

**MINUTES OF THE  
ROSWELL DESIGN REVIEW BOARD  
October 4, 2011  
6:30 p.m.**

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**Members Present:** Roberto Paredes, Sonya Tablada, Laura Hamling, Tom Flowers and Monica Hagewood

**Members Absent:** John Carruth and Herman Howard

**Staff Present:** Kevin Turner, Allison Bray and Sylvia Campbell

Vice Chairman Sonya Tablada called the October 4, 2011 meeting of the Roswell Design Review Board meeting to order at 6:30 p.m. She is sitting in for Chairman John Carruth, who is on vacation. Tablada asked for Kevin Turner's help this evening in case she does something that is against protocol. She reminded everyone present that the Board Members are volunteers. They sit here at the discretion of the mayor and city council.

Sonya Tablada welcomed the Board's newest member, Monica Patel Hagewood. She is the principal and founder of Strata Real Estate Development. She has been providing real marketing advisory services to public and private clients since 1996 when she founded the firm. She has also worked with communities to assist with their economic development efforts in developing re-vitalization strategies for under developed and defining areas. She has 20 years of experience in the industry and has been awarded the designation of Counselor of Real Estate. She holds a Master's degree in business from Georgia State University with a concentration in commercial real estate and has her Bachelor's in landscape architecture from the University of Florida.

Tablada reminded everyone if anyone wants to speak to the Design Review Board on a matter before them that they need to fill out a card that Kevin Turner has and go ahead and give it to him. Those are at the back. If the audience would do that so that those who wish to can speak before the DRB.

**FINAL APPLICATION**

**11-485**

**DRB11-37**

**FELLOWSHIP CHRISTIAN SCHOOL STADIUM, LIGHTS & SOUND**

**10965 Woodstock Road**

**Land Lot: 321**

Sonya Tablada reminded everyone that comes that they need to introduce themselves, providing their name and who they represent. She asked that they



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speak clearly into either a hand held microphone or the microphone at that podium.

This item is being heard as a final. At the last DRB meeting the Board had requested some supplemental information. They did not receive anything in their packet. Tablada asked if there was any supplemental information that the applicant wants to present to the Board.

Jeff Van Pelt with Fellowship Christian School stated that he is here again for this lighting and sound system for the football field at Fellowship Christian School. Last month they presented a sound system and a lighting system that was approved by the city council and they specifically brought to the Board the Dominator II Precision Multi-band Peak Limiter as the limiting system for that sound system. The lighting system was presented by Rodney Hawthorne with Tekline that has the different levels of glare control on it.

Van Pelt stated that they are asking for final approval for that system. If the Board has any questions or any further information that they requested, both consultants are present, Rodney Hawthorne and David Cohen. They will be happy to answer any questions the Board members might have.

Tom Flowers asked Jeff Van Pelt if the sound system that is designed, state of the art? Van Pelt stated that it was. Flowers asked if it was highly directional. Van Pelt stated that it was. Flowers asked if there were multiple speakers, how many total? Van Pelt stated that there were five directional speakers. Flowers asked from what direction they go from and to. Van Pelt stated that one speaker will be placed at the 50-yard line behind the seating area. One will be at approximately the 20-yard line on each side. They will be mounted on those and directed towards the stands. Ultimately they are going to be put on a field house that has not been designed yet, so they are going to put them on poles that will simulate the height of the field house. Flowers clarified that they were directional, not omni. Van Pelt stated that they are directional there is actually two different radius directions that they come in. One is 90 and one is 60 or something like that. Flowers stated that his understanding to council was that these were supposed to be directional from the stands, directly across only. Does this meet that? Van Pelt stated that it meets that. Flowers stated that there were five stations that were tested during the ambient sound; does Van Pelt know the location of those stations where they were conducted at? Van Pelt stated that he probably has that in his packet. There was one of them in the Devereaux neighborhood, one in the...they hit the neighborhood across the street, behind the baseball field, down the street in Broughton Park and then the church parking lot where the areas that they were trying to...

Tom Flowers clarified that the ambient levels were found with road noise to be at 60 db in that area. Is that correct from that study? Van Pelt stated that they go from 40 to 63. Flowers clarified that they were averaging 60. Van Pelt stated that



was correct. Flowers clarified that that was from those five locations. Van Pelt stated that was correct. Flowers asked if there was ever anything determined where the limiting was going to be other than the property line. Van Pelt stated that there was not but they are willing to go with anywhere that the Board directs them to go. Flowers stated that he sees that the applicant acquiesced to foregoing the sound ordinance. They will be subject to the sound ordinance of 70. Van Pelt stated that was correct. Flowers stated that the applicant can set detections that will limit him at the property line to no greater than 65, is that correct? Van Pelt stated that they can limit it to whatever they determine to limit it at, wherever they do the reading, so they can stand somewhere with a meter and if the Board says 65, then they can make the unit not go over 65. Flowers asked if they said 50, at the property line, would that reach Van Pelt's objectives. Van Pelt stated that it would not. Flowers asked if he knows what would be the minimum and reach his objects. Van Pelt stated that they decided that 70 would. What does the Board think about at the property line? Flowers stated that he is seeing some notations that say that the applicant would consider 65 at the property line from the original discussion. Van Pelt stated that definitely he thinks at the residential property like at the homes, the residential homes property line they could do 65. Flowers stated that this is also, he is not subject to...he is subject to the regular noise ordinance that occurs there and there is no marching bands, outdoor concerts, etc. on the property. Van Pelt stated that this was only for the PA system. That is all they can control as far as sound goes, but the PA system they can control.

Flowers clarified that this was for five or six varsity events a year as told to the mayor. Van Pelt stated that there is no limit as to when they can turn it on but their goal is to have this on for varsity events for sure. There are six varsity football games and they will probably have it for soccer. Van Pelt stated that he does not know if he has ever really heard a PA system at a soccer game.

Flowers clarified that it is possible to set and monitor that this will limit the decibels to 65 at the property line. Van Pelt stated that was correct.

Laura Hamling asked Van Pelt if he was prepared to have light equipment that would capture the light levels at the perimeter of the property for monitoring purposes.

Van Pelt stated that he does not know of anything that would monitor it ongoing. When they are first installed, they can test it at the property lines, and if they need to adjust bulbs, they can adjust bulbs to make sure that they are meeting the levels that they are putting in their submittal. The day that they are standing those lights up are the brightest that they are going to be because the bulbs will deteriorate over time and get less bright over time. The day that they turn that light on for the first time is the best time to test it to make sure they have not exceeded the levels the Board has preset for them.



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Hamling asked if the applicant was planning to lease the property to other varsity football teams, soccer teams. Van Pelt stated that he does not know what their plans are as far as leasing the property. They do Saturday afternoon little league stuff; the city of Roswell uses it for those types of things.

Sonya Tablada stated that one of the things that was mentioned at the last meeting was a diagram of the light levels of the lights. But, it was not a diagram in relation to the property. Van Pelt stated that they have a slide on their computer that they can show the Board that shows, they actually did it on the GoogleMaps and one can see kind of what it looks like. Tablada stated that was a question from last time. The applicant showed zero light levels, but he didn't show the light levels against the property line.

Van Pelt pointed out a Google map with...he thinks the standard .5 at the property line and the red...Tablada asked Van Pelt to explain the colors and what they mean. Van Pelt stated that the red level is .5, and then it goes .4, .3, .2, and .1 at the light. The two houses to the left of their football field are part of the church property. The road that goes through there to the church, the woods behind them is all on their property and the building to the right of the field is their actual high school. And .5 is the standard that most people...they don't really have that ordinance in Roswell, but most people have that .5 ordinance and they are trying to keep that within the property.

Sonya Tablada asked if the applicant had any reading on the height of the trees at their property line. Van Pelt stated that standing at the 50-yard line and this is the height above the football field. That is standing on the 50-yard line looking actually towards the closest neighborhood. Those trees are in that little buffer area that is between the road and their football field. Looking towards the creek, which is this way, that stand of trees is pretty much level all the way around. That is looking towards the church; there is a 300-foot stream buffer that is heavily wooded. Looking back towards the school there are no trees between them and the school except for Chinese Elms that are planted on the bank going down toward the school that are probably 4 ½ -inch caliper now. This is looking towards Woodstock Road, the pine trees that are on their property, this is part of the Devereaux berm that has Leylands on it. That continues across the road there.

Sonya Tablada asked if there were any further questions on the lights.

Tom Flowers stated that he does have a question on the lighting system. At council the applicant presented a map that showed 0 bleed off at 30-foot line. Is the Board seeing that same map? Van Pelt stated that this was the exact same map that was at council, the one that they are showing now. They just tried to transpose it onto a Google Map so they could meet the Board's requirements. Flowers asked once again if this is a state of the art system. Van Pelt stated that it was. Flowers asked if there are superior systems to this. Van Pelt stated that



people would argue for their own system, but this is only one that he knows of that has the shuttering in bulb itself that keeps one from seeing the source of the light as well. There are other systems that have the shielding like this has, and there are systems that do it a little bit different way, but with the aiming angle they have with the height of the poles they have chosen to go with...one could get lower poles that aim the light across the field, and have more bleed off on the neighbors, but it is the best system for this situation for the applicant.

Tom Flowers stated that there was map that was presented to the council that showed a 30-foot line and there was zero bleed-off at that point. Are they seeing that line and is that of record?

Rodney Hawthorne with Tekline Sports Lighting stated that the 30-foot line... is Flowers referring to maybe possibly on the baseball field? Flowers stated that he was not. There is 30 feet to the east is what he is understanding from the council notes.

Flowers stated that he was talking about the one in the chart in the council packet diagrams of the field. It asked about two lines drawn around the baseball field, and asked what distance those were from the baseball field but then it references back to the other athletic field. There is a number on the property line and then each additional number is 30 feet to the left of it. Where do they get zero bleed off? Where is it?

Rodney Hawthorne stated that this was the zoom in that was presented at the council meeting before they overlaid it on Google Earth. He is not sure about the 30-foot line Flowers is referencing because there is no way to do a zero at 30-foot. There might have been....

Jeff Van Pelt clarified that each line was 30 feet. What did it say exactly? Tom Flowers stated that the notes say that council member Orleans asked Rodney Hawthorne about the chart in the council package that diagrams around the fields and asked about the two lines drawn around the baseball field. That is what the distance is of those capturing. Hawthorne replied that there is a number on the property line and that each additional number is 30 feet from the number to the left of it. He is trying to get an idea of how far from the field to the second line, to get a typical design as a .1 candle foot, which is considered full moonlight. Tom Flowers stated that he is trying to identify where that line is and what was presented to the council to confirm that the current system is applicable.

Rodney Hawthorne stated that was on the baseball field. He recalls that questions and this was the original baseball design and they came back and redesigned it with some relocation of poles and in this area along this property line. They did get it down to .5 foot-candles 30 feet onto the residential property line.



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Sonya Tablada stated as a reminder there is no lighting....Rodney Hawthorne stated that since they got toward zero at the property line on the football field, they really didn't think about that again. That is why they did this one, so the Board could see where those lines, .5 out to .1 are.

Laura Hamling asked Hawthorne if he has a map that shows the proportion of the poles to homes in the area. The closest homes' lighting poles? Hawthorne stated that the trees between...if this pole is here, and it is 80 feet tall at the top of the highest bulb on it and the trees next to it are in the 70-75 foot range these houses are actually a little bit below our elevation by five or eight feet or something like that on the topo map. One is looking through a lot of trees to get to the poles. There is no cross-sectional view or anything.

Roberto Paredes asked if there would be an option to do shorter poles and maybe adding one additional pole, but reducing the height of the poles. Jeff Van Pelt stated that the problem with the pole height is not a matter of getting the light on the field as much as it is a matter of the angle that the actual bulb is pointing. If one lowers the pole it points out further and one ends up with more light escaping the property. So, the higher the pole the more one can direct it down onto the field and with all the controls they have it keeps it from spilling outside of it as much. That is why they went with the pole height that they did.

Tom Flowers stated that had a question for the expert. Is it Rodney Hawthorne's professional opinion that the minimum pole height with minimum bleed-off has been achieved in this current design? Hawthorne stated that he does and he has a couple of slides he can kind of explain. This slide demonstrates what they call the aiming angle below horizontal when one aims a fixture. If he can envision if one aims the fixture straight out from the pole, then obviously if he has a real short pole, he is going to have a real shallow aiming angle. The taller he makes the pole, the steeper the aiming angle. And the steeper the aiming angle, the better quality the light design is. Hawthorne stated that he had a couple of other slides that he can show. The next one demonstrates...one can see how the left slide shows the internal louvers and they actually block the arc tube of the fixture. The lamp is in a horizontal position and with the horizontal lamp one is able to put internal louvers behind the lens of the fixture. And when one achieves a 30-degree angle below horizontal he actually blocks the arc tube or the source of the light. If one goes with a shallower angle then the arc tube still is exposed. So that is the reason they designed specifically to the 30-degree minimum aiming angle, which allowed them to block the arc tube, which minimizes the spill light and any glare.

Tom Flowers clarified that it is Hawthorne's professional opinion that there is no other design alternative to improve based on the current topography, based on the current lighting system and based on the area that the applicant intends to light.



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Rodney Hawthorne stated that was correct. To shorten the spill line, the spread of those elliptical lines going around the field, to make those lines move in one would actually go to a taller pole. Flowers clarified that putting the poles right up against the track helps too. Hawthorne stated that they were trade offs.

Sonya Tablada asked if the Board had any further questions on the lights or the sound system.

Roberto Paredes stated that on the limiting device, is the measure the property line? In other words is this like an active or dynamic system or is this something that one sets and then forgets and if the temperature or the weather conditions change, then the device would not regulate itself? He asked the applicant to explain that a little bit.

Jeff Van Pelt stated that this system is set and it is locked in the cabinet and unless they have to reset it, it is not reset. There is no active control. The one that they looked at originally actually had a green, yellow and red light that would go off if it went over a certain amount. It would have to be manually turned down and would take a person responsible enough to do that sitting there running it. So they wanted to take the human element out and do something that the city could come out and monitor it and tell them where that level is and they will set it at that level. It is not going to be controlled by the parent that is running the system that night.

Roberto Paredes stated that his question really has more to do with he does not know when the measurements were taken. On a hot, humid day with trees having full greenery, sound would travel a lot less than on a late fall evening with no leaves on the trees. How does that relate to the measurements that the applicant has taken?

Jeff Van Pelt stated that he thinks they can submit to that test at another time, too if the city asks them to. They could at any time that they want to come out. Code Enforcement knows exactly where their site is so they can come out. If the applicant is set at a certain level that the Board determines and they have the limiting device in place, then they can monitor that.

Roberto Paredes clarified that at every game the applicant would reset it. Van Pelt stated that was correct and they can be at every game and monitor it or they can say that they need to come out on Thursday and make sure it is right before the game. That is their prerogative.

Laura Hamling asked just in human terms to the expert...if she is a mother in one of the nearby homes and she has small children and it is 8-8:30 p.m. and by small she means infant to two years and she wants her child to go to sleep. Does the applicant think that they will be able to with the lighting that has been presented and sound? This is for both.



Rodney Hawthorne stated that as far as the lights go, if one is in his bedroom going to sleep with the proximity of the homes to this football field, he does not think one would realize that the lights were one if he didn't actually look out of his window.

Terry Frye with CEI, the audio consultant clarified that Hamling's question was will one be able to hear the sound in the house? Hamling stated that she will say at 9 p.m. Frye stated that was kind of hard to determine because it is a matter of how well the house is insulated. Do they have any leakage in the windows? Unsealed caulking? Every house is going to be different. It is a matter of double panes versus single pane windows. How good the windows are.

Hamling stated that she thinks that most of the homes around there will probably have at least double paned windows.

Frye asked if one will be able to hear it. Maybe, he can't say that one can't but it would be such an extreme low level that it is going to be subjective to whether that is objectionable or not. It is really hard to say.

Laura Hamling asked if it would wake the average infant. Terry Frye stated that he does not think that it will. Hamling stated that was what she needed to know.

Sonya Tablada clarified that the applicant is going to put...their plan because she knows they are planning on putting a limiter on this system. So, the plan is to have sensors at Fellowship's property line. Is that correct? Where is that decibel level being measured? The 65 or 70 decibel level? Is that what is coming out of the PA system?

Terry Frye stated that the sensor will be done by the city of Roswell with the applicant when they put the system in. The sensor is not going to be a permanent fixture. The limiter will be set at whatever that level is. He doesn't know what the level...it might even be too much sound. The speakers are not going to be 100 feet up in the air like they are at Roswell High School. They are going to be down at 12 feet off the ground right in one's ears. So Frye doesn't know what 65 or whatever decibels is going to sound like at their property line compared to close to the speaker. They will see what they have to set it at and they might set it at less than that just to keep from blasting their ears out. He knows that King's Ridge's is too loud but it is not that loud at the property line just because theirs is real close to the stands themselves. They will set it for their reasons and for whatever they are limited too here. But that sensor is done when they install the system and anytime they want to come redo it, they can come redo it. It is not a permanent system.

Sonya Tablada clarified that it was not a permanent system so the plan is just so that she understands it, the plan is the applicant would install this system in conjunction with the city of Roswell to measure at the property line and she





would assume at different locations. That it does not exceed 65 or 70 decibels. And that would be set in the system permanently. Then if the neighbors would object or think that it is louder then they can call for it to be re-measured. Terry Frye stated that was correct. Tablada stated that it would be set at Fellowship's property line not to exceed the 65 or 70 decibels at their property line. Frye stated that was correct. Tablada continued that then it is set, it is done...Frye stated that it is set and locked in the cabinet where the Booster Club is not controlling it. It is controlled already and set. Tablada stated that she had understood that there would be sensors along the property line that would constantly do it so that clarifies it.

Sonya Tablada asked if there were any questions from anyone on the Board. Hearing none, Tablada stated that there are several people that want to make public comments.

**Rick McDonald**  
**1105 Allen Brooke Lane**

Rick McDonald thanked the Design Review Board for devoting a lot of time and attention to this, what turns out to be a fairly technical and complicated matter. Of course, all of the numbers aside, what he is really concerned about is the impact that this has on the neighbors. McDonald would argue that that impact is proportional to the number of occasions on which this equipment is being used. Obviously, if it is five or six times a year, as was originally proposed when Fellowship said that it needed this stadium and the equipment for its home football games, that is one thing. If it is 20 or 30 times a year, as was suggested at the last meeting that is another. So, McDonald believes that any approval to the design elements that the Board offers should be conditioned upon a certain number of occasions per year that it can be used and that number can't be exceeded. Because that is what the impact of this really comes down to, is not just the number of decibels, not just the amount of light that intrudes, but how often it happens.

McDonald thanked the Board for their attention.

**Joel Bear**  
**140 Calais Court**

Joel Bear stated that also appreciates the work that this Design Review Board is doing with respect to this matter. The neighborhoods that surround the Fellowship Christian School have been there for decades. The neighborhood that Bear lives in, Greenway Hills is directly east of the school. The perimeter homes in his subdivision are but 400-500 feet from the football fields. He knows that the neighborhoods to the north of him, Broughton Park and to the west Devereaux Downs and to the south are also very close. He might say too close to suffer the affects that they would endure if these games are held on a regular basis. So,



Bear too, would be in favor of limiting the frequency of use of both the light and the sound systems to the six games a year that was originally requested by the school. The fact is the school does lease out their fields and apparently it is a revenue generating event. He thinks it is unfair. He is all for the school using their property but it is also important to take into account the affect that it has on the neighbors.

One of the Board members brought up momentarily ago the issue that noise would have on families even without the lights or public address system as they discussed earlier. The sounds are already heard in due deference to the sound expert, Terry Frye. The neighbors already hear the noise in their homes. With respect to decibel level being labeled at 55 to 65, it has already been shown in the study that was conducted by the school; this study in not in dispute, the study was conducted by Lee Sound Design. It was part of the public record and is in the public record with the council. Bear stated that they also paid for a secondary study conducted by an internationally known expert, Mr. Stuart Zwerling of the Noise Consultancy and Bear also has a copy of that study. Bear emailed a copy of that story to all of the council members. It is also in the record and he would be willing to again once again submit it. But, Zwerling, who also did not object to the school's own sound study stated, and Bear just wants to read real briefly...He believes that the crowd noise and public address system would also be at the 55 to 65 decibel level. Please take note; even though they put limiters on the public address system they can't control the noise of the crowd. They just can't do that and that is what is so objectionable.

Bear asked that he be aloud to read Zwerling's short conclusion. He states:

*"The acoustical impact at the 55 to 65 decibel level will be very significant even at the levels predicted by Lee Sound, (the school's own study) and will completely alter the acoustical environment for these neighborhoods when the facility is in operation. The stadium with introduce an entirely new set of sounds which alone would be highly noticeable but it is also introducing them at levels significantly above the current ambient level. Sound from a stadium at the 55 to 70 decibel level will disrupt the peaceable enjoyment of outdoor spaces and will even interfere with speech at times. There will be times when people sitting in their backyards will have difficulty having a conversation at distances greater than a few feet. In addition, sound from this source will certainly be heard inside houses even with the windows closed and could prove disruptive to sleep."*

Bear simply submitted to the Board that none of the neighbors would want their families to be subjected to this kind of sound. And there is some conflict. There is conflict from the sound expert that the Board just heard a moment ago and other conclusions drawn by equally renowned, internationally renowned experts in sound design. At this point, because they are really not sure of what the impact will be upon the neighborhoods, and Bear would like to protect them. But since the Design Review Board is basically their only sounding board he would please



ask for their consideration in reserving a conclusion until they can get to the bottom and fully limit the number of times, the frequency that the neighbors would be subjected to this noise.

**Andy Brown**  
**7015 Broughton Lane**

Andy Brown stated that his home is going to be one of the closest ones to be impacted by all of this. He is not going to go through all of the stuff again. He is against it. He hopes, again as they talked the last time that the Board is going to protect the neighbors if they could limit them. If they could shut them down completely, that would be great, he knows they can't. But if the Board could limit them they are already running at just about seven days a week. They had something going on Sunday. No PA, Brown could hear the crowd noise when he was outside sitting on his patio. It was 4 o'clock in the afternoon. What was said as far as when it gets cooler and the leaves fall, it is going to hit them in the house and Brown does not understand how the applicant can say about how the house is constructed, they are not going to be able to hear it, they will be able to. Brown can hear them at times when they have their mobile PA system when they are doing their pep rally during the day if he is inside his house. Brown thinks his house is pretty well insulated. He caulked the windows, the whole thing. They can hear it. So Brown is hoping that the Board will limit them. He would also like to see if there is a way that they could look at what the applicant is proposing, to be able to physically see it, if they could hear it, the whole thing like was suggested as far as the lights at Mt. Pisgah. As far as being able to see the example of what they have here in the state of Georgia. As far as Brown knows, they don't have anything that they can physically go and look and see. As far as the noise or the PA system, no one has come to his home and said, "This is what you will hear. We can use you as a test." No one has done that. Brown is just asking for the Board to protect them, to help keep the neighborhood in its normal...he just doesn't want this, to be honest. He feels like they are ramming it down their throat.

What is going to keep them because they already hear Blessed Trinity and they already hear Roswell? They are closer than the other two and they are telling Brown that it is good, don't worry about it. But they don't live anywhere near there.

Brown thanked the Board and stated that he appreciated their time. He asked that they please think of the neighbors.

**Ileana Perez**  
**5080 Broughton Street**

Ileana Perez stated that she lives in one of the homes that is closest to the school. She seconds what Andy Brown and Joel Bear have said. She hopes it is



limited. She does not want her Fridays, Saturdays and Sundays to be hearing their crowds cheering, their noise and seeing the lights. She wants to be able to enjoy her back yard and her home at least a few days a week. She doesn't want to be looking at a calendar..."hey they are having a game tonight. What are we going to do? Where are we going to go hide?" She wants her children to be able to sleep and do their homework. She wants to be able to maybe sleep in at least until 9 a.m. maybe on a Saturday or Sunday. They usually start in the mornings to play at that time and the Perez hears them as well.

She asked that they please try to figure something out. Perez was hoping over this past month that the school would come and knock on her door and offer maybe an explanation or show her what their plans are, what the sound might be but no one has had the courtesy of doing that.

Sonya Tablada asked if there were any further comments from the public. Hearing none she asked if there were any questions or comments from the Board.

Roberto Paredes stated that he had a question that is probably better suited for the city attorney. The Board cannot set limits on the number of times that the facility can be used. Correct? City Attorney Bob Hulse stated that was correct. The council made the decision and the only issues before the Board are the ones about the effectiveness of the lighting and the sound system. But the issue of limitation, the issue of crowd noise, all of that was decided by council and the Design Review Board does not have that power to do anything about it. To make it clear to the public, Hulse stated that no matter what they want to do and he is sure everyone is sympathetic, that issue was decided by council and they all have to abide the council decision.

Sonya Tablada clarified that the Board's vote tonight and just to let everyone know that they all spent a considerable amount of time reading all the minutes of the council meeting to see what the council had actually, from public comment to council...she met with Kevin Turner and the city attorney tonight before this meeting to totally understand what that Board's purview is on that. And as the Design Review Board the only thing that they can do tonight is to vote yea or nay that these systems, they think the systems will do what is required. And that is the only thing basically the Board will vote tonight on. They can vote that no, they don't think they do meet the criteria because the Board does not have enough information or they just don't like what was presented. Or yes, they do. But it is not their purview to set limits. It is not their purview to set the number of days that the sound system...they can just vote on whether or not they think the systems presented are sufficient to, and even in that they don't have limits on that. They just can say yea or nay to the systems presented and that is all and it is voted as one because it was presented as one. They don't really vote on the lights and the sound separately, they vote on them together.



Bob Hulsey stated that was correct.

Tom Flowers asked if the Board could make a motion with limitations based on the system design. Hulsey stated that they may.

### **Motion**

Tom Flowers made a motion to approve DRB 11-37 based on a max 65 decibel level recorded and calibrated at the property line during a defoliated time of the year and subject to the regular sound ordinance for commercial application, which says no more than 60 after 11 p.m. at night. No Sunday per the ordinance and stipulation that the council spoke to. Varsity games only and the lighting as designed.

Sonya Tablada asked if there were any further comments.

Bob Hulsey, assistant city attorney stated that he does not think one can put a limitation on varsity only because council did not make that as a limitation. That is a limitation that they have set. That doesn't have to do with the system.

Tom Flowers stated that in the council notes it did reference varsity only in their motion. And Mayor Wood clarified for five to six nights a year.

Bob Hulsey suggested that they just let the council go and code enforcement can deal with whatever that is. But he would not make that part of this motion.

Tom Flowers amended his motion to simply limit to 65 subject to the sound ordinance, the city sound ordinance at the property line, calibrated at a high sound travel time towards there which when defoliation, etc., it is set at 65 subject to the noise ordinance that at 11 p.m. at night it goes no higher than 60 for a commercial zone. Flowers knows that this is commercial/residential. Is this an allowable motion?

Bob Hulsey stated that was a limit, certainly.

Flowers stated that the lighting shall be approved as designed.

Sonya Tablada asked if there were any amendments to that motion. Hearing none she called for a second.

There was not a second to the motion. Sonya Tablada asked Kevin Turner if she could second the motion as chair.

Sonya Tablada seconded the motion. At this time she called for a vote and stated that Monica Hagewood would recuse herself from this vote.



**DRAFT**

The vote for the motion was two in favor, two in opposition. The motion failed.

It is Tablada's understanding that the applicant needs to get back with Kevin Turner as to the next steps.

**INITIAL APPLICATION**

**11-0580**

**DRB11-40**

**NORTH FULTON HOSPITAL MEDICAL OFFICE BUILDING**

**Hospital Boulevard and Hembree Road**

**Land Lot: 596**

Roberto Paredes stated that he will have to recuse himself since he will be presenting the project.

Roberto Paredes stated that he is the architect for the project. He clarified one item regarding this proposal. This is actually a re-submittal. It was presented almost a year ago for a medical building. Due to some issues related to finalizing certain leases the building size was reduced. Basically the only changes that have occurred from that original submittal have to do with a smaller footprint of the building and then the changes associated with the land planning or the site plan itself. Paredes stated that he will very quickly go through the background information related to the project.

The site is immediately across...the existing hospital is the yellow dot on the drawing. The new, revised site plan basically shows a smaller building, it is slightly, a little farther away from the parking deck than what they had proposed originally and it is a little shorter building. There is slightly more on-grade parking as part of the development of the project.

Paredes stated that he will have Steve with the civil engineering firm come back and address the landscaping and site planning issues, utilities and so on. Paredes stated that he will go ahead and move through directly to the actual changes of the building and he will let Steve address the site.

The original design was attempting to blend in with the existing buildings and the palette of colors was pretty much derived from the existing buildings, the hospital across the street and the medical office building next to them. The building itself has actually changed very little. The design basically compressed the length of the building and due to certain tenant requirements the entry was simplified also. So, they basically now have a canopy, a smaller canopy on the front of the building. They are still looking at a pre-cast panel. There is a sample in front of Sonya Tablada that is a two-toned pre-cast panel. The base of the building...the building is actually a three-story building from Hembree but it is a two-story building if one were standing on the hospital side looking towards the building. It would only be a two-story building. So, the lower part of the building, the base,