



CITY OF ATLANTA

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JAMES SHELBY
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STAFF REPORT

October 23, 2013

Agenda Item: Review and Comment (RC-13-249) for site work and alterations at **100 Flat Shoals Avenue (Lang-Carson Park)** – Property is zoned R-5 / Beltline.

Applicant: Fred Cartwright
233 Peachtree Street

Facts: In 2011, the Commission reviewed and commented on the proposed Master Plan for Lang-Carson Park, which was developed as part of the Beltline's Subarea 4 master planning process. The Review and Comment before the Commission as this time is the demolition of existing seating and retaining walls within an open air pavilion and their replacement with additional flat paved area and new retaining walls.

Analysis: The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

(4) The commission shall review the proposed location and design of any proposed park and any plan or proposal for the relocation or significant change, alteration or addition to any existing park.

It is not clear in the submission if there are any programmatic reasons for the project. It is clear that there are physical reasons for the project, including what appears to be the slumping of concrete sidewalks on one side of the pavilion and deterioration of the railroad ties that creates the seating under the pavilion. If the existing seating is not going to be replaced, the Staff presumes that the lack of replacement seating is based on an analysis of the use of the open air pavilion and that such seating is no longer needed.

Further, while the Staff understands that some of the retaining walls to be replaced are already modular concrete block, the Staff would still recommend a wall treatment that will provide a higher quality and more permanent looking appearance to the retaining walls, both new and replacement.

Lastly, a portion of the retaining wall outside the pavilion will have a chain link fence on top of it, but it is not clear if 42 in. pipe railing shown on the details page of the plan set will be used along the part of the new retaining wall along the long side of the pavilion, which is the tallest portion of the new retaining wall.

Staff Recommendation: Staff recommends that the Commission confirm that it has delivered its comments at the Commission meeting on Review and Comment (RC-13-249) for site work and alterations at **100 Flat Shoals Avenue (Lang-Carson Park)**



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October 23, 2013

Agenda Item: Application for a Type III Certificates of Appropriateness (CA3-13-250) for alterations and an addition at **121 Pearl Street** – Property is zoned Cabbagetown Landmark District (Subarea 3).

Applicant: Jim Cheeks
949 North Ormewood Park Drive

Facts: This single-family dwelling was built in 1915 and is considered contributing.

Analysis: The following code sections apply to this application:
Per Section 16-20.007

- (a) *When Required, Generally:* In addition to other permits which are required pursuant to any city ordinance, and in addition to any certificate of appropriateness which may be required pursuant to any other landmark or historic building, site or district regulation contained in part 16 of the Code of Ordinances, certificates of appropriateness shall, unless provided otherwise in the detailed regulations governing Landmark or Historic Districts contained within a designation ordinance as provided in section 16-20.006 of the Code of Ordinances, be required for any of the following actions within each of the following categories:
- (3) *Landmark Districts:*
- (a) To change the exterior appearance of any structure within any Landmark District;
 - (b) To erect any new structure or to make an addition to any structure within a Landmark District;
 - (c) To demolish or move any structure, in whole or in part, within a Landmark District; or

Per Section 16-20.009. Same; further standards.

In deciding individual applications for certificates of appropriateness, the commission shall be guided by the purposes set forth in section 16-20.001, by findings contained in ordinances designating buildings and sites for protection, by purposes and objectives which are contained within individual Landmark and Historic District regulations, and by findings contained in reports prepared in support of Landmark and Historic District regulations as are required in article D of chapter 4 of part 6. Furthermore, in considering whether to grant approval, conditional approval or denial of an application for a type II or type III certificate of appropriateness, the commission shall apply the following standards:

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (3) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.

- (4) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, object or site shall be kept where possible.
- (5) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- (6) Wherever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

Per Section 16-20A.005. Certificates of appropriateness.

Certificates of appropriateness within this district shall be required as follows:

(1) *When required:*

To change the exterior appearance of any portion of a structure within the district

(2) *Type required:*

b) If the proposed alteration for minor façade alterations, fences, walls, accessory structures, decks, paving and satellite dishes meets the requirements of section 16-20A.006, section 16-20A.007, section 16-20A.008, section 16-20A.009, section 16-20A.010, and section 16-20A.011, as applicable, then the director of the commission shall issue the Type II Certificate

Sec. 16-20A.006. General regulations.

The following regulations shall apply to more than one subarea in the Cabbagetown Landmark District, which includes all five (5) subareas. Certificates of Appropriateness required above shall be obtained from the commission or the director, as applicable, in accordance with the following regulations:

- (1) *Minimum standards.* These regulations constitute the minimum standards that shall be followed and shall be applied by the commission and director.
- (2) *The commission shall apply the standards in section 16-20.009 only if the standards set forth elsewhere in this Chapter 20A do not specifically address the application.*
- (3) *Applications.* Materials necessary for complete review of an application shall be submitted with the application as set forth by the director. In addition, a scaled site plan showing all improvements, photographs of existing conditions and adjoining properties, and elevation drawings of all improvements shall be submitted for all Type III Certificate of Appropriateness applications. For new construction of a principal building, the application shall also include a scaled drawing showing all front yard setbacks, heights of, and widths of, and the distances between all existing buildings on the block face, along with those of the proposed structure.
- (4) *Additional notification.* The applicant shall be given contact information for interested Cabbagetown community organizations and shall be directed to provide the organization with a copy of the submitted application and attachments within three (3) days of submission to the commission.
- (5) *Cabbagetown design guidelines.* The commission shall adopt and maintain guidelines, referred to herein as the Cabbagetown Design Guidelines. These guidelines shall: further the intent of these regulations; further define elements of architectural style and applicability; provide important additional detailed information regarding the construction and renovation of historic buildings; and be used as a guide to ensure the compatibility of future development in the Cabbagetown Landmark District.
- (6) *The compatibility rule.*
 - a) In general, the intent of the regulations and guidelines is to ensure that alterations to existing structures and new construction are compatible with the design, proportions, scale, massing, and general character of the contributing buildings in the immediately adjacent environment of the block face, the entire block, a particular subarea (including appropriate reference to subarea style) or the district as a whole. To permit flexibility, many regulations are made subject to the compatibility rule, which states: "The element in question (roof form, architectural trim, etc.) shall match that which predominates on the contributing buildings of the same architectural style and like use on that block face or, where quantifiable (i.e., buildings height and width as measured at front facade, floor height, lot dimensions, etc.), no smaller than the smallest or larger than the largest such dimension of the contributing buildings of the same architectural style and like use in that block face."
 - b) For the purposes of the compatibility rule, height and width shall be measured at the front façade.
 - c) In any instance where one contributing building of the same architectural style and like use on a block face is higher or wider by more than 10% than any other contributing building of like use on a block face, such structure shall be eliminated in the application of the compatibility rule.
 - d) Those elements to which the rule applies are noted in the regulations by a reference to the "compatibility rule."

- (7) *Variances.* Variance requests shall be heard by the commission which will have the authority to grant or deny variances from the provisions of this chapter when, due to special conditions, a literal enforcement of its provisions in a particular case will result in unnecessary hardship. The procedures, standards, criteria and appeal provisions for decisions regarding such variances shall be the same as those specified in chapter 26 of this part 16.
- (9) *Minimum lot requirements.* There shall be front, rear, and side yard setbacks. The distance of said setbacks shall be determined by the compatibility rule
- (13) *Design standards and criteria for new principal buildings.* The following regulations shall apply to new construction of principal buildings.
- a) *General criteria:*
1. All new construction shall be one of the house styles of a contributing building that appears on the block face of the street on which the new construction shall occur.
 2. The general façade organization and proportions shall be subject to the compatibility rule.
 3. All of the following building elements shall be appropriate to the selected house style, regarding design, size, dimension, scale, material, location on the building, orientation, pitch, reveal and amount of projection from the façade:
 - a. roofs, chimneys, and roofing materials;
 - b. siding;
 - c. eaves, soffits, brackets, rafter tails, knee braces, cornice returns, and gable returns;
 - d. cornerboards, fascia boards, bottom boards, decorative trim, and attic vents;
 - e. doors and door transoms;
 - f. windows and window transoms;
 - g. porches, including supports, columns, balustrades, steps, and roofs; and
 - h. foundation walls, foundation piers, and water tables.All the elements listed above shall be utilized in a meaningful, coherent manner, rather than a mere aggregation of random historic elements.
 4. Sidewalks, front yards, porches, and front doors facing and parallel to the street shall be provided.
- b) *Facades:*
1. Wood, smooth-surface cementitious siding or Masonite siding are permitted. Siding shall exhibit a horizontal, clapboard profile. Siding shall have no less than a four-inch reveal and no more than a six-inch reveal.
 2. The height of the first floor above street level shall meet the compatibility rule. The foundation shall be a minimum of fourteen (14) inches and a maximum of four (4) feet above the surface of the ground adjacent to the front façade. Brick, stone, smooth finish stucco, and smooth finish concrete are permitted as foundation facing materials.
 3. Windows shall be predominantly vertical in proportion, shall not be constructed in combination of more than two (2) units, and shall be double-hung wood sash with true divided lights. Window organization and fenestration patterns shall meet the compatibility rule.
 4. Exterior doors visible from any public right of way shall be solid wood panel or single-pane fixed glass and shall be composed of no more than 50 percent glass.
 5. Exterior architectural details, such as brackets, decorative trim, corner boards, bottom boards, fascia boards, porch railing, columns, steps and doors, and attic vents, shall be shown on the submitted plans, and shall be subject to the compatibility rule.
- c) *Roofs:*
1. The shape and pitch of roofs, as well as ridge, dormer, overhang, and soffit construction shall meet the compatibility rule.
 2. Skylight and solar panels are not permitted on the front façade of any structure. “Bubble type” skylights are not permitted anywhere in the Cabbagetown Landmark District. The placement and design of flat profile skylights and/or solar panels, where permitted, shall minimize their ability to be seen from public right of way(s) and is subject to approval by the commission.
 3. When chimneys are included, chimneys shall be faced in brick, originate at grade and are subject to approval by the commission.
 4. Boxed gable returns are not permitted.
 5. Roofing material shall be asphalt shingles. Fiberglass roofs are not permitted. Flat-roofed structures or structures not visible from any public right of way may use any roof covering that conforms to standard architectural specifications.
- e) *Porches:*
1. Front porches shall contain balustrades, columns, and have other characteristics, including floor dimension, height, roof pitch, overhang, and column size that meet the compatibility rule.
 2. Decorative metal, resin, fiberglass and plastic columns are not permitted.

3. Porches may be enclosed with recessed screen wire if the main characteristics of the porch are maintained.
 4. Front porch steps shall be made of wood, brick, or concrete. Metal steps are not permitted.
- (14) *Design standards for alterations and additions to contributing buildings.* Alterations and additions to contributing buildings shall be subject to design review by the commission and shall be consistent with and reinforce the historic architectural character of the existing building, shall comply with the appropriate regulations for new construction set forth in section 16-20A.006(13), and shall comply with the following requirements:
- a) All repair work shall be match the original materials regarding design, size, dimension, scale, material, location on the building, orientation, pitch, reveal and amount of projection from the façade.
 - b) All replacement materials or building elements shall match the original materials or building elements regarding design, size, dimension, scale, materials, location on the building, orientation, pitch, reveal and amount of projection from the façade.
 - c) Alterations shall not introduce materials or building elements that do not reinforce the architectural character of the building and shall not destroy historic materials that characterize the property.
 - d) The height or width of any alteration or addition shall not exceed the height or width of the existing building.
 - e) Any alterations or additions shall be compatible with the massing, scale and architectural features of the property.

Sec. 16-20A.009. Shotgun and cottage housing (subarea 3).

In addition to the general regulations required in section 16-20A.006, the following regulations shall apply to any new development or the conversion of any existing structures to permitted uses within the shotgun and cottage housing subarea. These regulations are intended to set forth basic standards of architectural design and construction that are consistent with these original house styles found in the Cabbagetown Landmark District. It is the intent of these regulations to foster residential design that incorporates the historic architectural elements and materials that are specific to the district in a meaningful, coherent manner. The following regulations are intended to achieve basic compatibility with these original architectural styles, rather than designs that are a mere aggregation of random historic elements.

- (1) *Shotgun Housing.* Shotgun housing is a style typified by simple structures whose width is no more than that of one (1) room extending from the front to rear of the structure or, in the case of a double shotgun, two rooms wide. This housing type is usually closely spaced and is found most often along Savannah Street and Berean Avenue within this subarea.
- (2) *Cottage Housing.* Cottage housing is a mixed housing style that includes central aisle houses, L-plan cottages, Victorian cottages, worker's cottages, one and a half story duplexes, bungalows, and other residential structures, modest in scale, that are characterized by common setbacks, repetitive porch and facade features, and consistent structure massing.
- (3) *Permitted principal uses and structures.* A building or premises shall be used only for the following principal purposes:
 - a) Single-family detached dwellings.
 - b) Two-family dwellings existing at the time of the adoption of these regulations. Two-family dwellings, originally built as duplexes, shall be permitted even if the use has lapsed for more than a year.
 - c) Parks, playgrounds, and community buildings owned and operated by a government agency or Cabbagetown-based non-profit community organization.
- (4) *Permitted accessory uses and structures.* In addition to the uses and structures listed in 16-20A.006(16), the following are allowed, subject to limitations and requirements set forth herein or elsewhere in this part:
 - a) In-ground swimming pools and similar active recreation facilities subject to the following limitations. Such active recreation facilities in any yard, required or other, adjacent to a street shall require a special exception from the commission, which special exception shall be granted only upon finding that:
 1. The location will not be objectionable to occupants of neighboring property, or the neighborhood in general, by reason of noise, lights, or concentrations of persons or vehicular traffic, and the applicant shall contact the adjoining neighbors about the special exception and provide written letters to the commission from the adjoining neighbors regarding the propriety of the special exception.
 2. The area for such activity could not reasonably be located elsewhere on the lot.
 3. The commission may condition any special exception for such facilities based on concerns regarding visibility from public right of way, fencing, screening, or other buffering, existence and/or location of lighting, hours of use, and such other matters as are reasonably required to ameliorate any potential negative impacts of the proposed facility on adjoining property owners.
- (6) *Minimum lot requirements.* In addition to the setback requirements in Section 16-20A.006(9), in no case shall any portion of a building be closer to a public sidewalk than any portion of any contributing building of like use on the block face.
- (7) *Maximum building height and width.* The compatibility rule shall apply.
- (8) *Floor area ratio.* The floor area ratio shall not exceed 0.50.

Setbacks and Site Plan

The lot in questions fronts 33.33 on Pearl Street and has a depth of 152.12' on its longest side. The side and rear yard setbacks are based on the compatibility rule. The Applicant has not provided any information regarding the side and rear yard setbacks of the contributing buildings on the block face. Staff recommends the Applicant provide documentation the side and rear yard setbacks meet the regulations.

The maximum floor area ratio (FAR) allowed is .50. The plans do not indicate the proposed FAR. Staff recommends the Applicant provide documentation the FAR requirement has been met. Staff would note that lot coverage is not restricted in this subarea. The site plan indicates new rear parking. It is not clear how this parking will be accomplished as there is no proposed driveway at the front of the property and there is no rear access to this property. Staff recommends the Applicant provide clarification and information regarding the proposed parking.

Staff has concerns regarding the accuracy of the site plan. The revised site plan indicates there will be an addition to the existing rear porch. There is also an indication that the addition to the porch will be 4' 6". The floor plan indicates the rear porch will be demolished. Further, in comparing the existing site plan to the proposed site plan, Staff finds the proposed addition will be larger than 4' 6" past the existing rear porch. Staff recommends the Applicant provide clarification and information regarding the changes to the rear of the property. Staff recommends the Applicant submit site plans, elevations and floor plans that are internally consistent.

Alterations

The front façade features two front doors and one window. It appears the existing house is a duplex. The Applicant is proposing to remove the door on the left side of the front façade and replace it with a window. The Applicant is also proposing to move the second door on the right and move it to the center of the façade. The existing window on the right will be repaired and retained.

Staff looked at the 1932 Sanborn Maps and found this house was not originally a duplex. In 1932 the house is indicated as a single family dwelling. As such, Staff finds the replacement of an existing door with a window and moving the second door to the center, is in keeping with the original design of the house. Further, Staff finds the proposed design of the window and door on the front façade is appropriate. The Applicant is proposing to replace the existing porch flooring with new tongue and groove. The Applicant has not provided any pictures or documentation regarding the front porch flooring. Staff recommends the Applicant provide pictures and documentation regarding the front porch flooring. If replacement is warranted, Staff finds the proposed replacement is appropriate.

Staff has concerns regarding the proposed replacement of windows on the side facades of the existing house. There are several windows proposed for replacement, however there are very few pictures and no narrative that indicate why the windows must be replaced. Given the information we have at this time, Staff cannot support the replacement of the windows on the side facades. Further, the materials and grid details for the windows are not clear. In particular it is not clear whether the new windows are simulated divided lite, true divided lite or something else. Staff recommends the Applicant provide information, documentation and pictures regarding all windows proposed for replacement on the side facades. Staff further recommends the Applicant provide detailed information regarding the proposed new windows on the existing house.

Rear Addition

In looking at the plans, it appears the Applicant is proposing to demolish an existing rear porch and construct a new addition. In looking at pictures submitted by the Applicant, it appears the rear porch

has been enclosed. There are very few pictures of the existing rear addition and no narrative regarding its history or condition. While certainly not original to the house, Staff finds the existing rear addition could be historic. It is not clear from the information submitted whether there is an opportunity to retain part of the existing rear addition and add to it. At this time, Staff does not have enough information regarding the existing rear addition to support its demolition. Staff recommends the Applicant provide pictures, documentation and narrative regarding the condition and history of the existing rear addition.

If the Applicant provides documentation that would allow for the demolition of the existing rear addition, Staff finds the overall design, massing and materials of the addition is compatible with the existing house. Staff finds the proposed corner boards will help differentiate the rear addition from the existing historic house. Staff has no general concerns regarding the proposed new rear addition.

Staff Recommendation: Based upon the following:

- (a) The plans meet the regulations per Section 16-20A.006 (13) with the exception of the comments above;

Staff recommends approval of the Application for a Type III Certificate of Appropriateness (CA3-13-250) for alterations and an addition at **121 Pearl Street** – Property is zoned Cabbagetown Landmark District (Subarea 3), with the following conditions:

1. The Applicant shall provide documentation the side and rear yard setbacks meet the regulations, per Section 16-20A.006(9);
2. The Applicant shall provide documentation the FAR requirement has been met, per Section 16-20A.009(8)
3. The Applicant shall provide clarification and information regarding the proposed parking;
4. The Applicant shall provide clarification and information regarding the changes to the rear of the property per Section 16-20A.006(14);
5. The Applicant shall submit site plans, elevations and floor plans that are internally consistent;
6. The Applicant shall provide pictures and documentation regarding the front porch flooring, per Section 16-20A.006(14);
7. The Applicant shall provide information, documentation and pictures regarding all windows proposed for replacement on the side facades, per Section 16-20A.006(14);
8. The Applicant shall provide detailed information regarding the proposed new windows on the existing house, per Section 16-20A.006(14);
9. The Applicant shall provide pictures, documentation and narrative regarding the condition and history of the existing rear addition, per Section 16-20A.006(14); and
10. Staff shall review and if appropriate, approve the final plans.



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STAFF REPORT
October 23, 2013

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-13-251) for new construction and placement of relocated building at **130 West Paces Ferry Rd.** - Property is zoned R-3 / Landmark Building / Site (LBS – Swan House).

Applicant: William Babineau
1885 Winchester Trail

Facts: The subject property contains the Atlanta History Center complex. Part of that complex is the Landmark Building / Site-designated Swan House, as well as the surrounding gardens and associated property. The LBS designation, which was established by the City of Atlanta in 1989, covers the southwest portion of the property, including most of the area along the southern property line and significant frontage along Andrews Drive.

In 2012, the Commission reviewed and commented (RC-12-2587) on a site plan amendment to the Atlanta History Center's special use permit which covers the entire property. In general, the site plan amendment incorporated the following changes / proposals:

- the expansion and renovation of the main museum building and an associated courtyard;
- construction of an underground parking deck where a surface parking lot;
- construction of free-standing restrooms, picnic pavilions, and a "cabin";
- creation of "Veterans Park", new gardens and a ropes course;
- installation of perimeter sidewalk and street light improvements; and
- the removal/relocation of the "Victorian playhouse".

Of the proposed changes in the site plan amendment, two of the restrooms, a picnic pavilion, and the "cabin" are shown within the LBS designation area. As noted in 2012, any physical changes to the LBS designation portion of the property would be reviewed and approved by the Commission or Staff (as appropriate) at a later date when they are actually proposed for construction.

Two of these three components (the "cabin" and one of the restrooms) are proposed for relocation and construction as this time. The previously unspecified "cabin" is the relocated "Woods Cabin". The rest room building, which was to be built to the south of the cabin (towards the southern property line) is now proposed to the southwest of the cabin (towards Andrews Drive). In addition, a gravity wall will be built behind the cabin, and a small wood ramp will be built to provide ADA access to the new rest room building. The cabin will be surrounded by mulch, which will connect the exhibit area to the existing mulch paths to the south and north.

Analysis: The following code sections apply to this application:

Analysis: The following code sections apply to this application:

Per Section 16-20.007 of the Atlanta Land Development Code, as amended:

- (a) *When Required, Generally:* In addition to other permits which are required pursuant to any city ordinance, and in addition to any certificate of appropriateness which may be required pursuant to any other landmark or historic building, site or district regulation contained in part 16 of the Code of Ordinances, certificates of appropriateness shall, unless provided otherwise in the detailed regulations governing Landmark or Historic Districts contained within a designation ordinance as provided in section 16-20.006 of the Code of Ordinances, be required for any of the following actions within each of the following categories:
- (1) *Landmark buildings and sites:*
 - (a) To change the exterior appearance of any Landmark Building or Site;
 - (c) To erect a new structure or to make an addition to any Landmark Building or Site;

Section 16-20.009:

In deciding individual applications for certificates of appropriateness, the commission shall be guided by the purposes set forth in section 16-20.001, by findings contained in ordinances designating buildings and sites for protection, for purposes and objectives contained in ordinances designating buildings and sites for protection, by purposes and objectives which are contained within individual Landmark and Historic District regulations, and by findings contained in reports prepared in support of Landmark and Historic regulations as are required in article D of chapter 4 or part 6. Furthermore, in considering whether to grant approval, conditional approval or denial of an application for a type II or type III certificate of appropriateness, the commission shall apply the following standards:

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (3) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- (4) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, object or site shall be kept where possible.
- (5) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- (6) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.
- (7) Wherever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

The Landmark Building / Site designation is an overlay designation. The LBS designation does not regulate the use of the property, the number of parking spaces required on-site for any given use, or the hours of operation for any of the functions on the site. The design criteria that are tied to the LBS designation are focused on the retention of historic features and finishes, and the requirement for compatible new construction, additions, renovations, and site work.

Site Plan and Trees

The cabin will be located downhill from the Boxwood Garden of the Swan House. Many of the significant number of trees that will be lost to re-construction the cabin and exhibit area will be replaced in groups on the slope between the cabin and the Boxwood Garden. The Staff is not concerned about the viewshed from the Boxwood Garden or the loss / replacement of the trees. At the

same time, the Staff finds that the cabin might be partially visible from Andrews Drive to west. The Staff further finds that given the otherwise visual separation between the Swan House and the cabin, if a view of the cabin from Andrews Drive will exist, it will enhance the appeal and interest in the cabin as a feature of the Atlanta History Center complex.

Further, the Staff is not concerned about the accompanying site work to create the exhibit space around the cabin. The gravity wall, wood ramp, and mulch ground cover will be appropriate, informal site features that will allow the cabin to be the main visual component of the area.

Relocation and Reconstruction of Cabin

It appears that some elements of the cabin in its current location will not be relocated to the Atlanta History Center complex, including an interior stair case; the fireplace, hearth, and chimney; stacked stone foundation piers, and attic windows.

The Staff is concerned about the appearance of the “stacked fieldstone foundation”. The current cabin’s stone foundation is very thin and clearly stacked; one stone on top of another. The proposed foundation piers consist of fieldstones wrapped around a concrete core. While the Staff appreciates the need for a code-compliant foundation, the Staff is concerned that the overall appearance of the pier (concrete wrapped by field stones) will appear out of scale and too large for the building its supports. The elevations show a thinner profile, but the section drawing shows a much larger pier structure that doesn’t seem to match the elevations. The Staff would recommend the Applicant clarify the finished appearance and size of the foundation piers and such piers be made as thin as possible to more closely replicate the appearance of the original piers.

Rest Room Building

While the Staff understands that likely no one will mistake the rest room building for an original or historic building, the Staff is concerned that because it will use “rustic” building finish materials (stacked stone, board and batten siding, and cedar roof and end gable shingles) it could visually compete with the authentic materials and finishes of the cabin. At the same time, rough cut horizontal siding (a potential alternative) would be very similar to an authentic material that is actually on the cabin. The Staff would recommend the exterior materials and finishes of the rest room building be revised to provide more differentiation between it and the cabin.

Staff Recommendation: Based upon the following:

1. Except as noted above, the proposed alterations meet the requirements, per Section 16-20.009.

Staff recommends approval of an application for a Type III Certificate of Appropriateness (CA3-13-251) for new construction and placement of relocated building at **130 West Paces Ferry Rd.** - Property is zoned R-3 / Landmark Building / Site (LBS – Swan House), with the following conditions:

1. The Applicant shall clarify the finished appearance and size of the foundation piers and such piers be made as thin as possible to more closely replicate the appearance of the original piers, per Section 16-20.009(1), (2), (4), and (5);
2. The exterior materials and finishes of the rest room building shall be revised to provide more differentiation between it and the cabin, per Section 16-20.009(3) and (6); and
3. The Staff shall review, and if appropriate, approve the final plans.





KASIM REED
MAYOR

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JAMES E. SHELBY
COMMISSIONER

CHARLETTA WILSON JACKS
DIRECTOR
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STAFF REPORT
October 23, 2013

Agenda Item: Review and comment (RC-13-253) for new construction at 664 Angier Avenue (Old Fourth Ward Park) – Property is zoned I-1 / Beltline.

Applicant: City of Atlanta Parks Department
233 Peachtree Street

Facts: In February, 2009 the Commission reviewed and commented on the Parks Master Plan for the Historic Old Fourth Ward Park that was part of the Beltline Subarea 5 master plan study. The master plan followed a design review in 2008 of one of the key features of the proposed park: a storm water retention feature.

Before the Commission at this time is the proposed design for a new shade / picnic structure within the splash pad portion of the park near the intersection of Angier Avenue and Rankin Street.

Analysis: The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

- (4) The commission shall review the proposed location and design of any proposed park and any plan or proposal for the relocation or significant change, alteration or addition to any existing park.

While the vicinity plan is too large a scale and the “ground plan” is unclear, the photographs provided with the submission make it clear that the proposed shade structure will be between the splash pad area and the main portion of the playground. The proposed shade structure will be at the same grade as the splash pad, but one level up from the main portion of the playground.

The Staff generally finds that the contemporary aesthetic of the shade structure will be compatible with the only existing building in this portion of the park: the bathroom / maintenance building, just south of the splash pad. In addition, it finds that the shade structure is necessary, given the lack of shade because of the age of the park and thus the relatively new tree plantings. At the same time, though, the Staff does have some concerns about the proposal.

First, the ground surface of the shade structure will be granite pavers. Given that this paving will take the place of a garden / planting area, the Staff is concerned that impervious surface is being added to the park and that the granite pavers will create uncontrolled run-off around the shade structure.

Second, the shade structure appears to be placed as an angle to an existing set of stairs (to the left in the ground plan) and the overall linear axis of the existing features. While the Staff appreciates the contemporary and “playful” nature of the features in this portion of the park, the ground plan suggests a more “traditional” relationship between the park elements. The proposed shade structure would not appear to fit within the linear axis of the existing features.

Third, the Staff is concerned about the storage and maintenance of the movable chairs, given that it does not know of any storage space in this portion of the park.

Fourth, the Staff is concerned about the materials. Not knowing what the existing paving material is around the existing garden / planting area, the Staff is concerned that there could be three paving materials (granite pavers, “terraelast” permeable asphalt, and the existing material) in such close proximity to each other. Further, the Staff is concerned about what appears to be steel I-beams for the beams of the shade structure roof. The Staff finds that even taking into account the contemporary aesthetic of the features in this portion of the park, I-beams are still too raw and industrial in appearance.

Staff Recommendation: Staff recommends that the Commission confirm that it has delivered its comments at the Commission meeting regarding a Review and comment (RC-13-253) for new construction at 664 Angier Avenue (Old Fourth Ward Park).



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JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT October 23, 2013

Agenda Item: Application for Type II Certificates of Appropriateness (CA2-13-255) for alterations at 675 Hill Street– Property is zoned R-5/Grant Park Historic District (Subarea 1).

Applicant: Todd Clear
531 Mead Street

Facts: According to the Grant Park Inventory sheet this existing dwelling built in 1904 is considered contributing.

Analysis: The following code sections apply to this application:

Per Section 16-20K.006 of the Atlanta Land Development Code, as amended:

The following general regulations shall apply to all properties located within the Grant Park Historic District.

- (2) Certificates of Appropriateness.
- (B) Type III Certificates of Appropriateness shall be required for:
 - 1. All new principal structures;

Per Section 16-20K.007:

(1) *Development Controls.*

(A) *Front Yards:* Front yard setbacks shall either: i) conform to the setback of the previously existing contributing building of like use; or ii) shall be no closer to the street than the closest and no farther from the street than the farthest contributing structure of like use on that side of the block.

(B) *Side Yards:* Side yards shall either: i) conform to the setback of the previously existing contributing building of like use; ii) conform to the setback of the existing building; iii) conform to any existing pattern of unequal side yard setbacks previously established by a majority of the contributing buildings of like use on that side of the block; or iv) be of a width of not less than seven feet.

(C) *Rear Yard:* Rear yard setback shall be seven feet.

(D) *Off-street parking and driveway requirements:*

1. Off-street parking shall not be permitted in the front yard or half-depth front yard.

3. If constructed, independent driveways within the front yard or half-depth front yard shall be a maximum of ten feet wide and shall have a maximum curb cut of ten feet, exclusive of the flare.

(2) *Architectural Standards.*

(A) *Statement of Intent.* The purpose of these regulations is to set forth basic, minimum standards of architectural design and construction that are compatible with and complementary to the existing historic residences within the neighborhood, as the cumulative historic diversity of the built environment is a defining characteristic of this neighborhood. It is not the intent of

these regulations to limit the design of new housing to replication of styles of existing structures, but to foster residential design that, with regard to massing, size, scale, materials, and architectural quality of the neighborhood and simultaneously encourages creativity. Additionally, these regulations are intended to integrate the physical characteristics of new construction into the existing neighborhood in a meaningful way so as to restore and promote the public health, safety, and welfare of this neighborhood.

The following residential architectural styles currently predominate in the neighborhood and contribute to its unique historic character; they are included here for reference only: American Four Square, Craftsman, English Vernacular Revival, Folk Victorian, Queen Anne, and Shotgun.

(B) *Design Standards and Criteria for New Principal Structures.*

1. Identified design elements of size, scale, massing and materials of new construction shall be substantially consistent with said identified design elements found in contributing structures of like use in the district as listed in subsection 16-20K.007(15)(c.).

4. All front facades and front porches of the principal structure shall face and be parallel to the lot frontage. Wrap around front porches are permitted.

5. Roof form above the front façade of the principal structure shall be gabled and/or hipped. Roof pitch shall be a minimum of 6 in 12. Roof pitch above porches shall not be restricted.

d. Roofing: Asphalt shingles, wood shingles, metal shingles, slate, and pre-finished metal panels shall be permitted.

(D) *Design Criteria for Alterations and Additions to Contributing Structures.* Alterations and additions to contributing structures requiring a Certificate of Appropriateness shall comply with one of the following provided that the mere increase in floor area otherwise authorized in the district shall not constitute a standard for review:

1. Alterations and additions shall be consistent with and reinforce the historic architectural character of the entire existing contributing structure and shall comply with the applicable regulations for new construction set forth in subsection 16-20K.007(2)(B) above; or
2. New additions, exterior alterations, or related new construction will not destroy historic materials that characterize the property. The new work may differentiate from the old. To protect the historic integrity of the property and its environment, any new work will be compatible with the massing, size, scale and architectural features of the property and environment.

In the Grant Park Historic District, only changes that face a public street are reviewed by the Commission. As this is an interior lot, Staff will make comments on the front façade and the site.

The Applicant is proposing to replace the existing windows with wood 1 over 1 double hung windows. In looking at pictures submitted by the Applicant, it is clear the existing windows are not original or historic. As such, Staff has no concerns regarding the replacement of the existing windows. Staff finds the proposed new windows are appropriate and meet the regulations. The Applicant is proposing to replace the front door. Staff finds the existing front door is not original or historic. Staff has no concerns regarding the replacement of the existing front door. Staff finds the proposed new front door is appropriate and meets the regulations.

The Applicant is proposing to remove the existing siding and repair the original siding underneath. Staff has no concerns regarding the repair and retention of the existing original siding. The Applicant is proposing to replace the existing roof shingles in-kind. Staff has no concerns regarding the in-kind replacement of roof shingles.

The Applicant is proposing to remove the existing brick base and wood columns in order to install new columns and railings. According to the Applicant, the brick bases and columns are not original. The Applicant points out that the columns are not center on the beams or the brick base below. The Applicant also points out that the height of the brick base would not allow for a 36" rail. While Staff finds the columns and bases may not be original, Staff finds they are likely historic and should be repaired and retained. Staff would note that the heights of historic railings are generally lower than the

required 36” and therefore the smaller base would be consistent with historic bases. Staff finds there are solutions for installing the required 36” height railing and retaining the existing brick bases and columns. Staff recommends the existing brick bases and columns on the front porch are repaired and retained.

Staff Recommendation: Based upon the following:

1) The plans meet the regulations with the exception of the comments noted above per Section 16-20K.007;

Staff recommends approval of the application for a Type II Certificate of (CA2-13-255) for alterations at **675 Hill Street**– Property is zoned R-5/Grant Park Historic District (Subarea 1), with the following conditions:

1. The existing brick bases and columns on the front porch shall be repaired and retained, per Section 16-20K.007(2)(D); and
2. Staff shall review and if appropriate, approve the final plans.



CITY OF ATLANTA

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CHARLETTA WILSON JACOBS
Director, Office of Planning

STAFF REPORT

October 23, 2013

Agenda Item: Review and Comment (RC-13-256) for site work and alterations at 793 Virginia Avenue (**John Howell Park**) – Property is zoned R-4.

Applicant: Earl Jackson / Jack White
996 Drewry Street

Facts: John Howell Park consists of two main levels, an upper level with an open field, paths, benches and landscaping. The lower section consists of playgrounds, volleyball courts, paths and smaller open areas. Before the Commission at this time is site work and alterations to the volleyball area of the lower level. This work consists of:

1. Moving the western most court towards Virginia Avenue and installing a new low seat wall, fence and landscaping in place of the existing sand bags and chain link fence;
2. Extending the existing granite wall between the volleyball courts and the playground;
3. Replacing the existing chain link fence along Virginia Avenue with a metal, picket fence; and
4. Installing a new “streetscape” along Arcadia Street, including relocating the existing City issued “John Howell Park” sign.

Analysis: The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

- (4) The commission shall review the proposed location and design of any proposed park and any plan or proposal for the relocation or significant change, alteration or addition to any existing park.

The Staff generally supports the proposed site work and alterations as they appear to solve both function and aesthetic issues with the lower portion of the park. However, the Staff does have a several comments about the proposed work.

First, it is not clear in the submission if the new fencing along Arcadia Street (on top of the new retaining wall) will be the same as the new fencing along Virginia Avenue. The Staff would recommend that all new fencing in the park be the same design and height.

Second, the Staff is concerned about the size and layout of the sidewalk along Arcadia Street. The Staff finds that the 4 ft. wide sidewalk will be too thin to support the amount of pedestrian and stroller traffic in this location and the curved seat wall at the corner of Virginia will create a “pinch” point along the sidewalk. While the Staff understands the constraints between the existing Oak Streets and the volleyball court fencing, there is an opportunity for more width and space outside that constrained area. Further, the sidewalk north of the existing oak trees should continue straight to extend the planting strip created by the oak trees.

Third, the relocation of the sign could create an awkward design relationship between it and the new metal picket fencing. In the provided elevations, the fencing abruptly stops on either side of the fence. Unless the sign is double sided, the Staff would recommend that the fencing continue behind the sign. If the sign is double sided, the Staff would recommend another design solution that better integrates the sign with the fencing.

Lastly, the site plan notes one tree just north of the interior volleyball court along the Virginia Avenue sidewalk. However, there numerous multi-stem crap myrtles and bushes along that side of the park that significantly decrease visibility to and from the volleyball area. This creates a sense of separation between the sidewalk and this portion of the park. The Staff would recommend that the plantings along Virginia Avenue be trimmed, “limbed up” and/or reconsidered to allow better visibility into the volleyball portion of the park.

Staff Recommendation: Staff recommends that the Commission confirm that it has delivered its comments at the Commission meeting on Review and Comment (RC-13-256) for site work and alterations at **793 Virginia Avenue (John Howell Park)**.



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STAFF REPORT October 23, 2013

Agenda Item: Application for Type III Certificates of Appropriateness (CA3-13-257) for a variance / special exception to allow parking in the front yard and a 6 ft. wall / privacy fence where a 4 ft. fence is otherwise allowed and (CA3-13-258) for alterations and additions at **326 Grant Park Pl.** - Property is zoned R-5/Grant Park Historic District (Subarea 1).

Applicant: Michael Dryden
398 Grant Park Place

Facts: According to the Grant Park Inventory sheet this single family dwelling built in 1907 is considered contributing.

Analysis: The following code sections apply to this application:

Per Section 16-20K.006 of the Atlanta Land Development Code, as amended:

The following general regulations shall apply to all properties located within the Grant Park Historic District.

- (2) Certificates of Appropriateness.
- (B) Type III Certificates of Appropriateness shall be required for:
 1. All new principal structures;

(3) *Variances.* Variance requests shall be heard by the commission which will have the authority to grant or deny variances from the provisions of this chapter when, due to special conditions, a literal enforcement of its provisions in a particular case will result in unnecessary hardship. The procedures, standards, criteria and appeal provisions for decisions regarding such variances shall be the same as those specified in chapter 26 of this part 16.

Section 16-20K.007. Specific Regulations - Residential Subarea I

(1) *Development Controls.*

- a. *Front Yards:* Front yard setbacks shall either: i) conform to the setback of the previously existing contributing building of like use; or ii) shall be no closer to the street than the closest and no farther from the street than the farthest contributing structure of like use on that side of the block.
- b. *Side Yards:* Side yards shall either: i) conform to the setback of the previously existing contributing building of like use; ii) conform to the setback of the existing building; iii) conform to any existing pattern of unequal side yard setbacks previously established by a majority of the contributing buildings of like use on that side of the block; or iv) be of a width of not less than seven (7) feet.
- c. *Rear Yard:* Rear yard setback shall be seven (7) feet.
- d. *Off-street parking and driveway requirements:*
 1. Off-street parking shall not be permitted in the front yard or half-depth front yard.
 2. The commission shall have the authority to vary section 28.006(10) relative to the requirement for an independent driveway connected to a public street.

3. If constructed, independent driveways within the front yard or half-depth front yard shall be a maximum of ten (10) feet wide and shall have a maximum curb cut of ten (10) feet, exclusive of the flare.

(2) *Architectural Standards.*

- A. *Statement of Intent.* The purpose of these regulations is to set forth basic, minimum standards of architectural design and construction that are compatible with and complementary to the existing historic residences within the neighborhood, as the cumulative historic diversity of the built environment is a defining characteristic of this neighborhood. It is not the intent of these regulations to limit the design of new housing to replication of styles of existing structures, but to foster residential design that, with regard to massing, size, scale, materials, and architectural elements, enhances the architectural quality of the neighborhood and simultaneously encourages creativity. Additionally, these regulations are intended to integrate the physical characteristics of new construction into the existing neighborhood in a meaningful way so as to restore and promote the public health, safety, and welfare of this neighborhood.

The following residential architectural styles currently predominate in the neighborhood and contribute to its unique historic character; they are included here for reference only: American Four Square, Craftsman, English Vernacular Revival, Folk Victorian, Queen Anne, and Shotgun.

B. *Design Standards and Criteria for New Principal Structures.*

1. Identified design elements of size, scale, massing and materials of new construction shall be substantially consistent with said identified design elements found in contributing structures of like use in the district as listed in subsection 16-20K.007(15)(c.).
 10. Any facades that face a public street shall consist of fenestration that is either:
 - 1) substantially consistent with fenestration on contributing structures of like use in the district, or
 - 2) shall be no less than 15% and no greater than 40% of the total surface wall area. Windows may be individual or grouped. No individual window unit shall exceed twenty-eight (28) square feet. Within each individual window unit, no individual window sash, either fixed or operable, shall exceed sixteen (16) square feet.
 14. Fences and walls, adjacent to a public street upon completion, shall be subject to the provisions of section 16-28.005(5) and the following limitations:
 - a. Fences not exceeding four (4) feet in height may be erected in a front yard. Fences not exceeding six (6) feet in height may be erected in a half-depth front yard. Other than retaining walls, walls shall not be erected in a front yard or half-depth front yard.
 - b. Fences and walls not exceeding six (6) feet in height may be erected in the side or rear yards.
 - c. In a half-depth front yard, when a fence exceeds four (4) feet in height, the standard zoning requirements for a variance are in effect. Where no sidewalk exists, the fence shall be set back three (3) feet from a public street. Portions of retaining walls facing a public street and located in a required front yard or half-depth front yard shall be faced with brick, stone or masonry wall covered with a parge coat of stucco, such as Portland stucco cement.
 - d. The finish side or front side of one-sided fences shall face the public street.
 15. On those facades of any structure that face a public street, the following regulations on building materials shall apply. Alternate materials may be submitted for review by the commission.
 - a. Paving materials for walks and drives: Black asphalt is prohibited.
 - b. Visible foundation materials: Foundations shall constitute a distinct building design element and shall contrast with the front facade siding material. Brick, stone, concrete, stucco, and architectural concrete masonry units (C.M.U.) shall be permitted. Standard, unfinished concrete block and stacked stone is prohibited.
 - c. Siding/Veneer: Horizontal lap siding, vinyl siding, aluminum siding, shingles, brick, hard stucco, and stone shall be permitted. Stacked stone is prohibited.
 - d. Roofing: Asphalt shingles, wood shingles, metal shingles, slate, and pre-finished metal panels shall be permitted.
 - e. Chimneys: Brick, stone, or architectural concrete masonry units (C.M.U.) shall be permitted. Siding is prohibited.
 - f. Fences: Brick, stone, wire mesh, architectural C.M.U., or vertical pickets made of ornamental metal, wood or simulated wood shall be permitted in the front yard and half depth front yard.

- (D) *Design Criteria for Alterations and Additions to Contributing Structures.* Alterations and additions to contributing structures requiring a Certificate of Appropriateness shall comply with one of the following provided that the mere increase in floor area otherwise authorized in the district shall not constitute a standard for review:

1. Alterations and additions shall be consistent with and reinforce the historic architectural character of the entire existing contributing structure and shall comply with the applicable regulations for new construction set forth in subsection 16-20K.007(2)(B) above; or
2. New additions, exterior alterations, or related new construction will not destroy historic materials that characterize the property. The new work may differentiate from the old. To protect the historic integrity of the property and its environment, any new work will be compatible with the massing, size, scale and architectural features of the property and environment.

e. Special exceptions on greater height of walls or fences in required yards: The board of zoning adjustment may grant special exceptions in any district for greater heights only upon finding that:

1. Such wall or fence is justified by reason of security or privacy and will not unduly prevent passage of light and air to adjoining properties and is not incompatible with the character of the neighborhood;
2. Such greater height is justified by requirements for security of persons or property in the area;
3. Such greater height is justified for topographic reasons; or
4. Such greater height, in the yard or yards involved, is not incompatible with the character of the surrounding neighborhood.

Special Exception for a Fence/Wall

The Applicant is proposing to install a 6' privacy fence on the Little Street property line. In looking at pictures submitted by the Applicant, nearly all of the rear façades of the houses face the Little Street block face. Additionally, nearly every property on the Little Street block face has a fence or wall that appears to be 6' tall. As these are all double frontage lots, Staff finds there is less natural privacy and security in comparison to regular lots. As pointed out by the Applicant, the lot slopes from the street to the house and therefore the rear yard is very visible when standing on the sidewalk. Given the double frontage lot, the existence of other similar fences on the block face and the topography of the lot, Staff has no concerns regarding the proposed 6' tall privacy fence.

Variance for Parking

As this is a double frontage lot, any parking in the front or rear of the existing house would be considered parking in the front yard. Given the width of the existing house, there is no room to install a driveway on the side of the house that would allow parking out of the front yard. As off street parking is allowed and the existing lot is unusual in regards to having two front yards, Staff does not have concerns regarding the proposed parking variance.

Alterations

On the Grant Park Place elevation, the Applicant is proposing to replace two doors, railings, columns porch flooring and skirt board. In looking at pictures submitted by the Applicant, Staff finds the existing doors, railings, columns and skirt board are not original or historic. As such, Staff has no concerns regarding replacing the above mentioned elements. Staff finds the proposed replacements for the doors, railings, columns and skirt board are appropriate and meet the regulations. The condition of the porch flooring is not clear. Staff recommends the Applicant provide pictures of the existing porch flooring. If the existing porch flooring is either non-historic or beyond repair, Staff has no concerns regarding the installation of tongue and groove porch flooring.

Partial Demolition and Addition

On the Little Street elevation, the Applicant is proposing to demolish an existing rear addition and build a new addition. In looking at pictures submitted by the Applicant, Staff finds the existing

addition is not historically significant. Further, Staff finds the demolition of the existing rear addition will not have a significantly negative impact on the historic house. Staff has no concerns regarding the proposed demolition of the existing rear addition.

This double frontage lot fronts 35.7' on Grant Park Place, 35.7' on Little Street and has a depth of 131.1' on its longest side. As this is a non-conforming lot, the maximum FAR (floor area ratio) allowed is the lesser of .65 of the net lot area or 3,750 sq. ft. Staff finds the proposed 1445 sq. ft. meets the FAR requirement. Per underlying zoning, the maximum lot coverage allowed is 55%. The lot coverage is indicated as 2431 sq. ft. and therefore meets the lot coverage requirement.

Per regulations, the front yard setback is based on the compatibility rule. The Applicant has provided the measurements for the smallest and largest front yard setback between Little Street and Grant Park Place. Staff finds the proposed setback for the Little Street frontage meets the setback requirements. The proposed side yard setbacks match the existing historic house and therefore meet the side yard setback requirements.

Staff finds the design, materials and massing of the proposed addition is consistent and compatible with the existing house. The regulations require the fenestration to either meet the percentage requirement or be substantially consistent with the fenestration of other contributing houses. Staff finds the percentage requirement has not been met and based on the information we have, the fenestration is not substantially consistent with contributing houses on the block. Staff recommends the proposed fenestration that faces Little Street meet the regulations.

Staff Recommendation: Based upon the following:

1) The plans meet the regulations with the exception of the comments noted above per Section 16-20K.007;

Staff recommends approval of the application for a Type III Certificate of (CA3-13-257) for a variance / special exception to allow parking in the front yard and a 6 ft. wall / privacy fence where a 4 ft. fence is otherwise allowed at **326 Grant Park Pl.** - Property is zoned R-5/Grant Park Historic District (Subarea 1).

Staff Recommendation: Based upon the following:

1) The plans meet the regulations with the exception of the comments noted above per Section 16-20K.007;

Staff recommends approval of the application for a Type III Certificate of (CA3-13-258) for alterations and additions at **326 Grant Park Pl.** - Property is zoned R-5/Grant Park Historic District (Subarea 1), with the following conditions:

1. The Applicant shall provide pictures of the existing porch flooring, per Section 16-20K.007(2)(D);
2. The proposed fenestration that faces Little Street shall meet the regulations, per Section 16-20K.007(2)(B)(10); and
3. Staff shall review and if appropriate, approve the final plans.



CITY OF ATLANTA

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JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT October 23, 2013

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-13-259) for a fence and parking lot at **431 Edgewood Avenue** - Property is zoned Martin Luther King, Jr. Landmark District (Subarea 5)/Beltline.

Applicant: Intergenerational Resource Center
444 Edgewood Avenue

Facts: The subject property is a large vacant lot located on the south side of Edgewood Avenue. The property is shaped like an inverted “T”, with a short side facing Edgewood Avenue and the long side facing Chamberlain Street. On either side of the Edgewood Avenue frontage are contributing buildings to the District.

The Applicant is proposing to formally establish a parking lot for their employees (which work in a building on another property) and build a fence around the parking lot to secure the parking when not in use by employees. The parking lot will be located closest to Edgewood Avenue and would be accessed via a driveway from Chamberlain Street. The lot currently has gravel on it. There is no formal / approved curb cut to access the property. At some point in the past, sewer / storm water work was completed on the property.

The property is also located in the Beltline Zoning Overlay District, which has specific design requirements for parking lots. The Staff consulted with the Office of Planning staff responsible for Beltline Zoning Overlay District reviews to avoid conflicting design requirements. The Staff would also note that the Department of Public Works also has general, City-wide requirements for off-street parking which would also likely apply to this proposal.

Analysis: The following code sections apply to this application:

Per Section 16-20.007 of the Atlanta Land Development Code, as amended:

- (a) When Required, Generally: In addition to other permits which are required pursuant to any city ordinance, and in addition to any certificate of appropriateness which may be required pursuant to any other landmark or historic building, site or district regulation contained in part 16 of the Codes of Ordinances, certificates of appropriateness

shall, unless provided otherwise in the detailed regulations governing Landmark or Historic Districts contained within a designation ordinance as provided in section 16-20.006 of the Code of Ordinances, be required for any of the following actions within each of the following categories:

(1) Landmark Districts:

- a. To change the exterior appearance of any Landmark Building or Site;
- c. To erect a new structure or to make an addition to any Landmark Building or Site;

Per Section 16-20C.003:

The following regulations shall apply to the entire Landmark District inclusive of all subareas. All rehabilitation, restoration or new construction shall require a certificate of appropriateness from the Atlanta Urban Design Commission (AUDC). All proposed development shall conform to the following regulations:

- (1) Regulations shall be minimum standards which must be followed and shall be applied by the AUDC.
- (2) The AUDC shall further adopt and maintain guidelines that shall extend the intent of these regulations, further define elements of architectural style, and shall further ensure the compatibility of future developments within this HC district.
- (5) The compatibility rule: In general the intent of the regulations and guidelines structures and new construction are compatible with the design, scale and general character of the entire district, of each subarea, and of the immediately adjacent environment of a particular block. To further that intent and simultaneously retain flexibility, the regulations provide a "compatibility rule" which is: The element in question (roof form, architectural trim, building setback, etc.) shall match that which predominates on that block; or where quantifiable (i.e. building height, setback etc.), the average of all structures of like use in that block shall be adhered to. The rule shall apply as it is noted in these regulations and guidelines by reference to the "compatibility rule."
- (8) Secretary's guidelines: In addition to specific standards listed herein, the Secretary of the Interior's Standards for Historic Preservation Projects Part 1 shall be a part of these regulations and shall be applied by the AUDC.
- (11) Off-street parking:
 - e. Off-site parking, grouped or other, may be permitted through a certificate of appropriateness in Subareas 3, 4 and 5

Sec. 16-20C.008. Edgewood Commercial District Subarea 5.

In addition to the general regulations required in section 16-20C.003, the following regulations shall apply to any new development, rehabilitation or the conversion of any existing structures to permitted uses within the Edgewood Commercial District subarea.

These regulations are intended to preserve those commercial structures along Edgewood Avenue that are architecturally compatible with the historic character of the Martin Luther King, Jr. Landmark District, and to ensure that future development shall proceed in a manner compatible with the character of the subarea as a modest-scale commercial district, and also compatible with the character of the Martin Luther King, Jr. Landmark District as a whole.

(1) Permitted principal uses:

- o. Parking lots and structures.
- (6) Off-street parking: Off-street parking in this subarea shall not be required. Design of parking facilities as part of renovation or new construction shall require a certificate of appropriateness by the AUDC.
- (7) Fences and walls: All fences and walls in required yards and transitional yards shall require a certificate of appropriateness by the AUDC.

Per Section 16-20.009. Further standards.

In deciding individual applications for certificates of appropriateness, the commission shall be guided by the purposes set forth in section 16-20.001, by findings contained in ordinances designating buildings and sites for protection, by purposes and objectives which are contained within individual Landmark and Historic District regulations, and by findings contained in reports prepared in support of Landmark and Historic District regulations as are required in article D of chapter 4 of part 6. Furthermore, in considering whether to grant approval, conditional approval or denial of an application for a type II or type III certificate of appropriateness, the commission shall apply the following standards:

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.

- (3) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- (4) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, object or site shall be kept where possible.
- (5) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- (6) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.
- (7) Wherever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

Parking lots are a permitted principal use in Subarea 5 of the District. There are not minimum parking requirements for various permitted uses. Whether the parking lot is used for a business's employees, authorized customers and guests, or used as a park for hire lot, the design of the parking lot is subject to approval by the Commission and the requirements of the District. Further, the Beltline Zoning Overlay District requirements apply to the parking lot regardless of the users.

The Staff finds that the District requirements applicable to the proposal are those found in Section 16-20.009 ("Further Standards"), which closely follow the *Secretary of the Interior Standards* also referenced in the District regulations. Section 16-20.009 calls for proposed alterations and additions to the District to:

1. *"not destroy significant historical, architectural or cultural material";*
2. *be "compatible with the size, scale, color, material and character of the property, neighborhood or environment"; and*
3. *"be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired."*

Taking into account the standards noted above, as well as the Staff's understanding of the Beltline requirements and the Department of Public Works requirements, the Staff finds that the parking lot should be paved. Apart from creating an actual parking lot, the paving will allow for proper stripping of parking spaces, circulation / drive aisles to be delineated, and the formalization of the impervious area which will allow for proper drainage, storm water, and run off controls to be calculated and established. Similarly, the access drive to the actual parking area needs to be paved.

The Staff would recommend the parking area and access drive be paved, and the parking area has standard curbing or curb stops. The Staff would further recommend that the parking area be stripped to accommodate parking spaces and drive aisles that meet any applicable City-wide parking lot design requirements.

In addition, the access drive to the parking area must be accessed from the public street by a City-standard curb cut vs. driving over the regular sidewalk. The Staff would recommend a City-standard curb cut be established on Chamberlain Street.



The Staff agrees with the Applicant that the parking area should be fenced to allow it to be secured when employees are not using it. Further, such fencing will help define the street edge of the parking lot in the absence of an actual building on the site. The application does not specifically describe the type of fencing proposed, but does refer to “security fencing removed during the site development work.” The Staff would presume that this was standard, 6-8 ft. tall, chain-link fencing found around most construction sites. However, the Staff finds that such fencing is not appropriate as a permanent fencing design solution. In particular, it is concerned that along Edgewood Avenue, such fencing will have no relationship to the historic character of the surrounding contributing buildings and be too tall to enhance the pedestrian environment along Edgewood Avenue. The Staff would recommend that metal, picket fencing no more than 4 ft. tall is installed around the parking area, inclusive of any gate to allow access to be controlled to the parking area.

The Beltline Zoning Overlay District design requirements require landscaping around the parking area, as well as formal pedestrian access to the parking area from surrounding public streets. The Staff finds that such design features would also make the parking area comply with the District regulations regarding compatibility to the surrounding historic character. The Staff would recommend that landscaping be provided along the Edgewood Avenue frontage of the parking lot (including at least two trees) and both sides of the parking lot, and that a minimum 4 ft. wide paved walkway be installed from the parking area to the Edgewood Avenue public sidewalk.

Lastly, the Staff recommends any changes necessitated by the Beltline review be approved by Staff if they comply with the District regulations.

Staff Recommendations: Based upon the following:

1) The plans meet the regulations, per Section 16-20C.003 and 16-20.008, with the exceptions of the comments noted above.

Staff recommends approval of the Application for a Type III Certificate of Appropriateness (CA3-13-259) for a fence and parking lot at **431 Edgewood Avenue** - Property is zoned Martin Luther King, Jr. Landmark District (Subarea 5)/Beltline, with the following conditions:

1. The parking area and access drive shall be paved, and the parking area shall have standard curbing or curb stops, per Section 16-20.009(6) and (7);
2. The parking area shall be stripped to accommodate parking spaces and drive aisles that meet any applicable City-wide parking lot design requirements, per Section 16-20.009(6) and (7);
3. A City-standard curb cut shall be established on Chamberlain Street, per Section 16-20.009(6) and (7);
4. Metal, picket fencing no more than 4 ft. tall be installed around the parking area, inclusive of any gate to allow access to be controlled to the parking area, per Section 16-20.009(6) and (7);
5. Landscaping shall be provided along the Edgewood Avenue frontage of the parking lot (including at least two trees) and both sides of the parking lot, and that a minimum 4 ft. wide paved walkway shall be installed from the parking area to the Edgewood Avenue public sidewalk, per Section 16-20.009(6) and (7);
5. Any changes necessitated by the Beltline review shall be approved by Staff if they comply with the District regulations; and
6. Staff shall review, and if appropriate, approve the final plans.



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STAFF REPORT
October 23, 2013

Agenda Item: Review and comment (RC-13-260) for construction of Phase B# of the Southtowne Trail at 133 Harper Rd. – Property is zoned R-4.

Applicant: PATH Foundation Inc.
1601 W. Peachtree Street

Facts: Before the Commission at this time is Phase B3 of the Southtowne Trail, which will start at Harper Road (across the street from South Bend Park where the northern portion of the trail currently ends) and progress south to the Swan Preserve (where the southern portion of the trail currently ends). The PATH Foundation is building the entire trail system, including this phase. The Commission previously reviewed and commented on the South Bend Park phase “A”, the Browns Mill phase “C”, and the Swan Preserve phase “B”.

This entire trail segment will be built on City of Atlanta Department of Parks and Recreation or Department of Watershed Management land.

The trail will be a multi-use trail based on the standard PATH design principles and elements.

Analysis: The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

- (4) The commission shall review the proposed location and design of any proposed park and any plan or proposal for the relocation or significant change, alteration or addition to any existing park.
- (5) The Commission shall review the proposed location and design of buildings, bridges, viaducts, elevated ways, streets, high-ways, gates, fences, railings, lamp standards, and other structures or fixtures to be erected or placed on land belonging to the city, or on any private or public property which extends over or upon any property or right-of-way owned or controlled by the city.
- (7) The Commission shall review the alteration, demolition, movement or construction of any structure, site or building which involves the use of capital expenditures by the City of Atlanta or capital expenditures by other public agencies or authorities which are required to submit plans for review by the city.

The meandering, permeable concrete trail is 12 ft. wide and features a spur to Schell Road, two pocket parks, signage, and an 80 ft. steel bridge that crosses a creek. Staff finds the pocket parks and signage

are typical of existing PATH trails. Staff finds it appropriate to have a 12' wide concrete trail that will accommodate walkers and riders. However Staff does have a few concerns.

First, in looking at the area around the trail on either side of the bridge, it appears the trail will be lower than the surrounding grade. The Staff is concerned about mud and debris washing over the trail and creating a safety hazard as well as reducing the permeability of the concrete.

Second, it appears there are benches shown in the pocket parks, but no trash receptacles. The Staff recommends the pocket parks feature trash receptacles. Further, there are often concerns about the safety of trails. The Staff recommends that the Applicant clarify whether there will be any lighting and in general what type of security measures will be maintained on the trail.

Third, the Staff is concerned about the connection on the south end of the trail to the existing trail. This is a "t" intersection with no area(s) for pulling off to allow time for deciding which direction to go, to wait for members of a group, or to rest. It also does not appear that any signage will be located at the trail intersection.

Staff Recommendation: Staff recommends that the Commission confirm that it has delivered its comments at the Commission meeting on Review and Comment RC-13-260) for construction of Phase B# of the Southtowne Trail at 133 Harper Rd.



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Director, Office of Planning

STAFF REPORT

October 23, 2013

Review and Comment (RC-13-261) on site work, alterations, and installation of public art at **98 William Holmes Border, Sr. Street (Selena S. Butler Park)** - Property is zoned RG-4.

Applicant: Nicole D. Young
233 Peachtree Street

Facts: The Selena S. Butler Park is located in the Sweet Auburn Neighborhood in NPU M. The park is located south of the Martin Luther King, Jr. Landmark District.

In 2011, the Commission reviewed and commented (RC-11-110) on the proposed Master Plan for the park. The Commission's 2011 review and comment focused on the then proposed "Concept Plan - Option D". In Option D, the central portion of the park would have a new playground, a picnic area with alternative gaming space, and an expansion of an existing multi-purpose field. The south portion of the park would have a picnic/grill area, a new basketball court, a re-purposed facility and a plaza on the south east corner of the park. The north portion of the park would have a resurfaced tennis court, a garden area, a terrace/native plant area a viewing area and a plaza entrance on the north east corner of the park.

At this time, the renovations and the alterations to the park are following "Concept Sketch - Option E", which is different from Option D in the following ways. In the central portion of the park, a small parking lot has replaced the alternative gaming space. In the south portion of the park, the proposed basketball court and picnic / grill area has been replaced by a more centrally located picnic area, allowing for a small garden area to the west and more grilling locations to the east. In the north portion of the park, the existing basketball court remains instead of being replaced with garden areas and the alternative gaming area has replaced some of the open space and plaza area.

The northeast portion of the park (the site of proposed public art installation) has been constructed following the design of "Concept Sketch – Option E".

Analysis: The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

- (4) The commission shall review the proposed location and design of any proposed park and any plan or proposal for the relocation or significant change, alteration or addition to any existing park.
- (5) The Commission shall review the proposed location and design of buildings, bridges, viaducts, elevated ways, streets, high-ways, gates, fences, railings, lamp standards, and other structures or fixtures to be erected or placed on

land belonging to the city, or on any private or public property which extends over or upon any property or right-of-way owned or controlled by the city.

- (7) The commission shall review the alteration, demolition, movement or construction of any structure, site or building which involves the use of capital expenditures by the City of Atlanta or capital expenditures by other public agencies or authorities which are required to submit plans for review by the city.

Per Section 16-20.009. Same; further standards.

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (6) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.
- (7) Whenever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

In “Concept Sketch – Option D”, the design of the northeast corner of the park is more abstract with a main pathway set at an angle to the street grid. This pathway connects two partial-circular plazas, one right at the street corner and one closer to the then alternative gaming site. There are several other connecting paths to the streets and to the then proposed garden area.

“Concept Sketch – Option E” revises the design of the northeast corner of the park to a more linear arrangement, aligned with William Holmes Borders Drive. There is still a small partial-circular plaza right at the street corner, but the main path leads to a more formal rectangular plaza which is aligned with the now more linear alternative gaming area to the south. There are now just two other paths, one to each street.

The Staff finds that the design of the northeast corner of the park in “Concept Sketch – Option E” is more compatible with the generally rectilinear arrangement of the rest of the park and provides a clearer delineation of uses and spaces. The adjacency of the larger public plaza with the alternative gaming area creates a center of activity framed by open space towards each street.

The proposed public art installation will occur at the center of the rectangular, brick plaza. The sculpture will be steel and about 12 ft. tall, 5-6 ft. wide, and 5-6 ft. deep. Two steel plates will intersect at a right angle to create the three-dimensionality of the sculpture. A couple of foundation methods are being considered, though in all scenarios the sculpture will be set slightly above the finish elevation of the surrounding brick to avoid accumulation of debris under the statue. It is not clear if the steel will be coated or otherwise treated for outdoor installation.

The Staff finds that it is very appropriate to honor the name sake of the park with public art and finds that the proposed concept (steel plates at right angles) will create an interesting and unique design. However, the Staff would recommend that there be an interpretive plaque or signage installed in the plaza to provide background on Ms. Selena Butler and the sculpture. Further, the Staff is concerned that the sculpture could appear somewhat diminutive in the plaza and as such has less visual impact given the expanse of the plaza and the 12 ft. height of the sculpture. The Staff might suggest creating a small base to raise the height of the sculpture and add visual mass to its form.

Staff Recommendation: Staff recommends that the Commission confirm that it has delivered its comments at the Commission meeting on Review and Comment (RC-13-261) on site work, alterations, and installation of public art at **98 William Holmes Border, Sr. Street (Selena S. Butler Park)**.



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Director, Office of Planning

STAFF REPORT October 23, 2013

Agenda Item: Review and Comment (RC-13-262) for alterations and additions at **147 Huntington Road**- Property is zoned R-4/ Brookwood Hills Conservation District.

Applicant: Kevin Kleinhelter
147 Huntington Road

Facts: According to the Brookwood Hills Inventory, this dwelling built in 1950, is considered non-contributing.

Analysis: The following code sections apply to this application:
Per Section 16-20.007(b) of the Atlanta Land Development Code, as amended:

Conservation Districts Exempted: Certificates of appropriateness are not required for Conservation Districts. However, no person shall construct, alter, demolish or move, in whole or in part, any building, structure or site located within a Conservation District until the Commission shall have reviewed the proposed action(s) and made written recommendations regarding any such action to the owner(s) of the property.

Sec. 16-20.009. Same; further standards.

In deciding individual applications for certificates of appropriateness, the commission shall be guided by the purposes set forth in section 16-20.001, by findings contained in ordinances designating buildings and sites for protection, by purposes and objectives which are contained within individual Landmark and Historic District regulations, and by findings contained in reports prepared in support of Landmark and Historic District regulations as are required in article D of chapter 4 of part 6. Furthermore, in considering whether to grant approval, conditional approval or denial of an application for a type II or type III certificate of appropriateness, the commission shall apply the following standards:

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (3) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.

- (4) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, object or site shall be kept where possible.
- (5) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- (6) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.
- (7) Wherever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

Brookwood Hills Conservation District does not have specific architectural regulations similar to Atlanta's historic or landmark districts, therefore the Commission should refer to Further Standards listed in Chapter 20 of the zoning ordinance, which apply to all locally designated districts and properties.

According to the Applicant, the existing house is a duplex and the proposal is to turn it into a single family dwelling. In looking at pictures of the front façade, the building appears to be a typical brick single story bring Ranch style house with a hipped roof. Due to the topography of the property, the house is actually two stories on the sides and rear of the property.

The Applicant is proposing to add a second story to the front of the house. As this is not a historic house, Staff does not have a concern regarding the destruction of historic fabric. When adding a second story to the front of an existing non-contributing house, Staff finds there are two good options. One option is for the addition to be in keeping with the existing house. The other option is for the addition to make the house consistent and compatible with the existing contributing houses on the block. Staff has concerns as the proposed addition accomplishes neither of the aforementioned options.

The proposed addition is not in keeping with the style, roof form, materials and architectural elements of a typical Ranch style house. In comparing the proposed alterations with the contributing houses on the block, Staff finds the style, roof form, materials and architectural elements are not consistent or compatible with the existing contributing houses.

Given its non-contributing status, Staff has no general concerns regarding additions and alterations to the existing house. Staff does have concerns that the proposed alterations and additions will create a house that is not in keeping with the existing house or the contributing houses on the block. Given the location of the alterations and additions, Staff finds they will be highly visible and therefore will have a negative impact on the streetscape. Given the information we have at this time, Staff cannot support the current design. Staff suggests the proposal be revised to either be compatible with the architectural design of the existing house or consistent and compatible with the contributing houses on the block.

Staff recommends the Commission send a letter with comments to the Applicant.



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STAFF REPORT October 23, 2013

Agenda Item: Application for Type III Certificates of Appropriateness (CA3-13-265) for a new single family house at **658 Woodward Avenue** – Property is zoned R-5/ Grant Park Historic District (Subarea 1)/ Beltline.

Applicant: Intown Renewal Developers
1270 Caroline Street

Facts: According to the Grant Park Inventory sheet this is currently a vacant lot.

Analysis: The following code sections apply to this application:
Per Section 16-20K.006 of the Atlanta Land Development Code, as amended:

The following general regulations shall apply to all properties located within the Grant Park Historic District.

- (1) *General Criteria.*
 - a. Notwithstanding any other provision herein, no Certificate of Appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - b. Except as otherwise provided herein, the procedures for determining the appropriate type of certificate shall be those specified in section 16-20.008 of the zoning code.
 - c. In Residential Subarea I, the commission shall apply the standards referenced in 16.20.009 only if the standards set forth in this Chapter 20K do not specifically address the application.
- (2) *Certificates of Appropriateness.*
 - a. Type I Certificates of Appropriateness for ordinary repairs and maintenance shall not be required in this district. Painting or repainting of any structure, or portion thereof, does not require a Certificate of Appropriateness.
 - b. Type II Certificates of Appropriateness shall be required for: minor alterations to those facades of any contributing principal structure that face public streets; fences; walls; accessory structures; decks; and paving. If the proposed alteration meets the requirements of section 16-20K.007, then the director of the commission shall issue the Type II Certificate. If the proposed alteration does not meet the requirements of section 16-20K.007, the director of the commission shall deny the application. Appeals from said decision of the director regarding the issuance and/or denial of Type II Certificates may be taken by any aggrieved person by filing said appeal in the manner prescribed in the appeals section of Chapter 16-20.008(a) for Type I Certificates.
 - c. Type III Certificates of Appropriateness shall be required for:
 1. All new principal structures
 2. All major alterations and additions to existing structure, with respect to any façade that faces a public street.
 - d. Type IV Certificates of Appropriateness shall be required for demolition or moving of any contributing principal structure. A partial demolition of a contributing principal structure shall require a Type IV Certificate of Appropriateness only when said partial demolition will result in the loss of significant architectural features which destroys the structure's historic interpretability or importance.
- (3) *Subdivisions.* In addition to the requirements of the subdivision and zoning ordinances, including but not limited to sections 15-08.002(a)(2) and 15-08.005(d)(6), all subdivisions of lots shall conform to the historic platting pattern in the district with regard to lot size, dimensions, and configurations.
- (4) *Tree Preservation and Replacement.* The provisions of City of Atlanta Tree Ordinance, Atlanta City Code section 158-26, shall apply to this district.

- (5) *Paved surfaces.* The original layout, patterns and paving materials of sidewalks, curbs and streets shall be retained.

Section 16-20K.007. Specific Regulations - Residential Subarea I

(1) *Development Controls.*

- a. *Front Yards:* Front yard setbacks shall either: i) conform to the setback of the previously existing contributing building of like use; or ii) shall be no closer to the street than the closest and no farther from the street than the farthest contributing structure of like use on that side of the block.
- b. *Side Yards:* Side yards shall either: i) conform to the setback of the previously existing contributing building of like use; ii) conform to the setback of the existing building; iii) conform to any existing pattern of unequal side yard setbacks previously established by a majority of the contributing buildings of like use on that side of the block; or iv) be of a width of not less than seven (7) feet.
- c. *Rear Yard:* Rear yard setback shall be seven (7) feet.
- d. *Off-street parking and driveway requirements:*
 1. Off-street parking shall not be permitted in the front yard or half-depth front yard.
 2. The commission shall have the authority to vary section 28.006(10) relative to the requirement for an independent driveway connected to a public street.
 3. If constructed, independent driveways within the front yard or half-depth front yard shall be a maximum of ten (10) feet wide and shall have a maximum curb cut of ten (10) feet, exclusive of the flare.

(2) *Architectural Standards.*

- A. *Statement of Intent.* The purpose of these regulations is to set forth basic, minimum standards of architectural design and construction that are compatible with and complementary to the existing historic residences within the neighborhood, as the cumulative historic diversity of the built environment is a defining characteristic of this neighborhood. It is not the intent of these regulations to limit the design of new housing to replication of styles of existing structures, but to foster residential design that, with regard to massing, size, scale, materials, and architectural elements, enhances the architectural quality of the neighborhood and simultaneously encourages creativity. Additionally, these regulations are intended to integrate the physical characteristics of new construction into the existing neighborhood in a meaningful way so as to restore and promote the public health, safety, and welfare of this neighborhood.

The following residential architectural styles currently predominate in the neighborhood and contribute to its unique historic character; they are included here for reference only: American Four Square, Craftsman, English Vernacular Revival, Folk Victorian, Queen Anne, and Shotgun.

B. *Design Standards and Criteria for New Principal Structures.*

1. Identified design elements of size, scale, massing and materials of new construction shall be substantially consistent with said identified design elements found in contributing structures of like use in the district as listed in subsection 16-20K.007(15)(c.).
2. A paved walkway from the front sidewalk to the front entry of the principal structure shall be provided.
3. Front porches on the principal structure shall be required and shall be a minimum of one-third the width of the front facade and a minimum of seven (7) feet in depth. Side porches shall be a minimum of four (4) feet in depth. Porches may be enclosed by screen wire only, provided all the main features of a porch are maintained in place and the screening materials can be removed at a future date with minimal damage to said features.
4. All front facades and front porches of the principal structure shall face and be parallel to the lot frontage. Wrap around front porches are permitted.
5. Roof form above the front façade of the principal structure shall be gabled and/or hipped. Roof pitch shall be a minimum of 6 in 12. Roof pitch above porches shall not be restricted.
6. The height of the principal structure shall not exceed thirty-five (35) feet. (See section 16-28.022 for excluded portions of structures.)
7. The first floor of the principal structure shall be on foundations and elevated above the grade a minimum of two (2) entrance step risers each of which shall be no less than six (6) inches in height. All front steps shall have closed risers and closed ends. Access ramps shall be permitted.
8. Garage entrances are prohibited on the front facade. Single car-width garage entrances are permitted on the half depth front yard façade of the structure. Double car-width garage entrances are permitted at the rear of the structure.
9. Decks, Balconies and Upper Level Terraces:
 - a. Decks shall be permitted only when located to the rear of the principal structure.
 - b. Decks shall be permitted at any level.
 - c. Balconies and upper level terraces shall be permitted.
10. Any portion of a chimney that is located on any facade that faces a public street shall originate at grade.
11. Any facades that face a public street shall consist of fenestration that is either: 1)substantially consistent

- with fenestration on contributing structures of like use in the district, or 2) shall be no less than 15% and no greater than 40% of the total surface wall area. Windows may be individual or grouped. No individual window unit shall exceed twenty-eight (28) square feet. Within each individual window unit, no individual window sash, either fixed or operable, shall exceed sixteen (16) square feet.
12. When practical, skylights should be located where least visible from the public street. If skylights are visible from the public street, the glass shall be tinted to match the surrounding roof area. Protruding "bubble" skylights are prohibited.
 13. Accessory structures, such as carriage houses, smoke houses, tenant and alley houses, private garages, carports, and mechanical equipment shall be located to the side and/or rear of the principal structure within the buildable area of the lot and shall not project beyond the front of the principal structure. If mechanical equipment is visible from a public street, screening with appropriate plant or fence materials is required.
 14. Fences and walls, adjacent to a public street upon completion, shall be subject to the provisions of section 16-28.005(5) and the following limitations:
 - a. Fences not exceeding four (4) feet in height may be erected in a front yard. Fences not exceeding six (6) feet in height may be erected in a half-depth front yard. Other than retaining walls, walls shall not be erected in a front yard or half-depth front yard.
 - b. Fences and walls not exceeding six (6) feet in height may be erected in the side or rear yards.
 - c. In a half-depth front yard, when a fence exceeds four (4) feet in height, the standard zoning requirements for a variance are in effect. Where no sidewalk exists, the fence shall be set back three (3) feet from a public street. Portions of retaining walls facing a public street and located in a required front yard or half-depth front yard shall be faced with brick, stone or masonry wall covered with a parge coat of stucco, such as Portland stucco cement.
 - d. The finish side or front side of one-sided fences shall face the public street.
 15. On those facades of any structure that face a public street, the following regulations on building materials shall apply. Alternate materials may be submitted for review by the commission.
 - a. Paving materials for walks and drives: Black asphalt is prohibited.
 - b. Visible foundation materials: Foundations shall constitute a distinct building design element and shall contrast with the front facade siding material. Brick, stone, concrete, stucco, and architectural concrete masonry units (C.M.U.) shall be permitted. Standard, unfinished concrete block and stacked stone is prohibited.
 - c. Siding/Veneer: Horizontal lap siding, vinyl siding, aluminum siding, shingles, brick, hard stucco, and stone shall be permitted. Stacked stone is prohibited.
 - d. Roofing: Asphalt shingles, wood shingles, metal shingles, slate, and pre-finished metal panels shall be permitted.
 - e. Chimneys: Brick, stone, or architectural concrete masonry units (C.M.U.) shall be permitted. Siding is prohibited.
 - f. Fences: Brick, stone, wire mesh, architectural C.M.U., or vertical pickets made of ornamental metal, wood or simulated wood shall be permitted in the front yard and half depth front yard.

E. Site development, sidewalks and curbs:

 1. The sidewalk shall be the same width as the sidewalk on abutting properties. If no sidewalk exists on abutting properties the new sidewalk shall match sidewalk widths on the block. If no sidewalk exists on the block, the new sidewalk shall be six feet wide.
 2. Repairs or replacement of existing brick sidewalks shall be constructed of brick on a concrete base and laid in a pattern to match the existing pattern on abutting properties or elsewhere in the district.
 3. Repairs or replacement of concrete sidewalks adjacent to existing brick sidewalks on the same linear block, or in blocks where brick sidewalks are installed, shall be constructed of brick on a concrete base and laid in a pattern to match the existing pattern on abutting properties or elsewhere in the district.
 4. Sidewalks crossing driveways shall be brick on a concrete base and laid in a pattern to match the existing sidewalk on abutting properties or elsewhere in the district. Driveway aprons shall not interfere with the visual field of the pedestrian path.
 5. Curbing shall be granite; poured concrete shall not be used. Curbing shall be at least six inches in height from street level.
 6. Historic materials such as brick, granite, and cobblestones shall be reused where possible.

7. All American with Disabilities Act (ADA) Detectable Warning Devices installed in this district shall be a red brick color.

Plan Discrepancy

In comparing the full size sets to the reduced sets, the elevations and floor plans do not match. Specifically, the actual elevation and floor plan appear to be flipped when comparing the full size and reduced set. It is not clear which set of plans the Applicant is submitting for approval. Staff recommends the Applicant clarify which set of plans is being submitted for approval.

In looking at the full sized set, the site plan and floor plan are not consistent. Specifically, the floor plan indicates a porch depth of 8' and the site plan indicates a porch depth of 6'. Staff recommends all plans submitted are internally consistent. Staff will use the full size plans as a basis for review.

Site Plan

This interior lot fronts 27' on Woodward Avenue and has a depth of 82.50'. As this is a non-conforming lot, the maximum FAR (floor area ratio) allowed is the lesser of .65 of the net lot area or 3, 750 sq. ft. If the above provisions do not allow for 1800 Sq. ft., the underlying zoning allows for an 1800 sq. ft. house to be built. The plans do not indicate the FAR, however the total living space is indicated as 1,690 sq. ft., therefore Staff finds the FAR requirement has not been met. Per underlying zoning, the maximum lot coverage allowed is 55%. The lot coverage is indicated as 49.4% and therefore meets the lot coverage requirement.

The regulations allow for the front and side yard setbacks to be based on a previously existing historic house. According to the Applicant, the proposed front and side yard setbacks match a previously existing house. The Applicant provided a copy of a Sanborn Map that indicates the previously existing house. As the Sanborn Map is not scaled, Staff cannot confirm the proposed front and side yard setbacks match the previously existing historic house. Staff recommends the Applicant submit a scaled Sanborn Map that documents the proposed setbacks match the previously existing historic house. Per regulations the rear yard setback shall be no less than 7'. Staff finds the rear yard setback is more than 7' and therefore meets the rear yard setback requirement.

As required by the regulations, the site plan indicates a walkway from the porch to the front property line. It is not clear from the site plan whether there is an existing sidewalk. Staff recommends the Applicant clarify whether there is an existing sidewalk. If there is a sidewalk and it is damaged during construction, it shall be repaired or replaced as outlined in the regulations.

Massing and Building Height

The proposed two story house is defined by an 8 in 12 gable roof and a full width porch with a hipped roof. Per regulations, the maximum height allowed is 35'. The Grant Park Historic district regulations do not specify how the height should be measured. As such, Staff finds the standard City measurement should be used. In looking at the front façade, Staff finds the height requirement has been met. In looking at the contributing houses on the block, the houses are all one story and most have a gable roof. While Staff finds the overall height, massing and design of the proposed dwelling is not similar to the historic houses on the block, Staff finds the regulations have been met.

Building Facades

The Commission reviews the facades that face a public street. This is an interior lot, therefore Staff will only comment on the façade that faces a public street.

Windows and Doors

A single front door is parallel and facing the Woodward Avenue as required. Staff finds the proposed door is appropriate to the style of the house.

The Applicant is proposing to install 1 over 1, double hung, wood windows on the front facade. The Grant Park regulations allow for windows to either be compatible with the windows on contributing houses or are no less than 15% and no more than 40% of the wall surface. Staff finds the design of the windows is appropriate. Further, Staff finds the proposed windows meet the fenestration percentage requirement.

Building Materials

The proposed materials include smooth cementitious siding with a 6" reveal, wood windows, cedar shake in the gable, wood door with glass, wood columns, architectural shingles for the roof, wood corner boards and wood spindles. The material for the stairs is not indicated. Staff recommends an appropriate material for the porch stairs is indicated on the plans. The foundation material on the front façade appears to be a wood band. Staff finds that a wood band for the foundation material is not appropriate. Staff recommends the plans indicate an appropriate foundation material on the front façade.

Porch

The proposed dwelling has a full width porch with a depth of 6'. Per regulations, the minimum depth for the front porch is 7'. Staff recommends the front porch have a depth of no less than 7'. The porch features columns and railings that are compatible with other similar porches in the district. Staff finds the overall decorative details of the proposed front porch are consistent and compatible with the house style. Given the height of the foundation, Staff finds a railing is not required to meet safety code. As such, Staff has no concerns regarding the 30" height of the proposed railing.

Staff Recommendation: Based upon the following:

1) The plans meet the regulations with the exception of the comments noted above per Section 16-20K.007;

Staff recommends approval of the application for a Type III Certificate of Appropriateness (CA3-13-265) for a new single family house at **658 Woodward Avenue** – Property is zoned R-5/ Grant Park Historic District (Subarea 1)/ Beltline, with the following conditions:

1. The Applicant shall clarify which set of plans is being submitted for approval;
2. All plans submitted shall be internally consistent;
3. The Applicant shall submit a scaled Sanborn Map that documents the proposed setbacks match the previously existing historic house, per Section 16-20K.007(1) (a) and (b);
4. The Applicant shall clarify whether there is an existing sidewalk;
5. If there is a sidewalk and it is damaged during construction, it shall be repaired or replaced as outlined in the regulations, per Section 16-20K.007(2)(E);
6. An appropriate material for the porch stairs shall be indicated on the plans, per Section 16-20K.007(20)(15);
7. The plans indicate an appropriate foundation material on the front façade, per Section 16-20K.007(2)(15)(B0);
8. the front porch shall have a depth of no less than 7', per Section 16-20K.007(2)(B)(3); and
9. Staff shall review and if appropriate, approve the final plans.



CITY OF ATLANTA

M. KASIM REED
MAYOR

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JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT

October 23, 2013

Agenda Item: Review and Comment (RC-13-266) on a new baseball field at **100 Bagley Street aka 465 Pharr Road (Frankie Allen Park)** – Property is zoned SPI-9, SA 3.

Applicant: Patricia Katz, Office of Parks Design
233 Peachtree Street

Facts: Frankie Allen Park consists of a variety of facilities. The proposed baseball field is located in the eastern portion of the park, between two existing baseball fields and partially on an existing maintenance area.

Just to the east of the proposed field is a steep slope down to a creek. Part of the outfield and infield is within the City's 75 ft. stream buffer. It appears that about six (6) trees will be removed to install the field. Replacement trees will be planted in the southern portion of the park.

Analysis: The following code section applies to this application:

Per Section 6-4043 of the Atlanta City Code:

- (4) The commission shall review the proposed location and design of any proposed park and any plan or proposal for the relocation or significant change, alteration or addition to any existing park.

The Staff appreciates the reduction in impervious surface the creation of the field will cause and the use of sensitive building techniques within the stream buffer.

The Staff would have a couple of recommendations, though. First, it is not clear if the remainder of the maintenance area will be reconfigured. As it is shown on the site plan, a portion of the maintenance area will be removed to provide for a corner of the outfield. This would leave several existing building just outside the outfield fence. It would also create a potential "pinch point" between the outfield corner and the "wood ramp" shown on the site plan.

Second, the Staff would recommend the use of another material other than "modular block" for the retaining wall along the north side of the field. While it appreciates the budgetary

considerations, true stone facing will provide a higher quality and more permanent looking appearance to the wall.

Third, to avoid erosion and collection of water, the Staff would recommend that pathways (either hard or soft surface) be provided to the front of the bleachers, the entrances to the team benches, behind home plate, and any other access point to the field.

Fourth, no lighting is shown on the plans. The Staff would recommend the Applicant confirm any lighting proposals for the fields and that it be situated to avoid as much as possible light spillage to adjacent properties to the east.

Staff Recommendation: Staff recommends that the Commission confirm that it has delivered its comments at the Commission meeting on Review and Comment (RC-13-266) on a new baseball field at **100 Bagley Street aka 465 Pharr Road (Frankie Allen Park)**.



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STAFF REPORT

October 23, 2013

Agenda Item: Review and Comment (RC-13-268) on a special exception application (V-13-187) for a porch addition, partial second story, and first floor addition (no bedrooms or units to be added) to an existing legal non-conforming quadruplex, where otherwise prohibited at **481 Atlanta Ave** - Property is zoned R-5/ Grant Park Historic District (Subarea 1).

Applicant: Michael Townsend
475 Atlanta Avenue

Facts: According to the Grant Park Inventory sheet this multi-family dwelling built was built in 1958 is considered non-contributing.

The Applicant has submitted an application for a Type III Certificates of Appropriateness (CA3-13-202) for major alterations and an addition. While reviewing the application, Staff found that a special exception was required for the alterations and additions requested by the Applicant.

Analysis: The following code sections apply to this application:
Per Section 6-4043 of the Atlanta City Code:

- (6) The commission shall review and make written recommendation to the zoning review board and to the board of zoning adjustment on any proposed action pending before said boards regarding any building, site or district which has been designated for historic protection pursuant to this article or by chapter 20 of part 16 of the Code of Ordinances.

In general, Staff finds that property owners should be able to add to existing buildings. Staff finds the alterations and additions proposed by the Applicant would meet the height, setback, lot coverage and floor area ratio requirements. While Staff does not have a general concern regarding the expansion of an existing legal non-conforming quadruplex, Staff does have a concern regarding the actual design and how it impacts the historic district. While Staff supports the special exception, Staff wants to ensure that the final design of the proposed alterations and additions will be reviewed and if appropriate, approved by the Urban Design Commission.

Staff recommends that a letter with the comments of the Staff and Commission be sent to the Applicant and appropriate City agencies.

