, traffic studies, and planning studies. The only stipulations that were placed on the expenditure of this money by Selig were that it be spent on "system improvements in Berkeley Park", this specifically included studies of system improvements. Thus, the proposed LCI study is well suited to both the stated preferences of Selig for the use of their money and the preferences of many of our neighbors in Berkeley Park.

I propose that we request Selig to preapprove the expenditure of \$12,500 (50% of the required matching funds) from the pledged \$100,000 and that we allocate an additional \$500 from BPNA's funds for this study. This will serve several purposes:

- It will allow us to state that we have already exceeded the 50% threshold as we pursue additional matching funds.
- It will allow us to state that the study is being supported by both private developers and the community as we seek additional support from both groups.

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- It will allow us to finally expend some of the promised Selig money rather than watching its value gradually diminish as a consequence of our inaction (\$12,500 is less than the interest that this money has accrued for Selig since the pledge was made!).
- It will set a precedent for the prudent use of the Selig money by using it as matching funds to leverage 4 dollars from other sources for every dollar spent without incurring needless risks or future liabilities. This should make it easier to obtain the remaining \$87,500 for other projects (particularly for those projects that are endorsed by the study)

(5) It will leave open the option for other communities and stakeholders to buy into the study in a monetary sense by not fully funding (i.e. by allocating less than \$25,000). These additional investments will make the active participation of other communities and developers more likely and will, in turn, incline them to accept the study's recommendations.

Are there better ways to spend the Selig money? Many ways to spend this money have been discussed. None of these has yet been funded. Few have the benefits of this proposal. In evaluating the possible alternatives for this money it is important to consider several things.

· Any expense that is not realizable in the near term will involve a reduction in value because the money is not earning interest. Thus, a park, which has been discussed since the donation was initially pledged, is less affordable now than it was four years ago and becomes increasingly less affordable with each passing day. Any other potential expense would require at the least, a planning and evaluation period that has not yet even begun. If the proposal is accepted by ARC, the LCI study can be funded this fall.

· Any expense that can only be partially funded leaves open a future liability. It is tempting to allocate the Selig money toward something really desirable, for which it is not sufficient (like a 5-acre park on the site of the apartment complex). The problem with that is that the unfunded amount will accrue interest and BPNA has no income stream with which to cover that cost or pay down the principle. If we were to use the money as a down payment for a loan, we could easily find ourselves in the same situation as people who took out subprime mortgages.

· An investment that is leveraged without risk is automatically more valuable than one that is not. Leveraging in this instance is quite different from investing borrowed money as would be the case in personal or business finance. This is because the assets (the study document and any tangible improvements that result from its acceptance) will not produce a revenue stream, but rather societal benefits. Here the leverage is provided by matching funds. It is both substantial and risk free. Each Selig dollar will be matched by four ARC dollars and, possibly, by an additional dollar from the city and/or other private donors. Each project recommended by the study that is later funded (perhaps millions of dollars in infrastructure improvement) will further multiply this leverage. This is therefore a very good investment from a cost/benefit point of view (the appropriate metric for public finance). There is no risk to BPNA or to Selig associated with leveraging these benefits. If ARC decides not to fund 80% of the study, then it will not be undertaken and none of Selig's money will be expended. In contrast to this, the possibility of hiring a fund raiser has been discussed as a use of Selig's money. This is a high-risk option as there is no guarantee that any funds will be raised or that the amount that is raised will be sufficient for its intended purpose. If a high-risk option is unsuccessful and Selig's money is wasted, they will be disinclined to fund future requests.

· The only viable options for spending the Selig money involve things that the city could fund. One of the problems that we encountered in our initial efforts to expend the Selig money (i.e. the August 2006 neighborhood survey) was a widespread belief that the proposed expenditures were all things that the city should be paying for and were therefore inappropriate expenditures for "our money". This represented a fundamental misunderstanding of what the Selig money is. It is not money that BPNA has sitting in a bank, and it never will be. It is a pledge to fund certain things up to a fixed limit. Anything that meets the criteria for appropriate expenditure of Selig funds ("system

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improvements”) would also meet the criteria for appropriate expenditure of city funds. Thus, these two expenditure types are synonymous rather than mutually exclusive. An appropriate way to consider the Selig money is as if it were city funds over which BPNA has control. We cannot enrich ourselves personally with them, invest them to produce a return, or use them for political purposes. This is the same situation faced by city officials who have control over the expenditure of public funds. Unlike them, we would probably not have to go to jail for trying.

[See the proposed study area map here.](#)

Resources:

Atlanta Regional Commission website on LCI: <http://www.atlantaregional.com/html/308.aspx>

Atlanta Planning Bureau website with list of current and past studies:

http://www.atlantaga.gov/government/planning/plans_studies.aspx



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NPU-D Report

by Jim Martin

james.martin@me.gatech.edu

The NPU-D meeting on July 22 nd was pretty quiet by recent standards. It was our first meeting without a representative from the city's planning bureau, since the decision was made to cut the budget for that support. Luckily, there wasn't much on the agenda.

We had two rezoning cases. One was for the Georgia Steel site next to the waterworks on Huff Rd. We deferred this at the request of the applicants to give them time to work out a few issues. Among these was determining if there are still city owned rights-of-way on the site that they will need to request the abandonment of. We also requested that they get a statement from the department of watershed management that this parcel is not needed by the city. Our concern here is that, even if the city decides to buy the land later, they may still choose rezone it now and increase their own cost because no one thinks through the consequences of these actions. This was exactly what happened last year on the other side of the waterworks. There, the city paid \$4 million per acre for land that it could have bought for ~\$2 million per acre before it redesignated this area for high-density development in the CDP (thereby making an enormous gift of tax money to the land owner). The other zoning case was a parking variance request to permit a warehouse on Hills Place to be converted into recording studios. The Underwood Hills neighborhood association had already approved this. We also approved it, by a vote of 14 to 2, after a lengthy discussion of the potential drawbacks of recording studios.

We approved the liquor license request for the Walmart by a vote of 11 to 2. This was the license application that BPNA had previously approved. I voted in the minority against the Walmart once again, thereby preserving my perfect (and completely futile) anti-Walmart voting record.

Our code enforcement officer, Jesse Evans, was not there so we did not get an update on the top-20 code violations list that we submitted to the mayor after the June meeting. For anyone who may have missed it, this was [reported in the AJC on July 25](#) th . The story features our own 1605 Howell Mill Road as an example of the city's failure.

When I was collecting the list of top code violations, Dwight asked if there was a description of what constituted a code violation. Although I was not aware of it then, the [bureau of code compliance has one of these on their website](#) ([Adobe Reader](#) required).

One thing that is important in the violation reporting process is not to automatically assume something that you may not like is a code violation. It is not sufficient to believe that there ought to be a law about something and then demand that this be enforced. It is important to check and see if there actually is a law first. It is also important, to determine if city involvement is really necessary to resolve an issue. Sometimes, simply making a request from a neighbor or taking action on your own is enough. In those cases it is wasteful and often counter productive to involve the city. If we become a neighborhood that tries to resolve all our issues merely by complaining about them, then we may become the *neighborhood that cried wolf* . I would much rather be *the little neighborhood that could* .

We will have two Berkeley-park-related items on the NPU-D agenda for the August 26 th meeting. First, we will be voting on the rezoning and CDP amendment for the Mason hall on Bellemeade Ave. This was discussed (sort-of) and voted on (sort-of) at the July BPNA meeting. I expect it to be taken more seriously at the NPU-D meeting in August. Second, we will have a liquor license application for Swinging Richards. This is the strip club next to the waterworks. Neighborhood apathy will almost certainly be interpreted by the city as an endorsement of this application.

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Next NPU-D meeting:
August 26
7:30 pm
Agape Center, 2351 Bolton Road, NW
ALL NPU RESIDENTS ARE WELCOME

Association News

by Maureen Finneran Hetrick
maureenfh@mindspring.com
404-609-9873

As dictated in the by-laws of the BPNA, any changes or amendments to the by-laws must be submitted in writing to the board of directors by September 1 (article X, section 1). Any proposed changes will be discussed by the board and the association at the September meeting, to be voted on in November. A copy of the by-laws is available at <http://berkeleypark.org/structure.asp>.

Also remember that elections for the BPNA Board of Directors is also in November. At the September meeting, we will select an ad hoc Election Committee to facilitate this process. This is a great opportunity to become involved in the neighborhood association. Please consider serving on the Election Committee, or as a Board member. In addition, many other committees have positions available.

If you are interested in serving on a committee, or if you have any questions about the positions or the election process, please contact Maureen at 404-609-9873 or at maureenfh@mindspring.com.

About Us

The Berkeley Park Bulletin is published monthly in print and at www.berkeleypark.org by the Berkeley Park Neighborhood Association, a non-profit organization. It is distributed to all Berkeley Park residents 3 times a year. To subscribe to the monthly edition, submit an article or Talk Back letter, or inquire about advertising, contact the editor, Maureen Hetrick, at 404-609-9873 or maureenfh@mindspring.com. We accept appropriate articles from all Berkeley Park residents or other interested community members at the discretion of the editor and as space permits.

Membership in the BPNA is \$10 per person (up to 3 adults per address are eligible to become members), and \$5 for seniors. To join the association, attend a monthly meeting and pay dues to the treasurer, [Nina-Daniela McCormack](#), or the president, [Ron Horgan](#). If you cannot attend a meeting but wish to join, or for more information, email us at info@berkeleypark.org.

Berkeley Park is run solely on dues as well as advertisements from our sponsors. Please take a moment to visit our [sponsors](#) and thank them for their support of Berkeley Park.

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Calendar

To place events on the calendar, please contact
Maureen Finneran Hetrick at maureenfh@mindspring.com or 404-609-9873.

August

Monday, August 18
Berkeley Park Neighborhood Association meeting
7 pm
Senior Center, 1705 Commerce Dr.
www.berkeleypark.org
Contact: Ron Horgan
404-355-0220
rhorgan@ansleygolfclub.org

Saturdays, August 16-December 13
Green Market
Piedmont Park
9 am—1 pm
open-air farmers' market
Contact: Piedmont Park Conservancy
404.876.4024 ext. 23
market@piedmontpark.org

Tuesday, August 26
NPU-D Meeting
Agape Center
2351 Bolton Road, Atlanta
7:30 pm
Contact: Jim Martin
james.martin@me.gatech.edu
404-351-6949

Saturday, August 30-31
Grant Park Summer Shade Festival
800 Cherokee Ave SE
Contact: Grant Park conservancy
404-521-0938
info@gpconservancy.org

September

Monday, September 15
Berkeley Park Neighborhood Association meeting
7 pm
Senior Center, 1705 Commerce Dr.
www.berkeleypark.org
Contact: Ron Horgan
404-355-0220
rhorgan@ansleygolfclub.org

Tuesday, September 23
NPU-D Meeting
Agape Center
2351 Bolton Road, Atlanta
7:30 pm
Contact: Jim Martin
james.martin@me.gatech.edu
404-351-6949