

EMORY VILLAGE OVERLAY ADOPTED

From the June, 2007, Druid Hills News

On May 22, 2007, The DeKalb Board of Commissioners adopted the Emory Village Zoning Overlay District, on a motion made by Commissioner Jeff Rader and seconded by Commissioner Kathie Gannon. At the time of this writing, details of the 25-page ordinance was still under review by DHCA. However, the adopted overlay is essentially the one proposed by the Alliance to Improve Emory Village, and incorporates some elements proposed by the DHCA. The Zoning overlay is separate from the planned roundabout and streetscapes, but is related to them. The Overlay regulates the development and re-development of private property within the Village. The overlay is illustrated on the attached map, the Emory Village Regulating Plan.

Proposed changes to the public and private space includes the following:

Roundabout: The 5 way intersection of North Decatur, Oxford, and Dowman Drive will be replaced with a single lane roundabout. Dowman Drive will be relocated and will be one-way into the Emory Campus. N. Oxford Rd will be moved slightly northward at the roundabout and its former right of way will be converted to a small plaza in front of the Chevron gas station.

Streetscapes: Sidewalks will be widened, and parallel parking will be located on portions of North Decatur and Oxford roads. Sidewalks will be mostly 15 ft wide. Sidewalks on portions of N Decatur and S Oxford Roads will be up to 25 ft wide. Utilities will be underground, except for the high-tension power lines (gray steel poles), which will remain. Sidewalks will contain street furniture and street trees.

The cost of the roundabout and streetscapes will be largely paid with a Federal Grant of approximately \$2.5 million. Construction is expected to begin late summer of 2007 and be completed around 9 months afterward.

Zoning Overlay: The zoning overlay applies to approximately 12 acres, of which about half is either floodplain, stream buffer or both. The Overlay eliminates front and rear setbacks, and requires all buildings to "enfront" the street (and the improved sidewalks). Outside the stream buffers and floodplains, lot coverage is 100%, a first for DeKalb.

Building Heights: Building heights are increased to four stories on the street and four stories, or six parking levels in the interior, (A parking level is counted a 2/3 of a story. Stories are limited to 18' on the sidewalk level and 12 feet on upper levels. Overall heights are generally limited to around 57 feet (18 ft sidewalk level, plus three 12' upper levels, plus 2.5' parapet, plus 1' foundation.) However, a portion of the Bank of America site, the former Nursing Home site, and the "stone house" site will be limited to around 39 ft (3 levels plus parapet and foundation).

The initial 30' of building depth along the street must be used for retail space on the sidewalk level. The interiors and rear of blocks may be used for retail or parking on the sidewalks level. Office and retail uses are allowed on the second floor. Third and fourth levels are generally limited to residential use. Boutique hotels (no more than 16 rooms) are allowed on all floors, and movie theatres are allowed on the sidewalk and second floors.

Parking. Parking ratios are 25 to 35% lower than those previously required. An additional 20% reduction is allowed if the owner can prove the various building uses have different peak parking loads. Further parking reductions are also allowed if an owner removes existing pavement from the Peavine Creek stream buffer. Parking regulations apply to each property individually as before. Shared or common parking is not required.

Buffers and setbacks: A 7' sideyard setback is required on the site of the former nursing home, plus a 6' tall hedge. All other side and rear lots have zero setbacks.

Stream buffers and Floodplains: Stream buffers identified on the Regulating Plan map are declared "No build zones". Floodplains are not identified on the regulating plan and are not declared "no build" zones, but are subject the County floodplain regulations. Existing parking and buildings within stream buffers and floodplains may remain. County environmental regulations will apply to all new building, as they do countywide.

Emergency access and service delivery. These are not addressed in the overlay, but will be addressed on individual properties, when and if they redevelop.

Operation and maintenance of Village Open Space (including streetscapes). This is not addressed in the Overlay.

Comparison of the Adopted Overlay with the DHCA position:

DHCA generally supported the 2003 redevelopment Plan for Emory Village. This 200-page plan had broad neighborhood acceptance and included extensive economic, transportation and planning research, as well as community input. DHCA's 2006 neighborhood survey also supported the recommendations of the 2002 plan. While the adopted overlay zone is denser and taller than some would like, DHCA had some success in incorporating our position into some aspects of the Overlay:

- Emory Village remains in the Druid Hills Historic District, and the DeKalb Historic Preservation Commission must approve all new development.
- The Peavine creek stream buffers are identified and declared a "no build" zone.
- A portion of the buildings within the "BP Quadrant" are reduced to 3 stories, and height limited to that of Glenn Church.

We were NOT successful with regard to a number of design and management issues, including:

Design issues:

- Height (4 stories, rather than 3 with top story set back)
- Buffers (0-7 feet to the neighborhood, rather than 20 feet)
- Rooftop level parking (In some cases, top parking level can be above the roof of adjoining buildings, but must be screened from public view.)

Management issues:

- Management of streetscapes and common areas.
- Allocation and management of open space.
- Common area parking allocation and management.
- Service delivery
- Emergency access
- Storm water management (given 100% lot coverage and fractured ownership)

Summary:

We all wish good things for our beloved Emory Village. We are also weary of the conflict and tension. If we did not care greatly about our community, we would have simply avoided this entire conflict and gone about our lives. Our hope is that the

design guidelines accompanying the zoning overlay will ameliorate the mass and scale of new development, and that some of the unresolved management issues will be addressed in the future. At this stage, we all need to stand back and take a deep breath. At the end of the day, we are still neighbors, our children still play together, we still eat pizza at Everybody's, and the sun still rises in the East.