



CITY OF ATLANTA

M. KASIM REED
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT

February 10, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-15-008) for a variance to allow a reduction in the rear yard setback from a minimum of 17.8 ft. (required) to 3 ft. (proposed) and (CA3-15-007) for alterations and a rear addition at **193 Battery Place** - Property is zoned R-5/ Inman Park Historic District (Subarea 1)/Beltline.

Applicant: Dan Hanlan
322 Clifton Road

Facts: According to the District inventory sheet, this house was built in 1923 and is considered contributing to the District. The house is one-story with a shallow, hipped roof form with a small front stoop, a side porch which has been previously enclosed with glass, and large rear screened porch.

The proposal before the Commission at this time is a one-story rear addition in place of the rear porch with a variance for a reduction in the rear yard setback. No alterations are proposed for the front or sides of the existing house. There are other changes proposed to the rear façade besides the addition (which is not as wide as the existing house), but they cannot be seen from the public street and as such they are not subject to review by the Commission.

No site work is proposed as this time.

The Staff would note that the applicant included a variance request to slightly increase the lot coverage, but that is not a regulation that is subject to variation by the Commission. Further, the resulting lot coverage appears to be within the allowances for an R-5 zoned property. If a variance is needed, it would be heard by the Board of Zoning Adjustment.

The Commission previously reviewed an application for a second-story addition located over most of the existing footprint of the house with a projecting, full, two-story portion at the rear of the house that would create an entirely new roof form and pitch. Given concerns raised by the Staff and the neighborhood that application was withdrawn.

Analysis: The following code sections apply to this application:

Per Section 16-20L.005 of the Atlanta Land Development Code, as amended:

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

Section 16-20L.005 General Regulations.

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

1. General Criteria.
 - a. Except as otherwise provided herein, the procedures for determining the appropriate type of Certificate of Appropriateness shall be those specified in Section 16-20.008 of the Zoning Code.
 - b. In the Inman Park Historic District, the Commission shall apply the standards referenced below only if the standards set forth elsewhere in this Chapter 20L do not specifically address the application including multifamily residential, institutional, commercial, industrial and mixed use structures in Subarea 1:
 - i. A property shall be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
 - ii. The historic character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property shall be avoided.
 - iii. Each property shall be recognized as a physical record of its time, place, and use. Changes shall not be undertaken that create a false sense of historical development, such as adding conjectural features or elements from other historic properties.
 - iv. Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
 - v. Distinctive materials, features, finishes, and construction techniques, or examples of craftsmanship that characterize a property, shall be preserved.
 - vi. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, texture, and, where possible, materials.
 - vii. Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
 - viii. Archaeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.
 - ix. New additions, exterior alterations, or related new construction, shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work may be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
 - x. New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
 - c. Compatibility Rule: The intent of the Mayor and Council in establishing the regulations of the Inman Park Historic District is to ensure that alterations to existing structures, and new construction, in Subarea 1 and alterations to existing contributing structures in Subarea 2 and Subarea 3 are compatible with the historic design, scale, and general character of the entire district as it existed in 1945, of the contributing structures in each subarea, and of the contributing structures in the immediately adjacent environment of a particular block face, and further, to ensure that lot platting in Subarea 1 is compatible with the historic platting pattern of Subarea 1 and of a particular block face as it existed in 1945. To further that intent and simultaneously permit flexibility in design, the regulations provide a Compatibility Rule which is as follows: Where quantifiable (i.e. building height, setback, etc.), the element or building characteristic in question shall be no less than the smallest such element or building characteristic of buildings or site layouts in that block face that characterizes such like contributing buildings and shall be internally consistent with the historic design of the structure and shall be no greater than the greatest such element or building characteristic of buildings or site layouts in that block face that characterizes such like contributing buildings or site layouts and shall be internally consistent with the historic design of the structure. Where not quantifiable (roof form, architectural trim, etc.) it shall be compatible with that which predominates in contributing structures on that block face and shall be internally consistent with the historic design of the structure.
2. Certificates of Appropriateness.
 - 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.
 - d. Type III Certificates of Appropriateness shall be required for:

- ii. All major alterations and additions to existing structures where visible from a public street or park, unless such alterations or additions are specifically exempted from Certificates of Appropriateness in the Subarea regulations.
- v. Variances and special exceptions.
- e. 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 that destroys the structure's historic interpretability or importance.

3. Variances, Special Exceptions, and Appeals.

Variance applications, applications for Special Exceptions, and appeals from these Regulations shall be heard by the Commission. The Commission shall 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, and criteria for decisions regarding such variances shall be the same as those specified in Chapter 26 of this Part 16. The Commission shall have the authority to grant or deny applications for Special Exceptions pursuant to the standards in Chapter 25. The Commission shall have the authority to grant or deny applications for appeal pursuant to the standards in Section 16-30.010 and the appeal provisions for said decision, set forth in Section 16-30.010(e), shall also apply to the Commission's decision.

Section 16-20L.006. Specific Regulations for Inman Park Core District, Subarea 1.

In the Inman Park Core District, Subarea 1, the Commission shall apply the standards referenced in Section 16-20L.005(1)(b) only if the standards set forth below in this Chapter 20L do not specifically address the application:

- 1. Design Standards and other criteria for construction of and for additions to one- and two-family residential structures.
 - f. The Compatibility Rule shall apply to the form and pitch of the primary roof of the principal structure.
 - g. The Compatibility Rule shall apply to the height, scale, and massing of the principal structure. In no case shall the height of a structure exceed 35 feet. (See Section 16-28.022 for excluded portions of structure.)
 - i. The height of additions shall not be subject to the compatibility rule, but shall be no higher than the existing structure.
 - ii. Notwithstanding the compatibility rule, any new roof ridge line shall be no higher than the highest roof ridge line of the existing structure.
 - n. The compatibility rule shall apply to the following aspects of fenestration, if visible from a public street or park upon completion:
 - i. The style of the individual window.
 - (1) Windows in the front façade shall be predominantly vertical in proportion.
 - (2) If muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.
 - (3) Window and door casings widths and depths are subject to the Compatibility Rule.
 - ii. The size and shape of individual window openings.
 - iii. The overall pattern of fenestration as it relates to the building façade.
 - p. Wood lap siding, cementitious lap siding, brick, stone, external insulating finishing system ("EIFS"), and true stucco systems are permissible building materials for the façade of the principal structure. Corrugated metal, aluminum siding, and vinyl siding are not permitted.
 - q. The Compatibility Rule shall apply to building materials and design elements, if visible from a public street or park upon completion, and in addition to all other applicable regulations, as follows:
 - i. The dimensions of the exposed face of lap siding and wood shingles.
 - ii. The type of brick and pattern of brickwork.
 - iii. The type of stone and pattern of stonework.
 - v. The size and type of doors.
 - (1) Exterior doors shall be wood panel or fixed glass panel in wood frame.
 - vi. The materials and pattern of roofing.
 - vii. Paving materials for walks and drives.
 - (1) Asphalt is not permitted.
 - x. Skylights are permitted where not visible from a public street or park wherever possible. Protruding bubble skylights are prohibited.
- 2. Setback requirements:
 - b. New additions to existing structures: The following setback requirements and maximum floor area ratio shall apply to all permitted uses of new additions to existing structures: Rear setbacks shall be subject to the compatibility rule. The compatibility rule shall not apply to the front and side setbacks of any addition to an

existing structure, however the front and side yard setbacks of the addition shall not be less than the respective setback, at its closest point, of the existing structure.

4. Principal uses and structures:
 - a. Properties that have an underlying zoning designation of R-5 shall be used only for the following principal purposes subject to the following provisions:
 - v. Floor area ratio shall not exceed 0.50.

Variance Analysis

The Applicant submitted a variance analysis which was previously sent to Commission members.

The Applicant noted in their variance analysis that the lot is “a pie shape” and the only one of its type on the block face, the existing house appears to be the closest to the rear property line of the contributing houses on the block face, any rear addition would require a variance given the existing house is already the closest house on the block face to the rear property line, and the proposed addition would be similar in size to the existing rear porch (which would be demolished to make way for the addition).

In short, the Staff agrees with the Applicant’s variance argument. Given the existing house is already the closest to the rear property line it establishes the minimum rear yard setback of the range created by the contributing houses on the block face. As such, any addition that is closer than the existing house would require a variance. While there is one other unusually shaped lot on the block (at the very end of the cul-de-sac), the existing lot does have an unusual shape relative to the District and the prevailing lot pattern, size, and shape in the District. Lastly, the proposed addition would be somewhat similar in shape and size as the existing rear porch such that the massing and scale of the house would essentially be the same.

The Staff would add that other addition configurations (such as the one previously proposed) would present significant massing and scale issues as well as substantially change the appearance of the house, either by increasing its height or its length as viewed from the street.

The Staff would note that it appears the rear yard setback does not need to be reduced all the way to 3 ft., though the proposed site plan overlays the proposed footprint onto the existing rear porch making the measurement of the setback of the proposed additional somewhat unclear. As such, the Staff would recommend that the rear yard setback only reduced to the distance required to build the rear addition as described in the current application.

Notwithstanding the documentation issue, the Staff would recommend approval of the variance application.

Design Analysis

General Development Controls and Setbacks

According to the site plan, the lot fronts about 120 ft. on east side of Battery Place, including the curve of the cul-de-sac. At its deepest point, the lot has depth of about 88 ft. though it narrows to a small angle along the curve of the cul-de-sac. At the point where the house sits on the lot, it is 67 to 82 ft. deep. Per the regulations, the side yard setback of the proposed addition can be no closer to the setbacks than the existing house. Given the proposed addition is set back from the left side of the house and even with the right side of the house, the Staff finds the proposed addition meets the side yard setback requirements. Per the variance request and the Staff’s recommendation thereof, the rear yard setback requirement would be met.

Per the regulations the floor area ratio (FAR) can be no more than .50. The proposed FAR is .225 and therefore meets the regulations. As noted above, the proposed design includes a slight increase in the lot coverage to just under 52%, which is below the maximum of 55% and as such appears to meet the underlying zoning district (R-5) lot coverage requirements. This will be confirmed during the general building permit review process.

Design of the Rear Addition

Beyond the Staff's support of the variance, it finds that generally speaking the massing, scale, size, architectural elements, and materials of proposed addition meet the District regulations. The addition is no taller than the existing house with a ridge line that is slightly lower than the existing ridge line. The addition is setback from the left side and includes a "notch" on the right side differentiating it from the original house. The specific / individual materials and architectural elements within the proposed addition meet the District regulations by themselves as they are the same as or similar to the corresponding elements on the original house.

The Applicant is proposing to demolish an existing rear screen porch to accommodate the new rear addition. As the rear screen porch is not historically significant, the Staff has no concerns regarding the proposed demolition.

Variance (CA3-16-008):

Staff Recommendation: Based upon the following:

- (a) The Applicant has met the variance criteria, per Section 16-26.003(1).

Staff recommends approval of the application for a Type III Certificate of Appropriateness (CA3-15-008) for a variance to allow a reduction in the rear yard setback from a minimum of 17.8 ft. (required) to 3 ft. (proposed) at **193 Battery Place** - Property is zoned R-5/ Inman Park Historic District (Subarea 1)/Beltline. With the following conditions:

1. The rear yard setback shall only be reduced to the distance required to build the rear addition as described in the current application, per Section 16-26.003(1).

Design Review (CA3-16-007):

Staff Recommendation: Based upon the following:

- (a) The Staff's recommendation regarding the variance (CA3-16-008); and
- (b) The plans meet the regulations per Section 16-20L.006.

Staff recommends approval of the application for a Type III Certificate of Appropriateness (CA3-16-007) for alterations and a rear addition at **193 Battery Place** - Property is zoned R-5/ Inman Park Historic District (Subarea 1)/Beltline, with the following conditions:

1. The Staff shall review, and if appropriate, approve the final plans, elevations, and specifications.



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STAFF REPORT February 10, 2016

Agenda Item: Applications for A Type II Certificates of Appropriateness (CA2-16-012) for a new deck and fence installation at **695 Brookline Street** - Property is zoned R4-A/Adair Park Historic District.

Applicant: Tiara Crumby
1004 Glen Ivy, Marietta

Facts: According to the Adair Park Inventory this single family dwelling built in 1923 is considered a contributing structure.

Analysis: The following code sections apply to this application:
Per Section 16-20L.005 of the Atlanta Land Development Code, as amended:

Sec. 16-20I.005. General regulations.

The following regulations shall apply to all properties within the Adair Park Historic District.

1. *The Compatibility Rule:* The compatibility rule is a method of requiring that alterations and new construction are sensitive and sympathetic to existing elements of design, scale and general character of the district with particular attention to the immediate environment constituting a particular block. In accordance with this purpose, the compatibility rule is as follows: "To the maximum extent possible, the element in question, such as roof form or architectural trim, shall substantially match that which predominates on that block. When elements are quantifiable, such as building height or floor heights, they shall equal the statistical average of all like elements of all structures of like use in that block." Those elements to which the compatibility rule applies are specified in regulations by reference to "compatibility rule."
2. *Variations:* The urban design commission shall have the power to hear, grant and deny variations 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 variations shall be the same as those specified in chapter 26 of this part 16, which provisions are hereby incorporated herein.

Sec. 16-20I.006. Specific regulations--Residential Subarea I.

In addition to the general regulations set forth in section 16-20I.005, and any other applicable regulations, the following regulations shall apply to all properties located within Residential Subarea I:

1. *Certificates of Appropriateness:* Certificates of appropriateness within this subarea shall be required as follows:
 - (a) *When required:*
 1. To change the exterior appearance of any portion of a structure within the subarea, when said change can be seen from the public right-of-way;
 2. To erect a new structure or to make an addition to any structure within the subarea, when said new structure or addition can be seen from the public right-of-way; and

3. To demolish or move any contributing structure, in whole or in part, within the subarea.
- (b) *Type required:*
1. Type I certificates of appropriateness for ordinary repairs and maintenance are not required in this subarea. This exemption in no way obviates the requirements for certificates of appropriateness for all minor alterations (Type II), major alterations (Type III) and demolitions (Type IV, except partial demolitions).
 2. Except with regard to Type I certificates, the procedures for determining the appropriate type of certificate required under subsection 16-20I.006(1)a. above shall be those specified in section 16-20.008 of the zoning code, provided, however, that a partial demolition 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. *Architectural Standards:*
- (f) *Roofs:*
1. Roofing materials shall be of the same size, texture and materials as existing, exposed roofing materials when the existing, exposed roofing materials constitute a significant architectural feature of the structure.
 2. Cold-rolled roofing is permitted only on flat roofs. Corrugated metal and corrugated fiberglass roofs are not permitted.
 3. The shape and pitch of roofs for new construction shall be subject to the compatibility rules.
 4. Decks, skylights, solar panels and communication equipment, when otherwise allowed by these or other regulations are permitted on roofs of buildings provided they cannot be seen from the public right of way.

According to the site plan, the existing interior lot fronts 50' on Brookline Street and has a depth of 197.50' on its longest side. In looking at the City of Atlanta cadastral maps, Staff finds there is a slight discrepancy in the lot dimensions. Staff suggests the Applicant work with the Office of Planning subdivision staff to resolve the lot dimension discrepancy.

The Applicant is proposing a new deck at the rear of the house. Given the decks location, Staff finds it will not be seen from the street. Staff has no concerns regarding the location of the proposed deck. Per underlying zoning, the side yard shall be no less than 7'. The side yard setbacks are more than 7' and therefore meet the requirements. Per underlying zoning, the rear yard setback shall be no less than 15'. The proposed rear yard setback is more than 15' and therefore meets the requirements.

Per underlying zoning, the maximum lot coverage allowed is 55%. The proposed lot coverage is not indicated on the plans. Staff recommends the Applicant provide documentation the proposed lot coverage meets the requirements. As there is no additional living space proposed, Staff has no concerns regarding the floor area ratio (FAR).

The Applicant is proposing to install a new 6' privacy fence on the east property line and across the existing driveway on the west side of the house. Staff finds the proposed location, material, height and design of the proposed fence is appropriate. Staff has no concerns regarding the proposed fence.

Staff Recommendation: Based upon the following:

- (a) Except as noted above, the plans meet the regulations per Section 16-20I.005 and 16-20I.006;

Staff recommends approval of the Application for a Type III Certificate of Appropriateness (CA2-16-012) for a new deck and fence installation at **695 Brookline Street** - Property is zoned R4-A/Adair Park Historic District, with the following conditions:

1. The Applicant shall submit documentation the proposed lot coverage meets the requirements, per Section 16-06A.008; and
2. Staff shall review and if appropriate approve the final plans.



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STAFF REPORT February 10, 2016

Agenda Item: Application for a Type IV Certificate of Appropriateness (CA4PH-16-016) for the demolition of an accessory structure due to a threat to public health and safety at **1496 Fairview Road** – Property is zoned Druid Hills Landmark District.

Applicant: Kevin Ferguson
1496 Fairview Road

Facts: According to the Druid Hills Inventory, the single family house on the property was built in 1929. The property is considered contributing to the District. According to the Applicant, the garage is 90 years old and as such would date to the era as the house itself. Given the property is considered contributing to the District, the garage would be considered contributing to the District as well and as such under the current District regulations its demolition is subject to a Type IV Certificate of Appropriateness review. The garage appears largely intact, though the Applicant recently installed new roofing.

Analysis: The following code sections apply to this application:

Per Section 16-20.008

(d) Type IV Demolitions: Demolition of a Landmark Building or Site, a building or site in a Landmark District or a contributing building or site in a Historic District, constitutes an irreplaceable loss to the quality and character of the City of Atlanta. Therefore, all demolitions of said specified buildings or sites shall require a type certificate of appropriateness. Said certificates shall be granted according to the following procedures and standards:

- (1) Conditions: Type IV certificates of appropriateness shall be issued by the commission only when (1) or both of the following two (2) conditions have been established pursuant to the standards and criteria required below:
 - a. The demolition is required to alleviate a threat to public health and safety;
- (2) Standards and criteria: The standards and criteria required to be shown in order to establish the existence of the conditions specified in subsection (d)(1) above shall be as follows:
 - a. Threats to public health and safety:
To prove the existence of a threat to public health and safety, the applicant must establish, and the commission must find, the following:
[See items #1-12 as outlined below and excerpted from Section 16-20.008(d)(2).]

Section 16-20B.003 General Regulations:

(2) Certificates of Appropriateness.

- (h) Type IV certificates of appropriateness shall be reviewed and decided by the Commission and shall be required for the demolition or moving of any contributing principal structure or contributing accessory building. A partial demolition of a contributing principal structure or contributing accessory building shall require a Type IV certificate of appropriateness only when said partial demolition will result in the loss of significant architectural features that destroys the structure's or buildings historic interpretability or importance.

The Applicant is proposing to demolish a garage to build a new one and a half story garage with a workshop above. Unless otherwise noted below, the Staff has found that the Applicant has adequately responded to the demolition criteria / documentation requirement. The Staff will only address criteria / documentation requirements that it found were either not met, needed additional clarification, or had not been provided. The comments below are organized using the same numbers for the criteria / documentation requirements as listed in the application package.

1. Demonstrate through independent analysis and supporting information that a major and imminent threat to public safety exists.

The Applicant submitted a letter report from a registered engineer. According to the letter the structure is in poor condition. Specifically, the engineer indicates the roof framing is questionable, the right wall acts as a retaining wall, the wall framing is insufficient, the structure is leaning and it does not meet current building code. According to the engineer, rehabilitation or adding to the structure would be expensive and he recommends demolition. Separately, the Applicant noted the door header had been spliced, there was termite damage, the rear wall is raking to the left (towards the property line) and that initially property insurance could not be secured until issues with the garage were addressed.

According to the Applicant, the accessory structure was built 90 years ago about the same time as the house. Given the age of the accessory structure, the concerns in the letter report are not necessarily uncommon. It is clear the accessory structure is in disrepair. In their letter report, the engineer indicates that a potential retention plan probably involve a partial demolition and rebuilding. However, no more information was provided about that alternative.

Generally speaking, a major and imminent threat exists when the structure is in danger of collapse or presents a similar hazard. While the letter report submitted indicates the existing structure does have substantive structural problems, the Staff finds that the engineer's current analysis does not indicate that a major and imminent threat to public health and safety exists.

The Staff recommends the Applicant submit additional documentation or analysis that indicates the existing accessory structure is a major and imminent threat to public safety.

2. Present all reasonable alternatives for rectifying the threat and analysis of all such alternatives.

The Applicant indicates the depth, width and height of the garage would need to be increased to accommodate full size vehicles. The Applicant added that doing this with the existing garage would require that much of the garage be removed thus resulting in an essentially new garage anyway. While the Staff is not surprised that the garage cannot accommodate more than one large vehicle, the question remains what are the options to address this functional issue.

The Staff finds that there are two reasonable alternatives to address this issue: renovate / expand the existing garage or demolish the garage and build a new, larger garage with or without additional non-vehicle space. As currently submitted, the Applicant has provided cost information for "demolition and new construction new garage" for \$40,000 to \$50,000. The design of the proposed replacement garage in the corresponding Type III Certificate of Appropriateness application includes a workshop in a half-story above the garage. It is not clear if the \$40,000-\$50,000 cost estimate for demolition and new construction is for the proposed design or just a new garage.

The Applicant has not provided any information or details for the possible alternative of expanding the existing garage. They did note in their narrative that the expansion option would be “impractical” and that “while more expensive, complete demolition and construction of a new structure would be the safest approach”. The engineer noted in their letter report that “rehabilitation or adding to the structure will be expensive, since most of the existing structure will require major reinforcement or replacement”. These conclusions would seem to indicate that comparisons were made between the renovation / expansion option and the demolition / new construction option regarding at least cost, logistics, practicality, and safety of construction. They would also seem to indicate that the engineer concluded that renovation / expansion would be more expensive while the Applicant concluded that demolition / new construction would be more expensive.

The Staff would recommend the Applicant submit information about reasonableness of the renovation / expansion option referred to in their narrative response and clarify the conclusions reached by the engineer regarding the cost of the renovation / expansion vs. demolition / new construction.

10. The infeasibility of alternative uses that can earn a reasonable economic return for the property as considered in relation to the following:

10(b) Estimate of the cost of the proposed construction, alteration, demolition, or removal, and an estimate of any additional cost that would be incurred to comply with the recommendation and decision of the commission concerning the appropriateness of the proposed alterations.

As noted above, the Applicant provided an estimate for demolition / new construction and a design for a new garage with a half-story workshop above, but no estimates were provided for the renovation / expansion alternative. The Staff would recommend the Applicant provide a cost estimate for the renovation / expansion option and clarify whether the cost estimate provided for the demolition / new construction is just for a garage or for the garage / workshop design included in the submission.

10(d) In the case of a proposed demolition, the testimony of an architect, developer, real estate consultant, appraiser, or other real estate professional experienced in rehabilitation as to the economic feasibility of rehabilitation or reuse of the existing structure on the property.

The engineer’s letter report does not address the economic feasibility of the two options beyond noting that the renovation / expansion option “will be expensive”.

Separately, the Applicant noted that the value of the property would be the same for both a renovated / expanded garage and a new garage, and given the amount of work that would be required to renovate / expand the garage both options would result in essentially a new structure. Assuming that the garage issue is not being addressed for the purposes of selling the property, the economic feasibility of the either option would best be assessed by comparing the cost of the improvements to the resulting change in value. Given that the Applicant has concluded the resulting value would be the same, the Staff finds that an accurate cost comparison that the Staff requested in response to other criteria would be important to determine the economic feasibility. The Staff would recommend the Applicant provide background documentation from one of the professionals listed in the criteria to support the Applicant’s conclusions regarding the economic feasibility of the two options.

11. Economic incentives and/or funding available to the applicant through federal, state, city, or private programs.

This property is within the Druid Hills Historic District, which is listed in the National Register of Historic Places. As such, there are economic incentives (both property tax and income tax) that could be applicable to this project. The Staff recommends the Applicants provide information on each economic incentive with an explanation as to why the economic incentive in question is not feasible.

Overall Comments

The Staff finds that the Applicant has provided documentation that the existing accessory structure is in disrepair; however there is no documentation that the accessory structure in its current condition is a threat to public health and safety. The Staff also has concerns about the cost estimates and the analysis for alternatives to demolition. Given the information it has at this time, the Staff cannot support the application for demolition.

Comment on Application Materials by the Bureau of Buildings

One of the requirements of the Type IV Certificate of Appropriateness process is for the Office of Buildings to comment on the application materials via a written report. The Staff has submitted a request to the Office of Buildings to inspect the property and produce a report regarding this property. When the inspection and report are complete, the Staff will include the report in the file for future reference.

Staff Recommendation: Based upon the following:

- a) The Applicant has not met the criteria for a demolition to alleviate a threat to public health and safety, per Section 16-20.008.

The Staff recommends deferral of the application for a Type IV Certificate of Appropriateness (CA4PH-16-016) for the demolition of an accessory structure due to a threat to public health and safety at **1496 Fairview Road** – Property is zoned Druid Hills Landmark District, to allow the Applicant time to address the following concerns of Staff:

1. The Applicant shall submit additional documentation or analysis that indicates the existing accessory structure is a major and imminent threat to public safety, per Section 16-20.008;
2. The Applicant shall submit information about reasonableness of the renovation / expansion option referred to in their narrative response and shall clarify the conclusions reached by the engineer regarding the cost of the renovation / expansion vs. demolition / new construction, per Section 16-20.008;
3. The Applicant shall provide a cost estimate for the renovation / expansion option and shall clarify whether the cost estimate provided for the demolition / new construction is just for a garage or for the garage / workshop design included in the submission, per Section 16-20.008;
4. The Applicant provide background documentation from one of the professionals listed in the criteria to support the Applicant's conclusions regarding the economic feasibility of the two options, per Section 16-20.008;
5. The Applicants provide information on each economic incentive with an explanation as to why the economic incentive in question is not feasible, per Section 16-20.008;and
6. The Applicant shall submit appropriate copies of all updated information, no later than 8 days before the Commission meeting to which the application is deferred.



CITY OF ATLANTA

M. KASIM REED
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491

www.atlantaga.gov

TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT February 10, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-018) for a variance to allow a reduction in the rear yard setback from 40 feet (required) to 9.2 feet (proposed), and to allow a reduction in the west side yard setback from 25 feet (required) to 9.9 feet (proposed) (CA3-16-017) for a new accessory structure at **1496 Fairview Rd.** Property is zoned Druid Hills Landmark District.

Applicant: Kevin Ferguson
1496 Fairview Rd.

Facts: According to the Druid Hills Inventory, the single family house on the property was built in 1929. The property is considered contributing to the District. According to the Applicant, the current garage is 90 years old and as such would date to the era as the house itself. Given the property is considered contributing to the District; the garage would be considered contributing to the District. A companion application has been filed to request the demolition of the existing garage (CA4PH-16-016).

The current application consists of the following actions:

1. Reduce the rear and west side yard setbacks to accommodate the new garage;
2. Remove one (1), non-specimen tree;
3. Construct a new 1.5 story garage and workshop on generally the same location as the existing garage; and
4. Remove driveway paving near the western property line and add some paving to the interior of the property.

Analysis: The following code sections apply to this application:

Sec. 16-20B.003. General regulations.

The following general regulations shall apply to the entire district which includes the following subareas: (1) the Ponce de Leon Corridor; (2) Fairview Road; and (3) Springdale Road / Oakdale Road / Lullwater Road / Lullwater Parkway. Any proposed development, new construction, addition, alteration, or demolition shall require a certificate of appropriateness as noted below and shall conform to the following regulations:

- (1) General Standards. In the Druid Hills Landmark District, the Commission shall apply the following general standards only if the standards set forth elsewhere in this chapter 20B do not specifically address the application:
 - (a) A property shall be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.

- (b) The historic character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property shall be avoided.
 - (c) Each property shall be recognized as a physical record of its time, place, and use. Changes shall not be undertaken that create a false sense of historical development, such as adding conjectural features or elements from other historic properties.
 - (d) Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
 - (e) Distinctive materials, features, finishes, and construction techniques, or examples of craftsmanship that characterize a property, shall be preserved.
 - (f) Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, texture, and, where possible, materials.
 - (g) Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
 - (h) Archaeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.
 - (i) New additions, exterior alterations, or related new construction, shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work may be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
 - (j) New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
- (2) Certificates of Appropriateness.
- (a) Except as otherwise provided herein, the procedures for determining the correct type of certificate of appropriateness shall be those specified in section 16-20.008 of the Zoning Ordinance.
 - (b) Notwithstanding any other provision herein, no certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - (c) No certificate of appropriateness shall be required for the removal of dead, dying, or hazardous tree as defined in the City of Atlanta Tree Ordinance or a tree with a diameter breast height of less than six (6) inches.
 - (g) Type III certificates of appropriateness shall be reviewed and decided by the Commission and shall be required for:
 - i. All new principal structures.
 - ii. All additions to existing principal structures and accessory buildings, including decks.
 - iii. All new accessory structures.
- (3) Minimum off-street parking requirements:
- a. Off-street parking spaces shall not be permitted in any front yard nor within 50 feet of the public right-of-way in any half-depth front yard, except for yards adjacent to Moreland Avenue, where a 60-foot limit shall apply. For the purpose of this regulation, the front yard shall be that area between the public right-of-way and the forward line of the principal structure.
 - b. No off-street parking shall be located within 20 feet of any lot line.
 - c. Number of off-street parking spaces required:
 - 1. For single-family, two-family, and multiple-family dwellings: Two (2) spaces for each dwelling unit.
- (4) Minimum landscape requirements: The overall quality of the landscaped area visible from public right-of-ways should be preserved as an integral part of the historic character of the District. Any major alteration to the landscape or topography visible from the public right-of-way in the District shall maintain the general landscaping scale and character reflected in the original development of Druid Hills in order to preserve the historic landscape character of the District. Any major alteration to the landscape or topography visible from the public right-of-way shall:
- (a) follow the standards set forth in 16-20B.003(1);
 - (b) be consistent and compatible with the overall landscape plan and design on the property and block;
 - (c) maintain the spatial organization of an open space in front of the house, asymmetrical plantings on the sides of the principal structure and a rear tree canopy;
 - (d) not excessively or unnecessarily alter the natural topography of the site, with the exception of grading necessary to protect and preserve the integrity of a structure;
 - (e) ensure that any new grades shall meet the existing topography in a smooth transition;
 - (f) retain any existing historic circulation systems, including driveways, walkways and paths;
 - (g) ensure that any new circulation systems and substantial reconstruction of existing circulation systems is consistent and compatible with the existing circulation systems on the property and block with respect to layout, scale, materials, and topographic siting;
 - (h) ensure that any off-street parking be constructed of a material which will assure a surface resistant to erosion, have adequate access to a public street and have adequate circulation space; and
 - (i) comply with the provisions of the City of Atlanta Tree Ordinance with the following exceptions:

- i. When the removal of trees is permitted by the Commission, each tree removed shall be replaced with a tree of an appropriate species having a minimum caliper of two and one half (2 ½) inches; and
 - ii. Taking into account the site density and tree spacing regulations of the City of Atlanta Tree Ordinance, any replacement trees and placement of said trees shall comply with (a)-(g) above.
 - (iii) Compliance with (i) above shall not eliminate any additional recompense or tree replacement that otherwise may be required by the City of Atlanta Tree Ordinance.
- (5) Minimum drainage controls: Structures shall be located so as to preserve the natural terrain of the district. Proper drainageways shall be provided to prevent increased water runoff and erosion, siltation of streams or flooding of property as required by the department of public works.
- (a) No structure shall be permitted within any 100-year floodplain.
 - (b) No single-family structure shall be constructed on natural slopes greater than 25 percent.
 - (c) No structure other than single-family shall be permitted on slopes greater than 15 percent.
- (6) Minimum architectural controls: Any new construction, additions, renovations or alterations in the District shall maintain the general architectural scale and character reflected in the original development of Druid Hills in order to preserve the historic character of the district and shall follow the standards set forth by Section 16-20B.003(1).

Sec. 16-20B.005. Fairview Road regulations.

The following regulations shall apply to any proposed development on any property located on Fairview Road:

- (1) Permitted principal uses and structures:
 - a. Single-family dwellings.
 - b. Parks, playgrounds and community buildings owned and operated by a governmental agency.
- (2) Permitted accessory uses and structures: Uses and structures which are customarily incidental and subordinate to permitted principal uses and structures, including but not limited to the following, subject to limitations and requirements set forth herein or elsewhere in this chapter:
 - a. Greenhouse, fallout shelter, garden shed, private garage, storage room.
- (3) Minimum lot requirements:
 - a. Lot width: Each lot shall have a minimum lot width of 100 feet as measured along its frontage.
 - b. Lot area: Each lot shall contain a minimum lot area of 18,000 square feet.
- (4) Lot coverage: Lot coverage for all structures, parking and driveways shall not exceed 35 percent of the lot area.
- (5) Minimum yard requirements:
 - a. Setbacks:
 - 3. North side, Oakdale Road to the east end of Fairview Road, NE:
 - Front yard: 73 feet.
 - Side yards: 25 feet.
 - Rear yard: 40 feet.
- (6) Maximum height: No building shall exceed a height of 35 feet.

Sec. 16-20B.008. Variances, special exceptions and appeals.

- (1) The Commission shall have the power to hear, grant or deny all variances from the sections of this chapter and all special exceptions as will not be contrary to the public interest when, due to special conditions, a literal enforcement of the provision in a particular case will result in unnecessary hardship, provided that the spirit of the chapter shall be preserved, public welfare and safety secured, and substantial justice done. The criteria and the procedures for such variances and special exceptions shall be the same as so specified in chapter 26 of this part for the board of zoning adjustment.
- (2) Appeals from decisions of any administrative officials shall be made to the urban design commission, the same as so specified for the board of zoning adjustment in section 16-30.010, chapter 30 of this part.

Per Section 16-26.003:

- (1) Findings Required: Except as permitted by the provisions of subsection (2) below, variances may be granted by the board only upon making all of the following findings:
 - (a) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography;
 - (b) The application of the Zoning Ordinance of the City of Atlanta to this particular piece of property would create an unnecessary hardship;
 - (c) Such conditions are peculiar to the particular piece of property involved; and
 - (d) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance of the City of Atlanta.

Variance Analysis

In their submission the Applicant notes that existing garage is within the required setbacks, that with the current setbacks the proposed garage couldn't be built, and proposed garage is generally in the same location as the existing garage.

The Staff would concur with the Applicant's variance argument. Given the size of the lot and the required setbacks, a detached garage in the rear yard would essentially have to be attached to the left rear corner of the house and existing deck. Further, placing the garage that close to the house would significantly decrease its functionality as the right side of the garage wouldn't be able to be accessed by vehicles. A garage placement that was compliant with the setbacks would also make the garage a much more prominent component of the property, as viewed from the street. The Staff would add that to the rear of the property is Paideia School, which eliminates negative effects on a residential property from the reduction in the rear yard setback.

The Staff finds that the Applicant has documented compliance with the variance criteria. However, given the Staff's recommendation regarding the demolition of the existing garage (CA4PH-16-016), the Staff would recommend deferral of the variance request until such time as the Commission makes a final decision regarding the demolition of the existing garage.

General Development Controls

The proposed lot coverage is indicated on the site plan and meets the District regulations.

The front yard setback is met by the proposed location of the detached garage. Given the Staff's recommendation regarding the side and rear yard setbacks, those setbacks would be met as well.

The survey submitted with the plans indicates that no portion of the property is within a "flood hazard area". Given it is not clear what is defined as a "flood hazard area", the Staff would recommend the Applicant document that none of the proposed work will occur within the 100 year flood plain.

Further, the District regulations restrict building on slopes of greater 15% for other structures. While likely not an issue, the Staff would recommend the Applicant document compliance with all of the District's slope disturbance requirements.

Site Work

Reconfiguration of the Driveway

Regarding the reconfigured driveway work, the District regulations restrict parking within 20 ft. of a property line. In its current configuration, the driveway and access to the existing garage is within 20 ft. of the property line. This would appear to be the minimal amount of area needed to provide reasonable access to the garage. Given the proposal is to removal a small section of driveway within the 20 ft. distance and add a small section of driveway outside the 20 ft. distance, the Staff does not have any concerns about the changes in the driveway or access to the garage.

Removal the non-specimen tree

The site plan indicates the removal of one tree to allow construction of the proposed garage. The district regulations require the replacement of removed trees (specimen or otherwise) with a 2.5 in. caliper tree. No replacement tree is specified on the site plan. The Staff would recommend the tree removal and replacement meet all of the District regulations.

New Garage

The Staff finds that the use of the faux half-timbering concept, panel garage doors, shed roof dormer, clipped gable ends, and knee brackets is compatible with the somewhat Craftsman style of the existing house. However, the Staff does have several concerns about the proposed garage.

First, the Staff is concerned about the size and scale of the garage. The main house on the property is a one story house (though with a high crawl space foundation); while the proposed garage is a 1.5 story house making it potentially taller in absolute terms. In looking at the photographs provided by the Applicant and the District inventory photograph, it appears the garage will sit slightly up hill from the house, adding to the perceived height of the garage in relation to the main house. Third, the roof pitch of the proposed garage appears to be significantly steeper than the main house. All three of these characteristics will make the garage more visually prominent than what would be expected for a secondary building on the property. The generally straight path of the driveway will make the proposed garage highly visible from the street adding to its prominence.

The Staff would recommend the size and scale of the proposed garage be reduced to be more compatible with the main house and reflect the garage's secondary status on the property.

Second, the Staff is concerned about the use of "cement wall panels with beadboard pattern" particularly coupled with the use of cementitious siding on the lower portion of the garage. While faux half-timbering existing on the main house, the panels there are stucco. The Staff finds that a beadboard pattern on the panels will not be compatible with the existing house. The Staff would recommend the faux half-timbering use flat, non-patterned, stucco panels as sheathing and the cementitious siding is smooth face.

CA3-16-018

Staff Recommendation: Based upon the following:

- a) The Staff recommendation regarding the application for the demolition of the existing garage (CA4PH-16-016).

The Staff recommends deferral of the Application for a Type III Certificate of Appropriateness (CA3-16-018) for a variance to allow a reduction in the rear yard setback from 40 feet (required) to 9.2 feet (proposed), and to allow a reduction in the west side yard setback from 25 feet (required) to 9.9 feet (proposed) at **1496 Fairview Rd.** Property is zoned Druid Hills Landmark District.

CA3-16-017

Staff Recommendation: Based upon the following:

- a) The Staff recommendation regarding the application for the demolition of the existing garage (CA4PH-16-016);
- b) As currently submitted, there are components of the proposed design that do not meet the District regulations, per Section 16-20B.

The Staff recommends deferral of the application for a Type III Certificate of Appropriateness (CA3-16-017) for a new accessory structure at **1496 Fairview Rd.**, to allow time for the Applicant to address the following issues and comments:

1. The Applicant shall document that none of the proposed work will occur within the 100 year flood plain, per Section 16-20B.003(5)(a);

2. The Applicant shall document compliance with all of the District's slope disturbance requirements, per Section 16-20B.003(5)(c);
3. The tree removal and replacement shall meet all of the District regulations, per Section 16-20B.003(4);
4. The size and scale of the proposed garage shall be reduced to be more compatible with the main house and reflect the garage's secondary status on the property, per Section 16-20B.003(1) and (6);
5. The faux half-timbering shall use flat, non-patterned, stucco panels as sheathing and the cementitious siding shall be smooth face, per Section 16-20B.003(1) and (6); and
6. The revised plans and supporting materials (including all required copies) shall be submitted to the Staff at least eight (8) days prior to the Commission meeting to which this application is deferred.



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KASIM REED
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

TIM KEANE
Commissioner
CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT January 13, 2016

Agenda Item: Application for a Type II Certificate of Appropriateness (CA2-16-019) for alterations at **325 Georgia Avenue**. Property is zoned R-5 / Grant Park Historic District (Subarea 1) / Beltline.

Applicant: Adam Stillman
350 Sinclair Ave.

Facts: This existing structure was built in 1903 and is considered contributing to the Grant Park Historic District.

Analysis: The following code sections apply to this application:

Sec. 16-20K.007. - Specific regulations: Residential Subarea I.

(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.).
11. Any façades 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 percent and no greater than 40 percent of the total surface wall area. Windows may be individual or grouped. No individual window unit shall exceed 28 square feet. Within each individual window unit, no individual window sash, either fixed or operable, shall exceed 16 square feet.

(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.

The proposed work consists of enclosing an existing window and replacing an existing door with a one over one window which matches the size of a previously existing window and the design of windows found elsewhere on the structure. Trim and siding will also be repaired in-kind as necessary. The Applicant has submitted photographs of the interior of the walls which detail that the existing door was installed in the opening of a previously existing window. From the photographs, the original sill and header height of the original window can be determined. The photographs also document that the existing window which the applicant is proposing to enclose is a later addition to the façade. Once removed, the applicant is proposing to cover the window opening with horizontal lap siding. Staff has no general concerns with the proposed work and finds that the work is consistent with and reinforces the historic architectural character of the entire existing contributing structure and complies with the applicable regulations for new construction.

Staff Recommendation: Based upon the following:

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

Staff recommends approval of the Application for a Type II Certificate of Appropriateness (CA2-16-019) for alterations at **325 Georgia Avenue**. Property is zoned R-5 / Grant Park Historic District (Subarea 1) / Beltline., with the following conditions:

1. The Staff shall review and if appropriate, approve the final plans and documentation.



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55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
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www.atlantaga.gov

TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT **February 10, 2016**

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-020) for alterations and an addition at **610 Boulevard**. Property is zoned R 5 / Grant Park Historic District (Subarea 1).

Applicant: Adam Stillman
350 Sinclair Avenue

Facts: This existing structure was built in 1905 and is considered contributing to the Grant Park Historic District. The property fronts both Boulevard and Killian Street.

In the Grant Park Historic District, only changes that are on a façade that faces a public street are reviewed by the Commission.

Analysis: The following code sections apply to this application:

Sec. 16-07.008. - Minimum yard requirements.

The following minimum yard requirements shall apply to all uses approved by special permits as well as permitted uses:

- (1) Front yard: There shall be a front yard having a depth of not less than 30 feet.
- (2) Side yard: There shall be two side yards, one on each side of the main building, each having a width of not less than seven feet, except for zero-lot-line development where no side yard is required along the internal lot line.
- (3) Rear yard: There shall be a rear yard of not less than seven feet except for zero-lot-line units where the internal side or rear lot line may be reduced to zero feet.
- (4) Accessory structures: Accessory structures, when permitted, shall be placed to the side or rear of the main structure within the buildable area of the lot so as not to project beyond the front of the main structure. For fences, see section 16-28.008(5).
- (5) Maximum floor area within this district:
 - a. For a single-family detached dwelling on a lot which meets the minimum lot area requirement described in section 16-07.007(2): The maximum floor area ratio shall not exceed 0.50 of the net lot area.
- (6) Maximum lot coverage: Maximum lot coverage within this district shall not exceed 55 percent of the net lot area.

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

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.
 - (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.

Sec. 16-20K.007. - Specific regulations: Residential Subarea I.

- (1) Development Controls.
- (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 façade and a minimum of seven feet in depth. Side porches shall be a minimum of four 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 façades 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 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 entrance step risers each of which shall be no less than six inches in height. All front steps shall have closed risers and closed ends. Access ramps shall be permitted.
 8. Garages entrances are prohibited on the front façade. 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 façade that faces a public street shall originate at grade.
 11. Any façades 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 percent and no greater than 40 percent of the total surface wall area. Windows may be individual or grouped. No individual window unit shall exceed 28 square feet. Within each individual window unit, no individual window sash, either fixed or operable, shall exceed 16 square feet.
 13. Accessory structures, such as carriage houses, smoke houses, tenant and alley houses, private garages, carports, electric vehicle charging stations equipped with Level 1 and/or Level 2 EVSE, 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.
 15. On those façades 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 façade 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.

Addition

An addition to the principal structure is proposed for the interior side and rear of the property and will require a new foundation to be installed. Because a new foundation will be installed the street facing façade of this structure is subject to review by the Commission.

The addition will be setback 8 feet from the north side property line, will begin 31 feet past the front façade of the existing principal structure, and will have a 7 foot wall which will face Boulevard. The R-5 underlying zoning requires a total lot coverage of no more than 55% of the net lot area, and a total floor area of no more than 50% of the net lot area. The net lot area for this property is 9562 sq. ft. The proposed lot coverage for the principal structure with the proposed addition would be 4041 sq. ft. or 42% of the net lot area. The proposed floor area for the principal structure with the proposed addition would be 3424 sq. ft. or 42% of the net lot area. Based on these measurements Staff finds that the lot coverage and floor area requirements have been met.

The foundation of the addition will consist of masonry with a parge coat of stucco and will be topped by a band of wood trim. The addition will be sided with cementitious horizontal lap siding and will have one window facing the street on the main level. A 12 in 12 pitched primary roof, matching the primary roof pitch of the principal structure, will define the addition. A dormer with a 5 in 12 pitched roof will cap the addition and allow for a full second floor on the proposed addition. Staff finds that the proposed alterations are consistent with and reinforce the historic architectural character of the entire contributing structure, and that the proposed work meets the applicable regulations for new construction.

Mechanical units

The plans indicate HVAC units to the side of the principal structure and in front of the proposed addition which are screened with vegetation. The regulations require new HVAC units to be to the side and rear of the principal structure and screened with vegetation if visible from the public street. The plans do not indicate if the HVAC units are new or replacing existing units. If the

units are replacing existing units in the same location, Staff has no concerns with the placement of these elements. However, if the units are new and not replacing existing units, then staff finds that placement of these elements in front of the proposed addition to the principal structure is not appropriate. Staff recommends the Applicant clarify whether the HVAC units are new or replacing previously existing units in the same location. If the HVAC units are new and are not replacing existing units in the same location, Staff recommends the units be placed to the rear of the principal structure and screened from view with vegetation.

Front porch

The Applicant is proposing to re-create a historic wrap around porch which appears in the 1911 Sanborn Fire Insurance maps. The current porch was altered from its original configuration in the 1960s and 1990s. Photographs provided by the Applicant show the original foundation to be brick. The new 4 foot deep side porch will match the architectural and ornamental features which exist on the current non-historic porch. The porch will consist of a cmu foundation with a parge coat of stucco, wood columns and railing, concrete porch slab flooring, and will be roofed with asphalt shingles. Brick cheek walls and wider concrete stairs are also proposed for the Killian Street porch frontage. Staff finds that the proposed alterations are consistent with and reinforce the historic architectural character of the entire contributing structure, and that the proposed work meets the applicable regulations for new construction.

Windows

On the Killian Street façade of the structure, a non-historic six over six double hung window will be replaced with a larger one over one double hung window which will match the existing windows found elsewhere on the structure. Staff finds that the proposed alterations are consistent with and reinforce the historic architectural character of the entire contributing structure, and that the proposed work meets the applicable regulations for new construction.

Rear porch

An existing deck will be converted to a porch of the principal structure. As this work does not effect a façade facing a public street, it is not subject to review by the Commission. Staff would note that the porch does fall within the buildable portion of the lot.

Staff Recommendation: Based upon the following:

- 1) The plans meet the regulations, per Section 16-20K.007;

Staff recommends approval of the Application for a Type III Certificate of Appropriateness (CA3-16-020) for alterations and an addition at **610 Boulevard**. Property is zoned R 5 / Grant Park Historic District (Subarea 1).

with the following condition:

1. The Applicant shall clarify whether the HVAC units are new or replacing previously existing units in the same location, Per Sec. 16-20K.007(2)(B)(13)

2. If the HVAC units are new and are not replacing existing units in the same location, the units shall be placed to the rear of the principal structure and screened from view with vegetation, Per Sec. 16-20K.007(2)(B)(13);
3. Staff shall review and if appropriate, approve the final plans and drawings.



CITY OF ATLANTA

M. KASIM REED
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT February 10, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-021) for variance to allow a reduction in the south side yard setback from 20 feet (required) to 9 feet (proposed), and to allow a reduction in the front yard setback from 110 feet (required) to 102 feet (proposed), and (CA3-16-022) for alterations, additions, and site work at **909 Oakdale Rd.** Property is zoned Druid Hills Landmark District.

Applicant: Angel Shockey
553 Amsterdam Ave.

Facts: According to the architectural survey in 2002, this dwelling built in 1913 is considered contributing to the druid Hills Landmark District. The house appears largely unaltered from its original appearance on the front and side facades.

The current application consists of the following actions:

1. Reduction in the south (right) yard setback from 20 feet to 10 feet to allow for the construction of a new garage;
2. Reduction in the west (front) yard setback from 110 ft. to 102 ft. to allow the reconfiguration of the front entry / stoop;
3. Widen existing driveway to 10 ft. its entire length and reconfigure / expand the existing parking court in front of the garage and behind the house;
4. Replace front brick walk;
5. Install a 4 ft. tall retaining wall along the south edge of the parking court;
6. Remove an existing set of concrete stairs, a concrete patio, and a rock patio and construction a new dining terrace and run of site stairs behind the parking court and next to the new detached garage;
7. Create a new front entry with cast stone Tudor arches;
8. Relocate the existing sun room door to become the front door;
9. Replace the existing chimney cap with a brick cap and decorative chimney pot;
10. Replace the attic vents with windows;
11. Replace all of the existing windows on the existing house with new casement and fixed glass windows;

12. Reconfigure the windows on the north elevation on the main level;
13. Remove the existing low-sloped metal roof on the front façade bay and add a brick parapet wall;
14. Remove the previous rear addition and portions of the second story to create a three-level rear addition with a rear porch and brick chimney that extends the north leg of the house and “fills in” the rear the “ell” of the rear of the house; and
15. Build a new, detached three-level garage with a sunken terrace behind it.

Analysis: The following code sections apply to this application:

Sec. 16-20B.003. General regulations.

The following general regulations shall apply to the entire district which includes the following subareas: (1) the Ponce de Leon Corridor; (2) Fairview Road; and (3) Springdale Road / Oakdale Road / Lullwater Road / Lullwater Parkway. Any proposed development, new construction, addition, alteration, or demolition shall require a certificate of appropriateness as noted below and shall conform to the following regulations:

- (1) General Standards. In the Druid Hills Landmark District, the Commission shall apply the following general standards only if the standards set forth elsewhere in this chapter 20B do not specifically address the application:
 - (a) A property shall be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
 - (b) The historic character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property shall be avoided.
 - (c) Each property shall be recognized as a physical record of its time, place, and use. Changes shall not be undertaken that create a false sense of historical development, such as adding conjectural features or elements from other historic properties.
 - (d) Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
 - (e) Distinctive materials, features, finishes, and construction techniques, or examples of craftsmanship that characterize a property, shall be preserved.
 - (f) Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, texture, and, where possible, materials.
 - (g) Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
 - (h) Archaeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.
 - (i) New additions, exterior alterations, or related new construction, shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work may be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
 - (j) New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
- (2) Certificates of Appropriateness.
 - (a) Except as otherwise provided herein, the procedures for determining the correct type of certificate of appropriateness shall be those specified in section 16-20.008 of the Zoning Ordinance.
 - (b) Notwithstanding any other provision herein, no certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - (c) No certificate of appropriateness shall be required for the removal of dead, dying, or hazardous tree as defined in the City of Atlanta Tree Ordinance or a tree with a diameter breast height of less than six (6) inches.
 - (g) Type III certificates of appropriateness shall be reviewed and decided by the Commission and shall be required for:
 - i. All new principal structures.
 - ii. All additions to existing principal structures and accessory buildings, including decks.
 - iii. All new accessory structures.
- (3) Minimum off-street parking requirements:
 - a. Off-street parking spaces shall not be permitted in any front yard nor within 50 feet of the public right-of-way in any half-depth front yard, except for yards adjacent to Moreland Avenue, where a 60-foot limit shall apply. For

the purpose of this regulation, the front yard shall be that area between the public right-of-way and the forward line of the principal structure.

- b. No off-street parking shall be located within 20 feet of any lot line.
- c. Number of off-street parking spaces required:

1. For single-family, two-family, and multiple-family dwellings: Two (2) spaces for each dwelling unit.

- (4) Minimum landscape requirements: The overall quality of the landscaped area visible from public right-of-ways should be preserved as an integral part of the historic character of the District. Any major alteration to the landscape or topography visible from the public right-of-way in the District shall maintain the general landscaping scale and character reflected in the original development of Druid Hills in order to preserve the historic landscape character of the District. Any major alteration to the landscape or topography visible from the public right-of-way shall:
 - (a) follow the standards set forth in 16-20B.003(1);
 - (b) be consistent and compatible with the overall landscape plan and design on the property and block;
 - (c) maintain the spatial organization of an open space in front of the house, asymmetrical plantings on the sides of the principal structure and a rear tree canopy;
 - (d) not excessively or unnecessarily alter the natural topography of the site, with the exception of grading necessary to protect and preserve the integrity of a structure;
 - (e) ensure that any new grades shall meet the existing topography in a smooth transition;
 - (f) retain any existing historic circulation systems, including driveways, walkways and paths;
 - (g) ensure that any new circulation systems and substantial reconstruction of existing circulation systems is consistent and compatible with the existing circulation systems on the property and block with respect to layout, scale, materials, and topographic siting;
 - (h) ensure that any off-street parking be constructed of a material which will assure a surface resistant to erosion, have adequate access to a public street and have adequate circulation space; and
 - (i) comply with the provisions of the City of Atlanta Tree Ordinance with the following exceptions:
 - i. When the removal of trees is permitted by the Commission, each tree removed shall be replaced with a tree of an appropriate species having a minimum caliper of two and one half (2 ½) inches; and
 - ii. Taking into account the site density and tree spacing regulations of the City of Atlanta Tree Ordinance, any replacement trees and placement of said trees shall comply with (a)-(g) above.
 - (iii) Compliance with (i) above shall not eliminate any additional recompense or tree replacement that otherwise may be required by the City of Atlanta Tree Ordinance.
- (5) Minimum drainage controls: Structures shall be located so as to preserve the natural terrain of the district. Proper drainageways shall be provided to prevent increased water runoff and erosion, siltation of streams or flooding of property as required by the department of public works.
 - (a) No structure shall be permitted within any 100-year floodplain.
 - (b) No single-family structure shall be constructed on natural slopes greater than 25 percent.
 - (c) No structure other than single-family shall be permitted on slopes greater than 15 percent.
- (6) Minimum architectural controls: Any new construction, additions, renovations or alterations in the District shall maintain the general architectural scale and character reflected in the original development of Druid Hills in order to preserve the historic character of the district and shall follow the standards set forth by Section 16-20B.003(1).
- (7) Fences, walls and retaining walls: Subject to the provisions of Section 16-28.008(5) and the following limitations:
 - (a) Fences and walls are not permitted in the front yard, yards adjacent to public streets, or between any principal structure and a public street.
 - (b) Fences and walls not exceeding 6 feet in height may be erected in the side or rear yard.
 - (c) Fences and walls shall be constructed of vertical iron pickets, brick, stucco, vertical wood pickets, or coated chain link.
 - (d) The front facing portion of fences shall be no less than 40% open.
 - (e) Retaining walls are allowed if existing on the block face. Such retaining walls shall be no taller than the existing retaining walls on the block face or the minimum height required to retain the adjacent grades. All retaining walls shall be faced with brick, stone or stucco.

Sec. 16-20B.006. Springdale Road / Oakdale Road / Lullwater Road / Lullwater Parkway

The following regulations shall apply to any proposed development on any property located on Springdale Road, Oakdale Road, Lullwater Road or Lullwater Parkway:

- (1) Permitted principal uses and structures:
 - a. Single-family dwellings.
 - b. Parks, playgrounds and community buildings owned and operated by a governmental agency.

- (2) Permitted accessory uses and structures: Uses and structures which are customarily incidental and subordinate to permitted principal uses and structures, including but not limited to the following, subject to limitations and requirements set forth herein or elsewhere in this chapter:
 - a. Greenhouse, fallout shelter, garden shed, private garage, storage room.
 - b. Guest house, servants quarters, dwelling or lodging facilities for caretaker or watchman.
- (3) Lot coverage: Lot coverage for all structures, parking and driveways shall not exceed 35 percent of the lot area.
- (4) Minimum yard requirements:
 - a. Setbacks:
 - 1. East side of Oakdale Road, Ponce de Leon Avenue to city limit:
 - Front yard: 110 feet.
 - Side yards: 20 feet.
 - Rear yard: 100 feet.

Sec. 16-20B.008. Variances, special exceptions and appeals.

- (1) The Commission shall have the power to hear, grant or deny all variances from the sections of this chapter and all special exceptions as will not be contrary to the public interest when, due to special conditions, a literal enforcement of the provision in a particular case will result in unnecessary hardship, provided that the spirit of the chapter shall be preserved, public welfare and safety secured, and substantial justice done. The criteria and the procedures for such variances and special exceptions shall be the same as so specified in chapter 26 of this part for the board of zoning adjustment.
- (2) Appeals from decisions of any administrative officials shall be made to the urban design commission, the same as so specified for the board of zoning adjustment in section 16-30.010, chapter 30 of this part.

Variances

Reduction in the south (right) yard setback from 20 feet to 10 feet to allow for the construction of a new garage.

In the Applicant's response to the variance criteria, they cite as reasons for the variance: the retention of the historic site features, the difficulty of placing the garage under the house or in a different location without excess site disturbance, and that the garage would be next to a neighbor's parking area vs. next to a house on the opposite side of the property.

As currently articulated, the Staff does not find that the Applicant's responses to the variance criteria are sufficient. The proposed garage's current location would appear to require its own substantial grading as evidenced by the large retaining wall behind it and the retaining wall in front of it to expand the parking court that allows access to the garage. The rear addition on the house includes a full height basement level part of which is covered exterior space. It is not clear to the Staff the difficulty of placing a garage in that space under the main floor of the house on the north end of the parking court given the footprint of the addition and the size of the proposed parking court. It would also appear that the only site feature historic or otherwise being retained with the proposed garage current location is one run of stairs. Other nearby site features are being removed.

The Staff would recommend this variance request be deferred until such time as the Applicant has provided sufficient responses to the variance criteria.

Reduction in the west (front) yard setback from 110 ft. to 102 ft. to allow the reconfiguration of the front entry / stoop.

For this variance, the Applicant notes as reasons for the variance that the house already projects into the front yard setback and that the current limitations for front porch encroachments would only allow a 2 ft. increase in depth to the front porch.

The Staff agrees that the front yard setback was instituted after the house was built, that the house already projects into the front yard setback (making the front of the house 102 ft. from the front property line – thus the actual variance request) and that front porches do and can protrude into front yard setbacks. However, it is not clear to the Staff that an otherwise allowed 2 ft. increase in depth would not be meaningful, what hardship that would exist if the front stoop could not be reconfigured or increased in depth, if the actual front yard depth of the front faced of this house is different than other houses on the block, and how the distance of the proposed front stoop from the front property line would or would not be different from front porches or stoops of other houses on the block. Further, it would appear that the current front vestibule (which would be removed to create the new front stoop) is original to the house.

The Staff would recommend this variance request be deferred until such time as the Applicant has provided sufficient responses to the variance criteria.

General Development Controls

The proposed lot coverage is below the maximum permitted by the District regulations. The north side and rear yard setbacks are met by the proposed design. However, no information was provided about the presence or absence of the 100 year floodplain and the whether the proposed structures and/or improvements are located in it. The Staff would recommend that the Applicant document compliance with the District's 100 year floodplain requirements.

Further, the District regulations restrict building on slopes of greater than 25% for the house and no greater than 15% for other structures. The Staff would recommend that the Applicant document compliance with the District's slope disturbance requirements.

Site Work

Widen existing driveway to 10 ft. its entire length and reconfigure / expand the existing parking court in front of the garage and behind the house.

While the Staff understands the widening of the driveway will result in the loss of potential historic material, it does see the difficulty of using such a narrow driveway. The Staff would recommend, however, that the new driveway material be the same material as the existing driveway and have a similar finish and that the new south curb have the same profile and design as the north curb.

Regarding the expanded parking court, it is not clear what the proposed material of the parking court will be. But more importantly, the Staff is concerned about the District's limitation of parking (and in this case a parking court and access to the garage) within 20 feet of a property line. The existing parking area is well outside the 20 ft. limitation and the Staff does have concerns about the reduction of the side yard setback for the purposes of building a garage, such that the garage could be moved to another location on the site. At the same time, the final garage location will require paved access and potentially turn around space. The Staff finds that if the Applicant does meet the variance criteria for a reduction in the setback for the garage, the paved area in front of the garage within 20 ft. of the side property line should be limited to that which is required to allow access to the garage and the minimally required turning movements to achieve that access. The Staff would recommend that the parking court within 20

ft. of the side property line be only that which is required to provide access to the final location of the garage and the minimal turning movements to achieve that access.

Replace front brick walk.

The site plan indicates the removal of the front walkway, but not information is included about the replacement materials or design other than the footprint apparently being the same. Further, it is not clear the condition of the existing brick walkway or if it is original or historic to the property.

The Staff would recommend more information be provided about the existing brick walkway and the proposed walkway.

Install a 4 ft. tall retaining wall along the south edge of the parking court.

While the general zoning provisions referred to in the District regulations have been met and brick is an allowable material, the Applicant has not shown that there are retaining walls on the block face. The Staff would recommend that documentation be provided of other retaining walls on the block face.

Remove an existing set of concrete stairs, a concrete patio, and a rock patio and construction a new dining terrace and run of site stairs behind the parking court and next to the new detached garage.

Even though these features are not visible from the public street, it is not clear from the documentation provided by the Applicant if any of the existing site features that are to be removed are original or historic to the property. Further, no information has been provided by the Applicant regarding the material and specific design of the new site features. The Staff would recommend additional information be provided about the existing site features to be removed and the proposed site features.

Alterations to the Existing House

Create a new front entry with cast stone Tudor arches.

As noted in the variance analysis, the Staff finds that the existing front vestibule, which would be removed to create the new front entry, is likely original or historic to the house (with the potential exception of the iron railing on top). As such, the removal of this component of the house would constitute the loss of historic fabric. Further, the Staff is concerned about the new design creating a false sense of development to the house by creating a more ornate and “grandier” entrance that was historically existed. Notwithstanding the Staff’s concerns about the encroachment into the front yard setback, the Staff would recommend the existing front entrance be retained and if desired more modestly redesigned, though not replaced.

Relocate the existing sun room door to become the front door.

While the current door is not an unusual design (suggesting it might not be original or historic to the house), the Staff would still recommend that additional information be provided about the condition and status of the front door.

Replace the existing chimney cap with a brick cap and decorative chimney pot.

Though the Staff does not have any concerns about this “additive” alteration (i.e. it could be removed in the future leaving the original chimney remaining), it would caution the Applicant that finding a matching brick will be very difficult.

Replace the attic vents with windows.

The Staff have no concerns about the removal of the attic vents, but only minimal information is provided about the proposed windows. Further, it is concerned that the light pattern of the proposed windows will include individual lights that are slightly bigger than the existing windows on the house which would make it inconsistent with the rest of the house and at the same time draw attention to what should be a secondary feature. The Staff would recommend the proposed attic vent windows be redesigned to be compatible with the house and in particular the existing windows on the house.

Replace all of the existing windows on the existing house with new casement and fixed glass windows. Reconfigure the windows on the north elevation on the main level.

The Applicant is proposing to replace all of the windows on the house with new windows that would fit within the same openings and have the same light pattern. The Applicant has submitted no information regarding the need for these historic windows to be removed. Further, from the photographs provided by the Applicant the windows appear to be original or historic to the house, though storm windows and screens have been added in the past. The Staff finds that the historic windows on the house should be retained. The Staff recommends the existing windows on the portions of the house not affected by the proposed addition be retained and if necessary, repaired in kind.

Remove the existing low-sloped metal roof on the front façade bay and add a brick parapet wall.

From the photographs provided by the Applicant, this feature appears to be original or historic to the house. The Staff also finds that such roof forms are typical for accent roofs on houses of similar architectural style in the District. The Applicant has provided no information as to the reason or desire for this change in the house. The Staff would recommend the existing low-sloped roof on the front façade bay be retained and if necessary, repaired in kind.

Additions

Remove the previous rear addition and portions of the second story to create a three-level rear addition with a rear porch and brick chimney that extends the north leg of the house and “fills in” the rear the “ell” of the rear of the house.

While the Staff acknowledges that the addition is entirely to the rear of the house (which is generally the preferred, historic preservation location for additions) it has two significant concerns about its size / massing, architectural elements, and materials.

First, the entire proposed addition (including the portion that wraps over the main floor to create a larger second floor) will be significantly larger than the original house. The massing of the addition will change the massing of the house from either a relatively thin house (that had been previously less significantly added to) or a reverse gabled ell house to an essentially square house with a full two-story massing on the north side and a more significant one-story / two-story massing on the south side. On the north side of the house, about one-half of the façade area will consist of the addition or re-configured existing walls.

Second, the seamless use of materials and architectural elements that match the existing materials and architectural elements (particularly on the north side of the house) will create the appearance of a historic house that never existed. The materials and architectural elements do not retain any

differentiation from the original house to the addition. While the Staff understands that additions must be compatible with the house they are being added to, they should not create a false sense of development; in this case on a larger scale than the proposed front stoop.

The Staff would recommend the proposed addition be re-designed so as to retain substantially more of the massing and scale of the original house and be slightly differentiated itself from the original house.

Detached Garage

Build a new, detached three-level garage with a sunken terrace behind it.

Given the proposed garage will be entirely new construction, the Staff is not has concerned about it creating a false sense of development as contemporary nature of numerous materials or elements will differentiate it from the original house. At the same time, the Staff is concerned about the size and scale of the garage, particularly given the request to reduce the side yard setback by one-half. Though it will note overshadow the existing twos-story house in any way, it will be more than 20 ft. tall and will be a significant visual presence on the property given the lot is relatively flat to that point and given it lies at the direct end of the driveway.

The Staff would recommend the massing and scale of the proposed garage be changed so as to reduce the visual presence on the lot.

Further, the Staff is concerned about the 7 ft. high retaining wall to the rear of the garage. As noted above, there are general zoning provisions that are referred to in the District regulations, which limit the height of any two retaining walls to six (6) ft. and only if they are separating by a corresponding horizontal separation distance. Also, as with the retaining wall around the parking court, the Applicant has not shown that there are retaining walls on the block face. The Staff would recommend that the retaining wall behind the garage be revised to meet the general zoning regulations referred to by the District regulations.

CA3-16-021

Staff Recommendation: Based upon the following:

- a) As currently submitted, the variance request does not meet the variance criteria, per Section 16-26.003(1); and

Staff recommends deferral of the Application for a Type III Certificate of Appropriateness (CA3-16-021) for variance to allow a reduction in the south side yard setback from 20 feet (required) to 9 feet (proposed), and to allow a reduction in the front yard setback from 110 feet (required) to 102 feet (proposed) at **909 Oakdale Rd**, to allow time for the Applicant to address the following comments and concerns of the Staff:

1. The Staff would recommend this variance request be deferred until such time as the Applicant has provided sufficient responses to the variance criteria, per Section 16-26.003(1);
2. Any revised materials (and required copies thereof) shall be submitted to the Staff at least eight (8) days prior to the Commission meeting to which this application is deferred.

Staff Recommendation: Based upon the following:

- a) The Staff's recommendation regarding CA3-16-021; and
- b) As currently submitted, the proposed design does not meet the District regulations, per Section 16-20B.003.

CA3-16-022

Staff recommends deferral of the Application for a Type III Certificate of Appropriateness (CA3-16-022) for alterations, additions, and site work at **909 Oakdale Rd.**, to allow time for the Applicant to address the following comments and concerns of the Staff:

1. The Applicant shall document compliance with the District's 100 year floodplain requirements, per Section 16-20B.003(5)(a);
2. The Applicant shall document compliance with the District's slope disturbance requirements, per Section 16-20B.003(5)(a);
3. The new driveway material shall be the same material as the existing driveway and have a similar finish and that the new south curb shall have the same profile and design as the north curb, per Section 16-20B.003(1), 16-20B.003(4)(a) and (g);
4. The parking court within 20 ft. of the side property line shall be only that which is required to provide access to the final location of the garage and shall only accommodate the minimal turning movements to achieve that access, per Section 16-20B.003(3)(b);
5. More information shall be provided about the existing brick walkway and the proposed walkway, per Section 16-20B.003(1), 16-20B.003(4)(a) and (g);
6. Documentation shall be provided of other retaining walls on the block face, per Section 16-20B.003(7);
7. Additional information shall be provided about the existing site features to be removed and the proposed site features, per Section 16-20B.003(1), 16-20B.003(4)(a) and (g);
8. The existing front entrance shall be retained and if desired more modestly redesigned, though not replaced, per Section 16-20B.003(1);
9. Additional information shall be provided about the condition and status of the front door, per Section 16-20B.003(1);
10. The proposed attic vent windows shall be redesigned to be compatible with the house and in particular the existing windows on the house, per Section 16-20B.003(1);
11. The existing windows on the portions of the house not affected by the proposed addition shall be retained and if necessary, repaired in kind, per Section 16-20B.003(1);
12. The existing low-sloped roof on the front façade bay shall be retained and if necessary, repaired in kind, per Section 16-20B.003(1);
13. The proposed addition shall be re-designed so as to retain substantially more of the massing and scale of the original house and shall be slightly differentiated itself from the original house, per Section 16-20B.003(1);
14. The massing and scale of the proposed garage shall be changed so as to reduce the visual presence on the lot per Section 16-20B.003(1);
15. The retaining wall behind the garage be revised to meet the general zoning regulations referred to by the District regulations, per Section 16-20B.003(1); and
16. Any revised materials (and required copies thereof) shall be submitted to the Staff at least eight (8) days prior to the Commission meeting to which this application is deferred.



KASIM REED
MAYOR

CITY OF ATLANTA
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303
404-330-6145 – FAX: 404-658-7491
<http://www.atlantaga.gov/Government/Planning.aspx>

TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT
February 10, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-023) for six new townhouses at **15-17 Daniel Street** - M. L. King, Jr. Landmark District (Subarea 4).

Applicant: C and G Property Holdings, LLC
934 Glenwood Avenue

Facts: The project is located just south of the southwest corner of Daniel Street and Edgewood Avenue, south of an east-west alley that runs from Daniel Street on the east to Boulevard on the west. At the southwest corner of Edgewood Avenue and Daniel Street (but outside the proposed consolidation) is a separate vacant lot that is north of the alley. To the south of the property is a significant amount of vacant land.

In 2015, the Commission approved the consolidation of three lots into the current one lot (CA3-15-393).

The property has no structures on it, few if any trees, and is relatively flat.

The Applicant is proposed to build six (6) townhouses, four of which will face and be adjacent to Daniel Street. The two other units will be located in a building behind the first building, facing an interior drive access / courtyard. The Daniel Street units are noted as live/work spaces. It is not clear if the interior drive / courtyard will be fenced.

Analysis: The following code sections apply to this application:

Sec. 16-20C.004. General regulations

The following general regulations shall apply to all properties within the Martin Luther King, Jr. Landmark District, except where otherwise stated.

1. General criteria. The Commission shall apply the standards set forth below only when the standards set forth elsewhere in Chapter 20C do not specifically address the application in whole or in part:
 - a. A property shall be used for its historic purpose or be placed in a new use authorized in Section 16-20C.005 using minimal change to the defining characteristics of the building and its site and environment.
 - b. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
 - c. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
 - d. Changes to a property that have acquired historic significance in their own right shall be retained and preserved.

- e. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
 - f. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
 - g. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
 - h. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
 - i. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
 - j. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
2. The compatibility rule.
- a. Block definitions. The following words and terms, when used in this chapter, shall have the meanings ascribed to them in this section:
 - i. Block. An area of land located within a continuous perimeter of public streets. An individual block shall begin at the back edge of curb of the adjacent street. Interstate 75/85, when no intervening street exists, shall be permitted to count as an adjacent street for purposes of meeting this definition, beginning at the edge of the adjacent 75/85 right-of-way.
 - ii. Block face. One side of a block, located between two consecutive street intersections.
 - b. The intent of these regulations is to ensure that alterations to existing structures and new construction are compatible with the massing, size, scale, and architectural features of each Subarea and of the immediately adjacent environment of a particular block or block face. To further that intent and simultaneously retain flexibility, the regulations provide a "compatibility rule" which is: The element in question, such as roof form or architectural trim, shall match that which predominates:
 - ii. On contributing buildings on the same block in Subareas 3 and 4.
 - c. Where quantifiable, such as building height or floor height, the element shall be no smaller than the smallest or larger than the largest such dimension of the contributing building(s) along the same block face in Subareas 1 and 2 and on individual blocks in Subareas 3 and 4.
 - d. Those elements to which the compatibility rule applies are specified in these regulations by reference to "compatibility rule."
 - e. Building height shall be measured on the front elevation from the average point of grade on the front elevation to the highest point of the roof or façade, whichever is higher.
 - g. Whenever individual block faces in Subareas 1 and 2 or individual blocks in Subareas 3 and 4 are void of contributing structures, the contributing structures located on the opposing block face shall be utilized for purposes of adhering to compatibility rule provisions. If the opposing block face is void of contributing structures, the contributing structures on the nearest block face along the same street frontage shall be utilized.
3. Certificates of Appropriateness.
- a. General Provisions.
 - i. The procedures for determining the correct type of Certificate of Appropriateness shall be those specified in Section 16-20.008, except as otherwise provided herein.
 - ii. No certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - iii. No certificate of appropriateness shall be required to repaint any structure or portion thereof, or, to make ordinary repairs and maintenance using in-kind materials.
 - c. Type III Certificates of Appropriateness. The following Type III Certificates of Appropriateness shall be reviewed by the Commission and shall be required for:
 - i. All new principal structures;
10. Time period of historical significance. Where referenced in this chapter, the time period of historical significance for the district shall be the lifetime of Martin Luther King, Jr. (1929-1968).

Sec. 16-20C.005. Permitted Principal Uses and Structures.

- 1. Permitted Principal Uses and Structures: The following permitted uses and restrictions apply to all Subareas within this District, except Subarea 5:

- a. The permitted principal uses and special permit uses set forth in Table 1: Martin Luther King Jr. Landmark District Table of Uses shall be permitted only as listed within each Subarea within said table of uses and only in the manner so listed.
- b. Permitted principal uses. A building or premises shall be used only for the principal uses indicated with a "P" in Table 1: Martin Luther King Jr. Landmark District Table of Uses, subject to further restrictions where noted.
- e. Prohibited uses.
 - i. All uses marked with an "X" in Table 1: Martin Luther King Jr. Landmark District Table of Uses shall be prohibited in the Subarea(s) identified unless otherwise authorized in subsection 16-20C.005(2) or (3) below. All uses not listed in Table 1: Martin Luther King Jr. Landmark District Table of Uses shall be prohibited in all district Subareas unless otherwise authorized in subsection 16-20C.005(2) or (3) below.
 - ii. No use or manner of operation shall be permitted which is obnoxious or offensive by reason of odor, smoke, noise, glare, fumes, gas, vibration, unusual danger of fire or explosion, emission of particulate matter, or interference with radio or television communication, or is otherwise incompatible with the character of the district and its relation to adjoining districts.
 - iii. Use of heavy drop hammers, punch presses or other machinery, or processing methods creating an excessive noise or vibration is prohibited in this district, subject to the provisions in chapter 74, article IV, noise control.

TABLE 1: MARTIN LUTHER KING JR. LANDMARK DISTRICT TABLE OF USES	SUBAREA 1 Auburn Ave Res	SUBAREA 2 Residential	SUBAREA 3 Institutional	SUBAREA 4 Auburn/Edgewood Commercial
RESIDENTIAL and DWELLING USES				
Assisted living facilities	X	X	SUP	SUP
Dormitories, fraternity houses and sorority houses, officially affiliated with an accredited college, university or private school and only for the time period that such affiliation is in effect, such that loss of affiliation shall result in the loss of permission for the use	X	X	X	P
Multi-family dwellings	X	X	P	P
Personal care homes	P	P	P	P
Single-family dwellings	P	P	P	P
Supportive housing	X	X	P	P
Two-family dwellings	P	P	P	P
NON-RESIDENTIAL USES				
Auditoriums, museums, libraries, galleries and similar cultural facilities	X	P *	P	P
Bakeries and catering establishments	X	P *	X	P
Banks, savings and loan associations, and similar financial institutions	X	X	X	P
Barber shops and beauty shops	X	P *	X	P
Bed and breakfast inns	X	P #	P	P
Business or commercial schools	X	X	X	P
Business service establishments, including those providing duplicating, printing, maintenance, communications, addressing, mailing, bookkeeping, or guard services	X	X	X	P
Child care centers, kindergartens and special schools	X	X	X	P
Churches, synagogues, temples, mosques, other places of worship	X	P ^	P	P

Clubs and lodges	X	X	P	P
Commercial recreational establishments, including theaters, convention halls, places of assembly and similar uses, with primary activities conducted within fully enclosed buildings	X	X	P	P
Digital industry switchboards, relay equipment, and associated power generators as principal uses	X	X	X	X
Drive-in and drive-through facilities	X	X	X	X
Eating and drinking establishments	X	P *	X	P
Farmers markets	X	X	P	P
Grocery stores	X	P ^	X	P
Hospitals	X	X	X	P
Hotels and motels	X	X	P	P
Laundry and dry cleaning, collection stations or plants, limited to no more than 5,000 square feet of floor area; laundry and dry cleaning where equipment is operated by customers	X	X	X	P
Manufacturing, repairing not including automobiles or heavy machinery, compounding, assembly, processing, preparation, packaging or treatment of articles, foods, components, products, clothing, machines and appliances and the like, where character of operations, emissions and byproducts do not create adverse effects beyond the boundaries of the property	X	P *	X	P
Market Gardens	X	X	P	P
Mortuaries and funeral homes	X	X	X	SEP
Offices and studios	X	P *	P	P
Clinics (including veterinary), laboratories, studios and similar uses, but not blood donor stations	X	X	X	P

Park-for-hire surface parking lots	X	X	SUP @	SUP @
Park-for-hire parking structures	X	X	P	P
Poolrooms, billiard parlors	X	X	X	SEP
Printing and blueprinting shops	X	X	X	P
Professional or personal service establishments but not hiring halls	X	P *	X	P
Public schools or private schools having similar academic curricula and special schools for exceptional children	X	X	P	X
Rehabilitation centers, nursing homes	X	X	SUP	SUP
Repair establishments for home appliances, bicycles, lawn mowers	X	X	X	P

Retail establishments, including delicatessens	X	P *	X	P
Roof antennas	X	X	P %	P %
Service stations	X	X	X	P
Shelter	X	X	SUP	SUP
Structures and uses required for operation of MARTA or of a public utility, except uses involving storage, train yards, warehousing, switching, or maintenance shop as the primary purpose	X	X	P	X
Tailoring, custom dressmaking, millinery and similar establishments limited to not more than 5000 square feet in area	X	P *	X	P
Temporary commercial activities	X	X	X	P
Trade schools, colleges, universities	X	X	X	P
Urban Gardens	SAP ^{&}	SAP ^{&}	P	P
NOTES				

Bed and breakfast uses in Subarea 2 shall comply with the use restrictions of 16-20C.005(2)(b).
 @ Park-for-hire surface parking lots shall comply with the use restrictions of 16-20C.005(3)(c).
 % Roof antennas and similar uses shall comply with the use restrictions of 16-20C.005(3)(d).
 * Limited to location set forth in 16-20C. 005(2)(c) and further limited to a maximum size of 2,000 square feet for each individual use.
 ^ Limited to location set forth in 16-20C. 005(2)(c) and further limited to a maximum size of 4,000 square feet for each individual use.
 & On an undeveloped lots.

3. The following additional Permitted Principal Use and Structures provisions shall apply to Subareas 3 and 4.
 - a. Except as otherwise herein provided, no merchandise shall be stored other than that to be sold at retail on the premises; and no storage for such merchandise shall occupy more than 40 percent of the floor area on the premises. No off-premises storage of such merchandise shall be permitted in the district as either a principal or accessory use.
 - b. Veterinary offices. Veterinary office and clinics shall keep animals in sound-proofed buildings, laboratories, and studios (authorized in Subarea 4 only).

Sec. 16-20C.006. Lot Controls and Building Heights.

2. The following Lot Controls and Building Heights provisions shall apply to Subareas 3 and 4.
 - a. Building heights.
 - i. Maximum building heights shall be permitted up to a maximum of one and one-half (1.5) times the height permitted utilizing the compatibility rule, provided that:
 - (1) For property located east of Interstate 75/85, no building shall be permitted to exceed a maximum height of 55 feet.
 - (2) For property located west of Interstate 75/85, no building shall be permitted to exceed a maximum height of 68 feet.
 - ii. The building heights permitted in this subsection are intended to be the maximums authorized but are subject to further compatibility restrictions under other provisions of this district relative to building form, scale, massing and materials.
 - iii. Notwithstanding the height requirements of these subareas, previously existing structures in existence before 1967 but no longer in existence may be reconstructed to their original footprints and height where the applicant shows by archived evidence or sworn affidavit(s), and the Commission finds, that such structural dimensions previously existed on the proposed site.

Sec. 16-20C.007. Sidewalks, Yards and Open Space.

1. The following Sidewalks, Yards and Open Spaces provisions shall apply to Subareas 1 through 4.
 - a. Sidewalks.
 - i. Public sidewalks shall be located along all public streets and shall consist of two (2) zones: an amenity zone and a walk zone.

- ii. The amenity zone shall be located immediately adjacent to the curb with a consistent cross-slope not to exceed two (2) percent. Width shall be measured from back (building side) of curb to the walk zone. This zone is reserved for the placement of street trees and street furniture including utility and light poles, public art, waste receptacles, fire hydrants, traffic signs, traffic control boxes, newspaper boxes, transit shelters and similar elements in a manner that does not obstruct pedestrian access or motorist visibility. Such elements, where installed, shall be of a type specified by the director in accordance with uniform design standards for placement of such objects in the public right-of-way.
 - iii. The walk zone shall be located immediately contiguous to the amenity zone and shall be a continuous hardscape, with a consistent cross-slope not exceeding two (2) percent. No fixed elements, including pole mounted signage, traffic control boxes or other utility structures, shall be placed above ground in the walk zone for a minimum height of eight (8) feet.
 - iv. New sidewalks and their corresponding zones 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 amenity zone shall be a minimum of two (2) feet wide and the new walk zone shall be a minimum of five (5) feet wide.
 - v. Street trees shall be planted a maximum of 30 feet on-center within the amenity zone and shall be spaced equal distance between street lights.
 - vi. Any existing decorative hardscape treatment of sidewalks, including amenity zone or walk zone areas, shall be retained as part of any new development or replaced with materials that match in size, shape and color.
 - vii. Decorative pedestrian lights, where installed, shall be placed a maximum of 60 feet on center and spaced equidistant between required trees. Where installed, said lights shall be located within the amenity zone. Said lights shall be as approved by the Director. New developments shall match the light and tree spacing on blocks where existing Atlanta Type lights are installed.
 - viii. Changes or additions of planters, trash containers, street lighting, and similar elements, shall require a Certificate of Appropriateness by the Commission.
 - ix. Upon redevelopment of a parcel reasonable efforts shall be made to place utilities underground or to the rear of structures to allow for unobstructed use of sidewalks.
- c. Required Open Space.
- i. Open Space shall be required only for multi-family uses. All other uses shall have no Open Space requirements.
 - ii. Required Usable Open Space shall be provided equal to five (5) percent of the total floor area dedicated to multi-family use.
3. The following additional Yards provisions shall apply to Subareas 3 and 4.
- a. Front, Rear and Side Yards. All front, rear and side yards for this Subarea shall be established through the compatibility rule, except that zero-lot-line side yards shall be permitted as a minimum side yard allowance regardless of the compatibility rule application.

Sec. 16-20C.008. Design Standards.

1. The following Design Standards provisions shall apply to Subareas 1 through 4.
- a. Building Compatibility.
 - i. All elements of new construction shall be utilized in a meaningful, coherent manner, rather than a mere aggregation of random historic elements.
 - ii. The compatibility rule shall apply to a principal structure's general façade organization, proportion, scale, roof form, pitch and materials, door and window placement, and other architectural details including but not limited to brackets, decorative trim, corner boards, bottom boards, fascia boards, columns, steps and attic vents.
 - iii. Fiberglass roofs shall be prohibited.
 - b. Fenestration.
 - i. The compatibility rule shall apply to the following aspects of fenestration:
 - (1) The style and material of the individual window or door.
 - (2) The size and shape of individual window and door openings.
 - (3) The overall pattern of fenestration as it relates to the building façade.
 - (4) The use of wood or aluminum for exterior framing, casing, and trim for windows and doors, and the use of wood, aluminum, brick, or stone for bulkheads.
 - ii. Painted glass and reflective glass, or other similarly treated fenestration, are not permitted.
 - iii. Except as otherwise provided in 16-20C.008(2), if muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.
 - c. Landscaping.

- i. A landscape plan may be required by the Commission to mitigate the environmental and visual impacts of construction on adjoining properties. The Commission may require that plant materials in a landscape plan reflect the character of the district.
 - ii. Tree preservation and replacement. The provisions of the City of Atlanta Tree Ordinance, Atlanta City Code Sec. 158-26 et seq., shall apply to this district.
 - d. Loading Areas, Loading Dock Entrances, and Building Mechanical and Accessory Features for All Non-Residential Uses.
 - i. All dumpsters shall be concealed with walls six (6) feet in height and constructed or faced with metal, brick, stone, architectural masonry, or hard coat stucco and shall not be visible from any public street.
 - ii. Loading docks and loading areas shall not be permitted on the primary façade of a principal building.
 - iii. Building mechanical and accessory features shall not be permitted between the principal building and any public street.
 - iv. Building mechanical and accessory features shall be located to the rear of the principal building and shall be in the location least visible from the public street. Screening with appropriate materials shall be required if the equipment is visible from any public street.
 - v. When located on rooftops, building mechanical and accessory features visible from the public street shall be incorporated in the design of the building and screened with materials compatible with the principal façade material of the building.
- 3. The following Design Standards provisions shall apply to Subareas 3 through 4.
 - a. Facades.
 - i. Building materials for the façades of principal structures shall be determined by the compatibility rule. Concrete block and other masonry materials may be used on façades of principal structures that do not face a public street. Corrugated metal, aluminum siding, and vinyl siding are not permitted on any façade.
 - ii. Covering of the original façade shall not be permitted.
 - iii. Painting of unpainted building materials and masonry is prohibited.
 - iv. All cleaning of stone, terra cotta, and brick shall be done with low-pressure water and mild detergents.
 - v. All repairs to original mortar shall be compatible with the existing mortar material in strength, composition, color and texture. Original mortar joints shall be duplicated in width and in joint profile.
 - vi. Cornice lines shall cap all building facades and shall consist of sheet metal, brick, cast concrete or terra cotta materials.
 - b. Active uses (See Sec. 16-20C.005(3)(e))
 - i. Active uses shall be provided within buildings and parking structures for the entire length of said building façade except ingress and egress points into parking structures or loading areas.
 - ii. Active uses shall be provided for a minimum depth of 20 feet, as measured from the sidewalk-level building façade.
 - c. Fences and walls.
 - i. All fences and walls shall require a Certificate of Appropriateness by the Director of the Commission. Barbed wire, razor wire and chain link or similar elements are prohibited.
 - ii. Fences and walls are not permitted in front yards or where otherwise visible to public view as determined by the Director of the Commission.
 - iii. Fences and walls shall be permitted only to a total combined height of six (6) feet.
 - d. Fenestration.
 - i. A minimum of 60 percent of the length of the building façade shall contain fenestration.
 - ii. Sidewalk-level development without fenestration shall not exceed a maximum length of 10 feet of façade.
 - iii. Subject to the compatibility rule, glass block may be used for door surrounds and transoms.
 - e. Illumination and Security Features.
 - i. Security, decorative, and other lighting shall minimize light spillage by providing cutoff luminaries that have a maximum 90-degree illumination. The Commission may also require other elements to reduce light spillage.
 - ii. Any security, decorative, or other lighting luminaries shall be located a minimum height of eight (8) feet above the sidewalk, drive, or pedestrian area.
 - iii. External storefront security grilles, gates and security doors must be fully retractable during business hours. Such devices shall provide visibility into the interior of protected space when in use, and shall be prohibited from being opaque.
 - iv. Any external security grilles, gates and security doors must be compatibly integrated into and concealed by the overall architecture and architectural patterns and elements of the façade on which they are located.
 - f. Awnings and Canopies.
 - i. Original awnings and canopies shall be retained.

- ii. Replacement awnings or canopies are permitted only when original awnings or canopies cannot be rehabilitated.
- iii. Awnings and canopies must have a minimum clearance of eight (8) feet above the sidewalk level, and shall not encroach more than five (5) feet over the public sidewalk.
- iv. Installation of new canopies upon contributing structures shall be designed in a manner that is compatible with the design, materials and general character of canopies from the time period of historical significance for the structure.
- v. Installation of new canopies upon non-contributing structures shall be designed in a manner that is compatible with the design, materials and general character of canopies from the time period of historical significance for the district.
- vi. New awning frames attached to storefronts, doors or windows shall replicate the shape of the covered area and fit within that area.
- vii. New awnings shall be attached to the area above the display and transom windows and below the cornice and signboard area, or attached to the storefront display window and the transom window.
- viii. Multiple awnings on a single building shall be similar in shape and configuration.
- ix. Only that portion of the awning used for signage shall be illuminated.

Sec. 16-20C.009. Off-Street Parking, Parking Structures, Driveways, Driveways and Curb Cuts.

- 1. The following Off-Street Parking regulations shall apply to Subareas 1 through 4.
 - a. Parking Requirements. Off-street parking and bicycle parking requirements shall be as specified in the Martin Luther King, Jr. Landmark District Parking Table and subject to the following:

TABLE 2: MARTIN LUTHER KING JR. LANDMARK DISTRICT PARKING TABLE	MINIMUM PARKING: BICYCLES	MINIMUM PARKING: AUTOMOBILES	MAXIMUM PARKING: BICYCLES	MAXIMUM PARKING: AUTOMOBILES
Single-family dwellings, Two-family dwellings	None	None	None	2 spaces for every 1 residential unit
All other Residential and Dwelling Uses	The greater of: 2 spaces or 1 space for every 5 residential units	None	No more than 50 spaces required	2.5 spaces for every 1 residential unit
Non-Residential Uses	The greater of: 2 spaces or 1 space for every 4,000 square feet of floor area	None	No more than 50 spaces required	2.5 spaces for every 1,000 square feet of floor area

- i. Bicycle parking spaces shall include a metal anchor sufficient to secure the bicycle frame when used in conjunction with a user-supplied lock and shall be a type specified by the Director of the Office of Planning as applicable.
- ii. Bicycle parking shall be located a maximum horizontal distance of 100 feet from a building entrance.
- b. Surface Parking.
 - i. When utilized, off-street surface parking shall not be permitted to be located between a building and an adjacent street without an intervening building.
 - ii. When authorized, park-for-hire surface parking lots shall be prohibited from being located within 65 feet of any public street frontage.
- c. Screening for Non-Residential and Multi-family Uses.
 - i. All surface parking regardless of the number of parking spaces provided, shall comply with all of the requirements of Chapter 158, Article II, Sec. 158-30.
 - ii. Screen wall extensions shall be permitted when surface parking is directly adjacent to a public sidewalk and additionally shall:
 - (1) Be located predominantly parallel and congruent with the adjacent building façade;
 - (2) Be a minimum height of ten (10) feet and a maximum height of 12 feet;
 - (3) Be a minimum of 50 percent permeable or articulated to avoid blank walls; and
 - (4) Utilize the adjacent building for purposes of determining allowable materials and architectural features.

2. The following regulations shall apply to parking structures within the district.
 - a. In addition to the parking deck regulations of Section 16-28.028, parking structure façades shall have the appearance of a horizontal storied building and shall utilize the compatibility rule for the contributing structures of any use on the block for the purposes of determining building materials, building massing, architectural features, building heights and setbacks.
 - b. Parking structures shall meet the active use requirements as regulated in Section 16-20C.005(3)(e).
3. The following regulations shall apply to driveways and curb cuts within the district.
 - a. Use of shared driveways and/or alleys is permitted. Driveways may be located outside the lot boundaries if they directly connect to a public street and are approved by the Commission.
 - b. Circular drives and drop-off lanes shall not be located between any principal building and any public street. The Commission shall additionally have the authority to vary Section 28.006(10) relative to the requirement for an independent driveway connected to a public street.
 - c. Curb cuts and driveways are not permitted on Edgewood Avenue, Auburn Avenue, Boulevard and Piedmont Road when reasonable access may be provided from a side or rear street or from an alley.
 - d. One curb cut is permitted for each development. Developments with more than one (1) public street frontage or more than 300 feet of public street frontage may have two (2) curb cuts.
 - e. Curb cuts shall be a maximum of 24 feet for two-way entrances and 12 feet for one-way entrances, unless otherwise permitted by the Commissioner of Public Works.
 - f. Sidewalk paving materials shall be continued across intervening driveways for all Non-Residential and Multi-family uses.

General Development Controls and Uses

For the purposes of applying the compatibility rule, the block would constitute all of the contributing buildings along the south side of Edgewood Avenue between Daniel Street and Boulevard.

A variety of residential and commercial uses are permitted in the Subarea, including multi-family, retail and eating/drinking establishments. As noted above, the Daniel Street units are noted as live work, though the potential “work” uses are not defined. The Staff would recommend that all proposed or potential uses be listed on the plans and met the District regulations.

Notwithstanding the lack of specificity regarding the uses, the sidewalk level of the building must have active uses, which is shown on the first level floor plan for the Daniel Street building.

In addition to the active use requirement noted above, loading docks in particular are not permitted on the primary façade of the building, which the Staff finds to be any street facing façade. Given the nature of the project, no loading docks are included in the proposed design.

Usable open space must be provided equal to five (5) percent of the total floor area dedicated to multi-family use. No usable open space calculations were included in the submission. The Staff would recommend that usable open space is provided and meets the District regulations.

The District regulations require that the setbacks of the project meet the compatibility rule, which requires the front, side and rear yard setbacks be within the range established for each setback based on the contributing buildings on the block, with an additional allowance for zero side yard setbacks. No setback calculations or comparison tables were included in the submission. The Staff would note that the front and side yard setbacks of the contributing buildings along the Edgewood Avenue is zero (0) ft. The proposed design includes a zero (0) ft. rear yard setback, but it is not clear what the rear yard setback range is for the comparison buildings. The Staff would recommend that the Applicant document that the rear yard setback of the project meet the District regulations.

No mechanical equipment is shown on the site plan, the roof plans, or other design documents. The Staff would recommend that all of the mechanical equipment requirements of the District regulations be

The Staff would recommend that the mechanical equipment be shown on the plans and meet all of the District regulations.

No dumpsters are shown on the site plan.

Parking (Vehicle and Bicycle) and Curb Cuts

There are no minimum vehicle parking requirements in this Subarea of the District, but there are maximum parking allowances for both multi-family and non-residential uses. There are eight (8) parking spaces provided for the six (6) townhouse units, which meets the maximum parking allowance for a multi-family project. However, if the “live/work” building were to become entirely “work” it is not clear if the maximum of 2.5 spaces per 1,000 of floor area would be exceeded. The Staff would recommend that the total square footage of the project be calculated and the project meet the maximum parking limitations for all potential uses of that square footage.

In contrast, bicycle parking is required, must have a certain anchor design and must be located within 100 ft. of the building entrance. No details are provided about bicycle parking for any type of use of the buildings. The Staff would recommend that bicycle parking be shown on the plans and meet all of the District regulations for all potential uses of the project.

From a design perspective, the proposed vehicle parking does not have any street or sidewalk level exposure and does not face any street.

The existing alley to the north of the property is proposed for providing vehicle access. Based on photographs provided by the Applicant, the existing alley appears to be paved at least next to the property and have a curb cut. It is not clear when the alley was paved, but it does appear to be relatively recent and the area of where the sidewalk would be is standard concrete. This is the first property to be wholly redeveloped along Daniel Street next to or near this alley (there is no sidewalk in front of the subject property). As such, the Staff would recommend that the plans specify that the eventual sidewalk material will continue across the alley curb cut.

Sidewalks and Site Features

The site plan did not include any information or design about the existing sidewalk along Daniel Street, though there is a new sidewalk rendered on one of the graphics. There is no sidewalk in front of the property itself. Further, given the size and type of project, it is very doubtful that a sidewalk would remain through the construction. As such, the Staff finds that the project will need to incorporate a new sidewalk along Daniel Street. The Staff recommends that the plan indicate all of the sidewalk zone and sidewalk amenities meet all of the District regulations.

The District regulations do not allow fences in the front yard of a property and restricts their visibility anywhere on the property. There appears to be fences shown at either end of the interior drive access / courtyard. The Staff finds that these fences are not located in the front yard, as no front yard actually exists in the case of this project. However, both fences are clearly visible from public view. While the Staff understands the need for such fences to provide security for the project and to define private vs. public space, the Staff is concerned about their design. No design details are provided about the two fences on either end of the interior drive access / courtyard. The Staff would recommend that the two fences proposed at either end of the interior drive access / courtyard are substantially integrated into the design of the building itself, be no taller than 6 ft., and have no characteristics of a fence.

It does not appear that any trees will be removed as part of the project. If any trees are removed, the City's Tree Ordinance requirements must be met.

The Staff finds that given the proximity of the new construction to the surrounding buildings, the general character of the Edgewood Avenue corridor, and the potential redevelopment character of the buildings and structures that could be adjacent to the property on the sides and rear, no screening or buffering is necessary to screen this project from any of its surroundings.

The Staff would recommend the Applicant clarify if utilities will be buried underground or if not, their reasonable efforts to try to accommodate this design feature.

Overall Massing and Scale

Both buildings are three (3) stories, with an addition roof top amenity level. In this portion of the Subarea, the District regulations limit the height of new construction to 1.5 times the height of the tallest contributing building on the block, which in this case is the eastern most building on the south side of Edgewood Avenue (there is a maximum height of 55 ft. regardless of this allowance). The tallest building is 27.5 ft. tall, making the maximum height for the proposed building 41.25 ft.

Building height is measured on the front elevation from the average point of grade on the front elevation to the highest point of the roof or façade, whichever is higher. The building height comparison analysis page of the drawings shows the height measured from the grade along Daniel Street (which is indicated as level for the entire length of the project frontage) to the top of the parapet wall and to the top of the roof top stair access structure. The distance to the parapet wall of both building is well within the allowed height. The Staff would note that the roof top access structure would not be counted in the height calculation if there is no other enclosed space included within the roof top access structure other than what is required to provide the roof top access. It is not clear if there is any other space included in the roof top access structure. The Staff would recommend that the plans clearly indicate that there is not any other space included in the roof top access structure other than what is minimally required to provide the roof top access.

Regarding the scale of the building, the Staff finds that generally speaking the overall massing is compatible with the District. While it is larger than the immediately surrounding buildings, its relatively short length mitigates that height makes the overall massing similar to a variety of buildings found along Edgewood Avenue.

Architectural and Façade Elements

The District regulations have specific requirements as to the pattern, size, and location of the fenestration on the sidewalk level of the project that has to occupy a minimum of 60 % of the length of the façade. While it would appear the design would meet this requirement, no such calculation was included in the submission. The Staff is also concerned about the use of glass where a solid bulkhead would normally be found in a three part storefront window design. The use of this glass creates clearly contemporary look that is not compatible with the typical three part storefront design with large display windows which is found throughout the District. The Staff would recommend the sidewalk level fenestration meet all of the District regulations (including size and design) and the plan indicate as such.

The Staff is also concerned with the fenestration pattern on the upper floors of the buildings which includes groups of two, three or four windows, creating large expanses of glass. While the Staff understands that the project is not required to mimic existing window patterns in the District, the Staff is concerned that these differences in fenestration pattern create too contemporary of a design. Further,

such large expanses of glass in the upper floors of buildings are not the predominant window pattern on contributing buildings in the District. The Staff would recommend the fenestration pattern on the upper levels of both buildings be revised to meet the District regulations.

What appear to be flat canopies are proposed for the east facades of both buildings above the third floor windows and above the Daniel Street entrances. Though the overall concept of the canopies above sidewalk level entrances meets the District regulations, no information was provided about their clearance above the sidewalk or projection over the right of way. Further, the Staff finds that the canopies at the third level of the buildings is not compatible with the District and creates too contemporary of an appearance to the building. The Staff would recommend the flat canopies at the third level of the buildings are eliminated from the design and the remaining canopies above the sidewalk level meet all the District regulations.

No exterior security grills, gates, or doors are proposed as part of the project.

No security or exterior lighting is indicated on the elevations. The Staff would recommend that any exterior lighting of any type be indicated on the plans and meet the District regulations.

Materials

Apart from the metal windows and doors, the exterior of the project utilizes brick on the Daniel Street building (with different coursing and joints) and “masonry” / concrete and cypress siding on the interior building. No materials are specified for the roof top access structures. The District regulations require that exterior materials meet the compatibility rule and be used in a coherent manner. The compatibility rule requires comparison to contributing buildings, though there is an allowance for other masonry materials on facades that don’t face a public street.

The Staff is concerned that the cypress siding is not historically found on any contributing building (principal or accessory), but is the primary cladding material for the interior building. The Staff does not find that this cypress siding meets the District regulations for the interior building. While it acknowledges that the interior building is behind the Daniel Street building, and thus is given additional flexibility by the regulations (as it relates to other masonry materials), the use of a wood product to clad a multi-family building of this size does not meet the District regulations.

The Staff would recommend the materials on the exterior of the interior building meet the District regulations as to the material itself, its location, alignment with other materials, and percentage of use.

No painted glass, reflective glass, or other similarly treated fenestration is indicated on the plans. No glass block is proposed for the storefront areas.

Staff Recommendation: Based upon the following:

1. There are components of the overall massing and design, architectural elements, façade components, and materials that do not meet the District regulations, per Section 16-20C.004, Section 16-20C.005, Section 16-20C.006, Section 16-20C.007, Section 16-20C.008, and Section 16-20C.009.

Staff recommends deferral of the Application for a Type III Certificate of Appropriateness (CA3-16-023) for six new townhouses at **15-17 Daniel Street** - M. L. King, Jr. Landmark District (Subarea 4) to allow time for the Applicant to address the following concerns and comments:

1. All proposed or potential uses be listed on the plans and met the District regulations, per Section 16-20C.005;
2. Usable open space shall be provided and shall meet the District regulations, per Section 16-20C.007(1)(c);
3. The Applicant shall document that the rear yard setback of the project meets the District regulations, per Section 16-20C.007(3);
4. The mechanical equipment shall be shown on the plans and shall meet all of the District regulations, per Section 16-20C.008(1)(d);
5. The total square footage of the project shall be calculated and the project shall meet the maximum parking limitations for all potential uses of that square footage, per Section 16-20C.009(1)(a);
6. Bicycle parking shall be shown on the plans and shall meet all of the District regulations for all potential uses of the project, per Section 16-20C.00(1)(a);
7. The plans shall specify that the eventual sidewalk material will continue across the alley curb cut, per Section 16-20C.009(3)(f);
8. The plan shall indicate that all of the sidewalk zone and sidewalk amenities meet all of the District regulations, per Section 16-20C.007(1);
9. The two fences proposed at either end of the interior drive access / courtyard shall be substantially integrated into the design of the building itself, shall be no taller than 6 ft., and shall have no characteristics of a fence, per Section 16-20C.008(3)(c);
10. The Applicant shall clarify if utilities will be buried underground or if not, their reasonable efforts to try to accommodate this design feature, per Section 16-20C.007(1)(a)(ix);
11. The plans shall clearly indicate that there is not any other space included in the roof top access structure other than what is minimally required to provide the roof top access, per Section 16-20C.006(2);
12. The sidewalk level fenestration shall meet all of the District regulations (including size and design) and the plan indicate as such, per Section 16-20C.008(3)(d);
13. The fenestration pattern on the upper levels of both buildings shall be revised to meet the District regulations per Section 16-20C.008(1)(b);
14. The flat canopies at the third level of the buildings shall be eliminated from the design and the remaining canopies above the sidewalk level shall meet all the District regulations, per Section 16-20C.008(3)(f);
15. Any exterior lighting of any type shall be indicated on the plans and meet the District regulations, per Section 16-20C.008(3)(e);
16. The materials on the exterior of the interior building shall meet the District regulations as to the material itself, its location, alignment with other materials, and percentage of use per Section 16-20C.008(1)(a) and (3)(a);
17. The Applicant shall provide revised materials (including all of the required copies) at least eight (8) days prior to the Commission meeting to which this application is deferred.



CITY OF ATLANTA

KASIM REED
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT February 10, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-028) for a variance to allow replacement windows which do not match the size of the original window openings, and (CA2-16-026) for alterations at **491 Hopkins St.** Property is zoned R-4A / West End Historic District / Beltline.

Applicant: Halo Capital Inc.
3522 Ashford Dunwoody Rd.

Facts: According to the West End Historic District photographic inventory, this existing two family home was constructed in the 1960's and is considered contributing to the West End Historic District.

Analysis: The following code sections apply to this application:

Sec. 16-20G.005. - General regulations.

The following general regulations shall apply to the West End Historic District.

- (1) Certificates of Appropriateness: Certificates of appropriateness within this district shall be required as follows:
 - (a) When required:
 - (i) To change the exterior appearance of any portion of a structure within the district, when said change can be seen from the public right-of-way;
 - (ii) To erect a new structure or to make an addition to any structure within the district, when said addition can be seen from public right-of-way; and
 - (iii) To demolish or move any contributing structure, in whole or in part, within the district.
 - (b) Type required:
 - (iv) The following Type II Certificates of Appropriateness shall be reviewed by the director of the commission and shall be required for any of the following:
 - (e) replacement of non-original, non-historic or missing elements that otherwise meet the regulations, including but not limited to siding, windows, porch railings, porch columns, porch flooring, exterior doors if visible from a public street, and

If a Type II Certificate of Appropriateness is required and the proposed alteration meets the requirements of this chapter, as applicable, and other criteria applicable to Type II certificates, the director of the commission shall issue the Type II Certificate within 14 days of receipt of the completed application. If a Type II Certificate of Appropriateness is required and the proposed alteration does not meet the requirements of this chapter, as applicable, the director of the commission shall deny the application with notice to the applicant within 14 days of receipt of the completed application. Appeals from any such decision of the director

regarding the approval and/or denial of Type II Certificates may be taken by any aggrieved person by filing an appeal in the manner prescribed in the appeals section of chapter 16-20.008(a) for Type I Certificates.

- (v) The following Type II Certificates of Appropriateness shall be review by the commission and shall be required for any of the following to the extent they are visible from a public street:
 - a. Alterations to any façade of any principal structure; and
 - b. All site work, except as noted in Section 16-20G.005(b)(4).
 - (vi) The following Type III Certificates of Appropriateness shall be reviewed by the commission and shall be required for:
 - d. Variances.
- (3) Variances: The urban design commission shall have the power to hear, grant and deny variances from the provisions of this chapter (20G) 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 46, which provisions are hereby incorporated herein.

Sec. 16-20G.006. - Specific regulations.

In addition to the general regulations set forth in section 16-20G.005, and any other applicable regulations, the following regulations shall apply to all rehabilitations, new construction, alterations, and other changes:

- (1) Generally: The following building elements and architectural features shall be considered when applying section 16-20.009 of this chapter to the West End Historic District: doors, windows, foundations, finished floor elevations, roofs, roof features, gutters, downspouts, cornices, siding, porches, steps, terraces, dormers, shutters, awnings, gateways, archways, louvres, walls, fences, and gates.
- (3) Windows and Doors:
 - (a) Architecturally significant windows and doors, including details, trimwork, and framing, shall be retained.
 - (b) Original window and door openings shall not be blocked or enclosed, in whole or in part.
 - (c) Replacement windows and doors shall be permitted only when originals cannot be rehabilitated. Replacement windows and doors shall match the original in style, materials, shape and size, with no more than a one-inch width or height difference from the original size. The use of simulated divided lite windows is permitted.
 - (d) If muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.
 - (e) The replacement and reconfiguration of windows on the side elevations to accommodate kitchens and bathrooms is permitted.
 - (g) New doors and windows, when permitted, shall be compatible in scale, size, proportion, placement, and style to existing windows and doors.

Sec. 16-26.003. - Conditions of granting a variance.

- (1) *Findings Required:* Except as permitted by the provisions of subsection (2) below, variances may be granted by the board only upon making all of the following findings:
 - (a) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography;
 - (b) The application of the Zoning Ordinance of the City of Atlanta to this particular piece of property would create an unnecessary hardship;
 - (c) Such conditions are peculiar to the particular piece of property involved; and
 - (d) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance of the City of Atlanta.

Variance

The Applicant is asking for a variance to allow the reconfiguring of the window openings on the front façade of the principal structure to allow the structure to be converted to a single family home.

In order to grant a variance from the regulations, the Commission must first make all of the following findings:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography;
2. The application of the Zoning Ordinance of the City of Atlanta to this particular piece of property would create an unnecessary hardship;

3. Such conditions are peculiar to the particular piece of property involved; and
4. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance of the City of Atlanta.

In their variance justification, the applicant the exceptional conditions pertaining to the property in question is that it contains an apartment building built in the 1960's which is not consistent with the residential character of the street. Staff finds that this argument does not present a hardship based on the size, shape or topography of the lot. Staff recommends the Applicant provide information which details the extraordinary or exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography. In response to the question regarding how the application of the Zoning Ordinance would create an unnecessary hardship for this property, the applicant states that due to the requirement that replacement windows match the size and shape of the original window the property could not be converted to a single family home. Staff finds that this argument does not present a hardship as the size of windows themselves does not prevent interior alterations. The only exception to this would be the requirement of larger windows in bedrooms to allow for egress. The floor plans submitted by the Applicant do not indicate new bedrooms being installed on the first floor. On the second floor, there appear to be existing windows which would allow for egress, however this cannot be confirmed by Staff at this time. Staff recommends the Applicant provide information which documents a requirement by the Office of Buildings for the front windows to be enlarged for egress purposes.

In response to the question pertaining to the peculiar conditions of the property, the Applicant states that the current window configuration is not compatible with a single family residential use. While Staff agrees that the current window configuration is not compatible with a single family residential use, no hardship has been presented. In response to the question pertaining to any damage to the public good the variance would create if granted, the Applicant states that no detriment to the public good would result if the windows were altered. Staff agrees with this argument.

Window reconfiguration and replacement

Given Staff's recommendations regarding the variance criteria stated above, there is not sufficient information to review the request to alter the current window configuration at this time.

Staff Recommendation: Based upon the following:

- a) The project does not meet the variance criteria, with the exceptions noted above, per Section 16-26.003(1) and 16-28.008(5); and

CA3-16-028

Staff recommends deferral of an Application for Type III Certificate of Appropriateness (CA3-16-028) for a variance to allow replacement windows which do not match the size of the original window openings at **491 Hopkins Street** - Property is zoned R-4A / West End Historic District / Beltline to allow the Applicant to address the following concerns:

1. The Applicant shall provide information which details the extraordinary or exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography, per Sec. 16-26.003(a); and,
2. The Applicant shall provide information which documents a requirement by the Office of Buildings for the front windows to be enlarged for egress purposes, per Sec. 16-26.003(a).

Staff Recommendation: Based upon the following:

- a) Staff's recommendation regarding the variance request;

CA2-16-026

Staff recommends deferral of an Application for Type II Certificate of Appropriateness (CA2-16-026) for alterations at **491 Hopkins Street** - Property is zoned R-4A / West End Historic District / Beltline to allow the Applicant time to address the Staff concerns regarding the variance request.



CITY OF ATLANTA

M. KASIM REED
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT February 10, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-029) for alterations, additions, and site work at **879 Lullwater Parkway** - Property is zoned Druid Hills Landmark District.

Applicant: Wesley Stone
118 Barry Street

Facts: The house was built in 1950 is considered non-contributing to the Druid Hills Landmark District. This Ranch style house appears largely unaltered from its original appearance on the front and side facades. As such, while non-contributing to the District and not common in the District, it does represent a distinct and identifiable architectural form and massing, a distinct relationship to the site, and has different characteristics than most pre-World War II houses.

The current application consists of the following actions:

1. A new driveway, with retaining walls from the existing curb cut to a proposed parking court;
2. A walking path system in the front yard;
3. A new entry terrace in front of the house, with a stepping stone walkway to the parking court and side entry;
4. An extensive outdoor patio area behind the house with an outdoor kitchen, retaining walls, and water feature;
5. Removal and replacement of numerous trees;
6. New casement windows;
7. New cedar siding and rafter tails;
8. A glass projecting addition in the center of the front façade of the house;
9. A glass projecting addition in the left hand portion of the front façade of the house;
10. Removal of the existing attached carport on the northeast corner of the house and the concrete screen at the front, northwest corner of the house
11. An addition that wraps the north side facade and a portion of the rear façade, and extends to the north creating a new wing to the house that contains a new attached garage;
12. A two-story, detached garage north of the house on the north side of the proposed parking court; and
13. A new greenhouse behind the main addition to the house.

Analysis: The following code sections apply to this application:

Sec. 16-20B.003. General regulations.

The following general regulations shall apply to the entire district which includes the following subareas: (1) the Ponce de Leon Corridor; (2) Fairview Road; and (3) Springdale Road / Oakdale Road / Lullwater Road / Lullwater Parkway. Any proposed development, new construction, addition, alteration, or demolition shall require a certificate of appropriateness as noted below and shall conform to the following regulations:

- (1) General Standards. In the Druid Hills Landmark District, the Commission shall apply the following general standards only if the standards set forth elsewhere in this chapter 20B do not specifically address the application:
 - (a) A property shall be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
 - (b) The historic character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property shall be avoided.
 - (c) Each property shall be recognized as a physical record of its time, place, and use. Changes shall not be undertaken that create a false sense of historical development, such as adding conjectural features or elements from other historic properties.
 - (d) Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
 - (e) Distinctive materials, features, finishes, and construction techniques, or examples of craftsmanship that characterize a property, shall be preserved.
 - (f) Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, texture, and, where possible, materials.
 - (g) Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
 - (h) Archaeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.
 - (i) New additions, exterior alterations, or related new construction, shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work may be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
 - (j) New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
- (2) Certificates of Appropriateness.
 - (a) Except as otherwise provided herein, the procedures for determining the correct type of certificate of appropriateness shall be those specified in section 16-20.008 of the Zoning Ordinance.
 - (b) Notwithstanding any other provision herein, no certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - (c) No certificate of appropriateness shall be required for the removal of dead, dying, or hazardous tree as defined in the City of Atlanta Tree Ordinance or a tree with a diameter breast height of less than six (6) inches.
 - (g) Type III certificates of appropriateness shall be reviewed and decided by the Commission and shall be required for:
 - i. All new principal structures.
 - ii. All additions to existing principal structures and accessory buildings, including decks.
 - iii. All new accessory structures.
- (3) Minimum off-street parking requirements:
 - a. Off-street parking spaces shall not be permitted in any front yard nor within 50 feet of the public right-of-way in any half-depth front yard, except for yards adjacent to Moreland Avenue, where a 60-foot limit shall apply. For the purpose of this regulation, the front yard shall be that area between the public right-of-way and the forward line of the principal structure.
 - b. No off-street parking shall be located within 20 feet of any lot line.
 - c. Number of off-street parking spaces required:
 1. For single-family, two-family, and multiple-family dwellings: Two (2) spaces for each dwelling unit.
- (4) Minimum landscape requirements: The overall quality of the landscaped area visible from public right-of-ways should be preserved as an integral part of the historic character of the District. Any major alteration to the landscape or topography visible from the public right-of-way in the District shall maintain the general landscaping scale and character reflected in the original development of Druid Hills in order to preserve the historic landscape character of the District. Any major alteration to the landscape or topography visible from the public right-of-way shall:
 - (a) follow the standards set forth in 16-20B.003(1);
 - (b) be consistent and compatible with the overall landscape plan and design on the property and block;

- (c) maintain the spatial organization of an open space in front of the house, asymmetrical plantings on the sides of the principal structure and a rear tree canopy;
 - (d) not excessively or unnecessarily alter the natural topography of the site, with the exception of grading necessary to protect and preserve the integrity of a structure;
 - (e) ensure that any new grades shall meet the existing topography in a smooth transition;
 - (f) retain any existing historic circulation systems, including driveways, walkways and paths;
 - (g) ensure that any new circulation systems and substantial reconstruction of existing circulation systems is consistent and compatible with the existing circulation systems on the property and block with respect to layout, scale, materials, and topographic siting;
 - (h) ensure that any off-street parking be constructed of a material which will assure a surface resistant to erosion, have adequate access to a public street and have adequate circulation space; and
 - (i) comply with the provisions of the City of Atlanta Tree Ordinance with the following exceptions:
 - i. When the removal of trees is permitted by the Commission, each tree removed shall be replaced with a tree of an appropriate species having a minimum caliper of two and one half (2 ½) inches; and
 - ii. Taking into account the site density and tree spacing regulations of the City of Atlanta Tree Ordinance, any replacement trees and placement of said trees shall comply with (a)-(g) above.
 - (iii) Compliance with (i) above shall not eliminate any additional recompense or tree replacement that otherwise may be required by the City of Atlanta Tree Ordinance.
- (5) Minimum drainage controls: Structures shall be located so as to preserve the natural terrain of the district. Proper drainageways shall be provided to prevent increased water runoff and erosion, siltation of streams or flooding of property as required by the department of public works.
- (a) No structure shall be permitted within any 100-year floodplain.
 - (b) No single-family structure shall be constructed on natural slopes greater than 25 percent.
 - (c) No structure other than single-family shall be permitted on slopes greater than 15 percent.
- (6) Minimum architectural controls: Any new construction, additions, renovations or alterations in the District shall maintain the general architectural scale and character reflected in the original development of Druid Hills in order to preserve the historic character of the district and shall follow the standards set forth by Section 16-20B.003(1).
- (7) Fences, walls and retaining walls: Subject to the provisions of Section 16-28.008(5) and the following limitations:
- (a) Fences and walls are not permitted in the front yard, yards adjacent to public streets, or between any principal structure and a public street.
 - (b) Fences and walls not exceeding 6 feet in height may be erected in the side or rear yard.
 - (c) Fences and walls shall be constructed of vertical iron pickets, brick, stucco, vertical wood pickets, or coated chain link.
 - (d) The front facing portion of fences shall be no less than 40% open.
 - (e) Retaining walls are allowed if existing on the block face. Such retaining walls shall be no taller than the existing retaining walls on the block face or the minimum height required to retain the adjacent grades. All retaining walls shall be faced with brick, stone or stucco.

Sec. 16-20B.006. Springdale Road / Oakdale Road /Lullwater Road / Lullwater Parkway

The following regulations shall apply to any proposed development on any property located on Springdale Road, Oakdale Road, Lullwater Road or Lullwater Parkway:

- (1) Permitted principal uses and structures:
 - a. Single-family dwellings.
 - b. Parks, playgrounds and community buildings owned and operated by a governmental agency.
- (2) Permitted accessory uses and structures: Uses and structures which are customarily incidental and subordinate to permitted principal uses and structures, including but not limited to the following, subject to limitations and requirements set forth herein or elsewhere in this chapter:
 - a. Greenhouse, fallout shelter, garden shed, private garage, storage room.
 - b. Guest house, servants quarters, dwelling or lodging facilities for caretaker or watchman.
 - c. Swimming pool and accessory buildings, tennis courts and the like not less than 25 feet from side or rear lot line.
- (4) Lot coverage: Lot coverage for all structures, parking and driveways shall not exceed 35 percent of the lot area.
- (5) Minimum yard requirements:
 - a. Setbacks:
 - 7. East side of Lullwater Parkway, to city limit:
 - Front yard: 140 feet.
 - Side yards: 25 feet.
 - Rear yards: 100 feet.

(6)Maximum height: No building shall exceed a height of 35 feet.

The submission did not include existing condition elevations or photographs of the existing house. As such, it is difficult for the Staff to access several of the proposed actions related to the renovations and additions to the main house. The Staff would recommend that existing condition elevations and labeled photographs be provided to allow for a complete assessment of the proposed actions.

General Development Controls

The proposed lot coverage is not indicated on the site plan. The Staff would recommend the lot coverage be indicated on the site plan and meet the District regulations.

The front, side, and rear yard setbacks are met by the proposed design of the main house and the detached garage.

However, the proposed greenhouse does not meet the rear setback as is it within 100 ft. of the rear property line. On the graphic site plan, the note indicates compliance with the following District code section: "Swimming pool and accessory buildings, tennis courts and the like not less than 25 feet from side or rear lot line." The proposed greenhouse is not an accessory structure to a swimming pool which is what that code section refers to. Greenhouses, as well as other regular accessory structures not associated with swimming pools, are required to meet the standard setback regulations.

Further, the Staff is concerned that the outdoor kitchen will be tall enough (above 30" of off the ground) that it would be considered an accessory structure and thus also subject to the rear yard setback requirement.

The Staff would recommend that all the accessory structures meet the setback requirements. The Staff would note that retaining walls, site stairs, patios, and in-ground water features do not need to meet the setback requirements.

While not likely an issue, no information was provided about the presence or absence of the 100 year floodplain and the whether the proposed structures and/or improvements are located in it. The Staff would recommend that the Applicant document compliance with the District's 100 year floodplain requirements.

Further, the District regulations restrict building on slopes of greater than 25% for the house and no greater than 15% for other structures. A slope analysis included in the submission shows that no portions of the house will be built on a slope of greater than 25% but it does not include such an analysis for other structures. The Staff would recommend that the Applicant document compliance with all of the District's slope disturbance requirements.

Site Work

A new driveway, with retaining walls from the existing curb cut to a proposed parking court.

The Staff finds that the new, curving driveway is compatible with the sites wooded character, compatible with the Ranch house architecture, and is required due to the steep topography. However, the Staff is concerned about the retaining walls, even though they are faced with stone / boulders. While the general zoning provisions referred to in the District regulations have been met regarding height, the Applicant has not shown that there are retaining walls on the block face. The Staff would recommend that documentation be provided of other retaining walls on the block face.

There are four (4) off-street parking spaces located within the attached and detached garages.

The District regulations restrict off-street parking within 20 ft. of any property line. The garages and associated parking court are more than 25 ft. away from any property line. However, the District regulations also prohibit any parking in any front yard, which is defined as “that area between the street line [i.e. the front property line] and the forward line of the principal structure”. The forward most point of the proposed house is the farthest point of the front façade. A portion of the parking court is located forward of the front edge of the house, even with the proposed additions. As such, that portion of the parking court does not meet the District regulations. The Staff would recommend that the portion of the parking court forward of the front edge of the front of the house be removed from the proposed design.

A walking path system in the front yard.

Only the outline of what appears to be a walking path system is shown on the site plan. No materials or general design are noted. The Staff is concerned about the visual presence of a path system in the front yard. The front yard in the District is typically left (except for required driveways) for landscaping and lawn that provides views of the house. Further, it is not clear that a new circulation system is consistent and compatible with the existing circulation systems on the property and block with respect to layout, scale, materials, and topographic siting. The Staff would recommend more information be provided about the walkway system in the front yard.

A new entry terrace in front of the house, with a stepping stone walkway to the parking court and side entry.

The Staff has no concerns about the front entry terrace and stepping stone path. In most cases, the Staff would find that such a terrace might be considered too large for a pre-World War II style or form of house on a more typical lot in the District with clearer site lines to the house. However, the Staff finds that given the style and form of this particular house and the topography of this particular property, such a front entry terrace meets the District regulations as being compatible with the features, proportion, and massing of the property and its environment.

An extensive outdoor patio area behind the house with an outdoor kitchen, retaining walls, and water feature.

Except as previously noted regarding the concerns about the outdoor kitchen, the Staff does not have concerns about the landscape and hardscape improvements to the house. As with the front entry terrace, the Staff finds that given the style and form of this particular house and the topography of this particular property, such landscape and hardscape improvements meet the District regulations as being compatible with the features, proportion, and massing of the property and its environment.

Removal and replacement of numerous trees.

The site plan does indicate the number, type and size of trees that will be removed and replaced. Further, the Staff does find the tree replacement design is generally consistent and compatible with the overall landscape plan and design on the property and block and would not unnecessarily alter the natural topography of the site. However, it does have some concerns. First, there are 46 trees being removed, including 11 trees that are over 20 in. in “size”. Second, the proposed trees directly in front of the house could close off the view of the house such that the District required “open space in front of the house” will not exist. Third, the proposed replacement trees (1.5 in. caliper) are not sufficient caliper to meet the District regulations (2.5 in. caliper). The Staff would recommend the tree removal and replacement plan be redesigned to meet all of the District regulations.

Alterations to the Existing House

New casement windows.

Given that lack of existing condition elevations or photographs, the Staff does not know which windows are being replaced or added on the house, what their condition is and the rationale for their replacement. Regardless, generally speaking the replacement of original windows is not supported unless there is information documenting that they are not original to the house, they are in such condition that they cannot be rehabilitated, and the replacement windows are the same as or very similar to the existing windows. The Staff would recommend the Staff access the new casement window action item when sufficient information is submitted about this action.

New cedar siding and rafter tails.

Given that lack of existing condition elevations or photographs, it is not clear the design and condition of any existing siding, if it is even present on the house. (The District inventory sheet photograph does not provide enough detail to discern the house materials.) Regardless, generally speaking the replacement of original siding is not supported unless there is information documenting that it is not original to the house, it is in such condition that it cannot be rehabilitated, and the replacement siding is the same as or very similar to the existing windows. The Staff would recommend the Staff assess the cedar siding action item when sufficient information is submitted about this action.

Regarding the rafter tails, the sectional detail notes that the cedar rafter tails will be “scabbed on” implying that there is either existing rafter tails on an existing eave that will not be getting bigger or that they will be internally scabbed on to the existing roof framing and their presence will allow the creation of a new eave that is bigger than the existing eave. However, given that lack of existing condition elevations or photographs, it is not clear the design and condition of any eaves or rafter tails. Regardless, generally speaking the Staff would be concerned if this action created an entirely new eave that would otherwise change the profile or visual proportions of the house been the wall and roof. The Staff would recommend the Staff assess the eave and rafter action item when sufficient information is submitted about this action.

Additions

A glass projecting addition in the center of the front façade of the house.

A glass projecting addition in the left hand portion of the front façade of the house.

The Staff is concerned that while these two additions might be compatible with the overall architectural form and style of the existing house, their construction will unnecessarily remove original fabric and alter the front façade of the house. Further, additions (though relatively small) on the front of a house are not the preferred historic preservation solution. Lastly, given the lack of existing condition elevations and photographs, it is difficult to accurately assess the effect these additions would have on the house’s form, style, materials, and visual presence.

The Staff would recommend the Staff assess the two front additions when sufficient information is submitted about these actions.

Removal of the existing attached carport on the northeast corner of the house and the concrete screen at the front, northwest corner of the house.

Though a carport would be significant component of a Ranch form and style house, this carport was located at the back of the house, could have been an addition of some type, and had little visual presence within the main house form. The Staff has no concerns about the removal of the attached car port.

However, in contrast the concrete screen at the front corner of the house (which created another, likely original attached carport) is a very significant and distinct element of the house's architecture and one of the most visible portions of the house from the street. It would appear that this screen has been removed in the proposed designed and replaced with a garden wall that creates an outdoor siting area and entrance vestibule. The Staff finds that it would be possible to still have such a space, but use the existing screen wall to create it, thus retaining more original architectural fabric of the house.

The Staff would recommend that the concrete screen at the northwest, front corner of the house be retained and as necessary repaired in kind.

An addition that wraps the north side facade and a portion of the rear façade, and extends to the north creating a new wing to the house that contains a new attached garage.

The most significant part of the project is the large addition that is located at the northern end of the house and extends to the northeast. In short, the Staff finds that given this particular house form and style and this particular lot, the construction of a long, side addition is compatible with the materials, features, size, scale and proportion and massing of the house and would protect the integrity of the property and its environment. The massing, roof form, and architectural composition of the addition are based on and complimentary to the existing house. Though the addition will be visible from the street (including the attached garage and limited fenestration), the Staff finds that given its one-story massing and low sloped roof form, it meets the District regulations for this particular type of house.

The Staff assumes that given the graphics shown on the proposed elevation, the addition will have similar materials as the existing house. However, the Staff would recommend that all the materials of the addition be labeled on the graphic of the proposed elevation and that all new materials on the addition meet the District regulations.

Detached Accessory Structures

A two-story, detached garage north of the house on the north side of the proposed parking court.

Similar to the compatibility of the addition to the main house, the Staff finds that the location of this accessory structure is compatible with this particular house form and style. Generally speaking, accessory structures in the District (especially garages) are located behind the main house or at least as a rear addition. On these properties, the vast majority of which have pre-World War II houses, garages are truly accessory structures that housed an accessory / secondary / utilitarian function (a mode of transportation) that wasn't directly related to the house itself from a functional perspective. In this particular case, though, the Staff finds that the location of the detached garage creates a parking courtyard which is compatible with massing, form, site design, and functionality of Ranch houses from this post-World War II time period, given the automobile is considered an integral part of the use of the house and not an accessory function anymore.

However, the Staff is concerned about the height and massing of the proposed detached garage. While two-story garages of certain sizes have meet the District regulations, those garages are generally located on lots with the pre-World War II houses; houses that are one-and-a-half or two-story houses. Further, those garages are located to the rear and side of the house as would be expected for a property from that time period. In this particular case, though, the height and size of the detached garage contrasts to the dominant, overall physical characteristic of the existing house – its long, very wide, and one-story massing.

The Staff would recommend the massing and height of the detached garage be significantly reduced in massing and height to be more compatible with the massing and height of the existing house.

A new greenhouse behind the main addition to the house.

Apart from the concerns noted above about the setbacks of the greenhouse, the Staff has no concerns about it, given its size and location.

Staff Recommendation: Based upon the following:

- a) There is additional information and documentation needed to thoroughly complete the review of the proposed project;
- b) As currently submitted, there are significant components of the proposed design for which the Staff is unable to assess;
- c) As currently submitted, there are significant components of the proposed design that do not meet the District regulations, per Section 16-20B.

CA3-16-029

Staff recommends deferral of the Application for a Type III Certificate of Appropriateness (CA3-16-029) for alterations, additions, and site work at **879 Lullwater Parkway** - Property is zoned Druid Hills Landmark District, to allow time for the Applicant to address the following issues and comments:

1. Existing condition elevations and labeled photographs shall be provided to allow for a complete assessment of the proposed actions.
2. The lot coverage shall be indicated on the site plan and shall meet the District regulations.
3. All the accessory structures shall meet the setback requirements.
4. The Applicant shall document compliance with the District's 100 year floodplain requirements, per Section 16-20B.003(5)(a);
5. The Applicant shall document compliance with all of the District's slope disturbance requirements, per Section 16-20B.003(5)(b) and (c);
6. Documentation be provided of other retaining walls on the block face, per Section 16-20B.003(7);
7. The portion of the parking court forward of the front edge of the front of the house shall be removed from the proposed design, per Section 16-20B.003(3);
8. More information shall be provided about the walkway system in the front yard, per Section 16-20B.003(1), 16-20B.003(4)(a) and (g);
9. The tree removal and replacement plan shall be redesigned to meet all of the District regulations, per Section 16-20B.003(1) and 16-20B.003(4);
10. The Staff shall access the new casement window action, cedar siding action, the eave and rafter action items, and the two front additions when sufficient information is submitted about these actions, per Section 16-20B.003(1);
11. The concrete screen at the northwest, front corner of the house shall be retained and as necessary repaired in kind, per Section 16-20B.003(1);
12. All the materials of the addition shall be labeled on the graphic of the proposed elevation and that all new materials on the addition shall meet the District regulations, per Section 16-20B.003(1);
13. The detached garage shall be significantly reduced in massing and height to be more compatible with the massing and height of the existing house, per Section 16-20B.003(1); and
14. Any revised materials (and required copies thereof) shall be submitted to the Staff at least eight (8) days prior to the Commission meeting to which this application is deferred.



CITY OF ATLANTA

M. KASIM REED
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT **February 10, 2016**

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-037) for a variance to allow parking in the front yard where otherwise prohibited, and (CA3-16-030) for a new single family house at **666 (aka 668) Bryan Street**. Property is zoned R 5 / Grant Park Historic District (Subarea 1) / Beltline.

Applicant: Crown Development Solutions, LLC.
895 Stallings Avenue

Facts: The subject property is currently a vacant lot.

Analysis: The following code sections apply to this application:

Sec. 16-07.007. - Minimum lot requirements.

The following minimum lot requirements shall apply to all uses approved by special permits as well as permitted uses:

- (2) Single-family detached dwellings and all other uses: Every lot shall have an area of not less than 7,500 square feet and a frontage of not less than 50 feet, except for zero-lot-line development.

Sec. 16-07.008. - Minimum yard requirements.

The following minimum yard requirements shall apply to all uses approved by special permits as well as permitted uses:

- (2) Side yard: There shall be two side yards, one on each side of the main building, each having a width of not less than seven feet, except for zero-lot-line development where no side yard is required along the internal lot line.
- (3) Rear yard: There shall be a rear yard of not less than seven feet except for zero-lot-line units where the internal side or rear lot line may be reduced to zero feet.
- (5) Maximum floor area within this district:
 - b. For a single-family detached dwelling on a lot which does not meet the minimum lot area requirement described in section 16-07.007(2):
 1. The maximum floor area allowed shall not exceed the lesser of either: (i) 3,750 square feet of floor area; or (ii) a maximum floor area ratio of 0.65 of the net lot area unless otherwise permitted as stated in subpart 2 below;
 - (6) Maximum lot coverage: Maximum lot coverage within this district shall not exceed 55 percent of the net lot area.
 - (7) Location of structures in two-family dwellings: Any structure of lesser floor area in any two-family dwelling unit shall be located no nearer to any street frontage than the structure of greater floor area. Any dwelling structure with a street-fronting elevation shall provide a pedestrian entrance on that elevation.

Sec. 16-26.003. - Conditions of granting a variance.

- (1) Findings Required: Except as permitted by the provisions of subsection (2) below, variances may be granted by the board only upon making all of the following findings:
 - (a) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography;

- (b) The application of the Zoning Ordinance of the City of Atlanta to this particular piece of property would create an unnecessary hardship;
- (c) Such conditions are peculiar to the particular piece of property involved; and
- (d) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance of the City of Atlanta.

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

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

Sec. 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 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.
 - 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 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 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 façade and a minimum of seven feet in depth. Side porches shall be a minimum of four 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 façades 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 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 entrance step risers each of which shall be no less than six inches in height. All front steps shall have closed risers and closed ends. Access ramps shall be permitted.
 8. Garages entrances are prohibited on the front façade. 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 façade that faces a public street shall originate at grade.
 11. Any façades 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 percent and no greater than 40 percent of the total surface wall area. Windows may be individual or grouped. No individual window unit shall exceed 28 square feet. Within each individual window unit, no individual window sash, either fixed or operable, shall exceed 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, electric vehicle charging stations equipped with Level 1 and/or Level 2 EVSE, 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 feet in height may be erected in a front yard. Other than retaining walls, walls shall not be erected in a front yard or a half-depth front yard.
 - b. Fences and walls not exceeding six feet in height may be erected in the side or rear yards.
 - c. In a half-depth front yard, when a fence exceeds four feet in height, the standard zoning requirements for a variance are in effect. Where no sidewalk exists, the fence shall be set back three 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 façades 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 façade 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.

Variance

The Applicant is requesting a variance to allow parking in the front yard where otherwise prohibited. The Applicant cites the small size of the lot and the crowded on street parking situation as the primary hardships for installing a compliant driveway. Staff would note that the regulations do not require off street parking to be provided for this property as the lot is nonconforming in regards to its size. The proposed lot coverage and setbacks would not allow for a 10 foot wide driveway to be installed the required 20 feet past the front façade of the structure. However, Staff finds that there is a possibility paving strips could be installed which extend the required 20 feet past the front façade of the structure. Staff recommends the Applicant provide information detailing whether other off street parking options are feasible for this property. Additionally, no information has been given to document a lack of on street parking due to crowded conditions. Staff recommends the Applicant provide documentation that on-street parking is not available for this property. Given the information available to Staff at this time, no hardship has been presented which would require parking in the front yard where it is otherwise prohibited.

Site Plan

The proposed structure will be setback 7 feet on both the side and rear property lines as required by the R-5 regulations and allowed by the Grant Park Historic District regulations. The proposed structure will be setback from Bryan Street 18 feet. The Grant Park Historic District regulations require the front yard setback to be based on either the compatibility rule or the previously existing contributing structure of like use. The Applicant has provided measurements of two neighboring contributing properties located at 664 Bryan Street, which has a front yard setback of 16.4 feet, and 670 Bryan Street, which has a front yard setback of 18.2 feet. Based on these measurements, the proposed setback appears to meet the compatibility rule. However, it is unclear from the plans whether the measurements of the two contributing structures were taken from the front porch or the front façade of the subject properties. Staff recommends the Applicant clarify the method used for measuring the two contributing structures used for compatibility comparison. If the measurements were taken from the front porch, Staff recommends the Applicant provide correct compatibility measurements for compatibility comparison.

The subject property is a nonconforming lot with regards to its size and street frontage. As such the R-5 regulations allow for a floor area ratio of 65% of the net lot area. The net lot area of the

subject property is 2900 sq. ft. meaning that any principal structure built on the site has a maximum allowable floor area of 1885 sq. ft. The proposed structure has a floor area of 1913 sq. ft. which exceeds 65% of the net lot area by 28 sq. ft. Staff recommends that the Applicant revise their plans to show a structure with a floor area no larger than 1885 sq. ft.

Massing and Building Height

The proposed two story house is defined by a 6 in 12 gable roof and a 3/4 width front porch. 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. 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 front façade.

Windows and Doors

A single front door is parallel and facing Bryan Street as required. From the drawings the front door will have a glass panel ½ the length of the door.

The Applicant is proposing to install 4 over 1, double hung windows on the front facade. Staff finds the design of the proposed windows to be appropriate. The Grant Park regulations allow for windows to either be compatible with the windows on contributing houses or to be no less than 15% and no more than 40% of the wall surface. The proposed structure will have approximately 13% fenestration on the front façade. Staff recommends the fenestration on the front façade be at least 15% of the wall surface.

Building Materials

The proposed materials include horizontal wood lap siding, decorative wood brackets, architectural shingles for the main roof, standing seam metal roofing for the porch roof, cmu foundation with a stucco coating, vinyl windows, wood decking on the front porch, wood steps on the front porch, and wood railing on the front porch. The material for the front door is not indicated. Staff recommends that an appropriate material for the front door be indicated on the plans. The materials for the front porch columns are not indicated. Staff recommends an appropriate material for the porch columns be indicated on the plans. The drawings indicate that wood piers will be used for the porch foundation. Staff finds that wood piers are not an appropriate material for a front porch foundation and recommends the Applicant revise their drawings to show a front porch foundation material which meets the District Regulations. The secondary façade of the principal structure will consist of stucco. While stucco is a permitted façade material, the regulations state that the foundation materials and the façade siding materials contrast with one another. Staff recommends the plans be altered to show façade materials and foundation materials which meet the district regulations. Further, Staff would suggest that the façade materials for all portions of the principal structure match so as to not create a juxtaposition of materials.

Porch

Per regulations, the minimum allowed depth for the front porch is 7 feet. Staff finds that the proposed porch is 7 feet and therefore meets this requirement. The porch features columns and railings that are compatible with other similar porches in the District. The porch also features decorative wood brackets at the column capitals. Staff finds the overall decorative details of the proposed front porch are consistent and compatible with the house style.

CA3-16-037:

Staff Recommendation: Based upon the following:

- 1) The request does not meet the variance criteria, per Sec. 16-26.003;

Staff recommends deferral of the Application for a Type III Certificate of Appropriateness (CA3-16-037) for a variance to allow parking in the front yard where otherwise prohibited at **666 (aka 668) Bryan Street**. Property is zoned R 5 / Grant Park Historic District (Subarea 1) / Beltline to allow the Applicant to address the following Staff concerns:

1. The Applicant shall provide information detailing whether other off street parking options are feasible for this property, per Sec. 16-26.003; and,
2. The Applicant shall provide documentation that on-street parking is not available for this property, per Sec. 16-26.003.

CA3-16-030:

Staff Recommendation: Based upon the following:

- 1) The plans meet the regulations, per Section 16-20K.007;

Staff recommends deferral of the Application for a Type III Certificate of Appropriateness (CA3-16-030) for a new single family house at **666 (aka 668) Bryan Street**. Property is zoned R 5 / Grant Park Historic District (Subarea 1) / Beltline to allow the Applicant to address the following Staff concerns:

1. The Applicant shall clarify the method used for measuring the two contributing structures used for compatibility comparison, per Sec. 16-20K.007(1)(A);
2. If the measurements were taken from the front porch, the Applicant shall provide correct compatibility measurements for compatibility comparison, per Sec. 16-20K.007(1)(A);
3. The Applicant shall revise their plans to show a structure with a floor area no larger than 1885 sq. ft., per Sec. 16-07.008(5)(b);
4. The fenestration on the front façade shall be at least 15% of the wall surface, per Sec. 16-20K.007(2)(B)(11);
5. An appropriate material for the front door shall be indicated on the plans Sec. 16-20K.007(2)(B)(1);
6. Staff recommends an appropriate material for the porch columns shall be indicated on the plans, per Sec. 16-20K.007(2)(B)(1);
7. the Applicant revise their drawings to show a front porch foundation material which meets the District Regulations, per Sec. 16-20K.007(2)(B)(15)(b); and,
8. The plans shall be altered to show façade materials and foundation materials which meet the district regulations, per Sec. 16-20K.007(2)(B)(15)(b).



CITY OF ATLANTA

KASIM REED
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT February 10, 2016

Agenda Item: Review and comment (RC-16-031) for the Beltline Eastside Trail Extension including portions of the trail **from Irwin Street and Memorial Drive**. Properties are zoned various zoning categories.

Applicant: Atlanta Beltline, Inc.
100 Peachtree Street

Facts: The Atlanta Beltline is a 22 mile loop / corridor around the central core of Atlanta that will include a trail / path system, new open space, public art, and other public amenities, as well as the potential for transit. The Beltline “project” consists of both the improvements to the corridor itself (multi-use trail, transit system and stations, open space, public art, signage, lightings, stairs, ramps, etc.), as well as public improvements (creation/enhancement of public parks/ plazas, general streetscape improvements, new streets, etc.) and the guiding of private development (zoning overlay requirements, design review requirements, pedestrian accessibility, etc.) on properties adjacent to or nearby the corridor.

In the past few years, the Commission has reviewed and commented on several Beltline-related planning, design, and construction efforts, including but not limited to the following:

- Westside-West End Multiuse Trail, including subsequent revisions (RC-07-232 and RC-08-027);
- Gordon-White Park, along the Westside-West End Trail (RC-07-391);
- Tranyard Creek Trail Spur (RC-08-232);
- Peoplestown Parks Master Plan (RC-08-006);
- Master Plan for Westside Park (RC-08-007);
- Boulevard Crossing Park Master Plan (RC-08-018);
- Historic Old Fourth Ward Park Master Plan (RC-08-024);
- Boulevard Crossing Park Interim Plan (RC-09-216);
- Eastside Trail (RC-10-189);
- Lang-Carson Master Plan (RC-11-219);
- Perkerson Park Master Plan (RC-12-087); and
- Edgewood Avenue Bridge Replacement (RC-12-314).

The current Eastside Trail extends from Monroe Drive in Midtown to Irwin Street between Inman Park and the Old Fourth Ward segment. What is under consideration by the Commission in this application would run south from Irwin Street to Memorial Drive. Detailed design drawings have only been included to Kirkwood Avenue in Reynoldstown.

Analysis: The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

- (5) The commission shall review the proposed location and design of buildings, bridges, viaducts, elevated ways, streets, highways, gates, fences, railings, lamp standards, and other structure 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.

Overall Comments

The Staff continues to completely and fully support the development of the Atlanta Beltline corridor as a multi-use public space (trails, plazas, green spaces, public art, historic preservation and interpretation) and as a transportation corridor (trails, future transit, creating much needed linkages). The development of the Beltline corridor in all parts of the City has substantially contributed to the further revitalization of the City's older neighborhoods and commercial areas. Without question, the Beltline corridor has proven to be one of the most significant, complex, long-term, and dramatic projects the City (through its partner organizations) has undertaken in decades.

As noted above, the Staff and Commission have already reviewed a number of planning, design, and construction-related Beltline projects. While not all of these projects included improvements to the corridor itself, these reviews have provided an opportunity for the Staff and Commission to comment on the design approaches, elements, materials, and arrangements for the Beltline. As a result, the Staff finds that those previous comments provide a useful and consistent basis for a review of the current submission.

The Staff's previous comments in the past about Beltline-related projects (both "on" and "off" corridor) that would be pertinent to the current application can be very briefly summarized as follows:

- Utilize a consistent design palette throughout the entire Beltline corridor, but allow for some geographic-based design "references" / "individuality";
- Utilize a design palette that takes into account the historic, railroad, and industrial aesthetic that dominates the Beltline corridor, but does not try to create a contrived or pseudo-"historic" appearance;
- Emphasize via aesthetics, "level" of treatment, and financial commitment the vertical elements of the design, not the horizontal elements;
- Use designs and materials for the horizontal elements that are easy to replace (i.e. both finding matches and the mechanics of the replacement) to facilitate future repairs and that can easily be obtained for the life of the element (10, 25, 50 years, etc.);
- Use standard, basic masonry materials (brick, cast concrete, poured concrete, and stucco) and for retaining walls use real, natural stone;
- Avoid using too many different materials for buildings, shelters, structures, etc.;
- Pay special attention to the "edges" such that "Beltline" and "non-Beltline" spaces are seamless, well thought out, do not have a disjointed, unfinished appearance and do not create "left over" or "unclaimed" spaces;

- Arrange construction work and/or interim design solutions to avoid having to undo / demolish previous work as future phases are implemented; and
- Incorporate design solutions that take into account the City’s long-term investment (10, 25, 50 years, etc.) and commitment to the Beltline, as well as the Beltline’s potential impact on the future of the City.

Using the Staff’s previous comments as a “benchmark” for this review, the Staff generally finds that the proposed design reflects most of those comments. At the same time, the Staff would offer the following comments about the Eastside Trail extension, as well as how it fits into the rest of the already built and planned public improvements.

Specific Comments

Consistency of Design Palette in the Corridor

As expected, the Eastside Trail Extension appears to continue the now-established design “palette” for the Beltline corridor. The Staff understands that during the very first Beltline-corridor projects, a set design palette had not yet been confirmed. However, the current submission does not include any information about the architectural or vertical elements proposed for this portion of the Beltline Trail except for the trail light fixture. The Staff would continue to recommend that the agreed upon design palette be used for all future Beltline corridor trail segments.

The Staff would note that contrary to the portion of the Eastside Trail north of Irwin Street, much of this extension will be located along established public right of way / street corridors. This means that the trail will also act in many locations as the regular sidewalk along a public street. There are other sections of the Beltline trail that have this relationship to the public street, including along White Street in West End. Given that an “on street” design section must function somewhat differently than a “off street” / corridor / park design section, the Staff would recommend that the “on street” sections in this extension be similar to other “on street” sections on the rest of the Beltline.

“Edge” Conditions and Potential “Left Over” Spaces

While this has always been a potential concern for the Beltline corridor (and any other public spaces, for that matter), the length, topography, and the complex built environment within the Eastside Trail corridor make the potential even greater for unmaintained or ill-defined “edge” conditions and the creation of “left over” spaces. At various locations along the corridor, the corridor property line (and what the Staff presumes will be the associated Beltline construction work and maintenance) is located such that there is no logical “break” in the space through which it runs. This could create conditions where only a part of a space visually defined by an existing building or sidewalk/street edge is officially the “Beltline” with the other part of that same space remaining as potentially a non-descript, “left over” space. Nonetheless, the entire space will likely be perceived by the general public and the corridor users as part of the Beltline. This potential also exists along rear property lines, previously-mandated buffer zones for commercial property, private property fence lines, unusable slopes, odd shaped pieces of the corridor, etc.

The Staff would continue to recommend that all parts of the corridor receive appropriate treatment and attention. Even more importantly, the Beltline should continue to work closely with abutting property owners to ensure that their properties or the treatment of their properties don’t create such outcomes

either. The Beltline should also continue to create arrangements that would reduce the possibility of such outcomes through easement, property management, and/or maintenance agreements.

ADA Ramps / Street Corner Treatments

The Staff does have concerns about the orientation of the ADA ramps at the street corners in relationship to the travel lanes, particularly when one ramp has been used for both pedestrian movements. If the ADA ramp is oriented diagonally into the intersection (vs. perpendicular to one street or the other), the ramp's direction is such that a wheelchair or stroller would be more likely to venture into the travel lanes of street (which would be moving in sync with the pedestrian movement) before heading to the opposite corner.

Proposed Materials and Finishes

It would appear that the trail itself will be simple, poured concrete and will not the two-part finish that was proposed in the first portions of the Eastside Trail. If the two-part finish is to be continued, the Staff is still concerned that this treatment for the trail will be difficult to maintain over the long-term life of the project (finding the right stone or aggregate in the future, always creating a consistent finish, etc.), expensive to replicate over the entire trail system (as would be recommended for consistency sake), and might not substantially add to the experience of the trail user after years of wear and tear.

Overall Conclusion

The Staff finds that the City and its partner organizations should continue to make the Beltline a high-quality, sustainable (environmentally, financially, and programmatically), and dynamic investment in the City's physical, social, and economic fabric. While the Staff has noted some concerns, the overall design of the Eastside Trail Extension is a positive and appropriate next step for the completion of the corridor.

Staff Recommendation: Staff recommends that the Commission confirm that all its comments were delivered at the meeting regarding an application for Review and comment (RC-16-031) for the Beltline Eastside Trail Extension including portions of the trail **from Irwin Street and Memorial Drive.**



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www.atlantaga.gov

TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT February 10, 2016

Agenda Item: Application for a Type III Certificates of Appropriateness (CA3-16-035) for the construction of a new single family house at **775-B Place, Lot 6** – Property is zoned PD-MU/ Grant Park Historic District (Subarea 1).

Applicant: Gail Glozier
281 West Wieuca Road

Facts: In 2005, the property in question, along with the rest of the block fronting Cherokee Avenue between Grant Park Place and Augusta Avenue, was rezoned to the Planned Development – Mixed-use zoning classification (PD-MU), while retaining the Grant Park Historic District overlay (Z-05-128). This rezoning was site plan specific and included numerous conditions. In 2007, the conditions to the PD-MU rezoning were amended and reduced to 31 total conditions, with again retaining the previous site plan and Grant Park Historic District overlay (Z-07-119). In May of 2015, the conditions of the rezoning for the current PDMU were revised again.

Overall, the PD-MU property consists of several components. At the northeast corner is a proposed mixed-use and townhouse site, fronting Cherokee Avenue and Grant Park Place are five (5) single-family house lots, and internal to the property are two lots that allow for both town homes and single family homes. The property is served by a system of access roads, with a large green space between the two east-west rows of townhouses. At the southeast corner of the property is an existing, one-story duplex that has been retained as part of the redevelopment of the site. The site previously consisted of a non-contributing commercial building (the former Taco Mac), associated parking, and vacant land / former house lots.

Given the organization and conditions of the PD-MU rezoning, the relationship between the PD-MU rezoning and the District overlay requirements is as follows: First, the site plan, setbacks, orientation, size, and arrangement of the property are fixed and as such are not subject to the District overlay regulations. Second, the PD-MU rezoning conditions expand the role of the existing District overlay regulations as they relate to architectural elements without generally adding more specifics or subject requirements. Thirdly, there are some topics that are in the District overlay regulations that are not covered by or dealt with in the PD-MU rezoning and as such remain as currently written in the District overlay.

Before the Commission now is a single family house that is located on Lot 4 TH-1. As required by the conditions, Lot 4 TH-1 and TH-3 can either have five single family houses or two townhomes. The Applicant has submitted a site plan that shows five single family houses. This report will cover one of the proposed five single family houses.

Analysis: The following code sections apply to this application:

(Those District regulations that would otherwise apply, but are superseded by the PD-MU site plan or conditions have been removed from the listing of applicable District regulations set out below.)

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.*

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 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 façade and a minimum of seven feet in depth. Side porches shall be a minimum of four feet in depth.
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 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 entrance step risers each of which shall be no less than six inches in height. All front steps shall have closed risers and closed ends. Access ramps shall be permitted.
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 percent and no greater than 40 percent of the total surface wall area. Windows may be individual or grouped. No individual window unit shall exceed 28 square feet. Within each individual window unit, no individual window sash, either fixed or operable, shall exceed 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.
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 façade siding material. Brick, stone, concrete, stucco, and architectural concrete masonry units (C.M.U.) shall be permitted. Standards, 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.

The PD-MU rezoning and conditions make the District overlay requirements, which normally only apply to the front façade of the house, apply to any façade that faces interior alleys, the primary access, the secondary access and the green space within the development. As such, Staff finds the front, east elevation and rear elevations are within the purview of the Commission.

Site

The existing lot is located in the internal portion of the development and fronts 50' on the common area, 50' on Harrison Place and 75' on an unnamed 20' alley. The lot frontage, depth, and shape match the PD-MU site plan. The PD-MU rezoning does not include any floor area ratio or lot coverage limitations. In looking at the site plan, there appears to be a structure that connects the proposed house to the adjacent proposed house at the rear of the property. It is not clear what the structure is or why it is connected to the adjacent house. Staff recommends the Applicant clarify what the proposed connection at the rear of the houses is.

Per the PD-MU conditions, the front yard setback shall be no less than 10'. As porches are allowed to encroach into the setback up to 10', Staff finds the front yard setback has been met. Per the PD-MU conditions, there shall be 4' in between the single family homes and the rear yard setback may be up to 0'. Staff finds the side and rear yard setback requirements have been met.

The PD-MU rezoning and conditions require two (2) parking spaces for each single family house, either in attached or detached garages. The proposed house includes an attached garage with two parking spaces. Staff finds the parking requirement has been met.

Per district regulations, a walkway from the front entryway to the sidewalk is required. In looking at the site plan, a walkway that leads to a shared concrete walkway in the common area is provided. As required by the PDMU rezoning conditions, the site plan indicates any tree replacement will comply with the Grant Park tree preservation plan.

Massing, Style, Building Height, and Roof Plan

The proposed two story house is defined by a side gabled roof and a single story wraparound porch. While Staff finds the overall design and massing is similar to other two-story houses in the district, Staff has concerns regarding the roof form. Usually, two-story houses in Grant Park have a front gable roof, a hipped roof or a cross-gable roof. Staff would note that side gables are seen on single-story houses. Given the size of the district, Staff finds there may be two-story side gabled houses that Staff is not aware of. As such, Staff recommends the Applicant provide documentation of two-story side gabled houses in the district.

Per the PD-MU rezoning and conditions, and District overlay regulations, the maximum height allowed is 35'. While the notations indicate the house will be less than 35' when measured from the average grade to the midpoint on the roof, this cannot be verified using the scale indicated on the drawings. Staff recommends the Applicant submit properly scaled plans. Staff recommends the project meet the height requirement. The house is elevated above grade at least two entrance steps, which meets the District regulations.

Windows and Doors

A single front door is parallel and facing the street frontage as required.

The Grant Park regulations allow the proposed fenestration to be either consistent with other contributing houses in the District or meet the fenestration percentage requirement (15%-40%). The Staff would consider this requirement to be further refined by Conditions #9 and #10 of the PD-MU rezoning require that the house "be designed to be consistent with the historic architectural style of the Grant Park neighborhood and to comply with Grant Park's historic zoning regulations".

Staff finds most the proposed wood simulated divided lite windows are appropriate in regards to design, location and number of windows. Staff suggests the muntins are permanently affixed to the exterior of the glass. Staff has concerns regarding the small square windows on the right elevation. While the proposed windows appear to meet the fenestration requirement, the design is not appropriate. Staff suggests the small windows on the right elevation are double hung.

Porches

Per district regulations, the porch depth shall be no less than 7'. Staff finds the porch depth requirements have been met. Staff finds the overall architectural details are appropriate.

Building Materials

The following building materials are indicated: 6" smooth cementitious siding, a concrete walkway, wood railings, brick piers and a brick foundation. Staff finds the materials currently indicated are appropriate. Staff finds that all material details are not indicated on the plans. Staff recommends all material details are indicated on the plans.

Staff Recommendation: Based upon the following:

- 1) The plans meet the regulations with the exception of the comments noted above;

Staff recommends approval of an application for a Type III Certificate of Appropriateness (CA3-16-035) for the construction of a new single family house at **775-B Place, Lot 6** – Property is zoned PD-MU/ Grant Park Historic District (Subarea 1), with the following conditions:

1. The Applicant shall clarify what the proposed connection at the rear of the houses is;
2. The Applicant shall provide documentation of two-story side gabled houses in the district, per PDMU condition #9
3. The Applicant shall submit properly scaled elevations;
4. The project shall meet the height requirement, per PDMU condition #9;
5. All material details shall be indicated on the plans; and
6. Staff shall review and if appropriate, approve the final plans.



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55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0300
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www.atlantaga.gov

TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT February 10, 2016

Agenda Item: Application for a Type III Certificates of Appropriateness (CA3-16-036) for the construction of a new single family house at **775-A Place, Lot 5** – Property is zoned PD-MU/ Grant Park Historic District (Subarea 1).

Applicant: Gail Glozier
281 West Wieuca Road

Facts: In 2005, the property in question, along with the rest of the block fronting Cherokee Avenue between Grant Park Place and Augusta Avenue, was rezoned to the Planned Development – Mixed-use zoning classification (PD-MU), while retaining the Grant Park Historic District overlay (Z-05-128). This rezoning was site plan specific and included numerous conditions. In 2007, the conditions to the PD-MU rezoning were amended and reduced to 31 total conditions, with again retaining the previous site plan and Grant Park Historic District overlay (Z-07-119). In May of 2015, the conditions of the rezoning for the current PDMU were revised again.

Overall, the PD-MU property consists of several components. At the northeast corner is a proposed mixed-use and townhouse site, fronting Cherokee Avenue and Grant Park Place are five (5) single-family house lots, and internal to the property are two lots that allow for both town homes and single family homes. The property is served by a system of access roads, with a large green space between the two east-west rows of townhouses. At the southeast corner of the property is an existing, one-story duplex that has been retained as part of the redevelopment of the site. The site previously consisted of a non-contributing commercial building (the former Taco Mac), associated parking, and vacant land / former house lots.

Given the organization and conditions of the PD-MU rezoning, the relationship between the PD-MU rezoning and the District overlay requirements is as follows: First, the site plan, setbacks, orientation, size, and arrangement of the property are fixed and as such are not subject to the District overlay regulations. Second, the PD-MU rezoning conditions expand the role of the existing District overlay regulations as they relate to architectural elements without generally adding more specifics or subject requirements. Thirdly, there are some topics that are in the District overlay regulations that are not covered by or dealt with in the PD-MU rezoning and as such remain as currently written in the District overlay.

Before the Commission now is a single family house that is located on Lot 4 TH-1. As required by the conditions, Lot 4 TH-1 and TH-3 can either have five single family houses or two townhomes. The Applicant has submitted a site plan that shows five single family houses. This report will cover one of the proposed five single family houses.

Analysis: The following code sections apply to this application:

(Those District regulations that would otherwise apply, but are superseded by the PD-MU site plan or conditions have been removed from the listing of applicable District regulations set out below.)

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.*

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 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 façade and a minimum of seven feet in depth. Side porches shall be a minimum of four feet in depth.
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 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 entrance step risers each of which shall be no less than six inches in height. All front steps shall have closed risers and closed ends. Access ramps shall be permitted.
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 percent and no greater than 40 percent of the total surface wall area. Windows may be individual or grouped. No individual window unit shall exceed 28 square feet. Within each individual window unit, no individual window sash, either fixed or operable, shall exceed 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.
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 façade siding material. Brick, stone, concrete, stucco, and architectural concrete masonry units (C.M.U.) shall be permitted. Standards, 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.

The PD-MU rezoning and conditions make the District overlay requirements, which normally only apply to the front façade of the house, apply to any façade that faces interior alleys, the primary access, the secondary access and the green space within the development. As such, Staff finds the front, east elevation and rear elevations are within the purview of the Commission.

Site

The existing lot is located in the internal portion of the development and fronts 50' on the common area, 50' on Harrison Place at the rear and 75' on Harrison Place on the east elevation. The lot frontage, depth, and shape match the PD-MU site plan. The PD-MU rezoning does not include any floor area ratio or lot coverage limitations. In looking at the site plan, there appears to be a structure that connects the proposed house to the adjacent proposed house at the rear of the property. It is not clear what the structure is or why it is connected to the adjacent house. Staff recommends the Applicant clarify what the proposed connection at the rear of the houses is.

Per the PD-MU conditions, the front yard setback shall be no less than 10'. As porches are allowed to encroach into the setback up to 10', Staff finds the front yard setback has been met. Per the PD-MU conditions, there shall be 4' in between the single family homes and the rear yard setback may be up to 0'. Staff finds the side and rear yard setback requirements have been met.

The PD-MU rezoning and conditions require two (2) parking spaces for each single family house, either in attached or detached garages. The proposed house includes an attached garage with two parking spaces. Staff finds the parking requirement has been met.

Per district regulations, a walkway from the front entryway to the sidewalk is required. In looking at the site plan, a walkway that leads to a shared concrete walkway in the common area is provided. As required by the PDMU rezoning conditions, the site plan indicates any tree replacement will comply with the Grant Park tree preservation plan.

Massing, Style, Building Height, and Roof Plan

The proposed two story house is defined by a side gabled roof with a front facing gable and a single story wraparound porch. While Staff finds the overall design and massing is similar to other two-story houses in the district, Staff has concerns regarding the roof form. Usually, two-story houses in Grant Park have a front gable roof, a hipped roof or a cross-gable roof. Given the size of the district, Staff finds there may be two-story side gabled houses that Staff is not aware of. As such, Staff recommends the Applicant provide documentation of two-story side gabled houses with front facing gables in the district.

Per the PD-MU rezoning and conditions, and District overlay regulations, the maximum height allowed is 35'. While the notations indicate the house will be less than 35' when measured from the average grade to the midpoint on the roof, this cannot be verified using the scale indicated on the drawings. Staff recommends the Applicant submit properly scaled plans. Staff recommends the project meet the height requirement. The house is elevated above grade at least two entrance steps, which meets the District regulations.

Windows and Doors

A single front door is parallel and facing the street frontage as required. There is a patio door on the front façade. Staff finds patio doors are more common on the rear or side of the house. As there is a wraparound porch, Staff finds it is common to have a second door at the rear of the porch. Staff has no concern with having an additional door in this location. Staff suggests the patio door be revised to be a single door or a single door with an appropriate window.

The Grant Park regulations allow the proposed fenestration to be either consistent with other contributing houses in the District or meet the fenestration percentage requirement (15%-40%). The Staff would consider this requirement to be further refined by Conditions #9 and #10 of the PD-MU rezoning require that the house “be designed to be consistent with the historic architectural style of the Grant Park neighborhood and to comply with Grant Park’s historic zoning regulations”.

Staff finds most the proposed wood simulated divided lite windows are appropriate in regards to design, location and number of windows. Staff suggests the muntins are permanently affixed to the exterior of the glass. Staff has concerns regarding the small square windows on the right elevation. While the proposed windows appear to meet the fenestration requirement, the design is not appropriate. Staff suggests the small windows on the right elevation are double hung.

Porches

Per district regulations, the porch depth shall be no less than 7'. Staff finds the porch depth requirements have been met. Staff finds the overall architectural details are appropriate.

Building Materials

The following building materials are indicated: 6” smooth cementitious siding, a concrete walkway, wood railings, brick piers and a brick foundation. Staff finds the materials currently indicated are appropriate. Staff finds that all material details are not indicated on the plans. Staff recommends all material details are indicated on the plans.

Staff Recommendation: Based upon the following:

- 1) The plans meet the regulations with the exception of the comments noted above;

Staff recommends approval of an application for a Type III Certificate of Appropriateness (CA3-16-036) for the construction of a new single family house at **775-A Place, Lot 5** – Property is zoned PD-MU/ Grant Park Historic District (Subarea 1), with the following conditions:

1. The Applicant shall clarify what the proposed connection at the rear of the houses is;
2. The Applicant shall provide documentation of two-story side gabled houses with front facing gables in the district, per PDMU condition #9
3. The Applicant shall submit properly scaled elevations;
4. The project shall meet the height requirement, per PDMU condition #9;
5. All material details shall be indicated on the plans; and
6. Staff shall review and if appropriate, approve the final plans.