

MINUTES
Board of Director's Meeting
7:30PM Wednesday, December 13, 2006
Emory's North Decatur Building – Room 155

Call to Order, Recognition of Guests - Bruce MacGregor, President, called the meeting to order. Guests in Attendance included: Thea Roeser, Resident; Jennie Richardson, Resident; Bob McCarthy, Resident; Pete Ridsen, Resident; George Quillian, Resident; George Dusenbery, Park Pride; Bill Edwards, Resident; Tom Sands, Resident; Jane Seals, Resident; Sallie Freeman, Resident; Gary Graham, Resident; Carolyn Kaplan, Resident; John Hays, Resident; John Ford, Emory University- campus life; Davis Fox, AIEV; Sue Fox, Resident; and Brian Cook, Clifton Community Partnership.

Secretary's Report (approval of minutes) – Walter Saunders presented the minutes from the November 15th meeting. The minutes were approved.

President's Report –Action Items – Bruce McGregor –

- a. **Division 5 Co-Chair Appointment:** Chad Polazzo has agreed to serve as co-chair of Division 5.
- b. Nominating Committee: Paul Shanor, Barbara Vogel, Julie Ralston, Judy Yates, Joanna Stroud and Mac Platt have agreed to serve on the nominating committee.
- c. Burbank Site: Development funds and Fundraising vote approved by electronic vote of the board on December 12, 2006. We will be redirecting 5K to development of the site and sending out a fundraising letter. Becky Evans presented the design of the first phase.
- d. Nunan Appeal: An Appeal by the County and an Amicus brief has been filed by the civic association. We have been joined in the filing of the Amicus Brief by the Georgia Association of County Commissioners, the Georgia Municipal Association and the Georgia Trust for Historic Preservation.

Emory Village: Bruce and Ed Henderson presented:

Neighborhood survey Results –

- 1st question – maximum height – number of floors – 80% of respondents want the height to be 3 floors or under.
- 2nd question – maximum number of units – 74% want 100 units of less.
- 3rd question – The Village improved by more and stronger retail/residential space – 88% agree.
- 4th question – The Village would be improved by new residential space – 49% agree.

5th question – New residential space should be owner occupied – 73% agree.

6th question – New residential space should be attractive for student housing – 54% disagree.

7th question – The Village would be improved by new office space (arty, architect, etc) – 48% agree.

8th question – The Village would be improved by preserving and restoring open space – 84% agree

9th question – The Village would be improved by reducing the number of parking spaces required per square foot of building space – 51% disagree.

10th question – The Village property owners should be required to participate in shared parking facilities, so that customers can walk from one business to another without booting or towing – 85% agree.

11th question – Customers should pay for shared parking facilities – 57% disagree.

12th question – 15-20% of the total Village acreage should be required for public open space, primarily in the stream buffers and floodplains – 77% agree.

13th question – The Village property owners should be required to contribute to acquiring and maintaining of public open space around Peavine Creek – 62% agree.

14th question – The zoning should remain low density commercial if the requirements for public open space are not included in the proposed “overlay district” – 71% agree.

15th question – A grocery or other large food store in the Village is important – 47% agree.

16th question – A gas station in the Village is important – 43% agree.

17th question – An auto repair facility in the Village is important – 53% disagree.

Ed Henderson presented the Executive Committee/Response Team Report and Proposed Regulating Plan and recommendations of the Response Team -

There were that based in part on these survey results and the feedback at the neighborhood meeting the DHCA can support the following:

- 1) A zoning overlay with stores fronting the street, with some increased density and some mixed use.
- 2) Wide sidewalks with improved streetscapes
- 3) Required public open space along the stream buffers and floodplains and a “river walk” along the rear property lines that connects the Burbanck property with the Panera and CVS properties.

- 4) Adequate transition zones between Emory Village and the surrounding historic district, especially on the “BP quadrant”. The height and setbacks of the Bank of America building and the former nursing home are of critical concern.
- 5) Heights of 2 and in some cases 3 stories.
- 6) Some additional residential use, far less than the 182 units proposed.

Alida led a discussion of historic integrity – new design guidelines versus existing design guidelines.

Ed Henderson made a Motion to ask AIEV to defer the application for a COA for revised design guidelines from November 18, 2006 in front of the HPC for 3 months to allow the DHCA and AIEV to work out differences between the zoning overlay and the desires of the neighborhood. Seconded. Rob Benfield made a friendly amendment to ask the HPC to defer as well. Seconded. 16 in favor, 10 opposed, 1 abstention (Amy Stankus abstained)

Judy Yates suggested hiring the Jaeger Company to look at the proposed guidelines and make a recommendation to the DHCA. Judy made a friendly amendment to spend up to 5k to hire a consultant to make such a recommendation. (No second was received)

Alida Silverman made a motion. Because these design guidelines are essentially a beefed up version of the existing guidelines, we could approve everything except Private Sector design section dealing with building height... Motion withdrawn. Motion made to delegate the issue of the design guidelines if they are in fact heard to the DeKalb HPC committee and the executive committee. Seconded. Motion carries.

Ed Henderson made a motion to request the applicant, Kathy Gannon to defer for 3 months the presentation of the zoning overlay to the Planning Commission to allow the DHCA and AIEV to work out differences between the zoning overlay and the desires of the neighborhood. Seconded.

Rob Benfield made a friendly amendment to request the Planning commission, BOC, and CEO to defer for 3 months. Seconded.

Julie Ralston asked what the ramifications are of delaying for 90 days.

Davis Fox responded that the streetscape improvements will begin this summer. When this happens it will be a trigger for redevelopment. Delaying this puts us a risk. Development could begin with the current C-1 zoning.

Motion called to vote. 13 in favor – 10 against. Motion carries.

The meeting was adjourned.

December 13, 2006
Report of the DHCA Executive Committee to the Board of Directors
regarding the recommended position of the DHCA
on the Emory Village Zoning Overlay Proposal

BACKGROUND:

The Alliance to Improve Emory Village is an incorporated body governed by a Board of Directors including property owners, Emory University and interested neighbors. While it was founded and initially funded by DHCA it is a separate body and is not formally associated with DHCA. The AIEV was formed after the publication of a redevelopment study published in 2002, and was charged with enacting the provisions of the 2002 plan.

The AIEV has been successful in obtaining over \$2million of Federal funds for streetscape improvements and a roundabout at N Decatur/Oxford Road. In addition, the AIEV has proposed a redevelopment program, which includes the following:

- 1) Streetscapes, a small plaza and a roundabout, all of which will be built independently of the other redevelopment considerations, and do not depend on their enactment.
- 2) Green space within stream buffers and floodplains, typically at the rear of the property lines, and adjacent to the new "Burbanck Park". Open space is addressed, but not required in the zoning overlay.
- 3) A zoning overlay district which reduces setbacks, increases allowable height and density, decreases parking ratios, increases allowable lot coverage, allows mixed use, and includes architectural design guidelines. The zoning overlay is related to but not dependent on open space and streetscapes.
- 4) The zoning overlay allows for approximately 313,000 sq ft of buildings and 226,000 sq ft of parking decks (Emory Village currently contains About 78,000 sq ft of commercial space). Approximately 88% of the new building construction will be for residential use, while around 66% of the new parking decks will be for commercial use.

The AIEV announced their proposals in a public meeting at Glenn church on May 24. The majority of this meeting focused on the desirability of mixed use and smart growth concepts and architectural design standards. The magnitude of the proposal was not prominently featured, although it was discussed as part of the smart growth discussion. Between May and December, many of the 2002 graphics remained on the AIEV website and the CVS display in Emory Village.

In November 2006, The DHCA took the unusual (and unprecedented) step of surveying the neighborhood to ascertain their desires regarding proposed zoning overlay. The survey was mailed to over 4,000 households over Thanksgiving weekend. Over 400 responses have been received to date. The majority of responders also added comments regarding their desires and opinions. This is a significant response and indicates the issues are important to neighborhood residents.

The DHCA Survey results indicate the following:

- 1) More and better retail is strongly desired (88%).
- 2) Residential use and office use is supported by large pluralities (48% and 49%), but opposed by a significant minorities (32% and 28%). Office use was slightly more favored than residential use.
- 3) Some additional height is supported, but a large majority want height limited to 2 or 3 stories. Almost half want height limited to 1-2 floors and over 80% want it limited to 3 floors. Only 15% want 4 floors and an additional 4% do not consider height a problem.
- 4) A large majority want residential uses limited to less than 100 units, and almost ¼ do not want any additional residential units. Large majorities support owner occupancy (73%) and oppose student housing (54%).
- 5) Large majorities favor shared (and free) parking, and do not believe the reduction of parking ratios will improve Emory Village.
- 6) Public Open space, primarily along stream buffers and floodplains is desired by large majorities (77%). 71% support maintaining the existing zoning if open space along the stream buffers and floodplains is not included. 62% believe owners should be required to contribute to acquiring and maintaining stream buffer open space.
- 7) Rrestoring and preserving open space (84%), along for shared parking (85%) had the highest support on the questionnaire
- 8) Support for a grocery store and gasoline station is mixed. More respondents favored (47%, 43%) than opposed (36%, 38%) these two uses, but there was not a majority favoring either use.

On November 28, DHCA held a public meeting at Glenn Church to describe the AIEV proposal and obtain feedback from the community. Despite the post-Thanksgiving date and minimal advance notice, over 250 people attended the meeting and asked questions for over 3 hours. An estimated 1/3 expressed a desire to “get it done and now”. Many of those expressing this attitude did were

not concerned with development details, although some actively favored dense redevelopment. However, an estimated 2/3 of the attendees were surprised (some said aghast) at the magnitude of the proposed development. Many wanted to know what can be done to reduce the height and density, and to assure public green space. Prior to viewing AIEV's scale model and DCHA's graphics, the majority of the community were unaware of the nature of the proposal.

Some specific concerns raised are visual in nature. For example, the original master plan for Emory University envisioned a university akin to an Italian hill town, based on the topography site. This vision was generally realized in the original quadrangle and campus architecture. Likewise, Glenn church was situated on a very prominent location across Backer Woodland from the Quadrangle and overlooking Emory Village and Druid Hills. Currently, Glenn church occupies the most prominent visual position in the area. The Village is surrounded by a very visible wall of trees, especially when viewed toward the west. If the overlay zone is enacted as proposed, both of these major urban design features will be lost.

Our comments on the current (December 6, 2006) plan include:

GREEN SPACE

- 1) Approximately half of "potential path" lies outside the overlay district, on Golf Club Property.
- 2) Stream buffer on Baker Woodlands tributary to Peavine creek (in back of CVS) is not shown on regulating plan.
- 3) Peavine Creek IRF (FEMA floodplain) is not shown on regulating plan.
- 4) Public Green space other than sidewalks is not required, although buildings are prohibited within the 75' stream buffer.
- 5) The term "Village Open Space" appears to include sidewalks.
- 6) "Stream bank Village Open Space" (adjoining Burbanck site) is not included in "area subject to state and county stream buffer requirements"

HEIGHTS, SETBACKS

- 1) Setback on Bank of America building has been reduced by 10' from the earlier proposed 35' setback.
- 2) Building setback line lies within street and sidewalk Right of Way in some cases.
- 3) Transition zone at Bank of America > Historic houses on N. Decatur Rd. is 0'
- 4) Transition zone on former Oxford Rd nursing home > adjoining R-75 homes is 7' (transition buffers in DeKalb code are typically 50').
- 6) "Unoccupied roof structures" are not included within the height limits in zone 2. What is an unoccupied roof structure?
- 7) Heights are unchanged from the Oct 2006 draft.
- 8) Setbacks appear to be unchanged from the Oct 2006 draft.
- 9) Parking credit is 1 space/200sf of pavement removed, and is unchanged from Oct 2006 draft. (Approx 300-350sf/parking space is typ. of decked pkg)

RECOMMENDATIONS

Based in part on these survey results and the feedback at the neighborhood meeting the DHCA can support the following:

- 7) A zoning overlay with stores fronting the street, with some increased density and some mixed use.
- 8) Wide sidewalks with improved streetscapes
- 9) Required public open space along the stream buffers and floodplains and a “river walk” along the rear property lines that connects the Burbanck property with the Panera and CVS properties.
- 10) Adequate transition zones between Emory Village and the surrounding historic district, especially on the “BP quadrant”. The height and setbacks of the Bank of America building and the former nursing home are of critical concern.
- 11) Heights of 2 and in some cases 3 stories.
- 12) Some additional residential use, far less than the 182 units proposed.

Based on our review of the proposal, several meetings with AIEV and the significant community response to the survey, we respectfully request the Zoning overlay be withdrawn from the January 2006 zoning calendar and be deferred for 3 months.

There has been recent movement by AIEV in response to specific concerns raised, and we are far closer to agreement than we were several months ago. However there is no consensus on the plan. We believe that the proposed development is improved by review by other constituent groups such as DHCA, Glenn Church, and Druid Hills Golf Club.

DHCA would propose to use this time to develop a consensus plan that does the following:

- 1) Lowers the allowable height and reduces the number of allowed apartments.
- 2) Establishes requirements for public green space in the stream buffers/floodplains, and a River Walk along the rear property lines of parcels fronting the golf course.
- 3) Provides an adequate transition visual relationship between Emory Village, Glenn Church and the surrounding Historic District. This includes height, setbacks and transitional buffers.
- 4) Lowers the proposed lot coverage to that more in line with other commercial and mixed use zones in the DeKalb zoning code, typically 80% district-wide.

- 5) Establishes a ratio of commercial to residential space, so that total residential space does not exceed total commercial space.
- 6) Establishes a ratio of building height to public Right of Way; so that the building height does not exceed 50% of the building face to building face distance.
- 7) Prohibits placement of buildings within the public right of way.