

LEGACY | DECATUR

BOARD OF DIRECTORS

JULY 22, 2021

5:30 P.M.

In Person Meeting -- 500 S. Columbia Drive--Administration Building Auditorium

(Masks will be Required)

AGENDA

A tour of select buildings will be offered at 4:00 p.m. – meet at Administration Building

1. Call to Order
2. Approval of Minutes of the May 27, 2021 regular meeting and the July 6, 2021 called meeting
3. Action Items

- Support for independent status for the Decatur Land Trust

The Decatur Land Trust has requested support of their plan to move forward with the necessary steps to establish themselves as an independent non-profit organization. They currently exist under the umbrella of Legacy Decatur. The Decatur Land Trust made a presentation to the Legacy Board at the May 27th Board Meeting.

Staff recommends supporting the request from the Decatur Land Trust to move forward with independent status.

- Lease with the Refugee Women’s Network for Williams Cottage and a portion of the kitchen spaces in the Hawkins Building. Williams Cottage will provide office space and a conference room for the organization. The commercial kitchen space will be used for food service training and for their Chef’s Club, an entrepreneurial program for aspiring chefs. The term of the lease is for a 3-year period.

Staff recommends authorization for the executive director to facilitate the execution of a lease as outlined.

- Lease with Wild Nest for Hemphill Cottage. Wild Nest is a non-profit bird rescue and rehabilitation center. The building will provide a small office space for the program and be used to care for nestlings and injured birds in preparation for reintroduction into the wild. A small aviary may be constructed within the fenced yard area of the cottage to

serve as a transition area for birds prior to release. The term of the lease is for a 3-year period.

Staff recommends approval and authorization for the executive director to pursue the execution of a lease as outlined

4. Updates on other Legacy Park Projects

- Creative Village
- Barn Stabilization
- Sheddon Cottage
- Site Improvements
- Affordable Housing Update
- Invasive plant removal project

5. Additional Business

6. Adjourn

MINUTES

LEGACY DECATUR BOARD OF DIRECTORS

May 27, 2021

The regular board meeting of the Legacy Decatur Board was called to order by Chair Tony Powers. Other board members attending: Andrea Arnold, Mark Arnold, Ed Bowen, Mark Ethun, Patti Garrett, Paul Mitchell and Brian Smith.

Board members were asked to approve the minutes from the March 25, 2021, regular meeting. On a motion by Andrea Arnold, second by Ed Bowen, and all voting aye, the board approved the minutes as presented.

Lyn Menne introduced Alan McNabb and Kristin Allin representing the Decatur Land Trust to present a request to move forward with becoming an independent non-profit organization. When the Land Trust was originally created, it was established under the Decatur Legacy Project's 501c3 status. The purpose and role that a Land Trust played in retaining and developing affordable housing aligned with the mission of the Decatur Legacy Project (d/b/a Legacy Decatur). However, it was always intended that the Decatur Land Trust would move forward as a separate organization. Mr. McNabb outlined the request in a PowerPoint presentation that was recently given to the Decatur City Commission. The Legacy Decatur board asked clarifying questions which Mr. McNabb and Ms. Allin answered. The Legacy Decatur board agreed to place the request on the action agenda for the July 22, 2021, board meeting.

Lyn Menne introduced Andrew MacIntosh to outline a proposed Eagle Scout project that would assist in the renovation of the Stone Dairy Barn for use as an open-air classroom and pavilion space. Mr. MacIntosh explained that his project would include cleaning the interior of the barn space, building and installing shutters for the window openings and removing invasive materials around the barn building. His project includes organizing other scouts and working with adult volunteers to get the work accomplished. Allen Mast expressed support for the plan and Tony Powers offered any resources his company could provide. Mark Ethun stated that he is an Eagle Scout and wanted to encourage us to install a small plaque recognizing the work of the scouts on the project. He said he saw similar plaques along a trail in North Carolina noting Eagle Scout projects and said that having this type of historical reference for this project and others to come would establish an important record. Patti Garrett asked about the timing for the project. Mr. MacIntosh reported that he had to get approval from his troop leadership and the Atlanta District leadership but hoped to have approval to start the work in July.

On a motion by Mark Ethun, second by Allen Mast, and all voting aye, the board approved the Eagle Scout project as presented and thanked Mr. MacIntosh for his interest.

Lyn Menne presented a request to approve a reallocation of capital funds to expand the number of buildings that could be repaired and leased at Legacy Park. She reminded board members that our original capital project budget recommendation for FY22 submitted to the City included funds for the full renovation of the barn in addition to the \$150,000 for stabilization work on the barn included in the current FY21 budget. These capital funds are included in the PFA (Public

Facilities Fund) in the City of Decatur budget. Our role is to make recommendations to the city manager, but final approval is made by the Decatur City Commission.

Ms. Menne explained that after our recommendation was submitted, we identified several tenant prospects for other buildings on the property that required some capital investment. As she and the city manager continued to work on a final budget proposal, the concept of scaling back work on the barn to create an open-air classroom/pavilion concept was identified. This approach offered an opportunity to upgrade and make it available for use at a lower cost making capital funds available for other buildings. The final budget reallocated some funding to Sheddon Cottage and identified remaining funds for capital improvements without a specific allocation for specific buildings.

On a motion by Patti Garrett, second by Ed Bowen, and all voting aye, the board supported the reallocation of capital funds as presented.

Madeleine Henner provided an overview of proposed policies, rates and forms related to event and festival rentals. There was discussion related to the difference between general event rentals and wedding rentals and considerations being taken to assure the noise ordinance is respected. Ms. Garrett pointed out that rentals should follow City Covid restrictions in place in the City. Ms. Menne reported that we are working closely with city staff to assure that similar policies are followed.

On a motion by Ed Bowen, second by Allen Mast, and all voting aye, the board approved the short-term rental policies, rates and forms for events and festivals as presented.

Lyn Menne presented a recommendation to create a hybrid approach for addressing adherence to the leash law at Legacy Park. There have been some complaints about off-leash dogs in the conservation area. However, as Ms. Menne stated, there has been a long-standing tradition of allowing off lease dogs on the property. The goal is to find a compromise that sets an expectation for the behavior of dogs and their owners, allows for some off-leash areas and creates a space that all can enjoy. The recommendation as presented includes requiring that all dogs be on a leash in the front campus area west of the wooden fence; allowing dogs under "Voice Command" to be off lease in the area located east of the wooden fence; and prohibiting dogs on athletic fields and in areas specifically designated as a "no dog" area. The trial period would be for a period of 60 days and notices will be placed throughout the property by June 1, 2021.

There was considerable discussion around the recommendation and the pros and cons of this approach. On a motion by Allen Mast, second by Brian Smith, and eight members voting aye and Mark Ethun voting nay, the board accepted the recommendation of the executive director for a 60-day trial period as outlined.

Lyn Menne offered several updates on projects. We want to move forward with the signage and branding project and plan to send a questionnaire to the board for their input. She reported that we are working several lease proposals for individual buildings on the property. She will

update the master plan committee and hopes to bring lease proposals to the board by the July board meeting. The proposed tenants meet the vision and goals for the property and will generate rental revenue with limited investment required. She reported that a \$145,000 grant was submitted to the DeKalb County Community Development Dept for CDBG funding to help construct an accessible and inclusive playground at Legacy Park. We also submitted a \$210,000 grant application to assist with upgrades to the four cottages in the "Creative Village" area to allow us to create affordable apartments and art studios. We are working with the Decatur Arts Alliance to identify local sponsors to fund upgrades in two of the buildings that would allow us to create seven affordable apartments by the end of 2021. Global Growers Network recently received a \$40,000 grant to improve their garden at Legacy Park. The grant was received from Tito's Vodka. We expect representatives from Tito's to visit the park in September. Finally, Ms. Menne reported that she will begin to work with city staff to create a Request for Proposals for the North Village Affordable Housing Village.

Finally, Ms. Menne reported that the Truckin Tuesdays event has been successful. We netted 2,200 in beer and wine sales and thanked Decatur Package Store, Oakhurst Market and Three Taverns Brewery for their support. Tony Powers asked if we could have more control over the number and the selection offered by food trucks when the event returns in September. Ms. Menne reported that we are looking at opportunities to gain more control over that issue.

She asked the board to consider allocating \$1000 from the beer and wine sale at Truckin Tuesday to be spent on the wedding "ready" room Madeleine is creating in Williams Cottage. We are trying to do it as cheaply as possible but need some money to reupholster furniture and purchase other items for the space. We did not include funding for this project in our current budget.

On a motion by Allen Mast, second by Patti Garrett, and all board members voting aye, the board authorized allocating \$1,000 of the \$2,200 netted from beer and wine sales for expenses in the "ready" room.

Allen Mast expressed appreciation for the progress being made and the reports presented at the meeting and other members expressed their enthusiasm as well.

There was no further business, and the meeting was adjourned.

MINUTES

LEGACY DECATUR BOARD OF DIRECTORS – Called Meeting

July 6, 2021

The called meeting of the Legacy Decatur Board was called to order by Chair Tony Powers. Other board members attending: Andrea Arnold, Mark Arnold, Ed Bowen, Patti Garrett, and Paul Mitchell. Also attending: Lyn Menne, Madeleine Henner and Maura Nicholson (representing the Frank Hamilton School).

Ms. Menne presented a recommendation to approve a lease with the Frank Hamilton School for the use of the Gillespie Building at Legacy Park. The Frank Hamilton School is a non-profit organization modeled after the Old Town Music School in Chicago which was co-founded by Frank Hamilton. Mr. Hamilton is also involved with the Frank Hamilton School in Atlanta. The school's mission is to expand appreciation of traditional the American Folk Music genre and provide classes that provide instruction on traditional instruments. The school currently offers classes in space rented at Oakhurst Baptist Church.

A summary of the proposed lease was provided:

- Gillespie was built as an elementary school and includes 3200 sf of space
- Proposed rate for exclusive use of the space would be \$10 sf or \$32,000 per year
- Frank Hamilton School currently pays \$24,000 per year for the existing space and asked for this rate for the first year.
- The lease is for non-exclusive use allowing additional rentals when the school is not offering classes to help make up the difference.
- Legacy Decatur will upgrade one bathroom to meet ADA requirements, make minor improvements to the front access to make it accessible and will install a new HVAC system to replace one that no longer functions (already included in capital budget)
- The Frank Hamilton School will make interior cosmetic improvements as required and maintain landscaping around the building.
- The Frank Hamilton School will offer free concerts and jams at the property throughout the year in coordination with Legacy Decatur staff
- The lease is effective August 1, 2021, for a three-year term


There was discussion related to how the rent would be handled should outside rentals not make up the difference in the annual income after the first year. Ms. Menne stated that she would work with our attorney to clarify this situation in the rent. Her recommendation is that the lease would be set to meet the exclusive rate for the 2nd and 3rd year.

On a motion by Ed Bowen, second by Patti Garrett and all voting aye, the board authorized the executive director to work with the attorney and the city manager to execute a lease with the Frank Hamilton School as presented and with the clarifications requested.

There was no further business, and the meeting was adjourned.

LEGACY | DECATUR

MEMORANDUM

TO: LEGACY DECATUR BOARD OF DIRECTORS
FROM: LYN MENNE, EXECUTIVE DIRECTOR 
RE: REQUEST FROM DECATUR LAND TRUST
DATE: JULY 16, 2021

The purpose of this memorandum is to present a request from the Decatur Land Trust to move forward with plans to become an independent non-profit organization. As presented at the Legacy Board's May board meeting earlier this year. The Land Trust was created under the umbrella of the Legacy Decatur organization until they felt ready to move forward as a separate organization. They would like to move forward with that plan.

We anticipate supporting the work of the Decatur Land Trust in the future as we do other community programs and partners that align with our mission. I recommend support this request from the Decatur Land Trust to move forward with the steps necessary to become an independent, non-profit organization.

MEMORANDUM

TO: Andrea Arnold, City Manager

**FROM: Linda Bryant Curry, Acting Chair
Decatur Land Trust Board**

RE: Proposed Independent Status

**CC: Angela Threadgill
Kristin Allin**

The Decatur Land Trust was initially set up under the non-profit umbrella of Legacy Decatur. The original board was appointed by the Decatur City Commission to represent various skill-sets critical to a Land Trust and set about researching and developing policies related to land leases and target markets. The long-term plan for the Decatur Land Trust (DLT) was for it to operate as an independent organization. Our board is ready to move forward with this step.

Creating the DLT as its own entity will further the goal of creating permanent and sustainable, affordable housing throughout Decatur. The creation of an affordable housing fellow position at the City of Decatur provided the staff support needed to take this next step. Our board has created a set of by-laws and related documents necessary to apply for non-profit status. We are seeking the support of the Decatur City Commission for this action.

While the DLT would exist as an independent organization, it would continue to work in partnership with the City of Decatur to contribute to the building and preservation of safe, decent and affordable housing for low- and moderate-income residents in the City of Decatur. We anticipate that the City will provide staff support to the DLT and that the City would have representation on our expanded board of directors. An independent and well-run land trust will provide this support in a manner which minimizes displacement of existing residents; will acquire, develop, manage, transfer, steward, and/or use land for permanently affordable housing; and will provide for the development, rehabilitation, and maintenance of affordable housing and any incidental services related to such affordable housing, such as homebuyer education and housing counseling.

The responsibilities of a land trust are both long-term and complex. By the very nature of its mission, a community land trust commits itself not only to acquiring significant real estate holdings on behalf of a community but also to a set of very long-term responsibilities that are necessarily entailed by those holdings. These long-term responsibilities distinguish community land trusts from other nonprofit housing organizations. They include ongoing responsibility to the community for the care of land and housing, an ongoing concern for the wellbeing of the residents of the land and housing (and particularly homeowners), an ongoing responsibility for the preservation of public subsidies, and an ongoing responsibility to the Community Land Trust movement as a whole.

As recommendation number eleven in the 2020 Affordable Housing Task Force Report, the report details the need for the City Commission to act to build and fund capacity of the DLT so that it may identify specific programs to execute with the goal furthering affordable homeownership throughout the City of Decatur by removing vulnerable properties from the speculative land market. The DLT has three pending projects which underscore the need for this entity to form its own nonprofit status in order to accept land, funding, and to execute its own contracts regarding the ownership and oversight of these projects. The pending projects include:

The Cottage Courts development at 230 Commerce Drive, slated to include 4-6 affordable home ownership opportunities;

Five parcels of City-owned property, scattered throughout Decatur, that may be adequate to support construction of small, affordable homes;

Three condominium units in a proposed conversion condominium to be located at 108 Park Place to be deeded to the DLT as part of Decatur's Mandatory Inclusionary Housing Policy.

As its own non-profit organization, the DLT will have the ability to apply for funding specific to the furtherance of permanent affordability of housing in Decatur. The DLT will be able to operate to purchase existing older homes, condominium units, townhomes and apartments and to permanently preserve their affordability. The DLT will also have the ability to participate in the construction of new affordable homes, with the land deeded to the DLT. Although affordable home ownership is the primary objective of the DLT, it will also have the ability to purchase existing naturally occurring affordable housing (NOAH) units in an effort to prevent these units from becoming new, market rate developments. Other potential projects may include the purchase from private developers or development of deed restrictions for IZ properties, development of an ADU pilot program, and the development of a "life-estate" program.


Although the DLT will continue to work closely with Legacy Decatur, which has the capacity to act as a convener and supporter of other city-based non-profit organizations, the DLT Board feels the goals of both organizations to support the development of affordable housing throughout the City would best be accomplished through an independent land trust. We intend to submit this request to the Legacy Decatur board as well and believe that their role in the implementation of the community's vision and goals for the 77-acre Decatur Legacy Park offer several opportunities for our two organizations to partner on projects there in the future

As housing and land prices continue to increase in Decatur, and as home ownership and rental opportunities are further and further out of the reach of our local workers and residents, the time is now to act in furtherance of affordable homeownership and permanent affordability. Establishing the DLT as a separate legal entity devoted to these objectives is a large and necessary step to address the urgent need to build, preserve and protect affordability.

We, the DLT Board, appreciate the full consideration of the Decatur City Commission in this endeavor to establish an independent DLT.

LEGACY | DECATUR

MEMORANDUM

TO: LEGACY DECATUR BOARD OF DIRECTORS
FROM: LYN MENNE, EXECUTIVE DIRECTOR 
RE: BUILDING LEASES AT LEGACY PARK
DATE: JULY 16, 2021

The purpose of this memorandum is to present a summary of two leases proposed for buildings at Legacy Park. The specifics of each lease can be found on the attached page and negotiated over the past several months with tenant prospects in coordination with the Legacy Decatur attorney. Details of the lease were presented and reviewed by the Master Plan Committees as part of the negotiation process.

The first lease is with the Refugee Women's Network for use of Williams Cottage. The RWN is a non-profit organization that provides support, leadership training and economic development instruction for refugee women in the area. The building will serve as offices for their organization and provide some space for classes and training for the women they serve. The lease also includes use of two of the three commercial kitchen spaces in Hawkins Hall (Dining Hall). The kitchens would be upgraded by RWN for use as a training kitchen and to house their Chefs Club program which assists women entrepreneurs interested in opening restaurants. The lease term will be for three years.

The second lease is with Wild Nest for Hemphill Cottage. Wild Nest is a non-profit established to provide care and rehabilitation for wild birds, a goal of releasing them back to the wild. Originally created under the umbrella of the Georgia Audubon, Wild Nest now exists as an independent non-profit. The building will provide a small office for staff and volunteers, and space to house injured birds and nestlings and provide needed medical care. Plans include the construction of a small aviary adjacent to the cottage in the future to provide a transition for birds being prepared for release. In most cases, birds will be released near the areas where they were found. The lease term will be for three years.

Both of these organizations are compatible with the vision of the Legacy Park Master Plan. The proposed uses engage a diverse community and offer a variety of programs at the property. They allow us to repurpose existing buildings on the property in ways that respect the historic character of the buildings and generate rental revenue in support of Legacy Park operations. I recommend authorization to move forward with executing leases with the Refugee Women's Network and Wild Nest as outlined in the attached summary.

Summary of Proposed Leases for Williams Cottage, Commercial Kitchen Space and Hemphill Cottage

July 22, 2021

Refugee Women's Network: Non-profit providing training and support for refugee women in the community.

Williams Cottage:

- Exclusive use of 3700 sf of Williams Cottage for three years
- Initial rent at \$10 a sf for a total annual rent of \$37,000 with 3% annual escalation
- Legacy Decatur retains use of front apartment to the left of the entry foyer which totals 500 sf to be used as a "ready" room for weddings scheduled in the Chapel
- Tenant will be provided with a two-month rent abatement to assist with move in and interior upgrades
- Tenant responsible for interior, cosmetic improvements
- Tenant has the opportunity to sublease the back apartment and kitchen area to another non-profit program similar to their mission upon the approval of Legacy Decatur as outlined in the lease document
- Legacy Decatur will upgrade one bathroom to meet ADA requirements and construct a ramp at the exit door at the northern façade of the building.
- Lease to be effective October 1, 2021

Commercial Kitchen:

- Exclusive use of two commercial kitchen spaces located to the north side of Hawkins Building (Dining Hall) equal to 1600 sf.
- Initial rent at \$10/sf is \$16,000 for the first year with 3% increases for 2nd and 3rd year.
- Lease does not include area identified as the prep kitchen immediately adjoining the dining hall or the storage room that opens to the dining room.
- Lease includes three months rent abatement to assist with cost of interior improvements and allow for necessary landlord upgrades.
- Lease effective October 1, 2021
- Tenant accepts the equipment as is and is responsible for the repair or installation of all required equipment and the required permitting of the commercial kitchen spaces covered by this lease.
- Legacy Decatur agrees to create a bathroom in the space for the exclusive use of the space, upgrade the loading dock to include a ramp and stairs from the parking lot to create a separate entrance to the area; and upgrade the grease trap to meet current code, if the costs do not exceed the \$50,000 the funding available for this project.

Wild Nest: Non-profit providing care, rehabilitation and eventual release of wild birds rescued in the metropolitan Atlanta area.

Hemphill Cottage:

- Exclusive use of 2200 sf cottage
- Initial rent at \$10/sf is \$22,000 for the first year with 3% increases for 2nd and 3rd year.
- Tenant accepts the building as is
- Lease offers 3 months of rent abatement to allow for interior upgrades and move
- Tenant agrees to provide protection for wooden floors to be approved by the manager
- Tenant agrees to maintain landscaping around the building and remove invasives in coordination with the manager
- Tenant may construct a small aviary in the lawn area near the building with the approval of the manager.