

MINUTES
Board of Director's Meeting
7:30PM Wednesday, November 15, 2006
St. John's Lutheran Church

Call to Order, Recognition of Guests - Bruce MacGregor, President, called the meeting to order. Guests in Attendance included: John Hogan – Developer of Briarcliff Square Condos; Jerry Vogel – Resident; Ebony Barley – Ann Fauver's Office; and Charles Longley - architect.

Secretary's Report (approval of minutes) – Walter Saunders presented the minutes from the October 18th meeting. The minutes were approved.

Presentation: Briarcliff Square Redevelopment–John Hogan, Viscaya Development – Viscaya Development is redeveloping the Briarcliff Apartments into 51 units 20 town homes, 30 manor-homes and 1 single family resident. This will decrease the density from 150 units. Priced from \$570,000 to just under \$1 million. This is the one part of Briarcliff that is not in the historic district. Bruce Brought up a few points: the private resident at the back of the property, the plans to make this a gated community, and breaking up the wall of buildings along Briarcliff.

Bruce would like to get a sense from the board of their feelings on these issues:

- Storm water drainage
- House on the rear
- Deceleration lane
- Gates on the community

Bruce suggested setting up a committee: Krista Brewer, Joanna Stroud and Alida Silverman will serve. Krista requested that the DHCA pays attention to the future redevelopment of Briarcliff.

Communications Vice President's Report - Pam Terry was not present.

President's Report–Action Items–Bruce McGregor–

Strategic Plan–Steve Misner presented the revised **Committee Report from the Special Task Force on Strategic Redevelopment Issues**. Several sections have been revised. Alida provided a “cheat sheet” on the Druid Hills Landmark District, which would dictate development on the Ponce Corridor. A motion was made and seconded to adopt the report. Motion carried. (A copy of the report as approved is attached at the end of these minutes.)

Jaeger Study: Chelsea Heights Character Area (Steve Misner/Amy Stankus/Alida Silverman) Bruce introduced the proposal by the Jaeger Company to do

a study on the Chelsea Heights area to develop a character area. The historic preservation committee has recommended approval of the funds for the study. The executive committee has also recommended approval of the funds. Steve Misner introduced the feelings of the neighbors. There is more concern that the neighborhood be maintained as an R-75 neighborhood. The idea of increased densification (larger homes on 50' lots) is of great concern for the neighborhood.

Amy Stankus clarified that the proposal is do a character area study by looking at the historic platting and the historically developed platting of Chelsea Heights. This will also look at Ranch Houses in Chelsea Heights.

Bruce reports that Commissioner Gannon feels this it is very important to get this done. She has contributed \$2000 toward the funding of this study.

Cynthia Tauxe petitioned the board to speak to this issue. She explained her business practices with regard to infill design. She presented her research on her work. Out of 91 active practices she had 10 in Chelsea Heights. Of this 4 were initiated by land developers. Chuck Palmer moved to accept the petition. Motion was seconded. Motion carried. Cynthia questioned the amount of money and whether the proposal would yield anything, which would address the concerns of the neighborhood. She feels that the Historic Guidelines could adequately address the redevelopment of these 50' lots. Cynthia doesn't believe that there is a significant character to justify a character area for Chelsea Heights.

A discussion of the pros and cons of conducting the study was held. The major concern being whether ranch house architecture will be significant.

Rob Benfield moved that we adopt the recommendations of the two committees and to approve the expenditure of the initial of \$10,000 to fund the first phase of the study.

Alida recommended an alternate motion: Adopt the recommendation of the Historic Preservation component of the Land Use/ Zoning and Historic Preservation Committee to proceed with (1) A character Area study for Chelsea Heights and Guidelines for Chelsea Heights per the others in the Design Manual, further funding up to \$18,885 is authorized to accomplish adoption of this recommendation.

Chuck Palmer proposed an alternative motion: He moved that we survey the people in the neighborhood to see if we should proceed with the study. Motion was seconded.

Cathy Vandenberg suggested that she would be happy to survey the neighborhood while the study is continuing.

Chuck Palmer amended his motion to approve the \$8000.00 to fund the first phase. Chuck withdrew his motion and seconded Rob's Benfield's motion to fund the

first phase in the amount of \$8000 and that a Chelsea Heights meeting be held to determine the feelings of the neighborhood. Motion carried.

Burbank Property: Convert DHCA \$5000 from Acquisition to Development)—Bruce MacGregor reports that Emory has asked us to lead the fundraising effort and to use the 5k that we gave for the development of the park. We have requested a letter from Emory stating their intent to develop the land as a park in perpetuity.

Historic Preservation Update

Nunan Property—Rob Benfield reports that there has been a development in the 5th lawsuit filed on the Nunan property (filed in 2005). This one challenges the validity of the HPC on a few points. One of the issues is that the HPC needed to have all 7 members appointed to substantiate any ruling. A DeKalb county judge found in the plaintiff's favor. It is our understanding that the County is going to file an appeal.

Status of DeKalb HPC Appointment - (Rob Benfield) reported that the legal committee has met to discuss the filing of a writ of mandamus against the CEO. Alida Silverman moved that the board authorize the President and the Executive committee to file a Writ of Mandamus to compel the CEO to take steps necessary to fill the vacancies of the HPC. It was pointed out that at this late hour, there was no longer a quorum present. Motion was not voted on.

The meeting was adjourned.

MEMORANDUM

TO: BOARD OF DIRECTORS, DRUID HILLS CIVIC ASSOCIATION
FROM: SPECIAL TASK FORCE ON STRATEGIC REDEVELOPMENT ISSUES
SUBJECT: COMMITTEE REPORT
DATE: 12/19/2006

Following are the final recommendations of our committee regarding long-range development pressures that Druid Hills is likely to face. The committee was comprised of Debbie McDonald, Steve Misner, Pat Murphy, Chuck Palmer, Clarke Weeks and Davis Fox. The issues covered include the following: the Ponce Corridor, Briarcliff Corridor, Emory University and Conservation Easements. All of the issues represent significant opportunities and threats for Druid Hills. We believe that it is important for Druid Hills to consider and address these issues now before further redevelopment occurs, rather than waiting and finding itself in a reactionary mode. Our committee has started the analysis and thinking, but much more must be done, and other considerations must be brought to bear on the subjects. We hope our work will be a springboard and that DHCA will either incorporate the strategies into the current committee work plans or create new task forces to deal with the specific issues.

Conservation Easements

In Druid Hills there are numerous large lots. It may be possible for a creative owner to install a driveway or private street to the back of their property and build several more homes. It may also be possible for adjoining owners to combine their properties to create multiple lots. These forms of development are not in keeping with the historic nature of Druid Hills, and should be prevented. There are many obstacles (historic district designation, zoning regulations, subdivision regulations) to prevent these forms of development, but even with these ordinances Druid Hills remains vulnerable to inappropriate infill development. A conservation easement is a potential tool to ensure that large areas of open space are not developed in the future.

Creating a conservation easement is not particularly difficult. Essentially the property owner has a conservation easement document drawn up so that it is legally binding between the property owner and a second party (the easement holder) that restricts the use of the property. The easement can be held by a government body (local, state or federal) or a land trust, which is a non-profit organization whose mission includes the protection of land. The agreement

restricting and reserving certain uses is binding on future purchasers of the property and is recorded as a Deed of Conservation Easement. The following rights are given up when establishing a conservation easement:

- the right to sub-divide,
- land disturbance,
- building and a few other restrictions that probably do not pertain to a residential neighborhood like Druid Hills.

The potential benefits to the individual landowner are:

- the assurance that the land will be protected for future generations while remaining in private hands,
- possible federal and state income tax deductions and
- possibly decreased property and estate taxes.

A conservation easement allows the property owner to continue to own and use the land and to sell it or pass it on to heirs. Because the easement is perpetual and runs with the land, it assures future conservation after the current owners death or if the property is sold. The most important advantage a conversation easement offers is removing the property's development potential which is important for some of the bigger lots in Druid Hills. Whether the easement is donated during life or by will, it can make a difference in the heirs' ability to keep the land intact. A conservation easement is a potential tool to ensure that large areas of open space are not developed in the future.

The cost for setting up a conservation easement is unknown at this time. The owner of the land needs to get advice form legal counsel and tax professionals. The property owners' expenses can be offset by the revenue or tax savings derived from granting the conservation easement. The only way to receive income tax benefits is only if the easement is perpetual and should always be implemented with the idea that will not be modified or amended. It is very hard to make changes to the easement once it has been established.

The DHCA Task Force Committee has identified several large tracts of land within the Historic Druid Hills District that would benefit from having a Conservation Easement put into place. Several large lots on Lullwater Road, Emory Road at Harvard Road, Oakdale Road at Vileah Lane and Springdale Road. Most of these pieces are owned by older residents and may need assistance with not only the process but perhaps the cost as many of our older neighbors may not be able to afford the cost, but they would benefit the most from having a portion of their land put into a conservation easement as it would help them with future property taxes and secure green space.

It is the recommendation of this committee to ask the Druid Hills Civic Association to further study the opportunities associated with conservation

easements. Ideally the committee should be comprised of neighbors with some expertise in accounting, property law, tax law and historic preservation. DHCA should further consider hiring professional legal services for the following purposes:

- Identify a second party such as a land trust, which is willing to hold an easement
- Determine the tax benefits of a conservation easement to the property owner, and subsequent owners
- Working with a land trust, draft a model easement that could be used repeatedly in Druid Hills
- Determine the cost and process for establishing a conservation easement

After further research into the feasibility and financial benefits to property owners, DHCA may want to promote the use of conservation easements on key parcels in Druid Hills to ensure that the historic platting pattern of the neighborhood is preserved.

Emory Briarcliff Campus

Emory University acquired the former Georgia Mental Health Facility on Briarcliff Road several years ago from the State of Georgia. This property is approximately 40 acres and contains an historic home once owned by the Chandlers. Emory and Georgia Tech were planning to create a research and design center for biotechnology, and some businesses have been “incubated” at the site. The University has also operated the Continuing Education program at the site, and uses the site for offices. Recently, Emory, Georgia Tech and the State agreed to move the biotechnology operation closer to the Georgia Tech campus. Emory was given permission by the state to use the property for other purposes. Emory has determined that the best use is to redevelop the site primarily for workforce housing. The property is zoned O&I and is located within the Druid Hills Historic District.

Redevelopment Principles:

- Support the workforce housing concept for all price ranges
- Determine the impact of Continuing Education program with regard to traffic
- Opposed to using the site predominantly for offices, research and teaching which will draw additional traffic into an area that is difficult to reach
- Support the use of the shuttle to connect the site to the main campus, and the requirement of one car per residential unit

- Support more neighborhood connections to the development Briarcliff Campus, both pedestrian, bicycle and vehicular
- Support the restoration and adaptive use of the Candler Mansion, but recommend that the stone wall be removed from Briarcliff.
- Support the construction of sidewalks to connect the site with the surrounding sidewalk network
- Support development of amenities appropriate to residential component
- Encourage consideration of a community pool, with consideration of ingress and egress as part of addressing traffic issues on Briarcliff Road and in the vicinity
- Opposed to any changes in the intersection configuration of Briarcliff and North Decatur Roads
- Recommend bringing Virginia Highland and Briardale neighborhoods into discussions very soon
- Encourage leaving substantial portion of property as green space

Haygood Triangle

The Haygood Triangle is the residential area on the eastern boundary of the Emory Campus bounded by Haygood Drive and N. Decatur Road. The area includes portions of Burlington Road and Ridgewood Drive. Emory has been gradually acquiring properties within the Haygood Triangle. They indicated that they own approximately 2/3 of the properties. With the exception of the former Emory Baptist church and parsonage, the properties are zoned R-75, but they are not within the historic district. Haygood Drive carries a high level of traffic accessing the CDC, American Cancer Society, Children's Hospital of Atlanta and Emory facilities. Druid Hills High School is located on Haygood Drive.

Emory University Hospital facilities are becoming inadequate, and the hospital considered relocating away from the Clifton Corridor. It was determined that proximity to the current location was paramount. The Hospital intends to eventually move across the street and build a new hospital and clinics on the site where the Emory clinics are currently located. The "A" Clinic is the older building on Clifton that is currently connected to the hospital via a skywalk. The "B" Clinic is also known as the eye clinic, and has a rather distinctive copper roof. The following buildings would be demolished to make way for a relocated hospital and medical clinics: A and B clinic buildings, a very large parking deck and the sorority houses. The hospital and clinics could potentially be housed in two 14-story towers.

To accommodate the traffic generated and improve access, Emory is proposing to reconfigure Haygood, Ridgewood and possibly Burlington Roads. Emory recognizes that adding traffic to Haygood will make access to Druid Hills High School more difficult, particularly for youthful drivers, pedestrians and cyclists. Emory proposes to build a new road to access the clinic and medical campus,

and they propose to re-route Haygood in a manner that will isolate the High School from commuting traffic. Emory also proposes to redesign the Clifton Road railroad bridge and demolish the Rehabilitative Medicine building at the corner Haygood and Clifton. The redesigned bridge would focus traffic onto the new road that provides access to the hospital and clinic.

Redevelopment Principles:

- Support removing Druid Hills High School from a high volume commuter street, but school must still have east and west access. Druid Hills High School should be included in the process as soon as possible.
- New streets must be designed to minimize traffic impact on North Decatur and to the neighborhood south of the Triangle. (Haygood currently enters North Decatur at an angle and does not cross into the neighborhood. This is a good design that deflects traffic from cutting through the neighborhood. This design should be replicated on new streets.)
- The hospital and clinic need to have access from all sides.
- Clifton Road from North Decatur to Briarcliff is the primary commercial street for one of the largest employment centers in the region. It should remain the principal commercial arterial and carry the preponderance of traffic to reach the new hospital and clinic.
- Druid Hills High School does not have adequate parking for staff, visitors and students. Support and encourage a shared arrangement that provides some parking for Druid Hills High School.
- Oppose the orientation of parking decks, loading docks, trash compactors, storage tanks, and chillers towards North Decatur Road, residences, open space and the high school.
- Taller buildings should be located away from North Decatur Road, residences and the high school. Taller buildings should be located towards the center of Emory's campus. Heights should be lower near North Decatur Road, residences and the high school.
- Support opening the shuttle road between the Clairmont Campus (the former University Apartments property) and Haygood to cars, particularly during rush hour to alleviate traffic on North Decatur Road.
- Support provision of green space at the Haygood Triangle that shows arrival to Emory. Support the provision of green space in front of the high school. The green spaces should be permanent and open to the community.
- The historic house in the triangle should not be demolished, but could be moved.
- Recommend that Emory create a consistent streetscape plan from the Haygood Triangle along North Decatur Road and along north Oxford until the bridge. The plan should include sidewalks, street trees, crosswalks and streetlights. Design standards for each building site should be established to guide redevelopment in a coherent, attractive manner.

Building setbacks, heights, materials and architectural style should be included in the design standards.

Ponce DeLeon Corridor

The Civic Association relies upon and urges the Atlanta Urban Design Commission and City Council to faithfully and properly enforce the regulations of the Druid Hills Landmark District (Sec. 16-20 B.001 et. seq.), recognizing that our primary goal is to preserve the residential character and appearance of the Corridor.

Apartments/Condominiums in the Briarcliff Corridor

We recommend that existing zoning be maintained. A conservation district designation should be seriously considered: AUDC review (though opinion only advisory) sympathetic to Landmark District (landscape). We would consider sensitive redevelopment within current zoning regulations

The Lullwater Apartments

The Lullwater Apartments present a separate challenge, and we do not believe this complex is a good candidate for condominium conversion. The floodplain along Peavine Creek has expanded, and now includes most of the complex. Because flooding problems have worsened, the Committee believes that it would be difficult to obtain flood insurance if the apartments were converted to condominiums. Without flood insurance, lenders will not approve mortgages.

The owner of the complex may continue to operate it as an apartment complex, but it will become less profitable if flooding affects the structural integrity of the buildings. The floodplain regulations prevent the owner from simply razing the structures and rebuilding and they prevent the owner from using the same building foot prints, and going up.

Without a hydrological study it is impossible to determine the future size of the building envelope; however it may be possible to rebuild on a portion of the property that is outside of the floodplain. The higher ground probably will be adjacent to the single-family home on Lullwater. The property owner will undoubtedly want to build as big a structure as possible on the smaller buildable area, and this sets up a future conflict.

The Committee believes that the DHCA should consider the following principles when redevelopment is proposed for Lullwater Apartments:

- A large building on the high ground of the site creates problems with scale and building height for the adjoining single-family property owner.

- Eliminating buildings on most of the site will enable the floodplain to function as a floodplain while becoming picturesque green space and improving water quality
- The proximity to Emory Village could make this a good site for senior housing

The Association would also encourage conversion of the site to green space, and employment of conservation easements mention in the first section of this document as a way to accomplish this goal. We do not want to see this property redeveloped for apartment use. .

Other Apartments Scattered through Druid Hills

The committee recommends that smaller isolated apartment buildings such as those at Burlington Road be encouraged to remain as they currently exist.