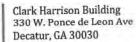
## SUBJECT: Appeal of Decision of the Historic Preservation Commission Concerning Property Located at South Ponce de Leon Ave by Susan Casey

## **ATTACHMENTS (PAGES)**

- 1. Attachment list (page 1)
- 2. Appeal and response (pages 2-9)
- 3. Preservation of Rights letter (pages 10-12)
- 4. Certificate of Appropriateness (COA), and Decision Form (pages 13-15)

(All information below this line was provided to the preservation commission for their consideration in making their decision.)

- 5. Staff report (pages 16-17)
- 6. COA Applicant's comments and final site plan submitted for the August meeting (pages 18-21)
- 7. COA Application and supporting documents submitted for the July meeting (pages 23-32)
- 8. Opposition letter from Lake Clair Neighbors Land Use Committee (33)
- 9. Duplicate opposition letters from Lake Claire residents (pages 34-93)





Chief Executive Officer Michael Thurmond DEPARTMENT OF PLANNING & SUSTAINABILITY

Director

Andrew A. Baker, AICP

## Application to Appeal a Decision of the DeKalb County Historic Preservation Commission

All appeals must comply with the procedures set forth herein.

An application to appeal a decision of the Historic Preservation Commission on a certificate of appropriateness application must be filed within fifteen (15) calendar days after the issuance or denial of the certificate of appropriateness.

To be completed by County: Date Received:		
To be completed by appellant:		
Name: Susan Casey		
Address of appellant: 1854 Marlbrook Drive, NE, Atlanta GA 30307		
Address of Property: 1815 South Ponce de Leon Ave, NE, Atlanta, GA 30307		
This appeal is a review of the record of the proceedings before the preservation commission by the governing authority of DeKalb County, Georgia. The governing authority is looking for an abuse of discretion as revealed by the record. An abuse of discretion exists where the record presented to the governing authority shows that the preservation commission: (a) exceeded the limits of its authority; (b that the preservation commission's decision was not based on factors set forth in the section 13.5-8(3) or the guidelines adopted by the preservation commission pursuant to section 13.5-6 or; (c) that the preservation commission's decision was otherwise arbitrary and capricious.		
If the governing authority finds no abuse of discretion, then it may affirm the decision of the preservation commission. If the governing authority finds that the preservation commission abused its discretion in reaching a decision, then it may; (a) reverse the preservation commission's decision, or; (b) it may reverse the preservation commission's decision and remand the application to the preservation commission with direction.		
Date(s) of hearing, if any: 8/30/21		
Date of Historic Preservation Commission decision: 8/30/21		



## DEPARTMENT OF PLANNING & SUSTAINABILITY

Historic Preservation Commission Appeal Form Page 2 of 2

In the space provided below the Appellant must describe how the preservation commission's decision constitutes an abuse of discretion. Specifically, the appellant must, citing to the preservation commission's written decision, show at least one of the following: that the preservation commission exceeded the limits of its authority, or that the preservation commission's decision was not based on factors set forth in the section 13.5-8(3) of the DeKalb County Code or on the guidelines adopted by the preservation commission pursuant to section 13.5-6 of said code or that the preservation commission's decision was otherwise arbitrary and capricious.

**Grounds for appeal:** The Historic Commission's decision to support a Certificate of Appropriateness was not consistent with factors set forth in the Dekalb County Code or the Guidelines in the Historic Design Manual adopted by the Commission:

- 1. Open Space Linkages required. Per the Design Manual, open spaces, preserved in Olmsted's original concepts for Druid Hills, "remain as major open spaces today" and "It is imperative that the large scale, historic, public and private open spaces be preserved." (Sec 8.1).
- 2. Private and Public spaces included. The Design Manual requires preservation of both public and private open spaces; private spaces are not exempted, contrary to Commissioners' comments.
- No 6-foot fencing of side yards. Dekalb County's general Zoning Code (§ 5.4.7) does not allow fences of side yards that exceed four feet – outside the Historic District; no exception should be made on the prominent Ponce de Leon corridor inside the Historic District.
- All fencing of side yards strongly discouraged. Per the Design Manual, "Fences and walls should not be built in front yard spaces and are strongly discouraged from corner lot side yard spaces." (Sec 9.4).
- Map inaccurate. The map submitted with the application is not accurate or detailed. The application was approved despite testimony that the fence would not be placed as shown.
  - a. The map shows a fence extending to the sidewalk on Ponce de Leon Ave (shown as bold red marker line), which is not appropriate.
  - b. The map omits or fails to clearly show critical details such as setbacks, riparian buffers, and other details. No plan should be approved without these details.
- 6. Land Use Change. Finally, the application refers many times to the Atlanta Hospital Hospitality House, a designated non-conforming property use per Dekalb County's Code, but the lease for the Hospitality House has not been renewed after Dec 2020. We would like to know how this change would affect the permitted property uses. This issue was raised at the hearing but not addressed.

The appellant may submit a written supplementary explanation in support of the appeal. The supplementary explanation shall be submitted with the appeal. The supplementary explanation may not exceed three pages and must be typewritten and double-spaced using a twelve-point font with a one-inch margin on all four sides. The governing authority will not consider text in excess of the page limit set forth herein.

Date:	9-15-21	Signature:	AC.	
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Instructions: The appellant shall also deliver copies of this appeal to the planning department and the county attorney. The appellant and any person who has filed a statement in opposition to, or in support of the appeal may attend the meeting at which the appeal is considered and may be called upon by any member of the governing authority to provide information or answer questions. There shall be no other public participation in the appeal.10/24/2017

Supplementary Information - Appeal of Dekalb County Historic Preservation Commission Decision to support installation of chainlink fence around 39.5-acre historic property 1815 S. Ponce de Leon

The admirable and important purpose of the Dekalb County Historic Preservation

Commission is to protect the legacy of historic places within Dekalb County. The Druid Hills

District is one of just two historically designated districts in the county – and the only one designated for its historic buildings and landscape (the other for its archeological significance).

An original Druid Hills development created by Joel Hurt, the Candler family, and Frederick Law Olmsted (the founder of American landscape architecture), the 39.5 acres at 1815 South Ponce de Leon are a historic treasure for the neighborhood and Dekalb County. The surrounding old growth forest was recently designated in the national Old Growth Forest Network. The primary use of this unique property is dedicated, in perpetuity, to aiding and caring for disabled children and adults -- both by the non-profit's charter, and as designated in the Dekalb County zoning overlay which allows its operation. Many passerby are unaware that a program for children and adults operates in a building nestled within this acreage.

The historic landscape of Druid Hills has become increasingly exceptional in the 100 years since the property at 1815 South Ponce de Leon was first developed, as the county has grown over 17-fold, leaving precious few historic areas. For over a century, this open space has remained unfenced, contributing to the unbroken land visible from Ponce de Leon. Here the Dekalb Druid Hills Historic District meets Atlanta's Historic District and the Olmsted Linear Parks which enjoy a national reputation for their historic significance in landscape architecture.

Marketing materials for weddings and events held on the property note that it is:

Nestled in the heart of Druid Hills ... [and] offers a rare glimpse into 1920s Atlanta. This lush oasis is one of the few viable estates still standing in the city today and is virtually untouched by city sprawl. Once the home of Cator Woolford, a principal founder of what is now known as Equifax, the Italian-style gardens serve as a wedding and event venue infused with decades of classic beauty and Southern charm."

While the Design Manual of Dekalb County (which sets the standards the Commission must follow) provides relatively few specific guidelines, the Manual plainly states the importance protecting the remaining open spaces in Druid Hills -- as open spaces. Per the Manual:

It is imperative that the large scale, historic, public and private open spaces be preserved...The park-like character created by these large open spaces is reinforced by the unbroken landscape of the residential settings." -- Dekalb Design Manual (Sec 8.1)

Retaining these spaces, both public and private, by limiting their uses to passive activities is critical to maintaining the parklike character envisioned by Olmsted, preserved today, and required for preserving the historic character into the future. It doesn't take a historic preservationist to conclude that surrounding a historic property (with 1.25 miles of perimeter) with a chain-link fence is not compatible with historic design principles. Sadly, as one neighbor commented, "Nothing screams institution as loudly as a chain-link fence."

During the hearing, the Historic Preservation Commission members briefly noted concern about fencing such a large open space as the 39.5 acres at 1815 South Ponce but erroneously concluded that open spaces referenced in the Manual do not include private property. However, the guidance specifically notes that the unbroken landscape of both public and *private* large-scale, historic open spaces are to be preserved.

Further, Dekalb County's general zoning requirements do not allow six-foot fencing on side lots at corners. Fence height is restricted to four feet at these locations (§ 5.4.7). Parcel 15 238 01 008, where the fencing is proposed, is at the corner of South Ponce de Leon and

Lakeshore Drive and therefore a 6-foot fence would not be appropriate even if another type of fence were appropriate. Importantly, the Historic Guideline *strongly discourages* the installation of *any* fence on the side of corner lots (Section 9.4).

Finally, the application's map shows a fence that dead-ends near the sidewalk along Ponce de Leon Avenue near Lakeshore Drive, perpendicular to Ponce de Leon. The applicant indicated that the fence would not be placed as shown, but the Commission erroneously approved the application with the inaccurate map.

## Summary

We are appealing the decision because the Historic Commission's decision to support a Certificate of Appropriateness was not consistent with factors set forth in the Dekalb County Code or the Guidelines in the Historic Design Manual adopted by the Commission:

- Open Space Linkages required. Per the Design Manual, the open spaces, preserved in Olmsted's original concepts for Druid Hills, "remain as major open spaces today" and "It is imperative that the large scale, historic, public and private open spaces be preserved." (Sec. 8.1)
- Private and Public spaces included. The Design Manual requires preservation of both public and private open spaces; private spaces are not exempted, contrary to Commissioners' comments.
- 3. No 6-foot fencing of side yards. Dekalb County's general Zoning Code (§ 5.4.7) does not allow 6-foot fencing of side yards.
- 4. All fencing of side yards strongly discouraged in Historic District The Design Manual strongly discourages any fencing on the side of corner lots (Sec 9.4).
- Map inaccurate. The map submitted with the application is not accurate. The request was approved despite testimony that the fence would not be placed as shown.
- 6. Land Use Change. Finally, the application to the Commission refers many times to the Atlanta Hospital Hospitality House, one of the designated uses for the property per Dekalb County's code, but the lease for the Hospitality House has not been renewed beyond the end of 2020. We would like to know how this change would affect the permitted property uses. This issue was raised at the hearing but not addressed.

We respectfully request that you **remand the decision** on the Certificate of Appropriateness to allow more time to improve the application and to bring it into alignment with the Historic Guidelines and Dekalb County Code.

## (the "HPC"), CERTIFICATE OF APPROPRIATENESS, CASE NO. 1245084, (the "COA")

On August 30, 2021, the HPC properly approved a limited fencing COA for The Children's Rehabilitation Center, Inc. ("CRC" and "Applicant"). CRC owns the property located at 1815 S. Ponce de Leon Avenue, Atlanta, Georgia 30307 (the "Property"). The written decision memorializing the HPC's approval of the COA, as well as the documents submitted to DeKalb County Staff for inclusion in the record (the "Record"), demonstrate that the HPC properly considered the criteria outlined in Section 13.5-8(3) of the County's Code (the "Code") and acted within its authority and reasonable discretion in approving the COA for fencing that will be below street grade and hidden amongst trees.

The Property contains approximately 39.44 acres of Piedmont climax old-growth forest, including native plant species and old-growth trees. As shown in the Record, this historic treasure is currently at risk due to unrestricted public use and abuse of the Property. Over the years, the lack of fencing has led to people entering the Property at will throughout the forest rather than accessing the Property through its two approved entrances sticking to formal forest trails. As documented in the July 29, 2021, letter from Trees Atlanta's Urban Forestry Director, this ad hoc access to the Property has led to significant erosional concerns, the proliferation of invasive species, and damage and reduction to the quality of the forest. As responsible stewards of this historic forest, fencing is required to minimize this damage and allow the forest to heal.

Specifically, the approved COA allows limited fencing in wooded portions of the Property in order to preserve the park-like character of its open spaces by ensuring its passive use, consistent with the guidelines of the Druid Hills Design Manual (the "Manual"), Section 8.1. Importantly, and as noted in the COA, the fence in question "will be set into the existing woods and additional

plantings of evergreens and deciduous native species will be installed to camouflage it."

Additionally, "the fence will be set 5 ft <u>lower</u> than the street grade at the intersection of Ponce de

Leon Ave and Lakeshore Dr." <u>See</u> COA at "Additional Pertinent Factors" (emphasis added).

On September 15, 2021, Susan Casey ("Appellant"), appealed the COA, arguing without any evidence that the proposed fence is: (i) somehow inconsistent with the Manual, (ii) counter to the concept of "open spaces", and (iii) predicated on an inaccurate map (collectively, the "Appeal"). The Appeal should be denied for several reasons.

First, the Appeal does not identify anything in the Record showing that the HPC abused its discretion. The HPC properly considered the requirements of Section 13.5-8(3) of the Code. The COA demonstrates that the HPC followed the Manual and found that the proposed fence would be camouflaged and five feet below grade, rendering any argument about its appearance null. The HPC's decision was neither arbitrary nor capricious. To the contrary, approving the proposed fencing furthered the important objective of ensuring the passive use of the historic open spaces on the Property, while continuing to allow public access at the established entrances. See the Manual at Section 8.1. Appellant's failure to show any abuse of discretion by the HPC in granting the COA is fatal to the Appeal. See Sec. 13.5-8(12) of the Code.

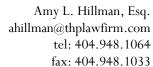
Second, as noted above, approval of the COA furthered the important objective of Section 8.1 of the Manual: protecting the natural landscape. While Appellant appears to conflate the concept of "open space" with "open access," that is a false narrative. The fence approved by the COA will not diminish the open spaces within the Property. In fact, the fence is necessary precisely because the Property's open spaces are currently suffering significant damage due to the activities of residents who disregard the formal entrances and trails and the sanctity of this resource. In the absence of the approved fence, the community faces the continued decline and loss of this historic

environmental treasure, denying future generations of County residents a glimpse of the old-growth forest that once predominated Druid Hills. The Manual does not promise "open access" as suggested by Appellant, particularly in this case where such open access threatens the historic integrity of the Property. The objectives of the Manual in preserving the open spaces on the Property are best served by the addition of the fence.

Third, Appellant's criticism of the map submitted with the application for the COA (the "Application") is both false and misleading. Appellant alleges that "the map omits or fails to clearly show critical details such as setbacks, riparian buffers, and other details." Appellant likewise criticizes the HPC for approving the COA "despite testimony that the fence would not be placed as shown." Yet, the 6/24/2021 Survey by Metro Engineering & Surveying Co., Inc., Job No. 14989, contained in the Record, clearly shows both setbacks and riparian buffers. Moreover, while it is true that the marked placement of the proposed fencing is approximate, this was not a deficiency. The exact placement of the fence must be determined at the time of installation considering "on the ground" conditions so as to be environmentally sensitive (e.g. avoidance of tree critical root zones) as the HPC noted and properly considered at the hearing.

Appellant's final argument speculating as to the future use of portions of the Property is irrelevant. Future uses were not discussed and have nothing to do with the fencing approved by the HPC. Future uses are properly addressed in the County's special land use permit process.

There has been no abuse of discretion by the HPC. The Appeal should be denied. Applicant further respectfully states that reversing the issued COA would violate CRC's rights under both the Constitution of the State of Georgia and the Constitution of the United States, that the Appellant lacks constitutional standing, and that the Appeal was untimely.





August 13, 2021

### **VIA EMAIL**

Honorable Historic Preservation Commission
DeKalb County, Georgia
c/o DeKalb County, Department of Planning & Sustainability
Clark Harrison Building
330 W. Ponce de Leon Avenue
Decatur, Georgia 30030

### Re: PRESERVATION OF RIGHTS

Application for Certificate of Appropriateness under the DeKalb County Code, Application Number 1245084 (the "Application").

The Children's Rehabilitation Center, Inc. (the "Applicant") Proposed Addition of a Fencing Portions of the Wooded Area Located on Approximately 39.446 acres at 1815 S. Ponce de Leon Avenue, Atlanta, Georgia 30307 (Land Lots 238 & 243, 15th District, DeKalb County, Atlanta, Georgia), (the "Property").

### Honorable Historic Preservation Commission:

Please add this letter to the file of the above referenced Application in order to preserve the rights of my client, The Children's Rehabilitation Center, Inc.

The Applicant has demonstrated compliance with all applicable DeKalb County, Georgia ("County") laws and standards regarding the submittal of the Application as well as compliance with the spirit and intent of the County's Code (the "Code"). This Application seeks a Certificate of Appropriateness to allow the placement of fence around portions of the wooded area located on the Property (the Commission has already issued a Certificate of Appropriateness for the other portion of the Application related to demolition of an abandoned caretaker's cottage on the Property).

The Applicant has owned the Property since 1951. The Property contains approximately 39.446 acres of old-growth forest including native plant species and old-growth trees in the heart of Atlanta – an invaluable and unique asset to the community. While the Property has remained unfenced for decades allowing unfettered access by the community at large, this access has resulted in damage to the historic nature of this natural piedmont climax forest. Specifically, over the years unplanned trails have formed causing significant erosional concerns. In addition, invasive non-native plant species have been introduced to the Property by those using these unplanned trails. Fencing portions of the Property will, among other things, route pedestrian traffic to the planned access points on the Property thereby allowing the Property to better maintain its historic nature. The community at large will continue to enjoy access to the Property at designated entrances.

Fencing is also needed to improve security at the Property. The Property is primarily used by young children and adults with disabilities. Recently, there has been an uptick in crime and unauthorized access to the Property which threatens this vulnerable population. Fencing the Property and directing visitors to authorized access points will aid in making the area more secure.

Approving the Application is proper under both Section 13.5-8 of the Code as well as O.C.G.A. §44-10-28. The proposed fence will not have an adverse effect on the esthetic, historical, or architectural significance and value of the Property or the surrounding historic district. Indeed, the proposed fence will better preserve and maintain the historic nature of this natural piedmont climax forest for future generations of County residents by preventing unplanned trails, property damage, erosion and the introduction of invasive, non-native plant species. Moreover, a failure to approve the Application would violate Applicant's constitutional rights.

Those portions of the Code as applied to the Property which classify or may classify the Property so as to prohibit the Certificate of Appropriateness requested by the Applicant, either are or would be unconstitutional in that they would unreasonably impair the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia; Article I Section III, Paragraph I of the Constitution of the State of Georgia; and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

Any utilization of the Code as applied to the Property which restricts its use other than as proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of property and valuable property interests in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States; Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia; and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the

United States by unreasonably denying an economically viable use of the Property while not substantially advancing legitimate state interests.

A proper balancing of the interests and considerations outlined in the Code yields the inevitable conclusion that a denial of this Application would constitute an unreasonable and extreme hardship upon the Property and the Applicant, without remotely advancing the public health, safety and welfare. Indeed, given the restoration measures the Applicant proposes for the forest, these police power objectives are best served by approval of this Application. Consequently, a denial thereof would constitute an arbitrary and capricious act by the County without any rational basis therefore, and an abuse of discretion in violation of Article I, Section I, Paragraph I, of the Constitution of the State of Georgia; Article I Section III, Paragraph I of the Constitution of the State of Georgia; and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal by the Commission to approve the Application would unconstitutionally discriminate in an arbitrary, capricious and unreasonable manner, between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia; and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any conditions imposed on the Property which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting the Applicant's utilization of the Property and ability to install protective fencing on the Property would also constitute an arbitrary, capricious and discriminatory act and would likewise violate each of the provisions of the State and Federal Constitutions set forth herein above.

Finally, in the event of any opposition to the Applicant's request, the Applicant states that the opponents do not have standing to challenge the Application.

The proposed Application presents the Commission with an opportunity to preserve the historic and unique nature of the Property for both current and future residents. There will be no adverse impact to the historic nature of the Property by fencing those portions as proposed in the Application. The Application does not oppose the intent of the Code and will aid in providing a benefit to the County and its citizens for generations to come.

Very truly yours,

Amy L. Hillman, Esq.



## Dekalb County Historic Preservation Commission 330 Ponce De Leon Avenue, Suite 300 Decatur, GA 30030 (404) 371-2155 or (404) 371-2813 (Fax)



Michael L. Thurmond Chief Executive Officer

### CERTIFICATE OF APPROPRIATENESS

August 31, 2021

Site Address: 1815 S PONCE DE LEON AVE

ATLANTA, GA30307-

Parcel ID: 15-238-01-009

Application Date:

Applicant: METRO ENGINEERING & SURVEYING

Mailing Address: 1469 HWY 20 WEST

MCDONOUGH, GA 30253-

THIS IS TO ADVISE YOU THAT THE DEKALB COUNTY HISTORIC PRESERVATION COMMISSION, AT ITS REGULARLY SCHEDULED PUBLIC MEETING ON August 30, 2021, REACHED THE FOLLOWING DECISION ON THIS APPLICATION:

**ACTION: Approval** 

Install a 6' tall black vinyl-coated chain link fence on the property atthe northeast corner of the facility and set back, but generally parallel to the property line for 210 ft, then turning toward the property line and endingat the southwest corner of 608 Lakeshore Dr. The fence will run through the interior of the corner property, beginning at the Ponce de Leon right-of-way, and running to the south propertyline. The fence will be set into the existing woods and additional plantings of evergreens and deciduous native species will be installed to camouflage it. The fence will be set 5 ft lower than the street grade at the intersection of Ponce de Leon and Lakeshore

## $\label{lem:control} \textbf{Decision of the DeKalb County Historic Preservation Commission}$

Name of Applicant:	Metro Engineering & Survey Co
Address of Property:	1815 South Ponce de Leon Avenue
Date(s) of hearing if any:	August 30, 2021
Case Number:	1245084
☑ Approved ☐ Deni	ied □ Deferred
on behalf of the applicant and that the proposed change(s)	reservation Commission, having considered the submissions made d all other matters presented to the Preservation Commission finds will not have a substantial adverse effect on the aesthetic, historic nd value of the historic district and hereby approves the issuance of s.
Any conditions or modification	ns are shown below.
the historical and architectural landscaping; general design; involved and the relationship pertinent features of other procounty code and specifically but the county code and architectural county county code and architectural county code and architectural code architectural code and architectural code architectura	County, § 13.5-8(3), the Preservation Commission has considered all value and significance; architectural style; scale; height; setback arrangement; texture and materials of the architectural features of such texture and materials to the exterior architectural style operties in the immediate neighborhood, as prescribed generally by the district design guidelines.  In an existing building, pursuant to the authority granted to the Code of DeKalb County, § 13.5-8(3), the Preservation Commission of the Interior's Standards for the Treatment of Historic Properties of, Rehabilitating, Restoring and Reconstructing Historic Buildings eservation Commission finds that all relevant guidelines have been
met.	
Additional pertinent factors	:
facility and set back, but gene property line and ending at the through the interior of the corrunning to the south property plantings of evergreens and d	ted chain link fence on the property at the northeast corner of the rally parallel to the property line for 210 ft, then turning toward the e southwest corner of 608 Lakeshore Dr. The fence will runner property, beginning at the Ponce de Leon right-of-way, and line. The fence will be set into the existing woods and additional leciduous native species will be installed to camouflage it. The n the street grade at the intersection of Ponce de Leon Ave and

Application is approved with conditions or modifications  $\square$  /without conditions or modifications  $\square$ 

Conditions or modifications (if applicable):			
appearance would have a substantial a significance and value of the historic pro	has determined that the proposed material changes indverse effect on the aesthetic, historic or architectural perty or the historic district   Preservation Commission to approve the application   In finds as follows:		
<b>Deferral</b> : The Preservation Commission reasons:	has deferred action on this application for the following		
The application will be re-heard by the H	istoric Preservation Commission at its meeting on		
Date: 8/3//2/	Signature:  Chair, DeKalb County Historic Preservation Commission		

## **DeKalb County Historic Preservation Commission**

Monday, August 16, 2021-6:00 P.M.

## Staff Report

## Regular Agenda

L. 1815 South Ponce de Leon Avenue, Metro Engineering & Survey Co. Install a fence along part of the eastern edge of the property. 1245084

Main building built 1922 or 1929. (15 238 01 009, 15 238 01 008)

This property is in the Druid Hills National Register Historic District and Druid Hills Character Area 1.

Fence portion of the application deferred from July 2021. Other portions of the application were approved.

- 3-08 1815 South Ponce de Leon Avenue (DH), Melissa Connor. Replace accessory building. 14572 Approved with modification
- 8-11 1815 South Ponce de Leon Avenue (DH), The Frazer Center. Construct low wall and pathways, erect storage building, and pave parking lot. **Denied**
- 10-11 1815 South Ponce de Leon Avenue (DH), Trace Haythorn. Sod area and plant five trees, build storage shed with concrete sidewalk, build sidewalk and retaining wall, build egress sidewalk with wooden fence, build building egress path with parking spaces, install metal storage building, and install concrete pad and screening for dumpster. 17332 **Withdrawn**
- 2-13 1815 South Ponce de Leon Avenue (DH), Dr. Trace Haythorn, The Frazer Center. Install signs flanking South Ponce entrance gate. 18459 **For comment only**
- 3-13 1815 South Ponce de Leon Avenue (DH), Dr. Trace Haythorn, The Frazer Center. Install signs flanking South Ponce entrance gate. 18487 **Approved with modifications**
- 5-13 1815 South Ponce de Leon Avenue (DH), Dr. Trace Haythorn, The Frazer Center. Install directional signage within the grounds and build new dumpster pad. 18592 **Approved**
- 12-13 1815 South Ponce de Leon Avenue (DH), Melissa Connor, Atlanta Hospital Hospitality House. Restore 1920s rock garden. 19006 **Approved**
- 2-14 1815 South Ponce de Leon Avenue (DH), Atlanta Hospital Hospitality House, Inc. Replace nonhistoric elevator tower with an ADA compliant elevator. 19113 **Approved**
- 5-14 1815 South Ponce de Leon Avenue (DH), Atlanta Hospital Hospitality House/Melissa Connor. Install shed. 19236 **Approved**
- 8-18 1815 South Ponce de Leon Avenue (DH), Children's Rehabilitation Center, Inc. Relocate the entry columns and gates. 1235111 **Approved**

The property is open to the public.

### **Summary**

Applicant proposes to:

1. Install a 6' tall black chain link fence on the northeast corner of the property. The purpose of the fence is to limit access to the property to the two official entrances. The Frazer Center owns the property at the northeast corner of Ponce de Leon Ave and Lakeshore Dr. The fence will run through the interior of this property, beginning at the Ponce right-of-way and running to the south property line. The applicant has installed stakes along the proposed line. The fence will be set into the existing woods and the applicant states the fence will be camouflaged by the planting of evergreens and deciduous native species, including eastern hemlock, American beech, cedar, holly and native azaleas. The applicant states the fence will be 5' below the street grade at the intersection.

L. 1815 South Ponce de Leon Avenue, Metro Engineering & Survey Co Page 2

2. The remainder of the fence will be located in the City of Atlanta.

### Recommendation

- 1. **Approve with the condition** that no fence posts will be place in the root plate of any tree and all stringers will be constructed at or above grade. The application meetings guideline 9.4, including the vinyl covered chain link fencing in black to make it less obtrusive, and the height. The proposed changes do not appear to have a substantial adverse effect on the property or the district. This application appears to meet the guidelines and the staff recommends approval.
- 2. DeKalb County does not review projects within the City of Atlanta.

## **Relevant Guidelines**

- 5.0 Design Review Objective (p45) When making a material change to a structure that is <u>in view from a public right-ofway</u>, a higher standard is required to ensure that design changes are compatible with the architectural style of the structure and retain character-defining features.
- 9.4 Enclosures and Walls (p90) <u>Guideline</u> Fences and walls should not be built in front yard spaces and are strongly discouraged from corner lot side yard spaces. Retaining walls should only be used in situations where topography requires their use.
- 9.4 Enclosures and Walls (p90) Recommendation Fences are appropriate in rear yard spaces. Rear yard fences should be coordinated with existing county codes. Suggested materials include wood and chain link. Vinyl-covered chain link fencing, typically in bronze, brown, or black, assist in making fences less obtrusive. Vines are suggested to "soften" the appearance of metal chain link fencing. If wood fencing is used, the paint color and design should be compatible with the architecture of the adjacent residence. Fence heights can range from 4' to 6' depending on the reason for the enclosure.

### THE CATOR WOOLFORD ESTATE - History and Background:

The CRC, Inc., (Children's Rehabilitation Center, Inc.), a private foundation chartered in 1949, has owned 39.6 acres at 1815 S. Ponce de Leon Ave, NE, Atlanta, GA 30309 since 1951. This 39-acres of old-growth forest in the heart of Atlanta was the former estate of Cator Woolford. This property contains old-growth trees and native plant species that indicate it is a remnant of the original forest in Atlanta. The Cator Woolford/Frazer Forest along with Briarlake Forest, Fernbank Forest, Osborne Park, Hidden Acres Nature Preserve, Lullwater Conservation Garden, and Deepdene Park are part of a group of forests in Dekalb County that were protected from commercial logging. They are all fragments of the original forest and are registered in the Old-Growth Forest Network.

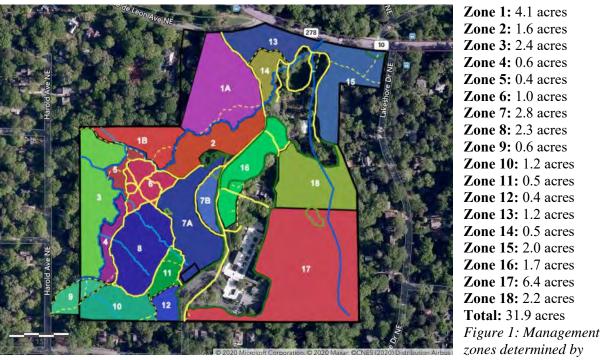
The property was part of the original Druid Hills residential development created by Joel Hurt and the Candler family, with the help of landscape architect and planner, Frederick Law Olmstead. In 1922, the 1815 S. Ponce de Leon parcel was bought by Cator Woolford, the founder of the Retail Credit Company – which later became Equifax. This was one of the last parcels in Druid Hills to be purchased, ostensibly because so much of it was considered undesirable for homesite development: 4 creeks and nearly 8 acres of floodplain, 15 acres of old growth Piedmont climax forest, along with steep ravines and limited buildable areas are its attributes. However, it was Mr. Woolford's desire that "Jacqueland" as he named the estate, be a place of enjoyment, beauty, recreation and entertainment for his family, friends and employees. Beginning in 1923, with the help of architect Owen Southwell and landscape architect Robert Cridland, the built a large English Regency-style home for his family and installed gardens, lawns, tennis courts, an Italianate garden pavilion, a dancing terrace, water features, pathways and all manner of exceptional plants throughout the property. In the 1920's and 30's, Mr. Woolford even opened the grounds to the public during 2 – 3 weeks in the spring when his renowned collection of hybrid azaleas bloomed. His was one of the first estates in Atlanta to use the newly introduced hybrids in mass plantings.

Today, the historic property is still a place of enjoyment, recreation, and solitude – as well as education. It is home to Frazer Center, a pre-school and learning center for children and adults with disabilities, alongside typically developing children, housed in its own facility – two buildings that date from 1959 and 1985. Formerly known as the Atlanta Cerebral Palsy Center, Frazer Center has operated for over 70 years on this site. Frazer Center is a beneficiary of the CRC, Inc. foundation. Since the 1990's Frazer Center has also used the restored formal gardens for special events, renting the "Cator Woolford Gardens" for weddings, dinners, and celebrations, generating event proceeds to fund programs for the school. Atlanta Hospital Hospitality House is also a tenant on the property, utilizing the 1924 mansion home owned by the CRC as a respite lodge for out-of-town families, caregivers, and patients receiving treatment at area hospitals. The 1.25-mile property perimeter is not fenced, and the surrounding community has long accessed the grounds at will.

In 2020, the CRC Foundation determined that the property should be more actively stewarded and enhanced in pursuit of the foundation's mission: "Assist vulnerable children, adults, and families to build their capacity through education, rehabilitation, and exposure to our unique natural environment." The specific how and what of this utilization will continue focus on this mission, however, the trustees' priority is to mitigate the risk presented by the public's unfettered access to the property. Not only are the Trustees keenly aware of ensuring a safe and secure environment for the children and adults who attend Frazer Center and Atlanta Hospital Hospitality House, but equally focused on protecting and preserving this incredible natural environment of piedmont climax forest, manicured gardens, historic buildings, and outdoor features like the 1923 Jacqueland Rock Garden, recognized by the Georgia Trust for Historic Preservation with an Award of Excellence in 2017. The community will continue to be welcomed in ways that align with the foundation's mission and Mr. Woolford's original vision for this remarkable place.

In August 2020, **Trees Atlanta** assessed the health of the forest and woodlands on the property. The site has been divided into 18 distinct management zones based on existing site conditions and for clarity when working to prioritize particular areas within a given zone. Nine of the 18 zones are external edge habitat sharing a border with ~70 parcels. The Trees Atlanta Forest Restoration program completed a vegetation survey of the 39-acre site for the purpose of developing a five-year management plan aimed at the successful suppression of the most pressing invasive plant infestations, and recommending better stewardship, continued maintenance and replanting procedures to ensure the future health, functionality, and resiliency of the site. Limiting random access points to the parcel is a key to doing so.

### **Management Zones & Acreages**



trails, hydrology, and size

## DESCRIPTION OF WORK <u>—Improve security throughout the property and ensure the Forest is preserved and restored.</u>

- 1. **Direct all pedestrian to access the property is through the S. Ponce main entrance or the Ridgewood Dr. back entrance:** With 1.25 miles of perimeter and 58 adjoining property owners, the forest and gardens are susceptible to at will access by any and all. The CRC seeks to limit unfettered access by fencing key stretches of their property that have the most egregious unauthorized pathways notably along Marlbrook and Harold Avenues, and at the corner of Lakeshore and Ponce, and directing pedestrians to use only the paved entrances. We want visitors to use our "front door" rather than random access points. Fencing will be unobtrusive, using 6' black commercial steel chain link fence erected in wooded areas.
- 2. Protect the natural Forest environment and give those areas degraded by unauthorized compacted pathways, erosion, and invasive plant species a chance to be restored and heal. Led by Trees Atlanta, Frazer Center, Eco-Addendum, Lake Claire Neighborhood Association, and the CRC, Inc. have applied as a partnership to the National Fish and Wildlife Federation for a Forest Restoration Grant. This grant will provide funding for appropriate trail installation,

removal of invasive plants and community engagement in the work of forest restoration. CRC, Inc.'s contribution to the project includes approximately \$125,000+ of estimated cost to install fencing and educational signage throughout the forest and gardens. The community will continue to have access to enjoy the property.

3. Fencing design and placement will be unobtrusive and camouflaged. The CRC intends to make the fence disappear as much as possible within the heavily wooded environment, and to preserve the natural appearance of the forest and woodlands. This approach is in keeping with Mr. Woolford's original vision for the property, using all native plants in the woods, with the best hybrids alongside rare and unusual specimens of Southern varieties inside the Gardens.

The fence paralleling Marlbrook and Harold Avenues will meander around trees, avoid critical root zones, and utilize topographical features such as streams and ravines to provide natural barriers. The fence will not cross those features, enabling wildlife to have access across the property, but limiting human foot traffic. A 4-ft wide path will be cleared of underbrush to enable fence installation. Signage will be installed to direct walkers to enter through the gates. No trenching will be done to install the fence.

The placement of the fence at the Lakeshore Dr. and Ponce de Leon Ave. corner will be well off the property line where there is a natural steep grade, enabling the fence to be installed at or below the grade of the sidewalk and behind several large specimen tulip poplars and pines. The access gate will also be placed down in the property, approximately 50 feet from the sidewalk and 5 feet below the sidewalk grade.

4. The area outside of the fence on the corner of Lakeshore and Ponce will be returned to its former naturalized state. This will include planting a combination of evergreen and deciduous native species that will require little pruning or care and will screen the fence from view. Existing hybrid ornamental shrubs will be relocated to more suitable locations. Plant selections will draw from species already present on the property, including Eastern Hemlock to echo the large notable specimens Mr. Woolford installed in the 1920's. Plants such as American Beech, Red cedar, dwarf magnolias, American Holly, Oakleaf hydrangea, Bottle brush buckeye, Paisley Hawthorn and Washington hawthorn, Loblolly Bay, Possumhaw, and Piedmont and Oconee native azaleas are the kinds of plants we will utilize.





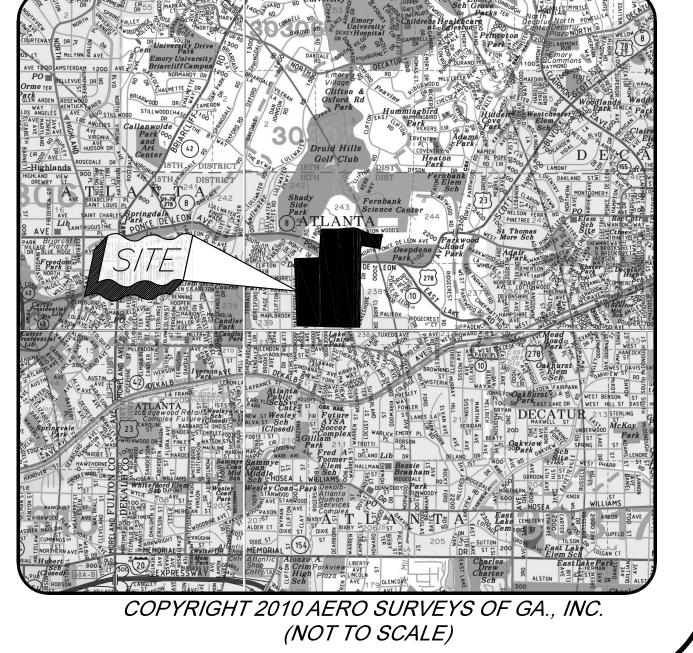








LOCATION MAP



# CERTIFICATE OF APPROPRIATENESS EXHIBIT

CRC, INC. 1815 PONCE DE LEON AVENUE ATLANTA, GA.

		_
	PROPERTY INFORMATION	
LAΛ	ID LOTS: 238 & 243	
DIS	TRICT: 15th	
SEC	CTION: NA	
COL	UNTY: HENRY	
STA	TE: GEORGIA	
CIT	Y: CITY OF ATLANTA	

DRAWING INFORMATION		
DATE: 06-24-2021	REVISIONS	
SCALE: 1"=60'		
DWN: JCS		
CHCK: JRG		
JOB No.: 14989		
FILE: 14989-ALTA-0		

FOR THE FIRM METRO ENGINEERING & SURVEYING CO., INC. GA. L.S.F. #00538



PROVIDING PROFESSIONAL SERVICE SINCE 1967 1469 Highway 20 West - McDonough, Georgia 30253 Phone: 770-707-0777 - Fax:770-707-0755 www.metro-engineering.com

# DeKalb Count

## **RECEIVED**

By Rachel Bragg at 4:44 pm, Jun 24, 2021

404.371.2155 (o) 404.371.4556 (f) DeKalbCountyGa.gov Clark Harrison Building 330 W. Ponce de Leon Ave Decatur, GA 30030

Chief Executive Officer

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director

Michael Thurmond

Andrew A. Baker, AICP

Application for Certificate of Appropriateness
Date Received: 625 202 Application No.:
Address of Subject Property: 1815 S. Ponce de Leon Auc. Atlanta, GA 30307
Applicant: Metro Engineering: Surveying 6. E-Mail: melliottometro-engineering.
Applicant Mailing Address: 1969 Hwy 20 W McDonough, 6A 30253
Applicant Phone(s): 770 - 707 - 0777 Fax: 770 - 707 - 0755
Applicant's relationship to the owner: Owner  Architect: Contractor/Builder Other Land Planner Engine
Owner(s):
Contact: Ms. Ellen A. Wyche E-Mail: cawychep wychegrap.c
Owner(s) Mailing Address: 3500 Valley Rd NW Atlanta, beorgia 30305
Owner(s) Telephone Number: 404-376-1694
Approximate age or date of construction of the primary structure on the property and any secondary structures affected by this project:
Nature of work (check all that apply):  New construction □ Demolition □ Addition □ Moving a building □ Other building changes □  New accessory building □ Landscaping □ Fence/Wall □ Other environmental changes □  Sign installation or replacement □ Other □
Description of Work:  See attachmuf
This form must be completed in its entirety and be accompanied by supporting documents, such as plans, list of materials, color

This form must be completed in its entirety and be accompanied by supporting documents, such as plans, list of materials, color samples, photographs, etc. All documents should be in PDF format, except for photographs, which may be in JPEG format. Email the application and supporting material to <a href="mailto:plansustain@dekalbcountyga.gov">plansustain@dekalbcountyga.gov</a> An incomplete application will not be accepted.

Signature of Applicant/Date

Revised 10/5/2020



1 ...

## DEPARTMENT OF PLANNING & SUSTAINABILITY

## Authorization of a Second Party to Apply for a Certificate of Appropriateness

This form is required if the individual making the request is not the owner of the property.

I/We, URC, Inc.	
being owner(s) of the property at 1815 S. Ponic De Le	on Arc Atlanta, 6A 303
being owner(s) of the property at 1815 S. Ponc De le hereby delegate authority to Michael H. Elliott F. of M	Netro Engineing: Surreyi
to file an application for a certificate of appropriateness in my/our beh	O J
Honry M. Wucho.	Chair, CRC, Anc. Trustees
7, 4, 4, 5	Signature of Owner(s)
	June 24, 2021

## Please review the following information

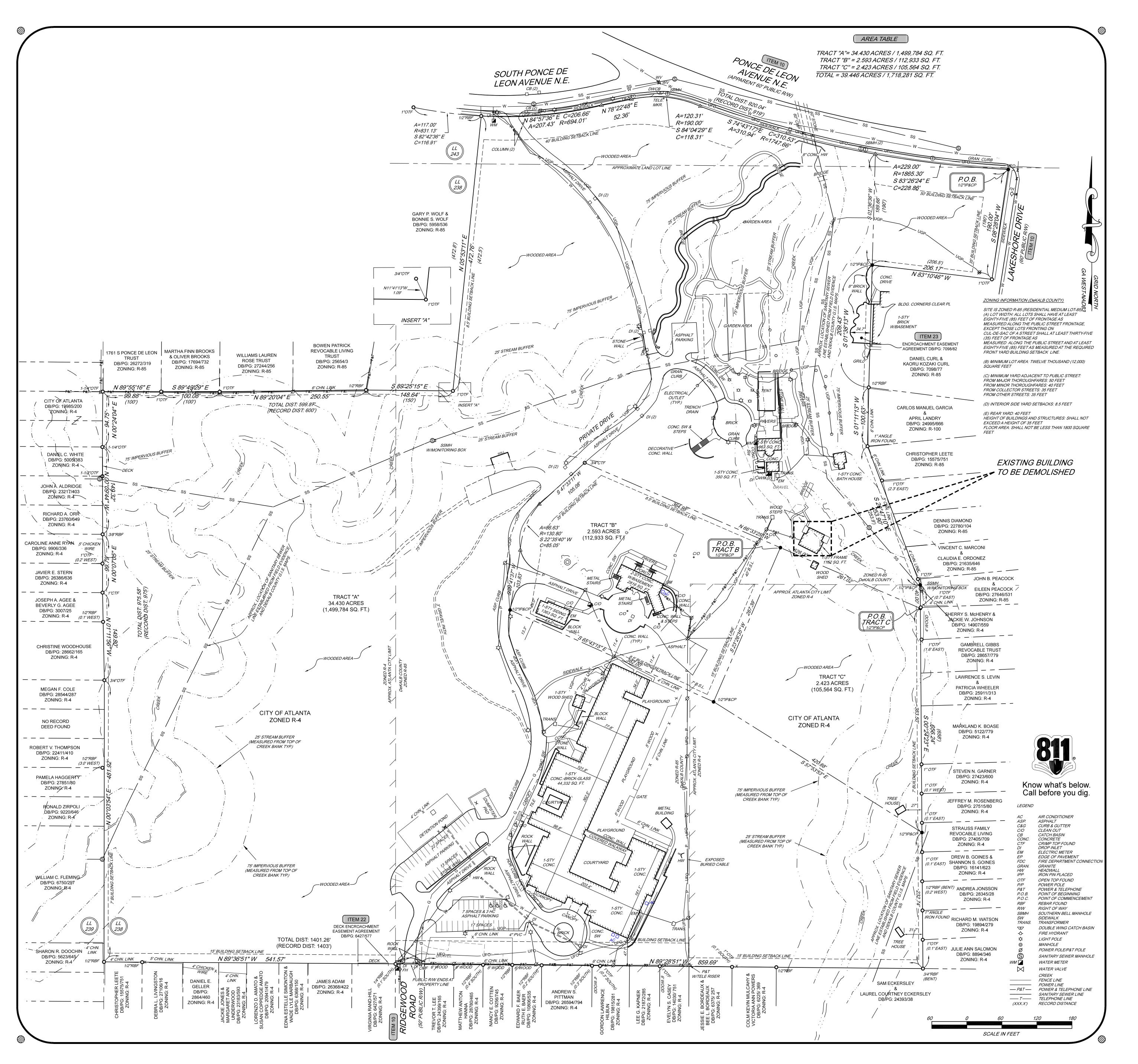
Approval of this Certificate of Appropriateness does not release the recipient from compliance with all other pertinent county, state, and federal regulations.

Before making any changes to your approved plans, contact the preservation planner (404/371- 2155). Some changes may fall within the scope of the existing approval, but others will require review by the preservation commission. If work is performed which is not in accordance with your certificate, a Stop Work Order may be issued.

If your project requires that the county issue a Certificate of Occupancy at the end of construction, an inspection may be made to verify that the work has been completed in accord with the Certificate of Appropriateness. If the work as completed is not the same as that approved in the Certificate of Appropriateness you will not receive a Certificate of Occupancy. You may also be subject to other penalties including fines and/or required demolition of the non-conforming work.

If you do not commence construction within twelve months of the date of approval, your Certificate of Appropriateness will become void and you will need to apply for a new certificate if you still intend to do the work.

Date



## SURVEYORS NOTES

ITS ACCURACY IS 1 FOOT IN 130,373 FEET.

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF 1 FOOT IN 18.316 FEET AND AN ANGULAR ERROR OF 4 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING THE COMPASS RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND

EQUIPMENT AND FIELD SURVEY STATEMENT

 LINEAR MEASUREMENTS AND ANGULAR MEASUREMENTS OBTAINED USING A LEICA TS16 ROBOTIC TOTAL STATION. • FIELD SURVEY WAS COMPLETED ON 12-22-20.

BASED ON GRAPHICAL INTERPRETATION, THIS PROPERTY IS SITUATED IN FLOOD ZONE "X" (AREAS OF MINIMAL FLOOD HAZARD OR 0.2%ANNUAL CHANCE FLOOD HAZARD, AREAS OF 1% ANNUAL FLOOD WITH AVERAGE DEPTH OF LESS THAN ONE FOOT OR WITH DRAINAGE AREAS OF LESS THAN ONE SQUARE MILE) AS DEPICTED BY THE NFIP FLOOD INSURANCE RATE MAP NO. 13089C0064K HAVING AN EFFECTIVE

DATE OF AUGUST 15, 2019. USER OF THIS INFORMATION IS CAUTIONED THAT A MORE PRECISE FLOOD DELINEATION MAY BE NECESSARY.

OVERHEAD AND UNDERGROUND UTILITIES THAT ARE SHOWN HEREON ARE BASED UPON FIELD SURFACE OBSERVATIONS AND AVAILABLE INFORMATION ON HAND AT THE TIME OF THE SURVEY. ONLY UTILITIES THAT WERE VISIBLE AND ACCESSIBLE WERE MEASURED. SITE EXCAVATION WAS NOT PERFORMED IN ANY WAY TO MEASURE ANY SUBSURFACE UTILITY OR FEATURE OF ANY TYPE. NOTICE IS HEREBY GIVEN THAT "KNOW WHATS BELOW. CALL BEFORE YOU DIG." UTILITY LOCATION SERVICE (811) SHOULD BE NOTIFIED PRIOR TO ANY

EXCAVATION OF THE SITE.

STREAMS, BODIES OF WATER, & WETLANDS ALL STREAMS, BODIES OF WATER, AND WETLANDS MAY BE SUBJECT TO STATE, COUNTY, AND LOCAL BUFFERS OR RESTRICTIONS. SURVEYOR MAKES NO INTERPRETATION REGARDING THESE BUFFERS OR RESTRICTIONS. USER OF THIS MAP IS CAUTIONED TO CONSULT WITH THE APPROPRIATE GOVERNING AUTHORITIES CONCERNING POSSIBLE BUFFERS OR RESTRICTIONS.

## <u>ARCHAEOLOGICAL & HISTORIC</u>

UNLESS SHOWN HEREON, NO CEMETERIES, ARCHEOLOGICAL, OR ARCHITECTURAL LANDMARKS ARE KNOWN TO EXIST ON THIS SITE. HOWEVER, SURVEYOR HAS NOT EXCAVATED THE SITE OR CONSULTED WITH A QUALIFIED PROFESSIONAL IN THIS FIELD FOR ABSOLUTE

<u>CERTIFICATION</u> THIS SURVEY WAS PREPARED FOR THE EXCLUSIVE USE FOR THE CLIENT NAMED HEREON AND REPRESENTS A SPECIFIC SCOPE OF

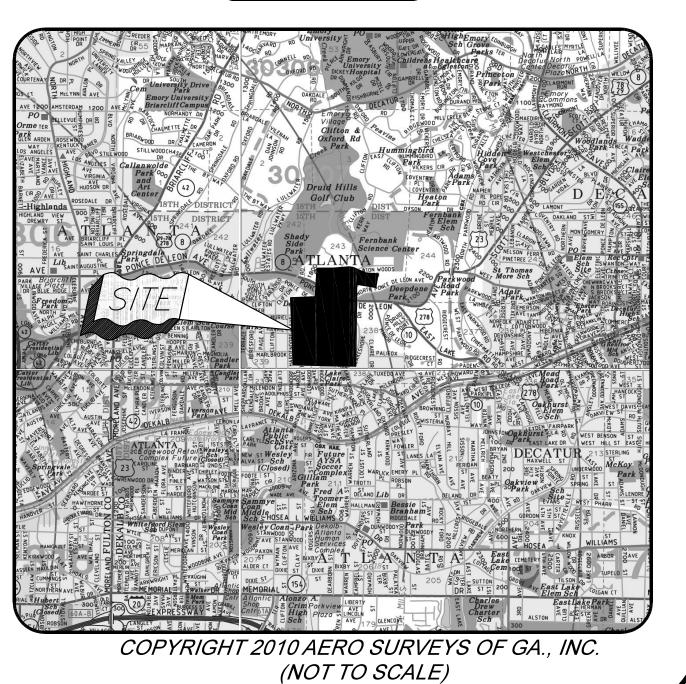
SURVEY FOR THE HOWARD SCHOOL, INC. PREPARED BY JOSEPH KING, DATED SEPTEMBER 31, 1971.

- PROPERTY SURVEY OF CHILDREN'S REHIBILITATION CENTER OF GEORGIA INCORPORATED PREPARED BY L.H. FITZPATRICK DATED MARCH 1961, RECORDED IN PLAT BOOK 209, PAGE 59.
- DEED TO THE CEREBRAL PALSY SCHOOL CLINIC OF ATLANTA, INC. RECORDED IN DEED BOOK 975, PAGE 428.

ALTA SURVEY FOR THE FRAZER CENTER, INC. THE CHELDREN'S REHABILITATION CENTER, INCORPORATED AND CHICAGO TITLE INSURANCE COMPANY BY METRO ENGINEERING AND SURVEYING CO., INC., LAST REVISED 12-16-2009.

HANDICAP SPACES = 5 TOTAL SPACES = 64

## LOCATION MAP



## CERTIFICATE OF APPROPRIATENESS EXHIBIT

CRC, INC.

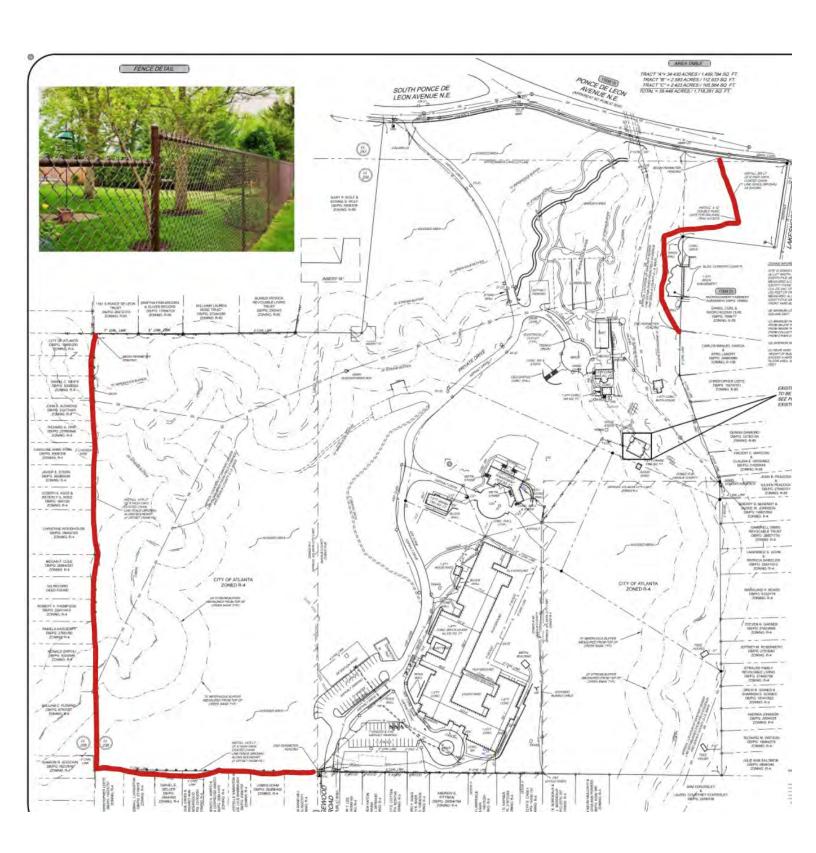
1815 PONCE DE LEON AVENUE ATLANTA, GA.

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DISTRICT: 15th	SCALE: 1"=60'
SECTION: NA	DWN: JCS
COUNTY: HENRY	CHCK: JRG
STATE: GEORGIA	JOB No.: 14989
CITY: CITY OF ATLANTA	FILE: 14989-ALTA-0

FOR THE FIRM METRO ENGINEERING & SURVEYING CO., INC. GA. L.S.F. #00538



Phone: 770-707-0777 - Fax:770-707-0755 www.metro-engineering.com



### **THE CATOR WOOLFORD ESTATE – History and Background:**

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Today, the historic property is still a place of enjoyment, recreation, and solitude – as well as education. It is home to Frazer Center, a pre-school and learning center for children and adults with disabilities, alongside typically developing children, housed in its own facility – two buildings that date from 1959 and 1985. Formerly known as the Atlanta Cerebral Palsy Center, Frazer Center has operated for over 70 years on this site. Frazer Center is a beneficiary of the CRC, Inc. foundation. Since the 1990's Frazer Center has also used the restored formal gardens for special events, renting the "Cator Woolford Gardens" for weddings, dinners, and celebrations, generating event proceeds to fund programs for the school. Atlanta Hospital Hospitality House is also a tenant on the property, utilizing the 1924 mansion home owned by the CRC as a respite lodge for out-of-town families, caregivers, and patients receiving treatment at area hospitals. The 1.25-mile property perimeter is not fenced, and the surrounding community has long accessed the grounds at will.

In 2020, the CRC Foundation determined that the property should be more actively stewarded and enhanced in pursuit of the foundation's mission: "Assist vulnerable children, adults, and families to build their capacity through education, rehabilitation, and exposure to our unique natural environment." The specific how and what of this utilization will continue focus on this mission, however, the trustees' first priority in the world we find ourselves in 2021 is to mitigate the risk presented by the public's unfettered access to the property. Not only are the Trustees keenly aware of ensuring a safe and secure environment for the children and adults who attend Frazer Center and Atlanta Hospital Hospitality House, but equally focused on protecting and preserving this incredible natural environment of piedmont climax forest, manicured gardens, historic buildings, and outdoor features like the 1923 Jacqueland Rock Garden, recognized by the Georgia Trust for Historic Preservation with an Award of Excellence in 2017. The community will continue to be welcomed in ways that align with the foundation's mission and Mr. Woolford's original vision for this remarkable place.

#### **DESCRIPTION OF WORK**

### Cator Woolford Estate Improvements – Phase 1. Improve security throughout the property.

- 1. Remove the abandoned caretaker's cottage behind the garden catering kitchen: A small building was built in the 1960s to house an on-site facilities manager. This was abandoned in the early 2000's, and is now completely uninhabitable overgrown and falling down. The CRC foundation seeks to demolish this hazard.
- 2. Ensure all pedestrian access to the property is through the S. Ponce main entrance or the Ridgecrest Dr. back entrance: With 1.25 miles of perimeter and 54 adjoining property owners, the forest and gardens are susceptible to at will access by any and all. The CRC seeks to limit unfettered access by fencing key stretches of their property and directing pedestrians to use the paved entrances. We want visitors to use our "front door" rather than random access points. Fencing will be unobtrusive, using 6' black commercial steel chain link fence erected in wooded areas. The fence line will meander around trees and topographical features such as streams and ravines that will provide natural barriers. A 4-ft wide path will be cleared of underbrush to enable fence installation. Signage will be installed to direct walkers to enter through the gates.
- 3. Fencing design and placement will be unobtrusive and camouflaged. The CRC intends to make the fence disappear as much as possible within the heavily wooded environment, and to preserve the natural appearance of the forest and woodlands. This approach is in keeping with Mr. Woolford's original vision for the property, using all native plants in the woods, with the best hybrids alongside rare and unusual specimens of Southern varieties inside the Gardens. The placement of the fence at the Lakeshore Dr. and Ponce de Leon Ave. corner will be well off the property line where there is a natural steep grade, enabling the fence to be installed at or below the grade of the sidewalk and behind several large specimen tulip poplars and pines. The access gate will also be placed down in the property, approximately \_\_\_\_\_ feet from the sidewalk and feet below the sidewalk grade.
- 4. The area outside of the fence on the corner of Lakeshore and Ponce will be returned to its former naturalized state. This will include planting a combination of evergreen and deciduous native species that will require little pruning or care and will screen the fence from view. Existing hybrid ornamental shrubs will be relocated to more suitable locations. Plant selections will draw from species already present on the property, including Eastern Hemlock to echo the large notable specimens Mr. Woolford installed in the 1920's. Plants such as American Beech, Red cedar, dwarf magnolias, American Holly, Oakleaf hydrangea, Bottle brush buckeye, Paisley Hawthorn and Washington hawthorn, Loblolly Bay, Possumhaw, and Piedmont and Oconee native azaleas are the kinds of plants we will utilize.

## GARDEN HISTORY OF GEORGIA 1733-1933



Originally published by Peachtree Garden Club, Atlanta - 1933

REPRINTED IN 1976 AS THE BICENTENNIAL PROJECT OF

THE GARDEN CLUB OF GEORGIA INC

## Jacqueland Mr. Cator Woolford Atlanta

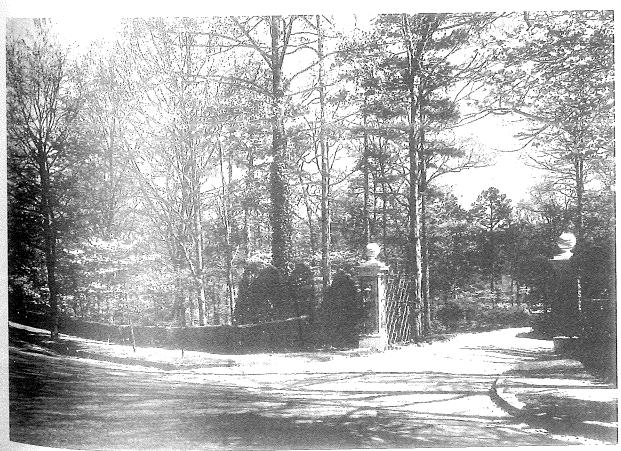
THE gardens at Jacqueland are not old, as gardens go, having been laid out only twelve years ago by Robert B. Cridland of Philadelphia.

On a beautifully implemed hill which rises from a woodland area traversed by bold streams, the house was built to command views of the surrounding terrain. The varied character of the topography gave opportunity for gardens of different types: first and foremost the wild plantings which border the twisting bridle paths along streams and dogwood-shadowed slopes; then in open view from the portico of the house on the hill, the sunken formal gardens, one built around the clubhouse, the other laid beyond a rose hung tennis court. Informal gardens for the cutting rows, vegetable gardens and orchards are on the hillside across the stream which circles the two formal gardens, and on the

hilltop close to the house are elaborate rockeries and a small walled court garden.

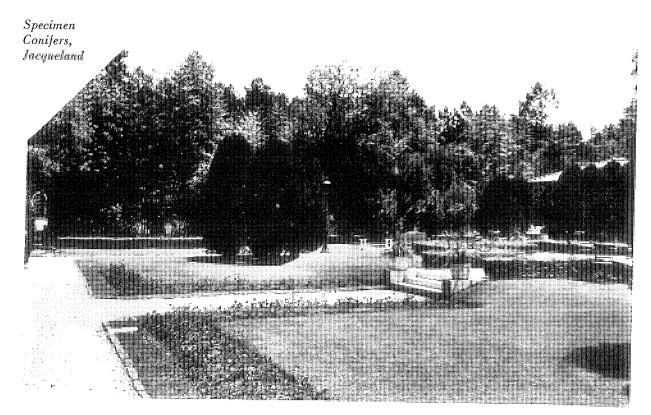
Mr. Woolford's intention in creating his gardens was not only the enjoyment of flowers and shrubs as such, but also to place in the beautiful setting offered by the estate, various types of recreation. With this in mind the tennis courts, swimming pool, the club house with dancing terrace and a miniature golf course were built, all with the advantage of the fine native trees and the planned gardens as background.

Around the larger formal garden are many big pink and white dogwoods which in early spring, against the evergreen of the tall cherry laurel trees and pines at the woodland's edge, give a bouquet effect to the set design of the flower beds. At the two entrances to the garden are wide curved beds

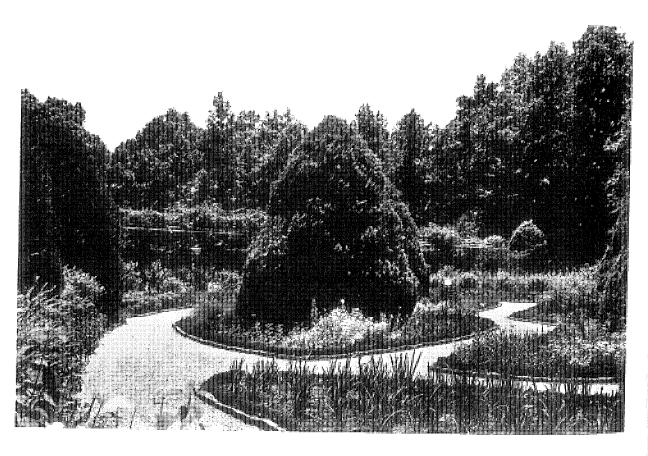


Entrance, Jacqueland

Photo by Resves



Photos by Reeves



Two Seventy-six

of azalea Hinodegiri of notable size, one of the first attempts in the state to grow this type of azalea out of doors. The paths are bordered by lavender German iris interplanted with hyacinths and narcissi, and centering each formal bed is a huge specimen of clipped juniper Ashfordii around which Madonna lilies, delphinium and varicolored peonies are massed. In the shadier beds towards the woods are Japanese and Siberian Iris, fragrant pink viburnum carlesi, lilies of the valley and violas. Dwarf boxwood is used to hedge the inner paths and miscellaneous perennials and annuals furnish color almost the year around, but the supreme days of the garden occur in early April.

The tennis courts between this garden and the club house, which is Italian in architecture, are enclosed by a colonnade with pergola top over which pink and white Cherokee roses clamber and against the columns are tall plantings of sweet bay trees. Around the terrazzo dancing terrace the lawns are enclosed by low privet hedges, the only

color furnished by narrow borders of spring bulbs which are replaced by ageratum and petunias for summer.

Hugging the balustrades of the long flight of steps leading up to the house are thick lines of nandina and juniper pfitzeriana. Azaleas and tulips border a flagstone walk to the rock garden on the upper level where many wild flowers are tucked in among the rhododendron, laurel and leucothoe. Centering the rock garden is a pool for water lilies and gold fish where the fountain spray is tinted by rainbow colored hidden lights.

In the woodsy sections of the grounds, along the streams and bridle paths, the native growth has been augmented by plantations of smoke tree, euonymous, viburnums and English laurels; ivy wraps the bridges of native stone, and clematis hangs from the trees.

The latest addition at Jacqueland is the junior guest house, a tiny early American cottage, set in its own trim garden, a picturesque playground.

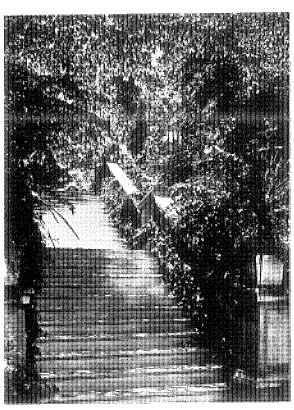


Photo by Reeves



225 CHESTER AVE, ATLANTA, GA 30316 PHONE: 404-522-4097 FAX: 404-681-4909 WWW.TREESATLANTA.ORG

July 29, 2021

Henry M. Wyche Chair, Board of Trustees Children's Rehabilitation Center, Inc.

Trees Atlanta has partnered with the Frazer Center on a comprehensive restoration plan for the Forest at Cator Woolford Estate since 2016. One of the recommendations in that plan is to close unplanned trails on the western side of the forest; these trails have not been built to follow terrain contour and are causing significant erosional concerns. Closing these trails will allow the area to revegetate and stabilize.

An additional concern around too many forest access points is the proliferation of invasive vegetation. One such invasive present in the forest—Japanese chaff flower—is vectored from neighboring greenspaces and properties by human and animal traffic. Reducing the number of forest access points will therefore allow for better management of vegetation.

Some concern has been raised by stakeholders about collateral harms to wildlife and mature trees. It is our considered opinion that a 6-foot chainlink fence, permitted and installed per City of Atlanta regulations, will not cause additional harm. Most wildlife will go over, under, or around such a fence provided it does not completely enclose the forest. The main corridor of wildlife travel in the area is along the creek, and it is Trees Atlanta's understanding that wildlife access along the creek will remain open.

A City of Atlanta fence permit requires assessment of impact to trees. For an assessment of "no trees impacted," the City of Atlanta stipulates that no fence posts will be placed in the structural root plate of any tree, all stringers will be constructed at or above grade (no trenching allowed), and the only soil impact will be to dig posts. It is Trees Atlanta's understanding that CRC, Inc. will acquire and adhere to a fence permit.

While private access to the forest has been open and easy for decades—which is great for the neighbors—such access continues to damage and reduce the quality of the forest. Trees Atlanta understands the desire to balance community access with the need to improve and protect the health of the Forest at Cator Woolford Estate.

Brian Williams Urban Forestry Director Trees Atlanta The message below was sent via email to Ellen Adair Wyche, [public relations representative of the Children's Resource Center Board, (CRC)], on July 27, 2021, following a July 21 meeting with her, CRC Board Member Mike Armstrong, and the Lake Claire Neighbors Land Use Committee.

#### Dear Ellen Adair,

Thank you so much for meeting with the Lake Claire Neighbors Land Use Committee last week. We know everyone has a busy summer and we appreciate you taking time to talk with us about the important work of CRC and its management of the beautiful property that includes the Frazer Center, Hospitality House, Cator Woolford Gardens, and the surrounding old growth forest acreage – a rare and precious ecological landscape in our growing city. We are sorry to hear that the CRC is taking steps toward fencing the property after so many decades without requiring a fence. As neighbors who treasure the land as you do, we stand ready to help resolve your concerns in any way we can. We respectfully request that you delay the construction of a fence while we work together to assess the options for the most effective, lowest cost, long-term solutions for you and the surrounding neighbors.

As we discussed, Lake Claire Neighbors and many individual neighbors have an extensive history of supporting both the mission of CRC and Frazer Center. Generations of neighborhood children have attended preschool at Frazer; many of us have had the pleasure of attending weddings and other events in the gardens; and, thanks to your generosity, in non-COVID times we hold our monthly neighborhood meetings in the Rose Room. We are most appreciative to have long enjoyed the respite and rejuvenation one finds walking along the trails through the forest, catching a glimpse of a red fox, hearing the call of the Barred owls, or (for those fortunate adjacent neighbors) simply viewing the forest from the windows and back porches of our homes.

Lake Claire Neighbors has taken a special interest in the forest and over the years we have sought ways to be better neighbors and stewards of the forest. Recognizing the forest as an ecological treasure, we established Friends of the Frazer Forest in the early 2000s. For years we sponsored workdays with local neighbors, high school groups, and Boy Scouts to remove invasive plants, add mulch and water bars to trails, install sandbags to slow erosion along creek banks, and we earmarked donations to support restoration in the forest. More recently, following a period of less engagement, we helped organize and publicize volunteer and education efforts led by EcoAddendum and Trees Atlanta. Adjacent neighbors on the eastern side of the property also monitor and clear debris to ensure the free flow of the waters of Lullwater Creek [correction: Peavine Creek, South Fork].

Years ago, with a growing awareness of the special nature of the old growth forest – as well as the problems created by stormwater runoff from surrounding areas -- a group of neighbors spear-headed the effort for the City of Atlanta to acquire and protect greenspace on Harold Avenue adjacent to the property. One hundred residents attended the hearing at City Hall in 2005 which led to protection of the greenspace and its spring-fed tributary that flows into the forest. In 2008, the community also organized and raised matching funds to preserve the wooded slope above Lullwater Creek [correction: Peavine Creek, South Fork] (and increase Lake Claire Park by 18%), thereby reducing stormwater impact to the stream which flows onto CRC property.

Sadly, we understand that not all neighbors have been sensitive neighbors and not all visitors to the forest have given it the full respect it deserves as an environmental treasure – and as private property. However, we stand ready to help identify, assess, and find solutions for current problems in the forest, whether with volunteer labor, distribution of educational materials and publications, door-to-door outreach, or other means.

Thank you again for meeting with us. We look forward to continuing the discussion with you, adjacent neighbors, and the larger community.

Sincerely,

Lake Claire Neighbors Land Use Committee

Joe Agee, President Lake Claire Neighbors Carol Holliday, VP-Planning / NPU-N Representative Beth Grashof, VP-Zoning Kathy Evans, Member Children's Rehabilitation Center,

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Adjacent or nearby property?		

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Address 542 Lakeshove Dr. Adjacent or nearby property?	

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Signature(s)):

Adjacent or nearby property? Nearby

/ Date: 8/8/21

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Address 474 Lakeshore Dr.		<del></del>
Adjacent or nearby property? Nelyby		3

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Address 465 LA Kushin A	) nuche

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Stell Symonton	
Warreng y	Date: 8-11-202
Address 1786 Marebrook Dr. Adjacent or nearby property?adjacent	

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Address _	617	4 kerdydor6	the we		
Adjacent	or nearby prop	perty? Nearly	7		-1

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Swah E. Wynn	
_ 2m y C. V y N	/ Date: 8 9 4
	/ Date:
Address 585 Hwold Ave	CENT, atlanta GA 30307
Adjacent or nearby property?aoya_	cent

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Signature(s)):	agent	/ Date: $Ag$	7,2021	
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Address 531 Ho	unold Ave			
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Daspon	/ Date:	8/9/21
David Kastr	/ Date:	8/9/21
Address 632 Hardendorf Adjacent or hearby property?		

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Yee	Silles	PS	/ Date:	3/8/2021	
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			Drise NE At	lanta, GA	30307
Adjacent or	nearby property?	Nearbo	1 home		

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Zligateur Peacoela	Date: 8/13/2
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Signature(s)):

Adjacent or nearby property? Adjacent

Bunkly For 10 me: As 5 2021

Address 590 Lakeson D. NE

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address lels Harold Are NE	
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Signature(s)):		
11/1-		/Date:/11/2
Mak	Hoeyels	Date: 8/11/21
Address 545 H	torold Ave NE	Atlanta GA
Adjacent or nearby propert	v? Adjacent	

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Chiza Ser	
Address 536 HARDENDORG AVE	NE
Adjacent or nearby property?	

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Dally Ser	/ Date:/ 8   202
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Otherwise Pater Date: 8/13/202 (

Address 182 Fibrania Ave Armia 30307

Adjacent or nearby property? News 6

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Casey teh	/ Date: 8/11/24
9- PS	/ Date: 8/11/2)
Address 621 Harold Ave	
Adjacent or nearby property?	

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My	- A. Ju. /	/Date:
		/ Date:
Address	622 HANGED AVE NE	
Adjacent op	nearby property?	

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Signature	a (	9		/ Date:	8/7/21
-				_/ Date:	
Address	490	Lakeshore	Drive		
Adjacent o	r nearby pro	perty?			_

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Signature(s)):		
Launud Javin	/ Date: 8/8/20	2/
Petricia Wheel	Date: 8/8/202	2/
Address 548 LAKESHORE	DRNE	
Adjacent or nearby property? AD JAC	ent	

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Signature(s)):	/ Date: 8/8/21
Righ Regnold	
Address 416 Lake Shore Adjacent or nearby property? Nearby	Dr NE A+1 30307

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Address 433 Lakeshote Dr NE; attanta, 6 30307

Adjacent or nearby property? Nearby

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allyon Stran	/ Date: 8/7/2/
29	/ Date: 8/7/21
Address 522 La Keshore Dr. NE Adjacent or nearby property? adjacent	

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Tim Salaum	/ Date: 8/8/2	1
Gulu a Salonon	/ Date: 8/8/	21
Address 502 LAKESHORE PRIVE		
Adjacent or nearby property? _ A DJACENT		

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Signature(s)	idrey Godies	/ Date:/2(
Rem	i MO	/ Date: 811/121
Address	1760 Mar Ibraok Dn.	

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Cum (lisa PHanen)	
	/ Date:
Address 1838 Maribinale Dr. NE	

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Kut	ctams	/ Date:
		/ Date:
Address	525 Hordenderf fre, NE	
Adjacent or	nearby property?	

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Signature(s)):		_ / Date: _	1/15/21
		/ Date:	
Address 477 Rodgewood Adjacent ok nearby property?	Rd		-

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~ .	LAROLD AVENUE.	

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AASAR_	/ Date: 8/15/2/
	/ Date:
Address 525 Hardindert Mr, NE Adjacent or nearby property? Nearby	

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Adjacent or nearby property? ADSACENT

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Cianatura/all.

k		nett Betson	/ Date:	081521
			/ Date:	
Address	406	Lakeshore		
Adjacent or	nearby prope	erty?		

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Signatura/all.

Debouh S. Wel	
	/ Date:
Address 480 Lakeshore Drive NE Adjacent or nearby property? Nearby	Atlanta Georgia 30307

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Thank you.

Signatura/cl.

Cuchi Ju	/ Date: _	8/7/21
Walter Judy	/ Date: _	8/7/21
Address 486 Lateshore Dr		_
Adjacent or nearby property? Wearby		_

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<u>d</u>	dy H	ammach	/ Date: _	8 Angust 2021
			/ Date:	
		Lakeshore Dr NE	AlCanta,	GA 3030 7
Adjacent	or nearby p	property? Newby		_

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	Signature(s)):		1		
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				/ Date:	
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/ Date: 8-15-21
/ Date:

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Signature(s)):	
Michael. Craven	_/ Date: 14AUG 2021
Swan Wagner- Craver	/ Date: 8-14-21
Address 561 Lateshore Dr	
Adjacent or nearby property?	

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Jarah E	Herbert	/Date:8/N	1002
Address 486	Didgewood  perty? yet au  lear of	Rd NE I house out	

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Signature(s)):	/ Date:	8/12/21
Nora Rosenberg	/ Date:	8/14/21
Address 526 LAKESHORE Adjacent or nearby property? Adjacen	DR NE	