

MINUTES
Board of Directors Meeting
Druid Hills Civic Association
7:30 pm Wednesday, June 16, 2009
St. John's Lutheran Church

President Dick Shuey opened the meeting by introducing Kathy Gannon (superdistrict 6) & Jeff Rader, our county commissioners representing the Druid Hills neighborhood. The commissioners were present to explain the proposed alcohol ordinance.

Proposed Alcohol Ordinance

Kathy Gannon and Jeff Rader put the ordinance for new, mixed use overlay zones into an historical perspective. When DeKalb County was a more suburban region, alcohol was only served in restaurants, but the term restaurant was loosely defined. As the county grew, the existence of drinking establishments evolved. Because DeKalb had a 4:30 closing time, efforts were made several years ago to limit the hours of operation. These efforts were not successful and the previous administration resisted limits.

In order to control drinking establishments, a special land use ordinance was passed in 2008 that required a special discretionary land use permit for restaurants serving alcohol that are open after 12:30 AM. Also, late night nightclubs are not allowed in C1 zones. This ordinance gives the board means to regulate these establishments by limiting hours, restricting parking, denial, etc. This ordinance also lets residents give feedback when they see the SLUP application so the commissioners can tailor the requirements to fit the community.

As new mixed-use developments (defined as only 2 or more uses) have started, reduced set back distances were needed to allow restaurants to coexist along Candler Rd. where there are many churches and only fast food establishments. The same concerns were voiced by Emory and Emory Village advocates. Night clubs, late night establishments and stand alone restaurants still have minimum distance set-backs unless they are in a mixed use overlay. The planning department is opposed to adding new buffers to existing mixed-use buffers and is also opposed to changing the definition of mixed-use zones to three uses.

The presentation concluded with the statement that the commissioners have the authority to regulate any establishment open after 12:30 AM or with a dance floor and music by issuing discretionary permits. Voting for the new ordinance draft is deferred to the July 14 meeting and needs 4 or more votes to enact change.

Discussion

Dick Shuey stated that the position of the DHCA is not to limit the number of restaurants, but just to control their locations on edge next to residences outside the mixed-use overlay.

Bill Gryboski explained how he has supported the DHCA in the past but blames the DHCA for delaying development in Emory Village.

Paul Shannor stated that no one wants a bar district today, and questioned the commissioners how to prevent that scenario in the future. The commissioners responded that they can regulate establishments in three ways: late 12:30 hours, dance floor music, and parking limitations.

Alida Silverman brought up Little Five Points where there are variances to set-backs but very specific and unique requirements are used to control the development. There is a maximum limit of 25% restaurants there. Have the commissioners considered these types of limits since much time was spent on surveying what types of businesses DH residents want in Emory Village? Kathy mentioned difficulties associated with controlling who, when and what businesses are developed, and that developments are market driven. Jeff pointed out that the economic problems today will make development of EV difficult. Adding restrictions will further delay development of EV.

Claudia Powers wanted to know what specific objections the Civic Association has with the ordinance. Dick Shuey reiterated that the only issue of concern is the buffer between restaurants and the edge of overlay.

Marshall Orson suggested that the Civic Association should not be ignoring the Historic Preservation Commission. More attention and support from the DHCA would be appreciated.

Dick Shuey reminded those present that there was much we could all agree on and suggested that we are all in agreement that we want Emory Village developed, that most do not want late night establishments, that some want a buffer for restaurants while others don't care, and that the proposed buffer is not going to delay development of Emory Village. There was uniform agreement to this summary and no vocal or visible opposition to his statements.

Kathy Gannon concluded by stating that parking requirements need to be carefully considered, that there will be a lot of construction coming up with utilities & roundabout improvements, and that we want to be in a position to move forward when the economy allows development.

Jeff Rader concluded by stating that he is trying to achieve goals without stepping on others' toes. In order to deal with reality, he needs to listen to our input and encourages us to continue giving him feedback.

Business Portion of Meeting

Adam Brackman who is running for City Wide Commissioner was introduced to the board.

The Business meeting continued with the Approval of the May minutes.

Funding for Parks:

The DHCA has given OLPA \$10K for 10 years, a total of \$100K. A motion was made for the DHCA to continue supporting the Olmsted Linear Parks with a \$5K contribution to OLPA for maintenance of the parks on a year by year basis. The motion was approved.

A motion was made to continue supporting the Lullwater Garden Club with a \$500 annual contribution. The club is a 501-c organization and is requesting support for development of the southern part of park. The motion was approved.

Division Reports:

Division 4

Alida Silverman: Chris Barneycastle, an arborist, was hired to look at 9 trees that the county arborist marked as removable on Oakdale Rd. Chris Barneycastle wrote a second opinion that only three (3) trees should be removed immediately and the other 6 may be safe with remediation which includes cabling. Further study is needed which includes climbing and boring.

Paul Shanor remarked that it is only worth spending for tree remediation if we can be assured that the county will not remove trees our arborist say may remain. The arborist charges us \$120/ hour and we have paid \$480 so far.

A motion to appropriate \$500 for tree remediation under the condition that the county will defer to our arborist's conclusion is supported 12/3.

There is a need to reactivate a tree planting program in front yards to ensure a future tree canopy and should be conducted by Division chairs.

Trees Atlanta can plant trees if homeowners pay for trees as Fairview did some years ago.

Jeff Rader said there is a tree fund in DeKalb County.

There have been tree plantings at the Lionsgate on Lullwater.

Division 6

Division 6 did get approval for resident-only parking for Oxford Rd. from Emory, across North Decatur, to the Byway. Each street sets its own time for restricted parking, from 8 am through 3 pm from Monday through Friday in this case. All parked cars need to have a decal or hang tag.

It was noted that Dorothy Dobbs died. She was one of oldest residents of DH who lived on the Byway.

Division 8

Ron Foust : The new Emory site plan for a sidewalk & bike path between Haygood and the RR includes 32 trees. However, funding for this plan is uncertain.

Division 9

Steve Misner: The new Chelsea Heights Design Guidelines was used to prevent an applicant from renovating their ranch home to a massive scale. A conference with HPC resulted in a revision of the plan.

There is a need to communicate the existence of the historic district. Street signs no longer are topped with historic district markers.

Revisitation of the New Proposed Alcohol Ordinance:

The following questions need to be answered: Do we want to support or give input to commissions before the July 14 vote? Can we support including a buffer without specifying actual distances?

There was general (but not unanimous) agreement to support Kathy's proposed ordinance with a 50' + 7' building set back buffer if the buffer is measured from the building line rather than the doorway.

Meeting adjourned at 10:10