

Rezoning and Conditional Use:

4. CU05-03 – Fellowship Christian School, Woodstock Road, Land Lots 308, 320, 321, 322, and 352, E-2 (Single-Family Estate Residential District) and R-1 (Single-Family Residential), to Conditional Use, for new private schools and accessory uses.

Ms. Peterson stated that this was a conditional use request from Fellowship Christian School. The applicant proposes taking an existing school facility and adding a new high school, elementary school, field house, and illuminated football and soccer stadium with a track. They also propose baseball and softball fields, basketball courts and tennis courts which will not have any lights. Property to the north is the existing Christian School, to the south is Devereux Downs zoned E-2, to the east is Barrington Manor zoned R-1, and to the west is Broughton Park zoned E-2. The property contains 29.76 acres. The applicant proposes a total development of 176,375 square feet of building area for a total density of 5,927 square feet per acre. The applicant proposes a football stadium on the corner of the property with a maximum of 1500 seats. Ms. Peterson stated that staff had done an extensive amount of research on the project concerning distances between buildings, lighting studies, and traffic studies. A traffic study was submitted by the applicant and accepted by the Community Development Department, which resulted in a number of conditions. The applicant also submitted a lighting study showing the parking lot with high-pressure sodium lights on 25-30 foot tall poles. They also submitted a study showing they proposed a special illumination system for the stadium to limit the bleed onto abutting property owners and to limit the footcandle measurements at those property lines. The applicant also submitted a sound study showing options to create a sound system which would limit the amount of sound coming out of the stadium to limit the bleed onto surrounding properties. Ms. Peterson, via the overhead, pointed out the site in question, the Catholic Campus to the north, and the Rivercliff Church site directly south that was approved in 2003 but not yet begun construction. During staff's analysis of the Fellowship site, they looked at the nearest residences versus the nearest improvements that would occur on the property. The analysis showed 130 feet from an existing home to the baseball field; 125 feet from an existing home to the softball field; and 130 feet to the proposed tennis courts. She noted that none of those would be illuminated or have sound systems. Across the street closest to the stadium was a distance of 550 feet from a home to the proposed stadium and 445 feet from a home to the stadium. Most of the church facilities are proposed towards the center of the site, however, some proposed baseball fields would be 434 feet from one of the homes to the field; another at 371 feet; another at 464 feet; and another at 477 feet. South of the site is 290 feet from a home to the future church building; 246 feet; 250 feet; and 268 feet. At the Catholic campus, the Devereux Downs development has 468.9 feet from a home to the nearest church building. On the Westwind Drive development is 200.8 feet from a home to the football field; 344.9 feet from a home to the Queen of Angels Elementary School; and 273 feet to the high school building and another at 281 feet. Ms. Peterson noted that staff did not have the Saint George CCRC Development or a lot of the Stonebridge outparcel development. Regarding the surrounding development of the Catholic campus community, the only thing that began construction after that campus was approved was the Heritage at Roswell development. The church began construction in 1998; Westwind began construction in 1997; the Spring Hill development and the Devereux Downs development already existed.

Ms. Peterson stated that staff recommended the following conditions:

1. The owner/developer shall develop and maintain the property in substantial accordance with the site plan received in the Community Development Department on February 3, 2006 or as approved by the Design Review Board and consistent with these recommended conditions.
2. The owner/developer shall save the 34" oak and 25" oak trees located at the northeast corner of the property near the Barrington Manor Subdivision.
(Ms. Peterson noted that condition #2 would result in a loss of 80-100 feet of proposed buffer. That had come up at the Planning Commission, but there was no discussion for or against it.)
3. The owner/developer shall provide a three hundred (300) foot southbound left turn lane on Woodstock Road into the Fellowship Christian Academy's private drive as required by the traffic impact study and concurred by the Roswell Transportation Department.
4. The owner/developer shall provide a one hundred and fifty foot (150) northbound deceleration lane on Woodstock Road located at the proposed private drive/Jones Road, and a one hundred and fifty foot (150)

- northbound deceleration lane on Woodstock Road located at the existing curb cut to Fellowship Bible Church as required by the Roswell Transportation Department.
5. The owner/developer shall provide an access easement to ensure continual use of Fellowship Bible Church's private driveways located on SR92/Crossville Road and Woodstock Road. The recorded access easement shall be submitted prior to the issuance of a Land Disturbance Permit as required by the Roswell Transportation Department.
 6. The owner/developer shall provide a one hundred and fifty foot (150) eastbound deceleration lane on SR92/Crossville Road as required by the Roswell Transportation Department.
 7. The owner/developer shall close all pre-existing residential curb cuts along Woodstock Road with 24" curb and gutter as required by the Roswell Transportation Department.
 8. The owner/developer is responsible for all cost associated with the design, construction, equipment, and installation to the existing traffic signal at the intersection of Woodstock Road and Jones Road as required by the Roswell Department of Transportation.
 9. The owner/developer shall provide a 20 scale roadway and a 20 scale signal plan of the Woodstock Road at Jones Road intersection, prior to the issuance of a Land Disturbance Permit as required by the Roswell Transportation Department.
 10. The proposed private driveway located at the existing Woodstock Road at Jones Road intersection will not be utilized as a construction entrance until the signal improvements are completed as required by the Roswell Transportation Department.
 11. The owner/developer shall provide an internal routing plan for all events (i.e. athletic events, pick up/drop off for all school buildings and the proposed routes for students and faculty, etc) as required by the Roswell Transportation Department.
 12. All athletic activities on the school property shall end by 10:00 p.m.
 13. There shall be no lighting on the baseball field, softball field, basketball court and tennis courts located near the Barrington Manor Subdivision.
 14. There shall be no public address system used at the baseball or softball fields.
 15. With the approval of the downstream property owners, streambank restoration and stabilization shall occur for a distance not to exceed 350 feet contingent on all regulatory approvals. Should the owner/developer not obtain the permission of the necessary property owners to perform the work, the owner/developer shall submit written documentation of such efforts to the Planning and Zoning Director.
 16. The owner/developer must submit the legal document regarding shared parking with the church to the Community Development Department prior to the issuance of a land development permit.
 17. The owner/developer shall submit a division plat to the Community Development Department prior to the issuance of a land development permit.

Ms. Peterson stated that the Planning Commission made some minor modifications to the conditions. They required some additional research and verbiage for conditions #6 and #15, which staff completed and are as stated. They also proposed a change to #12 to state that "all activities on the school property shall end by 10:00 p.m. except in cases of mandated overtime at the end of a scheduled game or delays during the game caused by injury, power failure or inclement weather." She stated that was proposed by the applicant and accepted by the Planning Commission. They agreed that tennis courts should also be included in condition #14. They agreed that the PA system for the football stadium should have some sort of limitations and restrictions, but staff did not have a study at that time. They felt that all of the buffering, landscaping and stormwater management should be completed with phase I of the development. They agreed with the applicant recommended condition of the specialized light system and low spill public address system. They agreed to the limitation of 20 football and soccer activities per year. They also agreed with the applicant proposed condition of hiring an off-duty police officer for high school football games with attendance exceeding 500.

Ms. Peterson stated staff received a letter from the applicant regarding the conditions as follows: #1-5 are acceptable; #6 is acceptable with the suggestion of adding the final sentence "contingent on approval by the Georgia Department of Transportation; #7-11 are acceptable; and #12 is acceptable as modified by the Planning Commission. The applicant offered to go further by stating that all outdoor athletic activities on the school property shall end by sunset or the conditioned ending time except in mandated overtime. Conditions #13 and 14

are acceptable. Condition #15 is acceptable if modified to state "this action is maintenance related, not development, and all work shall be approved through City personnel." Conditions #16 and 17 were acceptable by the applicant.

Mayor Wood questioned condition #12. Mr. John Carruth, on behalf of the applicant, replied that they had already offered to play only 20 games on the football/soccer field to 10:00 p.m. They were trying to say either end by sunset or if it was one of the 20 games, to end by 10:00 p.m.

Applicant:

Carl Westmoreland, 1201 West Peachtree Street, represented the applicant. He stated the school had existed for 19 years and with the high school since the year 2000. They have had extensive discussions with neighbors and members of the staff which resulted in amendments to the application with a lot of conditions. He stated the intent was to address some of the concerns that had arisen through the process and were reflected in the plan and application before Council. They have moved the facilities, primarily the football/soccer field, away from Woodstock Road to provide additional berming between the road and those facilities as well as between all of the school facilities and the neighborhoods. Additional conditions have been placed on the type of lighting and sound system as well as the times for certain activities that create more impact in terms of noise and light. Mr. Westmoreland said that the staff report concluded that the applicant had met the conditions set out by the ordinance. He asked that Council follow the staff and Planning Commission and incorporate other conditions as they see fit and approve the application.

John Carruth with Randall Paulson Architects located in Roswell Mill, stated that also in attendance was Eric Munn, the headmaster of Fellowship Christian School; board members for the school and members of their planning committee; Mark Lawrence, their civil engineer; Beth Ruoman, their landscape architect; Wayne Lee, their acoustical consultant; and Leah Gillobo, their traffic study engineer. He stated their request for a conditional use permit was to allow four small parcels that have been acquired along Woodstock Road since April 2003 to be combined with property owned by the school and church, who has been the owner of the school property thus far, to create a 30-acre campus. Mr. Carruth stated that Fellowship began 19 years ago as a ministry of Fellowship Bible Church, and eight years ago began a high school program that had graduated over 200 seniors. He called Fellowship a "well kept secret" as many in the surrounding neighborhoods did not know there had been a high school building on the property since the year 2000 until they started this planning approval process. They are hopeful that when this project is completed, new residents may see their entrance but still have little clue as to what occurs on the site. He stated that Fellowship needed to grow because the school leases space from Fellowship Bible Church, and there is no room to add program space at the church, which currently houses the elementary and middle school programs. Middle schoolers have to walk to the high school gym for PE, no matter the weather conditions. The elementary and middle school programs need space for three classrooms per grade; they currently have two. The high school program needs five classrooms per grade, as students from other K-8 private Christian schools go to Fellowship; they currently have three per grade. He stated that a well-rounded school needed a full complement of athletic programs. Currently all outdoor sports have to leave the school campus for practice and/or for games. Mr. Carruth explained that when the church and school decided to have independent governing boards, it made sense for the school to acquire 30 acres south of Crossville Creek. That property already included the existing high school built in 2000. They consulted with the neighbors in Barrington Manor and Devereux Downs during the design process. They also met early on with the Design Review Board sub-committee. They recently met with Broughton Park. A key consideration for developing the property is to support the athletic programs while being respectful to the nearby neighborhoods. A key to that was the location of the 1500 seat football and soccer field with its 400 meter running track, and the largest component on their site plan. They looked at different sites on the property for the football field. They first looked at putting it next to the Barrington Manor neighborhood, but it was too close to the nearby houses. He stated it was important to note that location could have been pursued without this application, as their property was grandfathered under the old Zoning Ordinance, but that was not best for the community. Their next idea was to place it at the edge of the stream buffer in the natural bowl area across from the Devereux Downs Swim-Tennis facility. That, however, did not leave enough space for roads, etc. between the track and the existing building. They looked at pushing it up to the setback at Woodstock Road, but that caused deep concern with the Devereux Downs neighbors and with City

leadership, so that led them to the plan before Mayor and Council. They are going to set it deeper into the site into the stream buffer. He stated that plan was not viable until they learned that the Zoning Ordinance allowed stream buffer averaging and impervious setback averaging. The advantages of the location are many. The field is 16 feet below Woodstock Road and over 500 feet from the field to the nearest houses. It allows room for the internal roads that need to go between the track and the existing building. The home stands, 1200 seats, face towards the stream and church, which has the least impact on the nearby neighbors. A second key consideration was the concerns of the Barrington Manor neighborhood, east of the school, which included proper water management and runoff. Crossville Creek, which runs behind the Fellowship property and through the Barrington Manor neighborhood, has a history of flooding and runoff problems. Barrington Manor wanted a planted berm along the property line and eliminate lights and PA systems on the fields next to them. Mr. Carruth said that the school's plan addresses those issues. All stormwater on site and the catch basins on Woodstock Road will pass through their new detention pond located next to Crossville Creek. They proposed to increase the required 5-foot landscape strip to a 40-foot buffer similar to what a commercial zoning district would require next to a residential one. This strip will have a 6-foot high berm with a 6-foot opaque privacy fence at top and be densely landscaped on both sides. The school has also agreed to eliminate lights and PA systems on the baseball, softball and tennis courts. A third key consideration was density. The residential zoning of this property allows 25% lot coverage by buildings in the E-2 classification. If this were an office-professional or a commercial development, they like wise would be allowed 25 percent coverage by buildings. Recognizing that much of the property will be covered with grassed athletic fields, they request that the building lot coverage be capped at 10 percent, or 2½ times less than allowed. This project has 5,927 square feet per acre. He noted that Blessed Trinity has 2,555 square feet per acre on a 100 acre site. Roswell High School has 4,700 square feet per acre; Rivercliff Lutheran Church and School is scheduled to have 5,000 square feet per acre; Roswell North has 11,141 square feet per acre; Crabapple Middle School has 6,832 square feet per acre; the Kohl's-Stonebridge Center has 8,800 square feet per acre. He stated they fell in the middle. Regarding students per acre, Fellowship will have 34 students per acre; Blessed Trinity has 15; Roswell High School has 47; Roswell North has 81; and Crabapple Middle School has 42 students per acre. Regarding parking, Fellowship satisfies the code requirement for 590 parking spaces with 352 on their property and another 300 dedicated joint use parking spaces with an agreement with Fellowship Bible Church. He called that a common sense sharing that greatly reduced the amount of impervious area and runoff that will reach Crossville Creek. Their project will have 12 cars per acre; Blessed Trinity has 10; Roswell High has 13; Rivercliff has 14; Roswell North who shares parking with the Roswell Area Park has 8; Crabapple Middle School has 6; and Kohl's-Stonebridge has 39. He stated by all measures of density, Fellowship falls in the middle. A fourth consideration is traffic. URS performed their traffic study, and the Roswell DOT reviewed and accepted the analysis. A number of system improvements and project improvements were recommended. Fellowship is committing to install all the project improvements stipulated including the deceleration lane along Crossville Road. One mechanism that the City has for addressing system improvements is development impact fees. By Mr. Carruth's calculation with the Zoning Ordinance, Fellowship will be paying \$223,000 in impact fees. Rivercliff Lutheran, if classified as a church, will pay \$48,000 and Saint George's paid \$57,800. He stated it was the collection of those impact fees that will help fund the system improvements that the traffic study indicated may be necessary. He stated there are two entrances into the site with most traffic coming in off Woodstock Road. There is also an entrance off Crossville that comes through the church property. In the future there will be three drives with the new drive taking traffic from Jones Road. It will be aligned with Jones Road and will reduce the impact of the amount of cars currently using the Woodstock entry. The existing Woodstock entry will tend to act as a right-out only on school mornings as it is currently a difficult left turn movement coming out of the school. A fifth consideration is the football and soccer field lights and the sound systems. They propose to install field lighting by Soft Lighting Systems that will utilize a cluster of shoebox type fixtures on 80-foot poles which will direct light onto the field and away from the neighbors and away from the sky resulting in zero footcandles 200 feet from the light poles or before they reach Woodstock Road 335 feet away or before they reach the nearest house in Broughton Park which is 500-feet away. No direct light will reach any of their residential neighbors. The school has engaged Wayne Lee, a registered professional engineer in the State of Georgia, to assess their sound situation and make recommendations for their sound system. He recently performed a similar analysis study for the City of Roswell for Riverside Park. Mr. Carruth stated there were three sources of sound at the football field - crowd noise at an estimated 90 dB at the field; marching band in the 100 dB range at the field; and the PA sound system estimated at 90 dB at the field. He stated the PA system was very controllable because it

was an electronic system. The crowd noise and the marching band were less controllable so that was done through design considerations such as a reduction in distance; lowering the football field 16 feet below the Woodstock Road grade; a slight reduction due to berms on their property and adjacent properties of Devereux Downs and Broughton Park; and through a seating orientation with 1200 seats facing away from Woodstock Road. They have done an analysis of the anticipated sound levels at the homes. Crowd noise is anticipated to be in the 50-55 dB when it reaches the nearest houses; the marching band would be at 60-65 dB; and the sound system, beginning at the 90 dB reference point, would be 50-55 dB. Normal exterior levels in this area are 40-45 decibels. Mayor Wood asked Mr. Carruth to give a point of reference for normal exterior levels. Mr. Carruth replied that was ambient sound such as birds, the little bit of traffic going by, air conditioners running, or a lawn mower running in the distance. Their study said greater than a 10 dB difference between the anticipated sound level and the ambient sound level was a potential objectionable sound level. Indoors could see a drop of 10-25 decibels. He noted that TV at 10-feet away was about 74 decibels.

Mr. Carruth said they realized that some of these items are potential detriments to the residential areas, so they offered the following additional conditions that they asked Mayor and Council to consider. Regarding the crowd noise, they proposed moving the 300 seat visitor stands to the home side which will put everybody facing away from Woodstock Road and Devereux Downs and towards the 300-foot wide stream buffer that is heavily vegetated facing towards the existing Fellowship Bible Church. Regarding the marching band, they are willing to accept a condition of no marching bands on the football field from either the home team or the visiting team. Regarding the PA sound system, they ask Council to set a 60 decibel limit at the Broughton Park boundary, which is the nearest boundary to the football field. They proposed putting in a monitoring system that will check their 60 decibel level. The first year they will monitor every home varsity football game. Assuming they pass on all of those, for the next 5 years they will monitor the first home football game. If they fail, they will monitor all of the games that season. Regarding visibility from Broughton Park, they will keep the trees right on the edge noting at this time there are no plans for anything to happen to the trees on the church property. Those tall trees will screen the visibility of the light poles that are in the football field. They propose a condition for additional landscape screening by adding a row of evergreens on the church property to screen immediate visibility from the football field and to provide a full double row of evergreens on the Broughton Park boundary line.

The last key consideration was street appeal. The majority of the street frontage will have landscaped 6-foot berms. They will save specimen trees and significant groups of existing trees, particularly along the south frontage across from Northside Church of Christ. They will provide good screening at the entries and fronting the parking.

Mr. Carruth summarized the plan features and compromises they made during the process, often in consultation with neighborhood groups, City staff, and City leaders. Early on they got advice from the City to look at locating the football field across from the Devereux Downs swim/tennis facility. They met with the Design Review Board sub-committee before they started planning in May 2005, who suggested they keep the Crossville Road access in order to reduce the amount of traffic that has to use Woodstock Road. They suggested maintaining the internal road between the church and the school but still look at measures to discourage cut-through traffic at non-peak times. The Design Review Board asked them to look at adding 6-foot berms along Woodstock Road to screen the parking and the ball fields, and they suggested the ball fields and buildings closer to the road to screen parking. They met with Barrington Manor early in the design process in May 2005. Barrington Manor's issues were creek and runoff, and Mr. Carruth felt like this plan had addressed those by internalizing the drainage on the Fellowship site that currently flows to their site as well as capturing the water coming from Woodstock Road and passing it through Fellowship's detention pond. Barrington Manor asked them to increase the landscape strip. They offered a 6-foot berm and fence for effectively 12-feet of opaque screening in addition to landscaping. They were willing to give up field lighting and PA systems for the baseball, softball and tennis programs. They met with Devereux Downs before they submitted the plans in August 2005 and developed an alternative football field lighting system. They discussed a low spill sound system. They moved the home stands to the opposite side of the field in order to direct it away from the Woodstock Road Devereux Downs area. They lowered the field at that time to 12-feet below Woodstock Road. After they submitted the application, as it was going through the process of Design Review Board and the neighborhood meeting, they reduced the capacity from 2000 to 1500 seats. They

offered to restrict the use of the field at nights to 20 nights. They offered to end events by 10:00 p.m. unless there were extenuating circumstances. They offered to provide off duty traffic control at the games. During the process, they received input from some of the City leadership in November before they went to the Planning Commission the first time. From that, they moved the football field 160-feet further from Woodstock Road and lowered the field 16-feet. They increased the Barrington Manor buffer to meet commercial standards of 40-feet. They increased the Woodstock Road landscape strip from 20-feet to 35-feet. They met with Broughton Park and discussed a number of ideas to screen visibility to the football field. Tonight, they offer to add evergreens at the church drive and to add a double row of evergreens at the property line. They are willing to accept the Crossville deceleration lane; accept the streambank restoration program; eliminate marching bands; move the visitor stands so sound will not enter the nearest neighborhoods; and set a measurable 60 decibel limit at the property line for the PA system and establish a monitoring program for that.

Councilwoman Henry asked if 29.7 acres was only school property subdivided off the church property. Mr. Carruth replied it was essentially from Crossville Creek down to Woodstock Road and bounded by the existing church drive on the northwest and the Barrington Manor property lines on the southwest side and was 29.76 acres.

Public Comment:

Norm Oleesky, 1215 Lyndhurst Way, represented 83 homeowners in the Glens of Crabapple. He was also the closest property owner in the Glens of Crabapple to the proposed football stadium. He asked for clarification on the seating capacity of the football stadium. Mr. Carruth replied that it was 1500. Mayor Wood understood that it would be conditioned to no more than 1500 seats. Mr. Oleesky stated that he moved to Roswell from Dunwoody nine years ago to retire to peace and quiet and will not get it with a football stadium in his backyard.

Debbie Parisi, 3005 Devereux Chase, stated that she was a member of the Woodstock Road Neighborhood Coalition, comprised of homes from Elgaen Place to Wingfield Gates; Jones Road to Bowen Road; and two neighborhoods behind the school property. She noted that other homes with access to Jones Road from Lake Charles Drive and Shallowford Road had also been recently contacted. She stated the Coalition was not opposed to Fellowship Christian School's expansion in principle. They agree with Fellowship's supporters that schools are an asset to the community but are opposed to certain aspects of the proposal that without modification or restriction make the plans unacceptable to area residents. Their concerns include the stadium, its traffic, visual appeal from Woodstock Road, stream erosion, and the overall density of the project. She asked that the Mayor and Council not base their decision on the number of people in attendance as the majority of Fellowship support came from outside Roswell. The Coalition, however, is made up of individual homeowners who will have to live with the fall-out from the school's development. Ms. Parisi displayed a map depicting the houses in support and those opposing the proposal. Homes in the Woodstock/Jones Road corridor are the most directly impacted by the Fellowship development. The Coalition found in Fellowship's petition that 502 came from outside Roswell from places such as Marietta, Alpharetta, Woodstock, Atlanta, Canton, Acworth, Covington, North Carolina, and Florida. Only 39% of the support petitions came from Roswell. Ms. Parisi displayed a chart of the petitions within the corridor showing 45 in support and 276 opposed. As of today, 86% of the households in the corridor are opposed to Fellowship's plan and believe it will be detrimental to the community. She compared the proposal to Blessed Trinity High School, Rivercliff Lutheran Church, and Kings Ridge Christian Academy in Alpharetta on location, density, and impervious surfaces. Ms. Parisi said in spite of their concerns, the Coalition in a spirit of compromise will accept most of what the school proposed for its campus, even though the Coalition maintains that all combined will have an overall negative impact to this area of Roswell. Homeowners have requested restrictions and controls to keep the campus from impacting the neighbors' rights to access and enjoyment of their homes.

William Brown, 7015 Broughton Lane, Broughton Park Subdivision, a member of the Woodstock Road Coalition, stated that he lives less than 450 feet from the proposed stadium. The Coalition requests performance bonds for the completion and success of the landscaping berms and buffers; for the completion and effectiveness of the detention pond and water system; and for the completion of the entire project. Regarding the stadium, they request that it have no lights or a PA system and that it only be used for school activities and not used for concerts

or rented out to any other organization. Mayor Wood asked if that was already a condition. Mr. Carruth did not think that had been addressed and would have to check with the applicant. Mr. Brown continued the Coalition's requests by saying the stadium may never have a maximum capacity that exceeded 1500 people; the school must provide traffic control officers for all games to direct traffic and keep fans from parking in neighboring subdivisions; game traffic must be encouraged to exit onto Highway 92; no band practice past 6:00 p.m.; all events both in the stadium and at other venues must be completed by 9:00 p.m.; and a system of substantial fines be put in place for the violation of any of the conditions so as to ensure compliance along with clear provisions for how the fines would be assessed and collected. The Coalition requested the following regarding traffic: provide a traffic control officer during carpool hours; implement traffic calming measures to deter cut-through traffic along Jones Road; pay for the construction of a dedicated right-turn lane from Woodstock Road onto Highway 92; implement all suggestions contained within the traffic study for the intersection of Jones and Woodstock Roads located on page 3 of said study; and stagger both starting and ending times for elementary, middle, and high schools. The Coalition requested the following regarding streetscape and berming: continuous berming along the entire perimeter of the property except along the stream beginning at the north end of the stadium to shield the view from Broughton Park and continue uninterrupted along Woodstock Road and continue between the school property and Barrington Manor Subdivision and finishing as close to the stream as possible. Berming should be equivalent to the Devereux Downs 8-foot berms and landscaping to primarily consist of Cryptomeria supplemented by at least Nellie R. Stevens and/or Savannah Hollies and wax and/or crepe myrtles. Planted trees must be at least 5-6 feet tall and other plant specimens must be large enough and of a sufficient quantity to provide adequate initial screening. No fence on top of the berm between school property and Barrington Manor properties; no visible fences surrounding sport fields abutting Barrington Manor on either side of the berms; the berm between the school property and the Barrington Manor properties is to start as far back from Barrington Manor property lines as possible at the school side of the buffer; all berming and associated landscaping is to be completed prior to inception of any part of the development. Any fencing visible from Woodstock Road, i.e., surrounding the tennis courts, baseball, softball backstops will be camouflaged chain-linked. No buildings to ever exceed 35-feet. No lights or PA systems to ever be placed on any fields or courts. The Coalition requested the following for water runoff: school be required to conduct and submit a formal hydrology study prior to final plan; school be required to submit the specifics of their water detention and water runoff plans prior to final plan approval by the City Council; and the school be required to implement all suggestions by Glynn Groszmann for the Coalition. Mr. Brown asked the Mayor and Council to deny the conditional use permit submitted by Fellowship School. Mayor Wood asked if the school met all of the requests would Mr. Brown still request that it be denied. Mr. Brown replied that he was against the stadium completely, but if approved, he would want all of the requests be met. Mayor Wood asked if it was the Coalition's position that if this is approved, they would like all of their requests imposed, but their preference was the conditional use be denied. Mr. Brown replied that was correct.

Nancy Soper, 5025 Broughton Street in Broughton Park, stated the construction of the proposed stadium was out of character and ambience with the Woodstock Road residential area. The nearest home to the proposed stadium is 437 feet from an actual home, not the property line, in Broughton Park and is 445 feet from a home in Devereux Downs. Because of the close proximity to the stadium and sustained noise from crowds and bands, they will no longer be able to use their property for their own enjoyment and which no amount of buffering or berming could alleviate. She stated it was obvious that noise coming from a stadium was vastly different from that generated from residential neighborhoods on a daily basis and, therefore, incompatible with their quality of life. She stated it was unreasonable to ask established neighborhoods in the Woodstock Road area to put up with the noise pollution from a third football stadium in the immediate area because a private school does not have enough space to legitimately place their stadium in any location on their property where it would not be intrusive or directly impact homes. She noted that recently Fellowship Bible Church hosted a snow day festival for which homeowners in Broughton Park, Greenway Hills, Barrington Manor, and Glens of Crabapple all heard the noise coming from the festival inside their homes. She noted that Fellowship's noise study only made reference to Devereux Downs and not to Broughton Park which has the closest home to the stadium, and not to Greenway Hills, Glens of Crabapple, or Barrington Manor who will get the brunt of the noise. She did not think it constituted a legitimate sound study when the most affected neighborhoods were not included in the sample. Ms. Soper said they were also concerned with the glare from lights necessary to light the stadium which will intrude

onto neighboring properties and create a visual nuisance. Additionally, they were concerned with the traffic before and after games at the stadium noting that at Fellowship's last home game, there were over 400 cars in their parking lot. She asked how many would it be when the school doubles in size. She also commented on cars queuing up to get into parking lots and the back up of cars on Highway 92 for the recent snow day festival. They were further concerned about parking for games at the stadium and the overflow parking going into their neighborhoods. Because Broughton Park is located right next to the proposed stadium, they have a concern with students cutting through their private property. She stated that the neighborhoods should not have to spend money to protect streets and property because the school does not have the room to provide for adequate proximate parking for a stadium. They were also concerned about property values in their area, and that they will not continue to rise at the same pace if the stadium is built. They worried that Broughton Park, a stable neighborhood with estate size lots, would start to lose or stagnate in value if the proposal with the inclusion of a 1500 seat football stadium was approved.

Richard Paris, 2095 Devereux Chase, showed a video clip of a football game at a 2000 seat stadium to give a comparable situation with Fellowship's proposed 1500 foot stadium.

Nancy Soper continued her remarks asking Mayor and Council to not let the school's aims outweigh the rights of private citizens and residential neighborhoods. They asked Mayor and Council to encourage Fellowship to find off-site facilities, such as the Roswell Area Park, or purchase off-site property to develop their athletic programs as other private schools in residential neighborhoods had done and to deny the conditional use permit as proposed by Fellowship Christian.

Allison Vroljik, 210 Devereux Downs, Chairperson of the Woodstock Road Neighborhood Coalition, stated that Fellowship had not worked with all of the affected neighborhoods as stated. She commented on the noise study, which they had reviewed by an internationally recognized expert in noise pollution. The opinion was that sound from the stadium will completely alter the acoustical environment of the neighborhoods. It will disrupt the peaceable enjoyment of the outdoor spaces and interfere with speech at times. Sound will be heard inside houses and could prove disruptive to sleep. The study only considered noise at Devereux Downs and failed to take into consideration other neighborhoods in immediate proximity to the stadium. She noted the PA systems and the crowds face the other neighborhoods and not Devereux Downs. There are no berms or topographical features on the school property to diminish sound going in that direction. It exaggerates sound reduction due to the bleachers and earthen berms. It under estimates the total sound contribution from all noises coming to the stadium such as when the PA system and the crowd are going at the same time, the resulting noise level is louder. The noise study fails to consider certain situations when determining the starting point for the maximum sound level coming from the stadium. The total combined sound level at a Devereux Downs home at 650 feet away will be 55-65 decibels from the PA and the crowd noise. Noise levels inside a home in Devereux Downs will range from 42-52 decibels. A noise level of 55 decibels inside a home interferes with watching TV and indoor conversation. Sleep is disrupted at any level above 35 decibels, especially when it is noise bursts like would come from a stadium. She reiterated that those noise levels would be higher for those neighborhoods closer and more affected than Devereux Downs. Sound from the stadium will completely alter the acoustical environment for the neighborhoods when the facility is in operation. Ms. Vroljik stated that for all the reasons stated by Ms. Soper and by their expert's analysis, a stadium of this magnitude should not be permitted in their neighborhood under any circumstances. She stated that even though they adamantly oppose the construction of a football stadium on the site, in the spirit of good faith and compromise, they have suggested permitting a stadium as long as there are restrictions that would forever prohibit lights and a PA system. The Coalition also offered the compromise of daytime games, particularly on Saturdays, which was rejected by Fellowship at the Planning Commission meeting. She asked Mayor and Council to not set the precedent of building stadiums on property zoned for residential use and asked for denial of this athletic stadium.

A break was called at 9:45 p.m. The meeting resumed at 10:00 p.m.

Richard Arena, a resident since 1974 of 830 Jones Rd., stated that Council was being asked by a tax exempt corporation to approve a plan that will clog traffic on local streets, increase the risk of serious accidents in the

neighborhoods, and disturb private lives. He represented the viewpoints and concerns of the Jones Road corridor who had signed petitions opposing Fellowship's application. He stated that Fellowship's plan impacts Jones Road residents with noise and traffic. Residents in the Jones Road corridor believe there is currently too much traffic going too fast on a road that is deceptively dangerous and Fellowship's plan would exacerbate that situation. The residents are subject to road noise and from the two nearby stadiums, and Fellowship's plan would exacerbate noise. Jones Road is a two mile residential collector street that is 100 percent residential with the neighborhoods of Wilson Glen, Glen Ayre, Spring Creek, and Lake Charles Estates abutting it. At the corner of Jones Road and Lake Charles Drive is Roswell Fire Department Station #3. Jones Road currently averages 6500 to 7200 cars a day, with the most being at the intersection of Jones and Woodstock, where Fellowship plans a new entrance. Twenty driveways on Jones Road have limited sight distances. They asked that Fellowship pursue its activities without placing the Jones Road corridor at increased risk or intruding upon their privacy. Mr. Arena noted that Fellowship had stated they would not have a marching band but did not say no band. He stated a nuisance was when someone else's noise disturbs someone in their home. Mr. Arena stated that the Jones Road corridor would like to see Fellowship use the main entrance on Hwy. 92; traffic calming measures on Jones Road; and no noise audible in residences with windows closed. They requested denial of the conditional use permit.

Mark Stephens, 575 Shireoaks Court in the Kiveton Park Subdivision, expressed concern about the effect the proposal will have on traffic around his subdivision on Woodstock Road. He said that Woodstock Road had become an artery linking Highway 9/120 to Highway 92 with resulting traffic congestion. According to the Roswell Transportation Department's traffic impact study, Fellowship Christian students and staff are responsible for over 7,000 vehicle trips per school week on Woodstock and Crossville Roads. Allowing a non-residential expansion of the proposed size putting upwards of an additional 5,000 vehicle trips per week onto the already congested roads is unacceptable and makes a bad situation worse. He urged Council to listen to the citizens of Roswell and decide what is in best interest of those citizens. A 1500 seat illuminated sports complex and the resulting traffic and noise did not belong in the middle of a residential neighborhood. He asked that they not allow Fellowship Christian School to expand its facilities in the matter proposed.

Glynn Groszmann, registered professional engineer in Georgia and owner of Groszmann Engineering and Environmental Services, stated he was retained by the Woodstock Road Neighborhood Coalition to look into some of their concerns about the existing condition of Crossville Creek and at the proposed development of the school property. He said the creek had been severely impacted with a large area eroded approximately 30 feet in diameter. The banks of the stream extending away from the Fellowship School property are cut back and a lot of trees have fallen into the creek. He called it a classic example of an altered hydrologic regime of a stream. When the flow of water is changed through a stream, it destabilizes and begins to try to re-establish a pattern appropriate for the new hydrology. The first place Mr. Groszmann saw impact to the stream channel was on the church property where the flows that leave the detention pond constructed for the new high school enter Crossville Creek. It was his opinion that the expansion facilities on the church and school properties appeared to be the primary source of the impact to the waterways. He advised reducing the density and impervious surfaces of the proposed development. He thought there needed to be a review of the design, engineering analysis, and how the facilities were constructed to determine if there is a properly functioning stormwater management system. Any deficiency determined to exist needs to be corrected. He thought the applicant's proposal of 350-feet of stream restoration in Crossville Creek was a good thing but advised not doing that before beginning development. Mr. Groszmann proposed that additional measurements be required if this development moves forward. Stormwater detention should be for the smaller more frequent storms. Currently, the smallest most frequent storms they have to regulate occurs once every two years. Mayor Wood asked if Mr. Groszmann was suggesting that the City change its standards for stormwater which applies to other people to raise the standard or was he saying they were not meeting the current standards. He appreciated Mr. Groszmann's analysis and accepted his findings on the impact to the stream, but given the City has stormwater standards, he asked if Mr. Groszmann suggested that the stormwater standards the City currently imposed was not strict enough or not being met in this situation. Mr. Groszmann replied that the existing facility may not comply with the City's ordinance, but he was also asking that more than just the stormwater ordinance be asked of this applicant for this site. Mr. Groszmann continued with his remarks by saying 32 percent impervious area on the site was "huge." He noted the Atlanta Regional Commission recommends no more than 25 percent impervious in any drainage basin. The project will remove

most of the trees from the property resulting in dramatically increased volumes and rates of stormwater discharges. Additionally, there is a water quality problem. Because this has a lot of ballfields, there will be a lot of fertilizers, herbicides, pesticides, fungicides, etc. put on the fields that will go downstream when it rains. He noted that he had only seen one facility on the plans and putting all of the stormwater into one facility was not a good idea even if all they were trying to do was control stormwater. If they are also trying to trap suspended pollutants, as specified in the ARC Stormwater Management Manual, that could not be done effectively with a single facility. There needed to be a way to separate the stormwater quality volume, the first flush that contains most of the pollutants, so that suspended solids can settle out and trap the pollutants. If it is done in one facility, which is often permitted by local authorities, the water that comes in after the first flush stirs it up, dilutes it, and only a fraction of the suspended pollutants are removed. He stated the stormwater detention requirement normally addresses the two-year storm and larger. The metropolitan Atlanta area receives approximately 50 fairly significant storm events in a year ranging from about an inch to three and a half inches in 24 hours. The City's stormwater ordinance only controls the biggest one. It is imperative in order to protect the stream and downstream properties that stormwater detention requirements be extended to the much more frequent smaller storms. When trees are cut down and replaced with impervious surfaces, it dramatically increases the volume of water that flows from a site, and stormwater detention does not do anything to address the additional volume. The stormwater detention pond represents the reservoir that stores the excess volume. This project should be required to address the stormwater volume issue. The intent of the pond is to control the peak rate of discharge from the property to no greater than what the peak discharge rate was before it was developed. After it is developed, the discharge reaches the peak rate and continues to discharge at a high rate for extended periods of time. Mayor Wood said that Mr. Groszmann was talking about changing stormwater rules for the entire City. He thought they needed to look at the current rules and how they apply to this site. He asked Mr. Groszmann to summarize the types of measures the Coalition would like to see implemented on the Fellowship site in order to protect the stream and water quality. Mr. Groszmann replied reviewing the existing facility to see if there are any problems and correcting those. The additional stormwater management capabilities they would like to see is that stormwater detention addresses the smaller more frequent storms; measures be put in place to reduce stormwater volumes; extended stormwater detention in separate facilities and filtering facilities; and the church post a bond based on performance of their stormwater system.

Mayor Wood asked staff to address the conditions requested by the Coalition.

Ms. Peterson gave the following responses to the Coalition's requested conditions:

1. The school be required to conduct and submit a formal hydrology study prior to final plan approval by the City Council. - That is required prior to the issuance of a land disturbance permit.
2. The school be required to submit the specifics of their water detention and runoff plans prior to final plan approval by the City Council. - This is currently required prior to a land disturbance permit.
3. Implement all suggestions by Glynn Groszmann. - City Engineer Carter Lucas responded that most are currently in the City Code with the exception of the volume metric consideration which is something the engineer would evaluate on site. The performance bond is not currently part of the City Code. The addressing of the smaller storm events is already part of the City Code.
4. Performance bond for completion and success of the landscaping, berms and buffers. - The City collects a maintenance bond to ensure the landscaping is installed and the site is correctly developed.
5. Performance bond for the completion and effectiveness of the detention pond and water system. - This is not something the City currently does, but it can.
6. Performance bond for the completion of the entire project. - Ms. Peterson said she was a little vague on what that specifically meant. Mayor Wood asked if the City withheld a Certificate of Occupancy until most of the conditions are met. Ms. Peterson answered yes, but because this would be developed in phases, she thought they would need to further solidify in the conditions at what point the bond would be collected. She confirmed for Mayor Wood that the applicant would have to meet the conditions applicable to a phase before starting a new phase.
7. Regarding the seven bulleted points specific to the stadium, Ms. Peterson said that staff had no problems with those. She confirmed for Mayor Wood that those would be Council's decision. Mayor Wood asked which were already covered by existing City ordinances and redundant. Ms. Peterson replied that the last

bulleted point spoke to violations, and she thought the City was limited by its Charter on what it could charge by way of fines and violations.

8. Regarding the five bulleted points on traffic, the second, third, and fourth bulleted points were something the applicant would need to agree to as part of the conditions of approval.
9. Regarding the nine bulleted points on streetscape, the seventh point speaks to specific fencing along Woodstock Road, camouflage chain link. She stated that would also be the purview of the Design Review Board. Ms. Peterson confirmed for Mayor Wood that this would go to the Design Review Board after Council. Regarding the first bulleted point to install an uninterrupted berm along Woodstock Road, that would result in the removal of most of the specimen trees proposed to be saved.

Public Comment – continued:

Mayor Wood asked that the next speaker be someone who supported the project.

Tom Rowsey, 215 Devereux Circle, Roswell, GA, stated he grew up in Roswell, and his children go to Queen of Angels Catholic School. He lives in the closest house next to Blessed Trinity stadium and does not consider the football noise from the stadium on Friday nights noise or bothersome. He stated Roswell was going through a transitional phase of urbanization. He thought it imperative that Mayor and Council carefully consider the school's proposal calling it a wonderful opportunity for Roswell and provides an alternative school. He said that Fellowship School, like Roswell, wanted to be great, and that required them to have a football stadium. Universities across the nation depend upon football programs that bring about a community sense of belonging and brings in revenue, which provides for academic foundations that are not as popular but needed. He asked Council to approve the plan.

Richard Paris, 2095 Devereux Chase in Devereux Downs, spoke on the impact of the proposed development on the traffic along and near Woodstock and Jones Roads. He stated that based on Fellowship's traffic study, it was clear that the proposed expansion would provide adverse impact on the transportation system so substantial that it requires Council to deny the application for a conditional use permit. Fellowship currently has an enrollment of 577 students, and upon completion of the proposed expansion, the school expects to have 1,000 students enrolled. The school's traffic study confirms that the school currently generates 1,431 trips per weekday and projects the expansion would increase that number by 1,049 trips per weekday, a 73 percent increase for a total of 2,480 trips per day. Mr. Paris compared those numbers with the traffic that would be generated if a residential neighborhood was developed on the site. Also, based on Fellowship's traffic study, the intersections along Woodstock Road would be operating at or beyond the limit of acceptable capacity. To counteract the negative impacts of Fellowship's expansion, the study proposed eight immediate substantial and costly fixes. He said even if implemented, those improvements would not solve the problems engendered by the Fellowship expansion because the level of service ratings at the nearby intersections would only improve marginally at best and be temporary. The study said with projected growth over the next 20 years, many intersections surrounding Fellowship Christian School would decline to failing levels of service and operate over capacity in peak hours. The study suggests 12 long term improvements to include adding a south bound right turn lane from Woodstock Road onto Jones Road and constructing additional northbound and southbound lanes on Woodstock Road, rendering it a 4-lane highway. Fellowship's expansion plans call for its new 77,000 square foot high school building, football stadium, football stadium parking lot, baseball field and tennis courts to abut the 50-foot buffer along Woodstock Road. He asked given Fellowship's physical proximity to Woodstock Road where the additional northbound lane would be constructed. He stated measures proposed in the study would have the effect of increasing the volume of traffic on Woodstock and Jones Road, not abating it. The study states that the suggested improvements to Woodstock Road are not sufficient to accommodate the additional approach proposed as part of Fellowship Christian School's expansion and its related traffic. The school's study concedes that the improvements recommended at some locations may not be feasible or desired considering all factors including traffic, pedestrian environment, neighborhood character, and availability of right-of-way. The City's staff report states that the proposal will cause an excessive or burdensome use of existing streets, transportation facilities, utilities and schools if the proposed system improvements identified in the traffic impact study are not provided. It further states that if the recommended improvements are not incorporated, excessive delays will occur in the

studied area. The study notes that the proposed Fellowship football stadium would be within one mile of existing facilities at Blessed Trinity High School and Roswell High School and warns that one athletic event typically generates enough traffic to temporarily gridlock a system. Two or three simultaneous events along a two-lane road would create capacity constraints immediately following a football game. Mr. Paris asked what would happen on those nights when emergency vehicles need to get to their neighborhoods. He also spoke on the parking for the football stadium saying Fellowship had 352 parking spaces and said it would contract with the church to use 300 additional spaces. He stated that 652 fell short of the 801 space minimum originally established by the City, which he understood was subsequently reduced. With a shortage of spaces, it would be presumed that fans would park along Woodstock Road and in the neighboring subdivisions. He stated because of the adverse impacts that would result from the proposed Fellowship School expansion, it warrants denial of Fellowship's application for a conditional use permit.

John Gunn, 3020 Devereux Chase, stated he grew up in Atlanta and his children attend Mountain Park Elementary School. He was speaking as a citizen of Roswell interested in the successful evolution of the City and in support of Fellowship. He thought this required long term perspective and the opportunity to do something different. He compared Fellowship's plan to the building of a successful Hebrew Academy in the area where he grew up and which stabilized an otherwise rapidly changing area. He thought that could be replicated on Woodstock Road with Fellowship's plan of high quality facilities to attract students. He asked Council to support a proposal to do something different that will benefit the community for years to come and to vote for Fellowship's plan.

Dr. Melody McCloud, 410 State Street, Devereux Downs Subdivision, spoke against the proposal. She felt the proposed use was inappropriate for Woodstock Road and the community. She commented on the changes to the community in the last 10 years and the increase in traffic. She did not think another athletic facility was needed in this area. Regarding no marching bands, Dr. McCloud asked if that meant there will be bands, but they will not march. Mayor Wood asked Mr. Carruth to respond. Mr. Carruth replied that there will not be any marching bands. Mayor Wood asked if that meant there will be bands in the stands. Mr. Carruth asked for time to consult with the applicant. Dr. McCloud said this also did not negate the possibility that there would still be loud music played through the PA system or band tunes pre-recorded. Dr. McCloud did not think this was the location for an athletic field or an expansion.

Steve Stroud, 5005 Devereux Chase, spoke in support of the proposal. He stated that his property line was 140 feet to the 300-resident facility of Saint George's, and he could not ask for a better neighbor. His property values have increased 40 percent since 2000. He receives on a regular basis inquiries on selling his home due to the surrounding schools' locations. He stated that Fellowship had bent over backwards to address issues. It was a community school that wanted to allow access to their tracks and walking trails. He reminded everyone that 20 years ago the church and school existed prior to his neighborhood being developed.

Marvin Rowe, 850 Jones Rd., Roswell, GA, a 3 year resident, expressed the need for traffic calming measures on Jones Road. He also commented on the requested athletic fields.

Tammy Preusse, 3095 Devereux Chase in the State Street neighborhood, stated that she had a sixth grader at Fellowship Christian School. She noted that last summer many negative emails were sent to her neighborhood, which includes Devereux Downs, about the Fellowship expansion. They inquired about the expansion with a Fellowship planning committee member and got a different picture of the project. They emailed that information to the Devereux Downs/State Street neighborhood and the response from several neighbors was if they had gotten her email beforehand, they would not have signed the Coalition's petition. They put together a petition requesting name removal from the Woodstock Coalition's petition resulting in the removal of 29 names. She stated the majority of their neighbors only wanted a berm and felt signing the petition would help get one. In her neighborhood, approximately 70 people signed in support of the Fellowship expansion. Six of their nine homeowners' association board members signed in favor of the expansion. She noted that between the entrance of State Street and Devereux Downs were 17 homes that back up to Woodstock Road and were directly across the street from Fellowship. Only 6 of those 17 homes signed against the expansion; 11 either supported or did not

oppose the expansion. She noted that Blessed Trinity's football field was 200 feet from the closest home; Fellowship was 460 feet from the closest home. She stated that Roswell needed private schools and needed Fellowship.

Robert Treadaway, 10905 Woodstock Road, a 45 year resident and part of the Woodstock Road Coalition, expressed concern about the additional traffic, noise, light, and depressed property values that will be brought by the proposal. He opposed the proposal.

Roger Ward, 1010 Allenbrook Lane in Barrington Manor, a resident since 1987, stated he had a son at Fellowship. He expressed support of this development stating he believed it was in the long term best interest of the Roswell community. He stated they were not naïve to the impact of the development noting the flood zone and creek runs through their backyard. They believe, however, that the drainage and rainwater runoff impact with this development as designed will either mitigate or improve the existing problem by controlling the presently uncontrolled flow and would be ensured by City staff as it goes forward. He had seen Fellowship bend over backwards to try to address the issues of sight line, noise, and light intrusion. Those efforts had reinforced their belief that this expansion would be an asset to the community and asked for approval.

Renato de Hitta, 5070 Broughton Street in Broughton Park Subdivision, stated that he was the nearest home at 437 feet from the planned site of the stadium. He related a family medical situation that necessitated his home be quiet and calm. He stated that a high school football field in his backyard with bands, crowds, and PA systems would disturb his family and be detrimental to their health. He asked Council to not approve the football stadium as it would be tantamount to ejecting his family from his present home and neighborhood.

Kelly Bryant, 340 Todwick Drive in the Kiveton Park neighborhood, stated she had two children at Fellowship. She did not believe the colored chart shown earlier was still accurate. She noted that she had contacted some of the people that were opposed to this and the response was they were opposed to Rivercliff Lutheran Church, not Fellowship, or some did not want their name on the petition anymore as they did not oppose Fellowship. Within a short time she had 8-10 people who wanted their name removed from the petition as they did not have all of the facts in the beginning and were only presented one side. She believed the project was a perfect fit for the Woodstock Road area with its churches and schools and asked for support of the proposal.

Mohsen Toosi, Lake Charles Plantation off Lake Charles Drive, spoke on behalf of his father who lives at 10915 Woodstock Road. He expressed concern about the economic impact of the development. He stated his father and Mr. Treadaway, who live next door to the development, need the maximum value for their property for the later part of their lives. He asked would anyone invest in an expensive home located next to a stadium.

Claude Petty, 11325 Stroup Road, a resident since July 2005, stated he had lived in Buckhead, Sandy Springs, and Atlanta for 45 years and was a real estate developer. His children attend Fellowship School, a school of nearly 20 years at one place. Laura Light of the Planning Commission had said the glue that holds a community together is the churches, schools, parks and recreation. He commented that Fellowship was not creating the problems that exist on Jones Road, or any other road. Regarding property values, it had been proven that people want to live where their children can attend a good school and they can attend a good church. He summarized the situation as staff had reviewed this and found that it met the Code and recommended approval. The Planning Commission voted 5-1 that this was an asset for the City of Roswell. He had heard too much light, traffic, water, sound, and visual pollution, but everything contributed to those, and the applicant had addressed those issues. He asked Council to vote for the proposal.

Rev. Willard Soper, 5025 Broughton Street in Broughton Park, stated the stadium was only going to be 8-feet below level on the Broughton Park side and 450 feet from the backdoor of one of the homes in his neighborhood. He was against a stadium being so close to his neighborhood. He asked why three stadiums were needed within a mile of each other.

Mayor Wood asked Mr. Carruth if he was ready to comment on the issue of bands. Mr. Carruth replied that they were proposing to eliminate a marching band from a sound study reason as the direction of the sound could not be controlled due to the nature of a marching band. The school, however, did not want to give up the right to have a pep band sitting in the stands facing away from the impacted neighborhoods. Mayor Wood clarified that there will be no marching bands but that did not prohibit bands in the stands.

Brad Jenkins, 1130 Whittingham Place, Roswell, supported the proposal. He came from a place in Tennessee that had no noise or traffic but also no opportunity. He moved his family and business to Roswell and his children attend Fellowship. He reminded everyone that there are many reasons why people move to Roswell such as for the schools and to start businesses.

Joe Baxter, 420 Allenbrook Court, Roswell, asked if the stadium could have been put anywhere on the site if the tracts were grandfathered in, or if the tracts were purchased from the church, be subject to the conditional use permit requirements. Mr. Davidson replied that his understanding was the applicant was the church and the school, and under that scenario, they would not be required to get a conditional use permit but to go through the DRB process. Mr. Baxter asked for clarity on whether it was the church or the school because the secondary use of a stadium was appropriate to a school and not a church. Mayor Wood asked Mr. Carruth if this was a joint application by the church and the school or just an application from the school. Mr. Carruth replied that it was an application from Fellowship Christian School. The property, at this time and until approved, is still owned by the church for the most part. One parcel is owned by the school outright. This was one entity splitting into two governing boards. It had always been Fellowship Christian School and Fellowship Bible Church as one. Former zoning director Susan Canon had stated to them that staff was treating it as if it had been owned by the school all these years. Mayor Wood asked Mr. Davidson to comment. Mr. Davidson responded that if the property has been owned by the school, as Mr. Carruth said, they would be entitled to go through the DRB process without coming for a conditional use. Any new properties added on would require the conditional use permit. Mr. Baxter noted Mr. Carruth had said when this is approved, the school will own it outright and the church would no longer own it. He stated this was too dense. Barrington Manor has struggled with the church and school since 2000 for undisturbed space between the Fellowship facilities and their backyards. He stated Fellowship had not bent over backwards to work with the neighbors. The current plan has berms from 2-feet to 6-feet, some with fences on top. They believe that is insufficient height, they do not want to look at fences, and there is no undisturbed buffer between their property lines and the development. Mr. Baxter displayed photographs of what would be the top of the proposed berm and their properties. Prior to the proposed football stadium, Barrington Manor asked for some unused space to allow for retention of the character of the neighborhood. He had sent a letter with photos to Mr. Carruth requesting berms the size of those at Devereux Downs, but the request remains ignored. They want to be able to enjoy the quiet in their homes and maintain the character of their neighborhood, but a football stadium was not in character with it. Mr. Baxter said this was not about neighborhood schools but about sports. If this is approved, he asked that the City require Fellowship leave a 60-foot undisturbed space between Barrington Manor property lines and Fellowship. If approved, he also asked for a berm equal to the 8-foot one in front of Devereux Downs with plantings and the other items as had been discussed by others such as performance bonds and the plans to remediate water run-off. They also want to see the specifics of the plan before final approval. He requested denial of the Fellowship conditional use permit.

A break was called at 12:35 a.m. The meeting resumed at 12:40 a.m.

Kurt Myers, 425 Allenbrook Court in Barrington Manor, stated his daughter graduated from Fellowship High School and they had bought in the neighborhood because it was so close to Fellowship High School. He stated everyone in the Coalition was supportive of the school; this was about the football stadium and its impact upon the surrounding neighbors. It was also about permitting three major high schools within one mile of each other with major sports facilities and sports programs. It was about "cramming" a lot into a small area.

Bill Brigham, 1085 Churchill Lane, Roswell, an 8-year resident, stated he had moved to be close to Fellowship Christian School and Fellowship Bible Church. He stated this project will benefit the City of Roswell. The school and church have been there for 19 years, longer than most of the neighborhoods, and have deep roots in the

community. When the project started, they saw it as an amenity for the neighbors to use their fields or tracks and where the City could use their fields in the off-season to relieve some of the pressure on overcrowded public facilities. He stated Fellowship had drawn families and business to Roswell. He asked the Fellowship families to stand. He stated that over 50 percent of the families at the school live in Roswell. They recently surveyed their families which showed that 60 had moved to Roswell to be near the school; 7 had stayed in Roswell to be near the school; and another 16 were considering moving to Roswell to be near the school. He stated that served to drive up property values near the school. Those who don't live near the school patron restaurants and retail establishments, and some of their students had been employed by those businesses. Mr. Brigham said they have been a vital part of the City of Roswell for nearly two decades and were not intruding. Some of said that their expansion will be breaking an idyllic pastoral setting and that the school is out of character for the surrounding area. He listed the nearby properties to include 7 churches or places of worship; 6 schools; 2 parks with lighted playing fields and tennis courts; 1 assisted living home; a large cemetery; numerous businesses, banks and restaurants each with lights and traffic; and neighborhoods scattered throughout. He called this the epitome of a mixed use area, and they were in keeping with that area. He stated every school that he could think of was in the middle of a residential area, and is where the City has said they want schools and where they belong. Jim Mellor of the Planning Commission stated that if one considered the fact of does this project impact the integrity of the residential neighborhoods around it, he did not think it did so negatively. Mr. Mellor thought the neighborhoods stayed intact, had an additional amenity and this was a good project for the City of Roswell. Mr. Brigham stated for a city the size of Roswell to only have three K-12 private schools spoke to the value that Fellowship Christian School is to the community. For Fellowship to be a great school worthy of Roswell's respect, they needed the facilities shown on the plan. They had approached every surrounding neighborhood and asked for their input. Everything the neighborhoods asked for had been given to them, but each time Fellowship was handed another list of demands and requirements, the latest received tonight at 9:00 p.m. Four different Planning Commissioners were quoted in the minutes of their last meeting saying Fellowship had gone above and beyond, bent over backwards, and in general made tremendous accommodations. They have listened and acted in good faith by giving everything the opposition asked for up to this point. Regarding the athletic field, he said everything was not about football but having a well-rounded school. They have outstanding academics but have no athletic facilities. The athletic field is the only one on the plan for four soccer teams, two football teams, and a track and field. Currently the school commutes 3-4 hours to play away games in places such as Macon, Augusta and Milledgeville. This would allow them to play better schools that will help kids improve their athletic performance and give them exposure. Regarding the suggestion of playing their football games on Saturdays instead of Friday nights, he stated that attendance drops on Saturdays and there is more general traffic. Regarding traffic, they currently have to bus and drive every student who practices or plays an outdoor athletic event all over the City of Roswell. They need the facilities shown on the plan so they can keep the students on their campus. Because Fellowship Christian School had been compared to Roswell High School and Blessed Trinity, he gave the following numbers: Roswell High School is a 5A school of 2400 students with a stadium that seats 4000; Blessed Trinity is a 3A school of 850 students with a stadium that seats 2000; Fellowship Christian School is and always will be a 1A school of around 200 going to 400 students that is proposing a stadium that seats about 1500. Regarding proximity, they are 450 feet from the closest house. Blessed Trinity is 200 feet from their closest house and their home stands face towards those houses. They have been told that Blessed Trinity has never received a complaint associated with sound or light. By comparison, their field will be 16 feet below street level, 335 feet to the road, a 6-foot berm, 10-12 feet of vegetation, a road, another berm with vegetation, and then backyards. The light poles for the field will be 16-feet lower than normal and behind vegetation and trees. Their lights have been engineered so that the field lights will only reach 200-feet from the field. Regarding sound, they have downsized the seating of the field, moved it further into their property, and faced it away from the neighborhoods into a 300-foot stream buffer with trees and vegetation and then into the parking lot of the church. They have also engineered a low-spill PA system that will not exceed 60 decibels according to the same sound engineer the City has used in the past. They have conceded to no more than 20 evening or night events in a year. He stated 5-8 times a year, for a 2½ hour period of time, there is the possibility that a handful of homes might hear several 30 second bursts of encouragement for the players on the field. Regarding traffic, they will have 3 entrances including access to Highway 92 and one with a traffic light. He asked that Council look at the merits of the project and consider the positive impact it will have on the City now and in the future.

Michael Smith, 2060 Devereux Chase, a 23 year resident, stated they moved to Roswell for the neighborhoods. It was his understanding that the Georgia High School Association required a 2000 capacity seat stadium in order to qualify. Mr. Carruth responded that a final state championship game had to be in a stadium with at least 2000 seats, but he pointed out that GHSA had decided to go to neutral fields so even if Fellowship made the state championship, they could not play at their home stadium. Mr. Smith continued by saying that Council would be respected for sticking to the values set for the City to reduce the probabilities of negative impact to the environment and not add to traffic problems with events on weekends. They requested that Council deny Fellowship's application for a conditional use permit.

Mayor Wood ended the public comment at 1:10 a.m.

Rebuttal:

Mr. Carruth stated this was about creating a well rounded school, academically, athletically, and spiritually. The football stadium is the largest piece they have to accommodate on the site, and they have placed it in the best place on the site the furthest from any neighborhood and the deepest they can set it. The stands are over 1000 feet from Glens of Crabapple and over 1200 feet from Greenway Hills. They have over 300 feet of stream buffer that is heavily vegetated. Regarding the requested conditions from the Coalition, the stream and water runoff are part of the LDP process. On performance bonds, they will have to complete everything to get their certificate of occupancy. He did not think maintenance bonds were an issue. The stadium will be conditioned noting those recommended by staff and the Planning Commission. They were willing to concede no concerts in the football field. Regarding renting out to other organizations, he said it had always been the desire of the school to make the facility available to other groups as they can such as sharing it with Roswell Recreation and to definitely share it with Fellowship Bible Church who is sharing their parking with the school. They were okay on stadium capacity. They will provide a police officer when their games have 500 people. They thought it a travesty to limit their access only to Highway 92; if they provide 3 exits, they will lessen the likelihood of gridlock. They are okay with no band practice past 6:00 p.m. but were not okay with completing all events by 9:00 p.m. They anticipate upwards of 8-10 varsity football games and were willing to offer 10 games going to 10:00 p.m. and 10 nights going to 8:00 p.m. as an additional concession. He did not understand the Coalition's point about substantial fines. Regarding the request for a traffic control officer during carpool hours, they currently have 2 entrances that handles the traffic for 577 students. This plan would have a 3rd entrance with a signalized intersection, so they did not think the officer was necessary. Regarding implementing traffic calming on Jones Road and paying for a right turn lane on Woodstock Road, he stated those were system improvements, and they were contributing impact fees for those. On implementing all the suggestions of the traffic study at the intersection of Jones and Woodstock Roads, some are project improvements that they have agreed to do, and some are system improvements for which they are paying impact fees. Regarding staggering both starting and ending times, as the school grows they are willing to consider that. Regarding streetscape and berming, staff had noted that if the entire perimeter is bermed it will eliminate a number of specimen trees. They suggest letting the Design Review Board and the City arborist and landscape architect work with them to come up with the best plan for the buffers and edges. Regarding berming equivalent to Devereux Downs and the plant mix on those, he suggested letting staff and the DRB work with them on those. Regarding no fence on top of the berm, if Barrington Manor wants that, they will give that. They had felt that a fence provided more visible separation and screening. Regarding no visible fences surrounding the sports fields abutting Barrington Manor, with Fellowship's proposed berm, fence, and evergreen landscaping, the fences will not be seen as they are outfield fences and will be lower. Regarding starting the berm at the 40-foot line next to Barrington Manor, that did not have logic as they are going to provide the berm in the landscape strip. Mr. Carruth noted that Fellowship did not offer an undisturbed buffer. The Code said there has to be a 5-foot landscape strip; they increased that to 40-feet and are putting a lot of landscaping on it. Regarding completing it before inception of the other part of the development, they have agreed in Phase I to do all of the perimeter landscaping. Regarding camouflaging fencing, they are okay with vinyl coated fences. Regarding buildings no higher than 35-feet, that is the Code. Regarding no lights or PA system to be placed on any fields or courts, they have given them up on all but the football/soccer field and track. Mr. Carruth stated they had been concerned with their neighbors from the beginning and had worked diligently to listen to them and anticipate what this plan needs to have. He stated they were setting a precedent for football/soccer field lighting, sound systems, and visibility screening. Regarding traffic, their plan to align their entrance with the traffic light at Jones Road

made sense rather than using the current exit on Woodstock Road when making a left turn. The entrance on Highway 92 will continue to be used. He noted the school had entered into an agreement to provide a 44 seat passenger bus which will conservatively remove 100 daily trips as shown in their traffic study. As the school grows, they might consider providing additional buses which will help traffic. He stated that a lot of the issues about traffic require solutions that are system improvements. He noted if Council had specific questions related to their traffic study, their traffic person was in attendance. Regarding football and soccer, they have solved the lighting situation. On the parking, they have 352 spaces on site, 300 in a binding agreement with the church, and another 306 spaces that exist at the church giving them 958 parking spaces for a 1500 seat stadium. Regarding building expensive homes near a stadium, he noted that had been done by other private schools such as Lovett, Westminster, and will be done by Kings Ridge. Mr. Carruth asked Wayne Lee to speak about the sound system.

Wayne Lee, with Lee Sound Design, stated his company was a professional engineering firm in Atlanta and gave a background of his credentials and projects. He commented on his report as reviewed by the Coalition's noise pollution expert. As Mr. Lee's company was only asked to consider the Devereux Downs neighborhood, they did not do an assessment of other adjacent areas. There was a difference of opinion of the anticipated noise level in the stadium, but the Coalition's expert did not give any justification of how he came up with his. Mr. Lee's report cited studies done to measure crowd noise levels. They calculated how much noise could be expected from a 1500 seat stadium and that was somewhat confirmed by measurements done at a high school in South Carolina to be within 3 dB of what they estimated it to be. Mr. Lee was comfortable that their estimated noise levels were accurate, although the Coalition's expert felt the numbers were low. The Coalition's expert also tended to contest Mr. Lee's calculation for the 16 feet grade below and the berms. He did not explain why he did not agree but had higher numbers. Mr. Lee's report stated their numbers were based on basic barrier wall calculations. The difference in the crowd and band noise numbers were about 5 dBs. Their report states that the human perception of 3 dB was when someone senses something changing. The perception of a sound level change takes 10 dB to be perceived as twice as loud or twice as soft. They compared the levels they calculated with standards of the United States Federal Housing Authority for recommended background noise levels for dwellings.

Mr. Carruth continued his rebuttal by saying on the stream issues, they know there is erosion on the creek and that it was a community problem and not the school that caused the problem. Their plan meets Code, and they have agreed to go past Code and work with the City on streambank stabilization and remediation. They are going to perform a full hydrology study at the proper course of the development process. They will work with City Engineer Carter Lucas and staff to design a good engineering situation. Mr. Carruth asked Mark Lawrence to comment on the detention and water quality issues.

Mark Lawrence stated he had met with Carter Lucas and the City Engineering Department to discuss stormwater issues. They had gone over flood plains, stream buffers, and stormwater management. As far as them building in the floodplain, there is some minor fill along the track opposite the stands at the football field, but they were compensating for that by doing some compensatory cut in the floodplain to mitigate that. Regarding degradation of the stream, part of that could be pointed to the frontage along Woodstock Road that was draining through the church or school property to the creek. Their plan is to take that into a pipe system as well as grass swells and attenuated through the detention structure they will provide. With the stream buffer, they are staying completely out of a minimum 50-foot undisturbed buffer and a 75-foot no impervious buffer. Additionally for the most part, they are staying out of a 100-foot undisturbed buffer and a 150-foot no impervious buffer. Where they do encroach, they are providing an equal amount of area as a conservation easement where there will be no development. He stated this was a 30-acre site with 10-acres impervious and he considered it a low density project. They are piping to one pond due to efficiency that seems to be appropriate. Mr. Lawrence said he did not have a problem with looking at doing separate facilities. They are doing this according to Code so there will be detention, channel protection, and water quality. It will not just be detention for the 100-year storm but also provide for the one year channel protection and hold it for 24 hours.

Mr. Carruth continued his rebuttal saying they were at 30 percent impervious with one-third of their site impervious. He noted that an E-2 or R-1 development could easily reach 30 percent impervious with a house, driveway, deck, and all of the hard surfaces that could go on it. He noted the Kohl's center was over 50 percent

impervious. Regarding street appeal, more than half of their street frontage is bermed to be similar to the neighbors at Devereux Downs and Broughton Park, and they are also preserving numerous specimen trees including a significant oak near their tennis courts and baseball field. He asked Council to consider that a lot of the things said had been addressed in the conditions they have offered and by the Code.

Councilman Igleheart thought the entrance at Jones Road would increase safety but also increase traffic on Jones Road. He asked if the applicant would be willing to consider paying for the installation of a couple of radar signs, which have proven to be generally effective in reducing speeds, along Jones Road. The cost is estimated between \$30,000 and \$40,000 for two sets of two. Mr. Carruth replied that he was not in a position to authorize that on behalf of the school.

Mayor Wood thanked everyone who came to the meeting and those who had spoken saying they had all brought good ideas to the table. He stated that schools are crucial to the success of a community, and this is a good school that he hopes will stay in Roswell. The applicant had said that a lighted field was critical to the success of this project, and he was not sure they could do that for the school, but he hoped they could find a way to make that happen. The Mayor identified the issues as traffic, property values, stormwater and peace and quiet. He did not believe Roswell's traffic problems would be solved by eliminating this project. Regarding property values, he knew of people who had moved to Roswell to be near good schools, this being one of them, so he thought it improved property values City wide and hoped it did not have a negative impact on property values adjacent to this. Regarding stormwater, he was going to speak at the Capitol tomorrow at the request of the Chattahoochee Riverkeepers against the proposed limiting creek buffers. It was important to maintain good water quality, but the City had an excellent staff and had the best rules in the State of Georgia on stormwater. He thought this came down to peace and quiet, and he thought the citizens had made a good point that a stadium will disturb the peace and quiet of the community. He noted that the City's 4th of July celebration at Roswell High School disturbs the peace and quiet of this neighborhood. He believed the applicant's limitation to 10 nights at 10:00 p.m. and 10 nights at 8:00 p.m. was a reasonable compromise. If this were every night, he would agree entirely with the neighborhood.

Councilwoman Henry referred to the Coalition's condition that the school provide for traffic control officers for all games to direct traffic and keep fans from parking in neighboring subdivisions. It was her understanding that all of the neighboring subdivisions are public streets, and the City cannot restrict parking on public streets, so they could not condition that. Ms. Peterson agreed. Councilwoman Henry also had a memo from staff outlining the roadway improvements needed for the Fellowship Christian School project. It identified project improvements and system improvements. It was noted in the traffic impact study that additional improvements were needed for the 2007 base year due to the additional school traffic and those improvements were considered system improvements. The memo also stated that the system improvements listed were not included as part of the capital improvement element of the Comp Plan as impact fee eligible system improvements and the system improvements are not programmed for funding. She asked if they are not eligible for impact fees and the City does not have funding, if they approve this project they will basically be putting some system improvements into the capital improvement projects that currently are not on the radar screen. Ms. Peterson replied that would be one option available but did not automatically happen. It would require an update to the Comp Plan. Councilwoman Henry said the applicant also has discretionary development proposal by voluntarily agreeing to pay for the system improvements, but this applicant had not. Ms. Peterson agreed that was correct. Councilwoman Henry said regarding impact fees, Mr. Carruth said the school would be paying \$223,000 in impact fees. According to the schedule in Article 24, Development Impact Fees, Roswell Zoning Ordinance, based on a private school K-12, it was based on \$1,691.38 per 1000 square feet. There are three different categories that are allowed to receive that funding with the largest category being public safety who would receive 89 percent of the \$223,000. Transportation would receive 8 percent, and 3 percent would go to administration. Out of the \$223,000 the school would pay in impact fees, approximately 8 percent would go to Transportation which would be less than \$20,000. Ms. Peterson agreed that sounded approximate. Councilwoman Henry stated what the school is paying in impact fees would not cover system improvements such as Jones Road. To give everyone an idea of what transportation improvements cost, she asked for a ballpark figure on a typical intersection improvement or a traffic signal. Interim Transportation Director Angelia Parham responded

anywhere from \$150,000 to a million depending on right of way and other issues. Councilwoman Henry asked if the Transportation Department requested that an entrance be put at Jones Road or were the two existing entrances for the school sufficient with improvements. Ms. Parham believed that the applicant always proposed a third entrance, and the logical place to handle it in the safest manner was to line it up with Jones Road.

Councilman Orlans thanked everyone who came to the meeting and getting involved with the process and making Council aware of all the different issues to be considered. He thought the process had worked very well from that standpoint. He said there was no easy answer for this. They had to balance how good schools could impact neighborhoods and the community versus how a project could impact the surrounding community or neighbors close to that project. This project had neighbors and even some households on both sides of the fence. He stated both sides had made good points. He congratulated the applicant in continuously offering mitigating factors and working with the different subjects and concerns that came up. He congratulated the Coalition for their presentation tonight saying it was one of the better ones he had heard from an opposition group.

Motion: Councilman Orlans moved to approve CU05-03 with all 7 Planning Commission conditions; the 17 staff conditions; the first 18 conditions offered by the applicant in their letter of intent; the 9 conditions submitted tonight with the addition of the responses tonight to the Coalition position with the idea of no concerts and those kind of points that were agreed to tonight, the 10 nights to 10:00 p.m., the 10 nights to 8:00 p.m., based on the light system proposed, based on the sound system proposed.

Ms. Peterson asked for more clarification on the 9 conditions stated tonight. Councilman Orlans replied that he was referring to the 9 written conditions received this afternoon from John Carruth's office.

Councilman Igleheart asked for further clarification on the 9 conditions. Councilman Orlans replied that those were the 9 conditions dated February 13, 2006 from Randall Paulson Architects. Mayor Wood asked City Attorney Davidson to read those nine conditions into the record. Mr. Davidson summarized the conditions as follows:

1. Staff recommendations with the following modifications: to #6 add the following sentence "Contingent upon approval by GDOT." To #12 - all outdoor athletic activities on school property shall end by sunset or the conditioned ending time (which is 10 at 10:00 p.m. and 10 at 8:00 p.m.) except in the case of mandated overtime at the end of a scheduled game or delays during game caused by injury, power failure, or inclement weather. #14 - add tennis courts. #15 - suggest modification to read "With the approval of the downstream property owners, streambank restoration and stabilization shall occur for a distance not to exceed 350 feet. This action is maintenance related, not development, and all work will be approved through City personnel." If the owner/developer shall not obtain permission from the necessary property owners to perform the work, the owner/developer shall submit written documentation of such efforts to the Planning and Zoning Director.
2. All 19 voluntary conditions. In the case of conflict between the letter of intent and the staff recommendations, the most restrictive condition shall prevail.
3. The entire buffer landscaping and grading and all site work concerning stormwater runoff management shall be included in Phase I of the project.
4. The decibel level from any amplified sound system shall not exceed 60 decibels measured at the nearest residential property line to the football/soccer field, which is Broughton Park.
5. The sound level monitor reading shall be made at each varsity home football game during the first season. If found within the limits, then sound monitoring readings will be required only at the first home game for the following 5 years. If one of the readings fails, sound system limits shall be adjusted and all remaining home games shall be monitored during that season.
6. There shall be no marching bands either from Fellowship Christian School or the visiting school during outdoor athletic events.
7. At the football/soccer field the visitor's bleachers shall be eliminated and the home bleachers shall be expanded to 1500 seats.
8. With the approval of the homeowners of Broughton Park abutting Fellowship Bible Church property, the applicant shall install a double row or a second row of matching evergreen trees, whichever the case may

- be, in the rear yards of the homes along the boundary line. Should the applicant not obtain the permission of the necessary property owners to perform the work, the applicant shall submit a written documentation of such efforts to the Planning and Zoning Director.
9. With the approval from Fellowship Bible Church, the applicant shall install a single row of evergreen trees to be approved by either the City arborist or landscape architect or Design Review Board for a length of 150 feet on the north side of the Church driveway abutting the end of the football/soccer field.

Ms. Peterson noted that Councilman Orlans' motion referenced the first 18 conditions, but Mr. Davidson said the first 19. She asked if the intent was to leave off the 19th condition. Councilman Orlans responded that was correct. The 19th condition dealt with the site plan for an additional flexible increase which the City's ordinance would not allow by approving the site plan anyway.

Second: The motion failed for the lack of a second.

Councilman Orlans said by not getting a second to the motion for discussion showed there was a lot of concern on Council's part.

New Motion: Councilman Orlans moved for approval of CU05-03 with the same conditions as outlined but with the football stadium not being allowed on the property and all conditions related to the football stadium deleted. An additional condition is that a revised site plan be brought back for Council approval redistributing the items on the property. Councilwoman Winiski seconded the motion.

Councilwoman Henry asked if the condition of the owner/developer shall submit a division plat to the Community Development Department for the school property be taken off the table since they would have to come back again with a revised site plan. Councilman Orlans that would still be involved but after the revised site plan. Ms. Peterson responded that the intent of that condition was to tidy up the loose ends of combining the smaller properties on Woodstock Road and officially dividing the site from the church. Councilwoman Henry stated that Council tried to do the best thing for Roswell and its citizens and must take a long term perspective. She stated schools, private and public, are an amenity and enhance the community. They go to property values and she always supported all property owners paying school tax because it was something that every property owner enjoyed in return of their property values. Roswell will always be in a transition, and they must always look to the future, but at the same time they would be remiss if they did not mitigate the impact of new development. There are impacts of this development to the community such as stormwater, buffer, and the stadium. Regarding the stadium, the City over the last number of years had been required through necessity and financial reasons to look for public/private partnerships to achieve all of its goals. They have a circulating agreement with Fulton County Schools, and she looked forward to also doing that in this situation. The sticking point for her was transportation issues. She thought Council, beyond this application tonight, must commit to system improvements. When they recognize a project coming in that is going to require system improvements at the taxpayers' expense, whether it is mitigating traffic on Jones Road or system improvements on Woodstock Road or Highway 92, they have three options. They can ask the applicant to pay for them, and if they agree, great; or the City of Roswell pays for them; or the application is denied. She thought they as a Council have to look at each one of the projects, and if they are not collecting impact fees and not collecting money from the applicant in order to make the system improvements that are a direct result of the project, they have to commit the money on the front end. When they talked about inter-connectivity on the Mid-Town Roswell project, one of the things they all said was if they were going to commit to that and funnel traffic through neighborhoods, the traffic calming measures were on the top of the list because they were not going to funnel more traffic into the residential areas unless they were willing to foot the bill on those improvements.

Councilman Joyner said he echoed Councilwoman Henry's comments. The issue of road improvements bothered him. He remembered when one applicant wanted to construct five houses and they were going to require him to do road improvements at a known cost, but on this much larger development, nobody could say how much road improvements would cost. He wanted to see a figure and what kind of road improvements had to be done before this came back to Council. He was going to support the motion.

Councilman Tolleson said this had been one of the most difficult decisions Council has had because the sentiments expressed are so heartfelt. The people involved with the school know this is a good environment for their children and want what is best for them and feel very strongly about it. Those who live near the area and already deal with traffic and have concerns and the fact of a stadium with bands, he thought even the most staunch supporter of this project could honestly say they would think twice about it next to their home. He hoped that everyone saw that the other side was sincere in their beliefs and concerns. He stated other schools such as Pace Academy and Mt. Pisgah, which was close to his home, had expanded their schools and offerings and their stadiums went off site. Many have chosen to send their children to Fellowship without having a stadium there because they know it is a quality school and their children are getting a quality education. He said Fellowship was an asset to the community, but he was also going to support the motion.

Councilman Igleheart said in response to Councilman Joyner's comment about this coming back, this would be approving it without the site plan. Mayor Wood asked, if approved, would this come back to Council as the motion reads. Mr. Davidson answered yes, it would come back for site plan approval, which was one of the conditions. Councilman Igleheart asked if that included all of other aspects of traffic impact. Mr. Davidson answered no saying simply the site plan would come back for approval. Councilman Igleheart thought they all agreed and as people had said numerous times, they all support the school itself and the church and are happy to have them in Roswell. The concern was how it would impact the neighborhoods around them and the community as a whole. He had extreme concerns about the impact, primarily on traffic, and by what was just said, they are not going to be dealt with. The answer to who is going to pay for it are all the taxpayers in Roswell. He had a hard time with that, but it also needed to be understood that if they were to deny it, because the school has been there and have conditional uses already approved, they can build a lot on there without Council doing a single thing. Whether or not that in and of itself would be a worse impact than Council trying to place some conditions that may have some mitigating effect is up for question. They cannot just say no and everything would be fine because that is not the case. They have to make a step forward to mitigate what they can. He was not convinced that all of the elements of the conditions was going to do that and agreed with Councilwoman Henry that Council needed to look at how to deal with this, because they are about to allow that to happen. If \$20,000 of the impact fees is all that is going towards transportation, that is not going to do a whole lot. He suggested when they look at the budget, they look at including some of these things in there, which will replace other things elsewhere in the City. They need to understand that if they approve this. He said if they denied this, they would not be resolving the situation either. He will support it as it stands and commit that they will do what they can, which is going to require some dollars in the next budget. He did not think it will be in the million dollar range because they were not talking about an entire intersection re-do, but there are numerous smaller elements that they will have to deal with including traffic calming on Jones Road.

Mayor Wood stated that Mr. Davidson had raised the point that it was not clear what conditions applied to this with the elimination of the stadium. He advised to go item by item for clarification. Ms. Peterson replied that items numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, and 17 under the staff recommended conditions would still stand. Number 12, as drafted by staff, would say all athletic activities. As they have been discussing the item, they have been taking about outdoor athletic activities, so it would be the Council's determination on whether they would like this to apply to baseball games, tennis matches, etc. The Planning Commission recommendation of adding the limitation on sound systems to the tennis courts would still apply. The Planning Commission recommendation to tie all of the perimeter buffering, landscaping, and stormwater management to Phase I would still apply. The modification by the applicant of #15 would still apply.

Mayor Wood asked if Mr. Carruth had any questions or comments about the conditions. Mr. Carruth had no comment.

Councilman Orlans asked for clarification on the additional 9 points. Ms. Peterson replied that of the Fellowship Christian School's suggested conditions for Mayor and Council's motion, dated February 13, 2006, the change to #6 is still acceptable. The change to #12 is also acceptable except it would now reference sporting events and outdoor activities not occurring in a football stadium. The #14 change to add tennis courts still applied. The

change of #15 still applied. The buffering, landscaping, and grading happening in Phase I still applied. The change to the item listed as #8, the change for additional buffering along Broughton Park, would be removed as its intent was to buffer the stadium. The change to #9 referencing the single row of evergreens would also be removed.

Councilwoman Henry said that Mr. Davidson had stated when this comes back to Council it would be for the site plan. If, for example, they decided when approving the site plan that they would be better off not allowing the Jones Road entrance because of the system improvements it would require that the City of Roswell would have to pay, could they make that change at that time. Mr. Davidson replied that the way the condition was stated, Council would have to approve whatever site plan came back, and they could condition their approval on closing the Jones Road entrance/exit.

Mayor Wood clarified that this was a vote to approve the conditional use without the stadium.

Vote: The motion passed unanimously.

A break was called at 2:20 a.m. The meeting resumed at 2:30 a.m.

5. RZ05-35 & CV05-08, Lifestyle Communities, 9050 Nesbitt Ferry Rd., Land Lot 835, FC-A (Fulton County annexed) to R-3A (Multi-Family Medium Density District) residential. Deferred at the request of the applicant from the January 9, 2006 Mayor and City Council meeting.

Ms. Peterson stated this was a rezoning application with a concurrent variance to develop 25 townhouses. The variance request is to allow a 20-foot building separation where 30 or 40 feet would be required, depending upon the height of the building. The applicant proposes a development on 5.03 acres of land for a total of 4.97 units per acre, which is not in compliance with the Future Land Use Plan, however, it is less dense than the category on the Future Land Use Plan of 5-8 units per acre. This item was deferred from a previous meeting to allow the applicant an opportunity to revise their site plan to take into consideration items such as saving some of the trees at the front of the property. The result of that has been a general shifting of some of the townhouses within the development to allow for the saving of a grove of trees at the front. There has been no change to the setback of the buildings. There are no variances requested along the frontage, and the applicant indicated in their letter that those units would have a front door fronting on Nesbit Ferry Road. In the landscape plan analysis, they have also submitted a study from Caldwell Tree Care indicating a tree save program to assure the preservation of a 47-inch oak tree, a 34-inch oak tree, and a 16-inch cherry tree. Staff recommends that same preservation program be applied to the 30-inch oak tree located just off site on a neighboring property but will have critical root zone on this particular site. Staff recommends the following conditions:

1. The owner/developer shall be restricted to 25 townhouses at a density of 4.97 units per acre.
2. The owner/developer shall develop and maintain the property in substantial accordance with the site plan received by the Community Development Department on February 3, 2006 or as approved by the Design Review Board and consistent with these conditions.
3. The owner/developer shall install a 5-foot sidewalk along the total property frontage of Nesbit Ferry Road as required by Roswell Transportation Department.
4. The owner/developer shall provide a sight distance study for the entrance along Nesbit Ferry Road prior to the issuance of a land disturbance permit.
5. The owner/developer shall close all existing curb cuts and add 24-inch curb and gutter as required by the Roswell Transportation Department.
6. The owner/developer shall install a guard rail in front of the transmission poles as required by the Roswell Transportation Department.
7. The owner/developer shall dedicate sufficient right-of-way to encompass the guard rail and anchors prior to the issuance of a land development permit as required by the Roswell Transportation Department.

Ms. Peterson stated as of 5:30 p.m. yesterday, the applicant agreed with all of staff's conditions.