



CITY OF ATLANTA

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MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
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TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT September 28, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-455) for alterations and dormer additions at **632 Ormewood Ave SE**. Property is zoned R-5 / Grant Park Historic District (Subarea 1) / Beltline.

Applicant: Shona Griffin
400 Ferry Heights Dr.

Facts: This existing single family residence was constructed in 1912 and is considered contributing to the District. The 2011 update shows that a second story Gable addition was added to the front façade.

Analysis: The following Code sections apply to this application:

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:

- 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.*

- (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.

(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.)
 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.
 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
- (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.

Dormer Additions

The Commission reviews additions and alterations to the front facades and front roof planes of structures in the District. As the subject property has a gabled roof, and the dormer additions are on the side of the gable, Staff finds that the proposed additions are not subject to review by the Commission and should be reviewed by Staff. As the plans indicate the additions will not exceed the FAR and Lot Coverage requirements, and will be contained within the existing setback of the structure, Staff has no concerns with the proposed additions.

Alterations

The Applicant is proposing to install two stacked stone cheek walls on either side of the front porch steps. From the photographs shown in the District inventory, the existing front porch features including the steps, railing, and columns appear to be replacement features installed at or around the same time as the second story gable addition. As such, Staff finds that the second criteria for reviewing alterations and additions to contributing structures would be appropriate as the project would not destroy historic materials. Staff finds that cheek walls such as the ones proposed would typically be comprised as the same materials used for the foundation of the principal structure. The pictures provided do not show the foundation material of the existing structure. As such, Staff recommends the Applicant provide information regarding the foundation material of the existing structure. Further, Staff recommends the proposed cheek wall material be consistent with the foundation of the existing structure.

CA3-16-455:

Staff Recommendation: Based upon the following:

- 1) The project meets the regulations with the exceptions noted above, per Sec. 16-20K.007;

Staff recommends Application for a Type III Certificate of Appropriateness (CA3-16-455) for alterations and dormer additions at **632 Ormewood Ave. SE**, with the following conditions:

1. The Applicant shall provide information regarding the foundation material of the existing structure, per Sec. 16-20K.007(D)(2);
2. The proposed cheek wall material shall be consistent with the foundation of the existing structure, per Sec. 16-20K.007(D)(2); and,
3. Staff shall review and if appropriate, approve the final plans and documentation.



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TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT October 26, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-456) for a new single family residence at **96 Bradley St.** Property is zoned Martin Luther King, Jr. Landmark District (Subarea 2) / Beltline.

Applicant: Intown Builders, LLC
P.O. Box 54664

Facts: This is currently a vacant lot.

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:
 - i. On contributing buildings of like use along the same block face in Subareas 1 and 2.
 - 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.
 - f. For new construction of single-family or two-family dwellings, the final average finished grade of the lot shall be no higher than the highest grade level existing prior to such construction or related land disturbance at any point along the front yard property line adjacent to the public right-of-way. The intent and purpose of this grade provision is to prevent manipulation of grade levels in order to construct a taller dwelling than would otherwise be authorized.
 - 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.
 - 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;
 - v. Variances, special exceptions and administrative appeals.
8. Variances, special exceptions and administrative appeals.
- a. Variance applications and applications for special exceptions and administrative 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 pursuant to the procedures, standards, and criteria specified in Section 16-26.001 through Section 16-26.006. The

Commission shall have the authority to grant or deny applications for special exceptions from the provisions of this Chapter pursuant to the procedures, standards and criteria specified in Section 16-25.001 through Section 16.25.005. The Commission shall have the authority to grant or deny applications for administrative appeal pursuant to the standards in Section 16-30.010 (a) through (d).

- b. Appeals from final decisions of the Commission regarding variances, special exceptions and administrative appeals shall be as provided for in Section 16-20.010.
- 9. Prohibited variances. Notwithstanding any provision in this chapter or part to the contrary, no variance from this chapter's maximum building height requirements shall be permitted or authorized by the Commission, Commission Staff or any other Board, official or entity.
- 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.

| 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 | | | | |
| Single-family dwellings | P | P | P | P |

- 2. The following additional Permitted Principal Use and Structures provisions shall apply to Subareas 1 and 2.
 - a. Previously-existing uses. Prohibited uses shall be permissible when granted a Certificate of Appropriateness by the Commission upon its finding that such use can be shown by archived evidence or sworn affidavit(s) to either previously or currently exist on the proposed site and that such use will be of an intensity and type that is no greater than that which previously or currently existed and otherwise meets the District regulations.
 - e. Active uses. Ground floor, sidewalk-level uses are further regulated in this district for the purposes of creating vibrant and pedestrian-oriented sidewalks and streets. Active uses, where provided, shall be serviced by plumbing, heating, and electricity and are limited to the residential uses and non-residential uses designated in Table 1: Martin Luther King Jr. Landmark District Table of Uses, except that the following non-residential uses shall not be considered as active uses:
 - i. Drive-in and drive-through facilities.
 - ii. Parking and driveways.
 - iii. Accessory non-residential storage areas.
- 4. *Accessory uses and structures.*
 - a. The following accessory uses and structures provisions shall apply to Subareas 1 through 4.
 - i. Accessory uses and structures shall be permitted in this district and shall include those customarily accessory and clearly incidental to permitted principal uses and structures, including accessory parking to serve authorized uses within the district and including devices for the generation of energy such as solar panels, and similar devices.
 - ii. Active recreation facilities in any yard, required or other, adjacent to a street shall require a special exception from the commission, which special exception shall be granted only upon finding that:

- (1) The location will not be objectionable to occupants of neighboring property, or the neighborhood in general, by reason of noise, lights, or concentrations of persons or vehicular traffic;
 - (2) The area for such activity could not reasonably be located elsewhere on the lot; and
 - (3) The commission may further condition any special exception for such facilities based on concerns regarding fencing, screening or other buffering, existence and/or location of lighting, hours of use, and such other matters as are reasonably required to ameliorate any potential negative impacts of the proposed facility on adjoining property owners.
- b. The following additional accessory uses and structures provisions shall apply to Subareas 1 and 2.
- i. Accessory buildings and uses shall be permitted as specified in section 16-07.004 for single-family, two-family and authorized multiple-family property, subject to limitations and requirements set forth in this chapter or elsewhere in this part.
 - ii. Requirements for accessory buildings:
 - (1) Accessory buildings shall be constructed concurrent with or after construction of principal buildings.
 - (2) Carports or garages serving a single-family or two-family dwelling unit shall be detached from and located to the rear of the principal structure.
 - (3) The height of accessory buildings shall be a maximum of 20 feet, as measured from existing grade at such building's location.
 - (4) Accessory buildings shall not cover more than 25 percent of the area of the rear yard.
 - (5) Accessory buildings shall not contain a total floor area greater than 30 percent of the principal structure.
 - (6) The minimum rear yard setback for accessory structures shall be five feet.
 - (7) The minimum side yard setback for accessory structures shall be five feet.
 - (8) The compatibility rule shall apply regarding all other elements not specified in subsections 3(b)(iii)(3) through (7).

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

1. The following Lot Controls and Building Heights provisions shall apply to Subareas 1 and 2.
 - a. Lot controls.
 - i. The compatibility rule shall apply for the purposes of determining permitted lot coverage.
 - b. Building heights.
 - i. Within the portion of this Subarea 2 lying along the southeastern side of Auburn Avenue east of Randolph Street, and along the eastern side of Randolph Street south of Auburn Avenue, the maximum height of any alteration, addition, or new construction shall be 32 feet.
 - ii. Within the portion of this Subarea 2 lying along the southern side of Irwin Street and the eastern side of Boulevard, the maximum height of any alteration, addition, or new construction shall be 32 feet.
 - iii. For all other areas, the height of any alteration, addition, or new construction shall be established through the compatibility rule.-

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.
 - b. Yards. Notwithstanding the setback requirements of these Subareas, previously existing contributing structures may be reconstructed to their original footprints and setbacks upon a submittal of finding that such structural dimensions have been shown by archived evidence or sworn affidavit(s) to have previously existed on the proposed site, and as subsequently approved by the Commission.
 - c. Required Open Space.
 - i. Open Space shall be required only for multi-family uses. All other uses shall have no Open Space requirements.
2. The following additional Yards provisions shall apply to Subareas 1 and 2.
- b. Subarea 2.
- i. Except as provided below, all front, side and rear yard setbacks shall be established through utilization of the compatibility rule. All new construction shall maintain a minimum of 10 feet for rear yard setbacks where the compatibility rule would permit a smaller rear yard setback, except as otherwise provided for accessory structures.
 - ii. Within the portion of Subarea 2 lying along the southeastern side of Auburn Avenue east of Randolph Street, and along the eastern side of Randolph Street south of Auburn Avenue, the following development controls shall apply:
 - (1) Side yard: Three (3) feet.
 - (2) Front yard: Seven (7) feet.
 - (3) Rear yard: 25 feet.
 - iii. Within the portion of Subarea 2 lying along the southern side of Irwin Street and the eastern side of Boulevard, the following development controls shall apply:
 - (1) Side yard: Three (3) feet.
 - (2) Front yard: 12 feet.
 - (3) Rear yard: Six (6) feet.

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

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 |

- 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.
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.

Site

According to the site plan submitted, this interior lot fronts 49’ on the west side of Bradley St. and has a depth of 133’. Per regulations, the setbacks of new structures are based on the compatibility rule. The proposed structure has a front yard setback of 6’, a north side yard setback of 4’, a rear yard setback of 60’ and a south side yard setback of 13.1’. Based on the compatibility information submitted, Staff finds that the front and rear yard setbacks meet the requirements. However, the side yard setbacks exceed the allowable range. As such, Staff recommends the north side yard setback be no more than 3.1’, and the south side yard setback be no more than 10’.

Per regulations, the maximum lot coverage allowed is based on the compatibility rule. The lot in question is 6495.61 sf. Based on the compatibility information provided by the Applicant, Staff finds that the maximum lot coverage for the block face is 53%, or 3442.67 sf. The proposed lot coverage is 54%, or 3525.94 sf. As such, Staff finds that the proposed lot coverage exceeds the allowable range for the block face. Staff recommends the lot coverage be 53% or 3442.67 sf.

As required by the regulations, an appropriate walkway from the front entryway to the sidewalk is indicated. It is possible the existing sidewalk may be damaged during construction. If the sidewalk is damaged or destroyed during construction, Staff recommends the sidewalk be repaired or replaced as required by the regulations.

Per regulations, the maximum width for driveways is 12'. The proposed ribbon strips are less than 12' and therefore meet the requirements.

There are no notations on the plans regarding mechanical equipment. Staff recommends any mechanical over 30" in height meet the setback requirement. Staff recommends any exterior mechanical equipment be appropriately screened as required by the regulations.

Massing and Building Height

The proposed house is defined by an 8 in 12 hipped roof and a full width porch. Staff finds the overall height and massing appear to be similar to the other contributing buildings of like style on the block face. Per regulations, the height is based on the compatibility rule. The proposed structure is 23' tall. The Applicant has submitted information detailing the height of the contributing structures in stories, but has not provided the measurements of the structures. Staff recommends the Applicant provide the height of the contributing structures on the block face and that the height of the proposed structure meet the compatibility rule.

Overall Design

In general, the design of the proposed structure is more compatible with the non-historic in-fill homes on the block face, but Staff finds the proposed house is similar to the contributing double shotgun structure at 108 Bradley St. Per regulations, the general façade arrangement, proportion, roof pitch, roof form and materials are all based on the compatibility rule. Staff finds that the proposed structure meets the regulations with the exception of the roof form above the front porch. The house at 108 Bradley St. has a porch which is integral to the front façade. As such, Staff recommends the Applicant revise their drawings to show a porch which is integral to the front façade.

Fenestration

Per regulations, the compatibility rule applies to the fenestration pattern. In comparing the proposed fenestration to the survey pictures, Staff finds the overall fenestration pattern is not compatible with the contributing structures on the block face. The contributing structure at 108 Bradley St., which matches most closely the design of the proposed structure, has 4 openings on the front façade while the proposed structure has 5. As such, Staff recommends the drawings be revised to show 4 openings on the front façade of the proposed structure.

Porch

In general, Staff finds the proposed porch and its architectural elements are similar to the house at 108 Bradley St. Staff finds the columns, stairs and railings are generally appropriate. Per regulations, the first floor height is based on the compatibility rule. No information detailing the allowable first floor height range has been received. As such, Staff recommends the Applicant provide compatibility information detailing the allowable first floor height range.

Per regulations, the porch depth is based on the compatibility rule. The proposed front porch has a depth of 8'. No information detailing the allowable front porch depth has been received. As such, Staff recommends the Applicant provide compatibility information detailing the allowable porch depth.

Materials

The materials on the plans are indicated as wood windows and doors, smooth cementitious siding with a 4.5" reveal, stucco foundation and chimney, and brick stairs. The proposed chimney does not originate at grade. Staff recommends the Applicant revise their drawings to show a chimney which originates at grade. Further, Staff finds that the regulations require chimneys to be faced with brick. Staff recommends the proposed chimney be comprised of brick.

Accessory structure

The Applicant is proposing to add a detached garage to the rear of the proposed principal structure. From the site plan provided, Staff finds that the proposed structure meets the setback requirements for accessory structures in the Subarea. Staff Recommends the Applicant clarify whether the accessory structure will contain any heated space.

Staff Recommendations: Based upon the following:

- 1) The plans do not meet the regulations, per Section 16-20C, with the exceptions of the comments noted above;

Staff recommends deferral of an Application for a Type III Certificate of Appropriateness (CA3-16-456) for a new single family residence at **96 Bradley St.**, to allow the Applicant time to address the following Staff concerns:

1. The north side yard setback shall be no more than 3.1', and the south side yard setback shall be no more than 10', per Section 16-20C.007(2)(b);
2. The lot coverage shall be 53% or 3442.67 sf, per Section 16-20C.006(1)(a)(i);
3. If the sidewalk is damaged or destroyed during construction, the sidewalk shall be repaired or replaced as required by the regulations, per Section 16-20C.007(1)(a);
4. Any mechanical over 30" in height shall meet the setback requirement, per Section 16-20C.008(1)(d);
5. Any exterior mechanical equipment shall be appropriately screened as required by the regulations, per Section 16-20C.008(1)(d);
6. The Applicant shall provide the height of the contributing structures on the block face and the height of the proposed structure shall meet the compatibility rule, per Sec. 16-20C.006(1)(b)(iii);
7. The Applicant shall revise their drawings to show a porch which is integral to the front façade, per Sec. 16-20C.008(1)(a)(ii);
8. The Applicant shall provide compatibility information detailing the allowable first floor height range, per Section 16-20C.008(1)(a);
9. The Applicant shall revise their drawings to show a chimney which originates at grade, per Section 16-20C.008(4)(c)(ii);
10. The proposed chimney be comprised of brick, per Section 16-20C.008(4)(c)(ii);

11. the Applicant clarify whether the accessory structure will contain any heated space, per Sec. 16-20C.005(4)(b)(ii)(5);
12. Staff shall review and if appropriate, approve the final plans and documentation.



CITY OF ATLANTA

M. KASIM REED
MAYOR

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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT October 26, 2016

Agenda Item: Application for a Review and Comment (RC-16-374) for demolition of an apartment building at **115-H Biscayne Dr.** Property is zoned RG-3 / Beltline

Applicant: City of Atlanta - Department of Watershed Management
72 Marietta St.

Facts:

The proposal before the Commission at this time is the removal of a multi-family structure which has been damaged by flooding.

Analysis: The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

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

Per Section 16-20.009. Same; further standards.

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (3) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- (4) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, object or site shall be kept where possible.
- (5) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

- (6) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.
- (7) Whenever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

The Applicant is proposing the demolition of the existing structure which lies within the 100 year flood plain. According to the letter submitted by the Applicant, this is one of 19 similar properties which were damaged by flooding in 2009. After the flooding, the City applied for and received a grant from FEMA to allow the properties to be purchased from their respective owners and converted into greenspace for use by adjacent property owners. The property will be maintained by the condominium association under an agreement with the Department of Watershed Management.

Staff has no concerns with the proposed project and finds the conversion of the site into open greenspace to be an appropriate use of the site.

Staff Recommendation: The Staff recommends that the Commission confirm that all the comments of the Commission and Staff have been delivered at the Commission meeting on the Application for a Review and Comment (RC-16-374) for demolition of an apartment building at **115-H Biscayne Dr.**



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TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT September 28, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-436) for a variance to reduce the rear yard setback from a minimum of 49.9' (required) to 3' (proposed) at **213 Elizabeth St.** Property is zoned R-5 / Inman Park Historic District (Subarea 1) / Beltline.

Applicant: Shona Griffin
400 Ferry Heights Dr.

Facts: According to the District photographic inventory, this existing single family residence was constructed in 1907 and is considered contributing to the District.

Analysis: The following Code sections apply to this application:

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

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

1. General criteria.

d. Compatibility rule:

- i. 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.
- ii. To further that intent and simultaneously permit flexibility in design, the regulations provide a compatibility rule which is as follows:
 - (a) 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.

- (b) 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.
 - d. Type III certificates of appropriateness shall be reviewed by the commission and shall be required for:
 - v. Variances and special exceptions.
- 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.

In the Inman Park Core District, Subarea 1, the commission shall apply the standards referenced in section 16-201.005(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.*
 - j. Decks are permitted only when located to the rear of the principal structure. Such decks shall be no wider than the width of the house and shall not project beyond the side façade of the existing house.
- 2. *Setback requirements:*
 - a. *New construction:* The following setback requirements and maximum floor area ratio shall apply to all permitted uses of new construction: Front, side, and rear setbacks shall be subject to the compatibility rule.
 - 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.

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.

In their justification, the Applicant bases their argument for a variance on the deck being a previously existing feature of the lot. The hardship presented by the Applicant is that not having a deck which exceeds the minimum allowed setback for the block face in question would prevent the owner from parking their vehicle on the property. Staff is unsure how the application of the Zoning Ordinance would prevent the Applicant from parking on the lot, and finds that the Applicant's argument does not prevent a hardship based on the size, shape or topography of the lot.

However, in looking at the site plan Staff finds that the property in question is the smallest lot on the block face with a depth at least 30' less than the next smallest lot. The lot itself appears to be the result of a subdivision which created the lot in question and the multi-family property at 926 Waverly Way at some point in the past. The resulting lot configuration creates a situation whereby no deck could be

installed on the subject property without requiring a variance. Further, Staff finds that the conditions of this lot are peculiar to the lot in question. Given that the deck in question would be approximately 50' from the side façade of the structure at 926 Waverly Way, and given that the landscaping present on the property would minimize the visibility of the deck, Staff finds that granting the variance request would not have a negative impact on the purposes and intent of the Zoning Ordinance.

CA3-16-436:

Staff Recommendation: Based upon the following:

- 1) The variance request meets the variance criteria, per Sec. 16-26.003

Staff recommends approval of the Application for a Type III Certificate of Appropriateness (CA3-16-436) for a variance to reduce the rear yard setback from a minimum of 49.9' (required) to 3' (proposed) at **213 Elizabeth St.**



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TIM KEANE
Commissioner
Office of Design

STAFF REPORT **October 26, 2016**

Agenda Item: Review and Comment (RC-16-471) on V-16-254 for a special exception to allow a reduction in the required on-site parking at **900 Dekalb Avenue** - Property is zoned I-2 / Inman Park Historic District (Subarea 3) / Beltline

At the Request of: Luke Wilkerson, Square Feet Studios
154 Krog Street, Suite 170

Facts: The project site sits on the north side of Dekalb Avenue between Delta Place and Waverly Way. The property consists of two, adjacent warehouse buildings, a billboard, and various forms of hard surface on the property for parking.

Earlier this year, the Staff approved renovations, patios, and site work on the property to create a mix of office, retail, and restaurant uses (CA2S-16-303). This review was done at the Staff level as it did not include any full additions, new construction, or variances from the Inman Park District regulations. Further, the buildings are both non-contributing to the District so the limited demolition that occurred to create a new breezeway also did not require Commission review.

The proposed project does not add any interior floor area or height to the buildings. There are currently 51 parking spaces on the site, but given the proposed mix of uses, 93 on-site parking spaces would be provided.

As this special exception request involves a property in a designated Historic District, it is subject to Review and Comment by the Commission.

Analysis: The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

- (e) Powers and Duties: The commission is the city agency responsible for developing and administering the city's historic preservation and urban design activities and shall have the following powers and duties:
 - (6) The commission shall review and make written recommendation to the zoning review board and to the board of zoning adjustment on any proposed action pending before said boards regarding any building, site or district which has been designated for historic protection pursuant to this article or by chapter 20 of part 16 of the Code of Ordinances.

As noted above, the Staff previously approved a Type II Staff Review Certificate of Appropriateness for renovations to the building, patios, and site work. This Certificate of Appropriateness application directly addressed the physical characteristics of the property and the project. While the special exception would result in less parking than required being provided on site, all of the physical characteristics of the project are still governed by the Inman Park Historic District and by the Beltline Zoning Overlay District design regulations. This includes the building heights, setbacks, site and pedestrian features, location of parking, general architectural composition, and compatibility with the surrounding properties.

The underlying zoning (C-2) would still regulate the type of uses and other basic zoning characteristics.

Based on the information we have at this time and given the already completed Staff reviews related to the renovations, patios, site work, and the overall project design, the Staff has no concerns regarding the requested special exception.

Staff Recommendation: Staff recommends that a letter with the Staff's and the Commission's comments be sent to the Applicant and the Board of Zoning Adjustment regarding Review and Comment (RC-16-471) on V-16-254 for a special exception to allow a reduction in the required on-site parking at **900 Dekalb Avenue**.



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STAFF REPORT October 26, 2016

Agenda Item: Application for a Type III Certificates of Appropriateness (CA3-16-444) for alterations and rear additions at **627 Boulevard SE**– Property is zoned R-5/Grant Park Historic District (Subarea 1).

Applicant: Vadim Zaitsev
P.O. Box 78791

Facts: According to the Grant Park Inventory sheet this single family dwelling built in 1909 is considered contributing.

Analysis: The following code sections apply to this application:

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

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

(2) Certificates of Appropriateness.

(B) Type III Certificates of Appropriateness shall be required for:

2. All major alterations and additions to an existing structure, with respect to any façade that faces a public street.

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

(1) *Development Controls.*

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

(2) *Architectural Standards.*

- A. *Statement of Intent.* The purpose of these regulations is to set forth basic, minimum standards of architectural design and construction that are compatible with and complementary to the existing

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

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

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

1. Identified design elements of size, scale, massing and materials of new construction shall be substantially consistent with said identified design elements found in contributing structures of like use in the district as listed in subsection 16-20K.007(15)(c.).
2. A paved walkway from the front sidewalk to the front entry of the principal structure shall be provided.
3. Front porches on the principal structure shall be required and shall be a minimum of one-third the width of the front facade and a minimum of seven (7) feet in depth. Side porches shall be a minimum of four (4) feet in depth. Porches may be enclosed by screen wire only, provided all the main features of a porch are maintained in place and the screening materials can be removed at a future date with minimal damage to said features.
4. All front facades and front porches of the principal structure shall face and be parallel to the lot frontage. Wrap around front porches are permitted.
5. Roof form above the front façade of the principal structure shall be gabled and/or hipped. Roof pitch shall be a minimum of 6 in 12. Roof pitch above porches shall not be restricted.
6. The height of the principal structure shall not exceed thirty-five (35) feet. (See section 16-28.022 for excluded portions of structures.)
7. The first floor of the principal structure shall be on foundations and elevated above the grade a minimum of two (2) entrance step risers each of which shall be no less than six (6) inches in height. All front steps shall have closed risers and closed ends. Access ramps shall be permitted.
8. Garages entrances are prohibited on the front facade. Single car-width garage entrances are permitted on the half depth front yard façade of the structure. Double car-width garage entrances are permitted at the rear of the structure.
9. Decks, Balconies and Upper Level Terraces:
 - a. Decks shall be permitted only when located to the rear of the principal structure.
 - b. Decks shall be permitted at any level.
 - c. Balconies and upper level terraces shall be permitted.
10. Any portion of a chimney that is located on any facade that faces a public street shall originate at grade.
11. Any facades that face a public street shall consist of fenestration that is either: 1)substantially consistent with fenestration on contributing structures of like use in the district, or 2) shall be no less than 15% and no greater than 40% of the total surface wall area. Windows may be individual or grouped. No individual window unit shall exceed twenty-eight (28) square feet. Within each individual window unit, no individual window sash, either fixed or operable, shall exceed sixteen (16) square feet.
12. When practical, skylights should be located where least visible from the public street. If skylights are visible from the public street, the glass shall be tinted to match the surrounding roof area. Protruding “bubble” skylights are prohibited.
13. Accessory structures, such as carriage houses, smoke houses, tenant and alley houses, private garages, carports, and mechanical equipment shall be located to the side and/or rear of the principal structure within the buildable area of the lot and shall not project beyond the front of the principal structure. If mechanical equipment is visible from a public street, screening with appropriate plant or fence materials is required.
14. Fences and walls, adjacent to a public street upon completion, shall be subject to the provisions of section 16-28.005(5) and the following limitations:
 - a. Fences not exceeding four (4) feet in height may be erected in a front yard. Fences not exceeding six (6) feet in height may be erected in a half-depth front yard. Other than retaining walls, walls shall not be erected in a front yard or half-depth front yard.

- b. Fences and walls not exceeding six (6) feet in height may be erected in the side or rear yards.
 - c. In a half-depth front yard, when a fence exceeds four (4) feet in height, the standard zoning requirements for a variance are in effect. Where no sidewalk exists, the fence shall be set back three (3) feet from a public street. Portions of retaining walls facing a public street and located in a required front yard or half-depth front yard shall be faced with brick, stone or masonry wall covered with a parge coat of stucco, such as Portland stucco cement.
 - d. The finish side or front side of one-sided fences shall face the public street.
15. On those facades of any structure that face a public street, the following regulations on building materials shall apply. Alternate materials may be submitted for review by the commission.
- a. Paving materials for walks and drives: Black asphalt is prohibited.
 - b. Visible foundation materials: Foundations shall constitute a distinct building design element and shall contrast with the front facade siding material. Brick, stone, concrete, stucco, and architectural concrete masonry units (C.M.U.) shall be permitted. Standard, unfinished concrete block and stacked stone is prohibited.
 - c. Siding/Veneer: Horizontal lap siding, vinyl siding, aluminum siding, shingles, brick, hard stucco, and stone shall be permitted. Stacked stone is prohibited.
 - d. Roofing: Asphalt shingles, wood shingles, metal shingles, slate, and pre-finished metal panels shall be permitted.
 - e. Chimneys: Brick, stone, or architectural concrete masonry units (C.M.U.) shall be permitted. Siding is prohibited.
 - f. Fences: Brick, stone, wire mesh, architectural C.M.U., or vertical pickets made of ornamental metal, wood or simulated wood shall be permitted in the front yard and half depth front yard.

Site Work

The existing corner lots fronts 54' on Boulevard and has a depth of 150' on Berne Street. Per underlying zoning, the maximum lot coverage allowed is 55%. While the notes on the plans indicate lot coverage calculations, the actual percentage of lot coverage is not indicated. Staff recommends the plans indicate the lot coverage percentage. While there will be significant changes to the roof, there will be no increase in the floor area ratio (FAR). As such, Staff finds the FAR requirements do not apply to this case. There are two proposed stoops indicated on the site plan. As the proposed stoops are no closer to the property line than the existing house, Staff finds the setback requirements have been met.

The Applicant is proposing a parking pad in the half depth front yard with a 15' curb cut. Per regulations the curb cut can be no more than 10' and there is no parking allowed in the front or half depth front yard. Staff recommends the proposed curb cut is no wider than 10'. Staff recommends the setback of the parking area is no closer to the property line than the Berne Street façade of the house.

Per regulations, only single car width garages are allowed in the half depth front yard. While this is not a garage, Staff finds the proposed retaining wall makes this a clearly defined parking area as opposed to just a parking pad. Staff recommends the parking area be limited to a single car width.

The Applicant is proposing retaining wall, fences and gates at different locations on the property. Staff has no concerns regarding the materials, design, locations or heights of the proposed retaining walls, fences and gates. The Applicant is proposing to resurface the existing walkway. It is not clear whether this is an in-kind replacement or a new material. Staff recommends the Applicant clarify the resurfacing scope of work for the front walkway.

Alterations

As this is a corner lot, Staff will comment on the Boulevard and Berne Street facades. On the Boulevard elevation, the plans indicate spot repairs. While Staff has no concerns with in-kind repairs, Staff recommends the Applicant clarify the scope of the repairs on the Boulevard elevation.

The Applicant is proposing to modify the roof over two existing additions. Staff finds the proposed roof alterations are compatible with the existing house and below the main roof line. Staff has no concerns regarding the proposed roof alterations. The Applicant is proposing a new rear covered stoop. Staff has no concerns regarding the proposed rear stoop.

Staff Recommendation: Based upon the following:

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

Staff recommends approval of the application for a Type III Certificate of (CA3-16-444) for alterations and rear additions at **627 Boulevard SE**– Property is zoned R-5/Grant Park Historic District (Subarea 1), with the following conditions:

1. The proposed curb cut shall be no wider than 10', per Section 16-20K.007(1)(D)(3);
2. The setback of the parking area shall be no closer to the property line than the Berne Street façade of the house, per Section 16-20K.007(1)(D)(3);
3. The parking area shall be limited to a single car width, per Section 16-20K.007(2)(B)(8);
4. The Applicant shall clarify the resurfacing scope of work for the front walkway, per Section 16-20K.00792)(D);
5. The Applicant shall clarify the scope of the repairs on the Boulevard elevation; and
6. Staff shall review and if appropriate, approve the final plans.



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TIM KEANE
Commissioner
Office of Design

STAFF REPORT October 26, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-447) for a rear addition at **1271 Greenwich Street**-Property is zoned R-4A/West End Historic District/Beltline.

Applicant: Maxwell Brown
1271 Greenwich Street

Facts: According to the West End Inventory, the existing house was built before between 1926 and 1927 and is considered contributing.

Analysis: The following code sections apply to this application:

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

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;
 - (b) *Type required:*
 - (i) Type I certificates of appropriateness for ordinary repairs and maintenance are not required in this district. 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) as set forth in chapter 20 of this part 16.

(2) *The Compatibility Rule:* The compatibility rule is a method of ensuring that alterations to existing structures and the design of proposed new construction are sensitive to and sympathetic toward existing elements of design, proportions, scale, massing, materials, and general character of the contributing buildings in the immediately adjacent environment of the block face. To permit flexibility, many regulations are made subject to the compatibility rule, which states: "The elements in question (roof form, architectural trim, etc.) shall match that which predominates on the contributing buildings of the same block face, or where quantifiable (i.e., buildings height and width as measured at front façade, floor height, lot dimensions, etc.), shall be no smaller than the smallest or larger than the largest such dimension of the contributing buildings of the same block face." Those elements to which the compatibility rule applies are specified in these regulations by reference to "compatibility rule."

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.

(2) *Building Façades:*

(a) All new construction shall conform to the existing building orientation by having sidewalks, front yards, porches and front doors facing and parallel to the street, and if located on a corner, the main façade shall face the principal street whenever possible.

(b) At a minimum, the front of all new construction, including any portion thereof, shall be placed at the distance from the street determined by the compatibility rule. This requirement shall also apply to those sides of corner lots which also face a street.

(c) All building materials, which upon completion are visible from the public right-of-way, are subject to the compatibility rule.

(d) Siding repair or replacement shall match the original in material, scale and direction. For new construction and additions, brick, wood or horizontal smooth cementitious siding is permitted.

(e) Contemporary design of new construction, compatible with adjacent and surrounding structures, is permitted.

(g) No structure shall exceed that height established by the compatibility rule.

(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.

(f) Dropped ceilings, when located below the head of a window, shall be sufficiently recessed from the window opening to maintain the original exterior appearance.

(g) New doors and windows, when permitted, shall be compatible in scale, size, proportion, placement, and style to existing windows and doors.

(h) The ratio of openings to solid for all new construction (for example, windows to wall) shall be established by the compatibility rule.

(i) The scale, size, proportion, and location of all openings in new construction shall be established by the compatibility rule.

(j) New windows or doors added to existing structures shall be located façades that don't face a public street.

Site

The site plan submitted is not properly scaled or clear. Staff recommends the Applicant submit a properly scaled site plan that clearly indicates that all proposed setbacks, lot coverage and floor area ratio requirements have been met.

Addition

In looking at pictures submitted by the Applicant, it appears that construction of the addition has been substantially completed without the proper permits. Staff finds the overall design of the addition is appropriate. As the addition is significantly inset on the left side, Staff finds the addition is clearly delineated from the existing house. Staff suggests the roofline is lowered slightly to avoid engaging the existing roof line.

Per regulations, new windows shall match the existing windows. Staff finds the proposed windows do not meet the requirements. Staff recommends all new windows are wood , true divided lite or simulated divided lite, double hung and have a design that matches the existing historic windows. The façade material is not clearly indicated. Staff recommends the façade material is indicated as wood siding or smooth cementitious siding with a 4”-6” reveal.

Staff Recommendation: Based upon the following:

- a) The plans meet the regulations, with the exceptions noted in the above analysis, per Section 16-20G.006.

Staff recommends approval of an Application for a Type III Certificate of Appropriateness (CA3-16-447) for a rear addition at **1271 Greenwich Street**-Property is zoned R-4A/West End Historic District/Beltline.

1. All new windows shall be wood , true divided lite or simulated divided lite, double hung and have a design that matches the existing historic windows, per Section 16-20G.005(3)(g);
2. The façade material shall be indicated as wood siding or smooth cementitious siding with a 4”-6” reveal, per Section 16-20G.005(2)(d); and
3. Staff shall review and if appropriate, approve the final plans.



CITY OF ATLANTA

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MAYOR

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TIM KEANE
Commissioner

OFFICE OF DESIGN

SECTION 106 REVIEW AND COMMENT STAFF REPORT OCTOBER 26, 2016

Agenda Item: Review and Comment (RC-16-451) on the construction of a single family house at **167 Doane Street**, located in National Register-eligible Mechanicsville Historic District / Multiple Property Nomination area, as required by the Section 106 review process, as implemented by the “City-Wide Programmatic Agreement”.

Applicant: SUMMECH Community Development Corporation, Inc.
633 Pryor Street

Facts: As federal funds are involved with the construction of the single family house at 167 Done Street (the Project), the Project is required to adhere to the National Historic Preservation Act of 1966, as amended (Act) as implemented by the City of Atlanta and State Historic Preservation Officer (SHPO) through the “City of Atlanta Programmatic Agreement for HUD-funded Programs” (Agreement), executed January 21, 2010.

Previously the area of the Mechanicsville neighborhood where the Project is located was determined eligible for listing in the National Register of Historic Places as a potential historic district or as part of a Multiple Property Nomination by the City’s official Preservation Professional (an official, specific City Staff person called for under the Agreement, who is a member of the Commission Staff). As such, this area of the Mechanicsville neighborhood is considered a potential historic district for the purposes of the Act, the Agreement, and the Preservation Professional’s conclusion of the review process for the Project.

Proposals subject to review under the Agreement that do not include footprint-expanding additions or new construction are reviewed by the Preservation Professional per the terms of the Agreement and do not involve the Commission. However, Stipulation V.B of the Agreement calls for proposals for “new construction” be “forwarded to the AUDC” within 30 days for comment. This comment process is accomplished through placing the proposed new construction on one of the Commission’s regularly scheduled public hearings and advising the AUDC on the reasons for the review, the criteria to be considered and what is to come of the

results of their comments. Under the Agreement, the Commission is charged with reviewing the proposed project with respect to:

“compatibility with the historic district or adjacent historic buildings in terms of set-backs, size, scale, massing, design, color, features, and materials in terms of responsiveness to the recommended approaches for new construction set forth in the Standards; and in terms of the input received through the required public notification process as outlined in Stipulation X of this Agreement.”

Further, the Commission’s comments should address all components of the proposed new construction, which is two (2) stories and 1,368 sq. ft. in floor area. The property rises quickly from the public sidewalk and then falls in elevation from the front left corner to the right rear corner. The proposed house would consist of a front-to-back gable, full width front porch, split front porch columns, double hung windows, shakes in the gable and siding on the walls, stucco foundation, and rear deck. No driveway or any other site features are proposed with the project.

A companion application has been submitted for a proposed house on the adjacent lot at 175 Doane Street (RC-16-452).

The Preservation Professional is to take into consideration the Commission’s comments when making its final findings, as required under the terms of the Agreement. Per Stipulation V.B.4 of the Agreement requires that until such time as this Commission review has occurred, the Preservation Professional cannot provide their final comments or affects findings on the proposal.

Analysis: As noted above, the Secretary of the Interior Standards for Rehabilitation are to be used, among the other considerations listed, as the basis for the Commission’s comments:

Secretary of the Interior Standards for Treatment of Historic Properties:

1. A property will 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.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will 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 elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

10. New additions and adjacent or related new construction will be undertaken in a such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

The Preservation Professional has the following preliminary comments about the proposed design.

Overall Massing and Form:

The Preservation Professional has no concerns.

Architectural Components:

1. The side facades contain too much blank wall space due to an insufficient number of windows. In particular, the left side contains only two windows. Additional, compatible windows should be added to both side facades.
2. The design contains too many sizes of windows. There are four sizes of double hung windows (with different widths and/or heights) and square fixed windows. There should be full size double hung windows and then one other size (for example, a proportional “half” size), plus the square fixed windows.
3. The left hand front porch columns are not centered on the front door creating an inconsistent off-set between the two features.
4. The actual front and rear doors should be compatible with the traditional architectural character of the proposed design.
5. The house should contain architectural components that differentiate it from the house proposed on the adjacent lot.

Materials:

1. The front porch cheeks walls and the foundation should have the same finish material with the most compatible material being brick.
2. The siding should be smooth face cementitious siding.
3. The shakes in the gable should be replaced with the same siding used on the rest of the house or be a size, shape, and pattern that is found on historic houses in the neighborhood.
4. The front porch columns should be wood and be continuous box columns. If they remain as split columns, the base portion should be the same material as the foundation / front porch step cheek walls (See Material Comment #1 above).
5. All of the exterior trim, surface, front porch, and architectural components not noted above should be wood or a material with the same exterior finish and appearance as wood.

Preservation Professional Final Recommendation:

As required under the Agreement, these will be issued in the future, taking into account the Commission comments.



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TIM KEANE
Commissioner

OFFICE OF DESIGN

SECTION 106 REVIEW AND COMMENT STAFF REPORT OCTOBER 26, 2016

Agenda Item: Review and Comment (RC-16-452) on the construction of a single family house at **175 Doane Street**, located in National Register-eligible Mechanicsville Historic District / Multiple Property Nomination area, as required by the Section 106 review process, as implemented by the “City-Wide Programmatic Agreement”.

Applicant: SUMMECH Community Development Corporation, Inc.
633 Pryor Street

Facts: As federal funds are involved with the construction of the single family house at 167 Done Street (the Project), the Project is required to adhere to the National Historic Preservation Act of 1966, as amended (Act) as implemented by the City of Atlanta and State Historic Preservation Officer (SHPO) through the “City of Atlanta Programmatic Agreement for HUD-funded Programs” (Agreement), executed January 21, 2010.

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Proposals subject to review under the Agreement that do not include footprint-expanding additions or new construction are reviewed by the Preservation Professional per the terms of the Agreement and do not involve the Commission. However, Stipulation V.B of the Agreement calls for proposals for “new construction” be “forwarded to the AUDC” within 30 days for comment. This comment process is accomplished through placing the proposed new construction on one of the Commission’s regularly scheduled public hearings and advising the AUDC on the reasons for the review, the criteria to be considered and what is to come of the

results of their comments. Under the Agreement, the Commission is charged with reviewing the proposed project with respect to:

“compatibility with the historic district or adjacent historic buildings in terms of set-backs, size, scale, massing, design, color, features, and materials in terms of responsiveness to the recommended approaches for new construction set forth in the Standards; and in terms of the input received through the required public notification process as outlined in Stipulation X of this Agreement.”

Further, the Commission’s comments should address all components of the proposed new construction, which is two (2) stories and 1,368 sq. ft. in floor area. The property is slopes down from left to right. An open alley way is located along the left side property line. The proposed house would consist of a front-to-back gable, full width front porch, split front porch columns, double hung windows, shakes in the gable and siding on the walls, stucco foundation, and rear deck. A parking pad is located in the rear yard off of the alley way.

A companion application has been submitted for a proposed house on the adjacent lot at 167 Doane Street (RC-16-451).

The Preservation Professional is to take into consideration the Commission’s comments when making its final findings, as required under the terms of the Agreement. Per Stipulation V.B.4 of the Agreement requires that until such time as this Commission review has occurred, the Preservation Professional cannot provide their final comments or affects findings on the proposal.

Analysis: As noted above, the Secretary of the Interior Standards for Rehabilitation are to be used, among the other considerations listed, as the basis for the Commission’s comments:

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4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
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6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
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8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

10. New additions and adjacent or related new construction will be undertaken in a such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

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Architectural Components:

1. The side facades contain too much blank wall space due to an insufficient number of windows. In particular, the left side contains only two windows. Additional, compatible windows should be added to both side facades.
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3. The left hand front porch columns are not centered on the front door creating an inconsistent off-set between the two features.
4. The actual front and rear doors should be compatible with the traditional architectural character of the proposed design.
5. The house should contain architectural components that differentiate it from the house proposed on the adjacent lot.

Materials:

1. The front porch cheeks walls and the foundation should have the same finish material with the most compatible material being brick.
2. The siding should be smooth face cementitious siding.
3. The shakes in the gable should be replaced with the same siding used on the rest of the house or be a size, shape, and pattern that is found on historic houses in the neighborhood.
4. The front porch columns should be wood and be continuous box columns. If they remain as split columns, the base portion should be the same material as the foundation / front porch step cheek walls (See Material Comment #1 above).
5. All of the exterior trim, surface, front porch, and architectural components not noted above should be wood or a material with the same exterior finish and appearance as wood.

Preservation Professional Final Recommendation:

As required under the Agreement, these will be issued in the future, taking into account the Commission comments.



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TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT October 26, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-454) for a new single family residence at **493 Atlanta Ave SE**. Property is zoned R-5 / Grant Park Historic District (Subarea 1) / Beltline.

Applicant: Micaela Roberts
1939 Hosea L Williams Drive, Ne

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

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:

(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.

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

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.

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.
- (C) Design Standards and Criteria for Alterations and Additions to Non-contributing Structures. Alterations to non-contributing structures, for which a Certificate of Appropriateness shall be required, shall be

consistent with and reinforce the architectural character of the existing structure or shall comply with the applicable regulations for new construction set forth in subsection 16-20K.007(2)(B) above.

- (D) Design Criteria for Alterations and Additions to Contributing Structures. Alterations and additions to contributing structures requiring a Certificate of Appropriateness shall comply with one of the following provided that the mere increase in floor area otherwise authorized in the district shall not constitute a standard for review:
1. Alterations and additions shall be consistent with and reinforce the historic architectural character of the entire existing contributing structure and shall comply with the applicable regulations for new construction set forth in subsection 16-20K.007(2)(B) above; or
 2. New additions, exterior alterations, or related new construction will not destroy historic materials that characterize the property. The new work may differentiate from the old. To protect the historic integrity of the property and its environment, any new work will be compatible with the massing, size, scale and architectural features of the property and environment.
- (E) 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.

Siteplan

The maximum FAR (floor area ratio) allowed by the R-5 zoning is 50% of the net lot area. The net lot area for this property is 7,597 sf. and has an allowable floor area of 3,798 sf. The proposed structure would have a total heated space of 2981 sf. which meets the FAR requirement.

The front yard setback can either be based on the compatibility rule or the previously existing contributing building of like use. The proposed front yard setback is 30' as measured from the front facade. The Applicant has submitted compatibility information based on three addresses: 475, 461, and 507 Atlanta Ave. According to the District inventory, the only contributing structure on the block face in question is the property at 507 Atlanta Ave., which has a front yard setback of 45' 10". Staff would note that the district inventory does show a previously existing contributing building of like use on the property at the time of the District's designation. As such, Staff recommends the proposed front yard be 45' 10" or conform to the setback of the previously existing contributing building of like use.

Regarding the side yard setback options, the regulations allow for side yard setbacks of not less than 7'. The proposed east side yard setback is 7' 2", and the proposed west side yard setback is

11' 4.5". Staff finds the side yard setbacks meet the regulations. Per regulations the rear yard setback shall be no less than 7'. Staff finds the rear yard setback is 22' and therefore meets the rear yard setback requirement.

Per the regulations, the plans show a walkway leading from the front entrance to the sidewalk.

Massing and Building Height

The proposed two story house is defined by a 12 in 12 roof and a two story 1/3 width front porch. The structure also contains a window bay with metal roofing. Per regulations, the maximum height allowed is 35'. The Grant Park Historic district regulations do not specify how the height should be measured. Therefore, Staff finds the standard City measurement should be used. In looking at the front façade, Staff finds the height requirement has been met. The one contributing structure on the block face is a two story American Foursquare style house with a hipped roof. While Staff finds the overall height, massing and design of the proposed dwelling is not similar with the historic house on the block, Staff finds the regulations have been met for the characteristics.

Building Facades

The Commission reviews the facades that face a public street. This is corner lot, therefore Staff will only comment on the façades facing Boulevard and Atlanta Ave.

Windows and Doors

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

The Applicant is proposing to install 2 over 2 double hung windows on the front facade. Staff finds the design of the windows is appropriate. The Grant Park regulations allow for the amount of fenestration to either be compatible with the windows on contributing houses or be no less than 15% and no more than 40% of the total wall surface. On the Atlanta Ave. façade, Staff finds that the proposed fenestration meets the minimum of 15% of the wall surface.

Building Materials

The proposed materials include horizontal cementitious siding and wood fish scale shingle siding, a wood door with a 2/3 length rectangular lite, and architectural shingles for the roof. The material for the windows is not indicated. Staff recommends the plans indicate an appropriate material for the windows. Staff recommends the cementitious siding be smooth faced.

Foundation and Porch

Per regulations, the plans show a visible foundation elevated at least 1' above grade on the front façade. The foundation will be comprised of brick. Staff has no concerns with the design of the proposed foundation.

Per regulations, the minimum allowed depth for the front porch is 7'. Staff finds that the proposed porch is 7.5' deep and therefore meets this requirement.

CA3-16-454:

Staff Recommendation: Based upon the following:

1) The plans meet the regulations with the exception of the comments noted above Section 16-20K.006, 16-20K.007, and 16-07.008;

Staff recommends approval of the Application for a Type III Certificate of Appropriateness (CA3-15-302) for a new single family house at **899 Boulevard Ave.** Property is zoned R-5/Grant Park Historic District (Subarea 1), with the following conditions:

1. The proposed front yard shall be 45' 10" or conform to the setback of the previously existing contributing building of like use, per Sec. 16-20K.007(1)(A);
2. The plans shall indicate an appropriate material for the windows, per, Sec. 16-20K.007(2)(B)(15);
3. The cementitious siding shall be smooth faced, per Sec. 16-20K.007(2)(B)(15); and,
4. Staff shall review and if appropriate, approve the final plans and documentation.



CITY OF ATLANTA

KASIM REED
MAYOR

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TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT October 26, 2016

Agenda Item: Application for a Review and Comment (RC-16-461) for new construction, renovations, and site work at **800 Cherokee Ave (Zoo Atlanta & The Cyclorama Building)**. Property is zoned R-5 / Grant Park Historic District (Subarea 1).

Applicant: Bill D’Onofrio
399 Edgewood Ave.

Facts: The City of Atlanta and the Atlanta History Center have signed a licensing agreement for the curation at the Atlanta History Center of the artifacts from the Cyclorama Building, including “The Battle of Atlanta” painting, the Texas Locomotive, and other items that were part of the exhibits at the Cyclorama Building. The Cyclorama Building will then be used as administrative offices for Zoo Atlanta, event spaces, and commercial kitchens. Additionally, Zoo Atlanta will be extending the elephant habitats and savannah exhibits to occupy the spaces directly adjacent to the Cyclorama Building. The application before the Commission at this time are for the renovations to accommodate the programmatic changes of the structure, the construction of a new elephant barn, and the expansion of the savannah exhibit.

Analysis: The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

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

Per Section 16-20.009. Same; further standards.

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (6) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such

design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.

- (7) Whenever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

The Cyclorama Building

In a previous review of the Cyclorama Building the Commission commented on the removal of the Texas locomotive, “The Battle of Atlanta” painting, and other items that were part of the exhibits at the Cyclorama Building. Of these projects, only the removal of “The Battle of Atlanta” painting has been completed. The Applicant explains in their narrative that the “Battle of Atlanta” painting is planned for removal in December of 2016. Staff suggests the Applicant clarify whether the plan for removing the painting has changed since the last review of this project.

To accommodate the programmatic change from a museum to administrative offices, event spaces, and commercial kitchens the Applicant proposes several changes to the existing structure. The majority of the changes to the structure are relatively minor and including pipe railing for the front entry steps, replacement of the EIFS finish system, installation of new skylights on the decagon portion of the structure, new aluminum coping on the decagon portion of the structure, and new TPO roofing. Staff has no general concerns with these alterations, but suggests the Applicant consider using a flat or level skylight as opposed to the dimensional skylight system shown in the drawings to lessen the visual impact of the alteration.

The Major alterations to the structure and site include the excavation of the first floor on the front of the structure, the installation of storefront windows on the front of the excavated portion and on the sides of the decagon portion of the structure, and the installation of stair towers and terraces on the rear of the structure. The purpose of excavating the first floor of the structure and the installation of storefront windows in the newly excavated front façade and on the side facades of the decagon portion of the structure is not immediately apparent from the drawings or project narrative. Staff suggests the Applicant clarify the purpose of this alteration and the effect that it will have on the interior programming changes. With regards to the rear addition of the stair towers and the terraces, Staff suggests the Applicant explain the purpose of these additions and their effect on the continued use of the structure.

The Savannah Exhibit and Elephant Barn

The second part of the proposal is alterations to the site directly adjacent to the Cyclorama Building for use as the expanded Savannah exhibit. A new two story elephant barn will be installed to the north of the site. In general, Staff finds the proposal to be in line with the design outlined in the Zoo Atlanta Master plan update which the Commission commented on earlier this year. Staff did note the omission of several huts on the south side of the elephant barn which screened the structure from view at the public viewing areas. Staff suggests the Applicant clarify whether these portions of the project have been dropped from the design or if they will be installed at a later date.

The existing tree canopy is an important and defining feature of the Zoo. The plans indicate that quite a few existing trees will be preserved and that new shade trees will be installed at multiple locations. Staff recommends the Applicant clarify whether any

Staff Recommendation: The Staff recommends that the Commission confirm the delivery of its comments at the meeting for an application for Application for a Review and Comment (RC-16-461) for new construction, renovations, and site work at **800 Cherokee Ave (Grant Park)**.



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TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT October 26, 2016

Agenda Item: Application for Type II Certificate of Appropriateness (CA2-16-463) for alterations at **1237 Lucille Avenue** - Property is zoned R-4A/West End Historic District.

Applicant: Job Sees
1237 Lucile Avenue

Facts: According to the District inventory sheet, this dwelling was constructed between 1920 and 1921 and is contributing to the District. The interior lot is located on the north side of Lucile Avenue between Atwood and Holderness Streets.

The narrative the Applicant submitted with the application outlines the following work at the property:

1. Replace the stucco on the front gable with cedar shakes;
2. Repair the leaking roof; and
3. Paint the entire house.

Further, based on previous information received from the Applicant, the following work is also included in their project:

1. Replace the rotten trim; and
2. Remove the brick chimney.

It is the Staff's understanding that all of the work outlined above has been completed.

Lastly, it is also the Staff's understanding that the front porch railing has been replaced with a pressure treated railing system that has been painted.

Analysis: The following code sections apply to this application:

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

(b) Type required:

(v) The following Type II Certificates of Appropriateness shall be reviewed 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

- (2) The Compatibility Rule: The compatibility rule is a method of ensuring that alterations to existing structures and the design of proposed new construction are sensitive to and sympathetic toward existing elements of design, proportions, scale, massing, materials, and general character of the contributing buildings in the immediately adjacent environment of the block face. To permit flexibility, many regulations are made subject to the compatibility rule, which states: "The elements in question (roof form, architectural trim, etc.) shall match that which predominates on the contributing buildings of the same block face, or where quantifiable (i.e., buildings height and width as measured at front façade, floor height, lot dimensions, etc.), shall be no smaller than the smallest or larger than the largest such dimension of the contributing buildings of the same block face." Those elements to which the compatibility rule applies are specified in these regulations by reference to "compatibility rule."

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.
- (2) Building Façades:
- (a) All new construction shall conform to the existing building orientation by having sidewalks, front yards, porches and front doors facing and parallel to the street, and if located on a corner, the main façade shall face the principal street whenever possible.
 - (b) At a minimum, the front of all new construction, including any portion thereof, shall be placed at the distance from the street determined by the compatibility rule. This requirement shall also apply to those sides of corner lots which also face a street.
 - (c) All building materials, which upon completion are visible from the public right-of-way, are subject to the compatibility rule.
 - (d) Siding repair or replacement shall match the original in material, scale and direction. For new construction and additions, brick, wood or horizontal smooth cementitious siding is permitted.
- (6) Chimneys:
- (a) Chimneys shall match original materials, mortar, color and pattern whenever possible.
 - (b) New chimneys shall be faced with brick or stucco.
 - (c) Siding on chimneys is prohibited.
 - (d) When any portion of a chimney is visible from a public street as a façade element, the chimney shall originate at grade.
- (7) Roofs:
- (a) Replacement roofing materials shall be of the same size, texture and material as existing, exposed roofing materials when the existing, exposed roofing materials constitute a significant architectural feature of the structure.
 - (b) Cold-rolled roofing is permitted only on flat roofs. Corrugated metal and corrugated fiberglass roofs are not permitted.
 - (c) The use of synthetic roofing materials is permitted if not visibly distinguishable from the original as viewed from the public street.
- (9) Porches:
- (a) Architecturally significant porches, including their component features, steps and stoops shall be retained.
 - (b) Replacement porches, steps and stoops shall match the original in size, style and materials. All front porch steps shall have closed risers and ends.
 - (c) Porches may be enclosed with screen wire or glass provided that the main characteristics of a front porch are maintained.
 - (d) New or replacement porches shall contain balustrades, columns and other features consistent with the architectural style of the house or other original porches in that block. The height of the top rail shall be no more than 33 inches above the finish porch floor, except as required by the City's building code.
- (16) Ornaments:
- (a) Architecturally significant ornaments, such as corner boards, cornices, brackets, downspouts, railings, columns, steps, doors and window moldings, shall be retained.
 - (b) Replacement ornaments shall be permitted only when originals cannot be rehabilitated.

- (c) Installation of new ornaments, where none previously existed, shall be permitted only when it is in accordance with the architectural style of the original structure.

Replace the stucco on the front gable with cedar shakes.

The Staff is concerned about the installation of the cedar shakes in the front gable. While there are examples of this on other houses in the District (including likely un-permitted examples or examples on new houses), the Staff finds that in this case, the removal of the original faux-half-timbering and stucco destroyed an original feature of the house and should have been retained, left exposed and repaired in-kind as necessary. No information was provided by the Applicant regarding the condition of the original faux-half-timbering and stucco and its needs for replacement. The Staff would recommend the cedar shakes be removed from the front gable, that faux-half-timbering be reinstalled in the same pattern as what previously existed, the remaining stucco be repaired in-kind and new compatible stucco be installed as necessary.

Repair the leaking roof.

The Staff has no concerns about the re-shingling of the roof. The previous roof and the installed roof are both asphalt shingles.

Paint the entire house.

The Staff has no concerns about the painting of the house. Paint color is not regulated by the District regulations.

Replace the rotten trim.

It is not clear in the submission or from the previous information received from the Applicant which trim was rotten and which trim was replaced. The Staff would recommend the Applicant provide more information about the replacement of the rotten trim, including the condition of the trim that warranted replacement, and its location on the house.

Remove the brick chimney.

The house contained one brick chimney roughly aligned with and behind the ridge line of the front porch gable. That chimney was removed during the re-roofing process. No information was provided by the Applicant regarding the condition of the chimney and its needs for replacement. The Staff would recommend that a brick chimney with the same material, design, height, size and dimension as the previous chimney be re-installed on the house in the same location as the previous chimney.

Replacement of the front porch railing.

No information was provided by the Applicant regarding the condition of the front porch railing and its need for replacement. The Staff would recommend the Applicant provide more information about the replacement of the front porch railing including the condition of the previous railing that warranted its replacement and the design of the recently installed front porch railing.

Staff Recommendation: Based upon the following:

- a) The plans do not meet the regulations or are not clear enough, with the exceptions noted in the above analysis, per Section 16-20G.006.

Staff recommends deferral of the application for Type II Certificate of Appropriateness (CA2-16-463) for alterations at **1237 Lucille Avenue** - Property is zoned R-4A/West End Historic District / Beltline, so the Applicant has time to address the following comments and concerns:

1. The cedar shakes shall be removed from the front gable, the faux-half-timbering shall be reinstalled in the same pattern as what previously existed, the remaining stucco shall be repaired in-kind and new compatible stucco shall be installed as necessary, per Section 16-20G.006 (1) and (2);
2. Applicant shall provide more information about the replacement of the rotten trim, including the condition of the trim that warranted replacement, and its location on the house, per Section 16-20G.006 (1), (2), and (16);
3. A brick chimney with the same material, design, height, size and dimension as the previous chimney shall be re-installed on the house in the same location as the previous chimney, per Section 16-20G.006 (1), (2), and (6);
4. The Applicant shall provide more information about the replacement of the front porch railing including the condition of the previous railing that warranted its replacement and the design of the recently installed front porch railing, per Section 16-20G.006 (1), (2), and (9); and
5. The Applicant shall submit revised plans and supporting documentation (including the required number of copies) at least eight (8) days prior to the Commission meeting to which this application is deferred.



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TIM KEANE
Commissioner
Office of Design

STAFF REPORT **October 26, 2016**

Agenda Item: Review and Comment (RC-16-467) on an ordinance to designate the segment of bike lane located on Peachtree Street NE, between Ralph McGill Boulevard and Pine Street, in memoriam of **Dennis Hoffarth**.

Applicant: Colleen Kiernan
55 Trinity Avenue

Facts: The City Utilities Committee is considering a proposal to designate a segment of the bike lane on Peachtree Street NE, in memoriam of Dennis Hoffarth. This segment of bike lane is located in the Downtown in NPU M.

Analysis: The following code sections apply to this application:

Per Section 138-8 of the Atlanta City Code:

(e) *Urban design commission review and comment.* All street renamings and dedications located in the City of Atlanta must be reviewed by the urban design commission and be the subject of a regularly scheduled commission meeting. In advance of such a meeting, neighborhood associations, historical groups, historic preservation groups, and other interested parties will be notified that the street renaming or dedication has been placed on the commission's agenda. After the meeting, written findings regarding the street renaming or dedication must be forwarded to the city's commissioner of its department of public works and must be received by the commissioner before the commissioner is authorized to submit to the city council legislation authorizing the street renaming or dedication.

The designation of a portion of a right-of-way is a significant undertaking by the City and one of the few ways for a person or event to be honored by the City by giving it a potentially permanent place in the City's future and thus its history. When portions of right-of-way (whether from the City's founding or more recently) are considered for designation in memoriam of a person, Staff finds that it is not appropriate to compare the significance of the existing name vs. the proposed name to each other (and by extension the people, events, or locations memorialized in those names). It is more appropriate to consider the respective honorees in relation to the era in which their significance is associated and how that significance is related to the City of Atlanta.

When taking this approach into account, Staff finds Dennis Hofarth is a potentially important figure for his leadership and contributions to the community through the Southface Energy Institute and the Atlanta Bicycle Coalition. Staff would add that it is unaware of any other official City recognition for Mr. Hofarth. Staff is also unaware of any designation of a bike lane in memoriam, anywhere in the City of Atlanta.

In the submittal, there is an indication of signage. There is no indication of what the signage will look like, what information would be on the sign and where the sign would be located. Depending on the design and location of the signage, Staff has concerns the additional signage may be confusing or distracting. Staff suggests the Applicant provide clarifications regarding the design, message and location of the proposed signage. As Staff agrees that Mr. Hofarth's contributions are worthy of recognition, Staff suggests the Applicant clarify whether there were other options explored to honor him.

Staff Recommendation: Staff recommends that a letter with the comments and findings of the Commission and Staff (as noted in the Staff Report) regarding the Review (RC-16-467) on an ordinance to designate the segment of bike lane located on Peachtree Street NE, between Ralph McGill Boulevard and Pine Street, in memoriam of **Dennis Hoffarth**, are sent to the Applicant and the appropriate City agencies.



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STAFF REPORT **October 26, 2016**

Agenda Item: Review and Comment (RC-16-468) on an ordinance to designate Michigan Avenue NW, between Lena Street NW and Ollie Street NW, as **Othello “Chico” Renfroe Lane**.

Applicant: Nursef Kedir
55 Trinity Avenue

Facts: The City Utilities Committee is considering a proposal to rename Michigan Avenue NW to Othello “Chico” Renfroe Lane. Michigan Avenue is located in the Washington Park neighborhood in NPU K.

Analysis: The following code sections apply to this application:

Per Section 138-8 of the Atlanta City Code:

(e) *Urban design commission review and comment.* All street renamings and dedications located in the City of Atlanta must be reviewed by the urban design commission and be the subject of a regularly scheduled commission meeting. In advance of such a meeting, neighborhood associations, historical groups, historic preservation groups, and other interested parties will be notified that the street renaming or dedication has been placed on the commission's agenda. After the meeting, written findings regarding the street renaming or dedication must be forwarded to the city's commissioner of its department of public works and must be received by the commissioner before the commissioner is authorized to submit to the city council legislation authorizing the street renaming or dedication.

The naming or renaming of a street (or any other City-related facility) is a significant undertaking by the City as it is one of the few ways for a person or event to be honored by the City by giving it a potentially permanent place in the City's future and thus its history. When streets and facilities (whether from the City's founding or more recently) are considered for renaming, the Staff finds that it is not appropriate to compare the significance of the existing name vs. the proposed name to each other (and by extension the people, events, or locations memorialized in those names). It is more appropriate to consider the respective honorees in relation to the era in which their significance is associated and how that significance is related to the City of Atlanta.

When taking this approach into account, the Staff finds Mr. Othello Nelson “Chico” Renfroe is a potentially important figure in baseball, sports broadcasting, sports journalism and for his contributions to the Washington Park neighborhood. The Staff would add that it is unaware of any other official City recognition (by way of a street or facility name) for Mr. Renfroe.

In the materials submitted with the application, no information was included regarding Michigan Avenue. It is not clear when or why the street received its name. In order to make an informed comment, Staff finds it is important to have information on the current street name. Given the lack of information we have about Michigan Avenue, it is unclear the significance of the name or any contributions made to the immediate community or the City of Atlanta.

In conclusion, Staff finds that both the namesake of Michigan Avenue and Mr. Othello Nelson “Chico” Renfroe are likely worthy of recognition for their contributions. Therefore, Staff would recommend that if Michigan Avenue is renamed to Othello “Chico” Renfroe Lane, recognition of the namesake of Michigan Avenue should be implemented by the City if appropriate.

Staff Recommendation: Staff recommends that a letter with the comments and findings of the Commission and Staff (as noted in the Staff Report) regarding the Review and (RC-16-468) on an ordinance to designate Michigan Avenue NW, between Lena Street NW and Ollie Street NW, as **Othello “Chico” Renfroe Lane**, are sent to the Applicant and the appropriate City agencies.



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TIM KEANE
Commissioner
Office of Design

STAFF REPORT **October 26, 2016**

Agenda Item: Review and Comment (RC-16-469) on an ordinance to designate Meldon Avenue SE, between Pryor Road SW and Jonesboro Road, as **Reverend O.L. Blackshear Way**.

Applicant: Nursef Kedir
55 Trinity Avenue

Facts: The City Utilities Committee is considering a proposal to rename Meldon Avenue SE to Reverend O.L. Blackshear Way. Meldon Avenue is located in the South Atlanta neighborhood in NPU Y.

Analysis: The following code sections apply to this application:

Per Section 138-8 of the Atlanta City Code:

(e) *Urban design commission review and comment.* All street renamings and dedications located in the City of Atlanta must be reviewed by the urban design commission and be the subject of a regularly scheduled commission meeting. In advance of such a meeting, neighborhood associations, historical groups, historic preservation groups, and other interested parties will be notified that the street renaming or dedication has been placed on the commission's agenda. After the meeting, written findings regarding the street renaming or dedication must be forwarded to the city's commissioner of its department of public works and must be received by the commissioner before the commissioner is authorized to submit to the city council legislation authorizing the street renaming or dedication.

The naming or renaming of a street (or any other City-related facility) is a significant undertaking by the City as it is one of the few ways for a person or event to be honored by the City by giving it a potentially permanent place in the City's future and thus its history. When streets and facilities (whether from the City's founding or more recently) are considered for renaming, the Staff finds that it is not appropriate to compare the significance of the existing name vs. the proposed name to each other (and by extension the people, events, or locations memorialized in those names). It is more appropriate to consider the respective honorees in relation to the era in which their significance is associated and how that significance is related to the City of Atlanta.

When taking this approach into account, Staff finds Reverend O.L. Blackshear is a potentially important figure for his leadership and contributions to the community. Staff would add that it is unaware of any other official City recognition (by way of a street or facility name) for Reverend Blackshear.

In the materials submitted with the application, no information was included regarding Meldon Avenue. It is not clear when or why the street received its name. In order to make an informed comment, Staff finds it is important to have information on the current street name. Given the lack of information we have about Meldon Avenue, it is unclear the significance of the name or any contributions made to the immediate community or the City of Atlanta.

In conclusion, Staff finds that both the namesake of Meldon Avenue and Reverend O.L. Blackshear are likely worthy of recognition for their contributions. Therefore, Staff would recommend that if Meldon Avenue is renamed to Reverend O.L. Blackshear Way, recognition of the namesake of Meldon Avenue should be implemented by the City if appropriate.

Staff Recommendation: Staff recommends that a letter with the comments and findings of the Commission and Staff (as noted in the Staff Report) regarding the Review (RC-16-469) on an ordinance to designate Meldon Avenue SE, between Pryor Road SW and Jonesboro Road, as **Reverend O.L. Blackshear Way**, are sent to the Applicant and the appropriate City agencies.



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TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT

October 26, 2016

Agenda Item: Application for a Review and Comment (RC-16-470) for the removal of a public art installation at 3240 West Manor Circle (West Manor Park) - Property is zoned R-3.

Applicant: Robert Witherspoon, City of Atlanta, Mayor's Office of Cultural Affairs
233 Peachtree Street, NE, Suite 1700

Facts: West Manor Park is located in southwest Atlanta in the West Manor neighborhood. The art work is in the front lawn of the park between the recreation center and Benjamin E. Mays Drive.

Installed in 1978, the art work consists of three L-spaced, metal volumes laying one of top of the next, in a tiered fashion. The art work is resting essentially on the ground.

The Mayor's Office of Cultural Affairs is recommending de-accessioning of the art work out of the City's public art collection due to the high cost to properly rehabilitate and re-install the work, as well as safety concerns about the collapse of the art work. The Mayor's Office of Cultural Affairs is further recommending, in consultation with the artist, that the art work be destroyed so that it cannot be used in another context.

Analysis: The following code sections apply to this application:

Per section 6-4043 of the Atlanta City Code, as amended:

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

While the Staff agrees that the art work is suffering from deterioration due to contact with water and moisture from the lack of a proper foundation and mounting base, it is not clear to the Staff the safety concerns raised by the Mayor's Office of Cultural Affairs. It does not appear to the Staff that the art work could fall over or collapse on itself given that the rest of the sculpture appears to be in intact condition. At the same time, the Staff understands the concerns of the Mayor's Office of Cultural Affairs of spending three times the value of the art work on its rehabilitation. It further concurs with the recommendation to destroy the art work as it appears to have been a site specific endeavor.

To offset the loss of this public art, the Staff has several recommendations.

First, it would recommend that before the art work is removed and destroyed, that a complete archival documentation package be prepared of the art work, including; labeled, color, large format photographs; a written, physical description; a statement from the artist regarding their original design intent and commentary on its removal; and a site plan indicating its location. This archival documentation package should be prepared in both hard copy and digital format. A hard copy should be placed in the permanent, publically-accessible files of the Mayor's Office of Cultural Affairs, as well as in the public archive of an established history or public arts organization.

Second, near the site or at the recreation center, a marker should be installed identifying and describing the removed public art.

Third, a new piece of public art should be installed in the park similar in scale and visual presence as the current public art. The Staff would note that this is not a recommendation for the new art work to be similar in intent, concept, design, materials, etc., just that it have the same scale and visual presence as the existing public art so as to appropriately occupy the space. This public art should be the result of collaboration between the Mayor's Office of Cultural Affairs, the Department of Parks and Recreation, and the general public.

Staff Recommendation: Staff recommends the Commission confirm the delivery of its comments at the meeting regarding an application for a Review and Comment (RC-16-470) for the removal of a public art installation at **3240 West Manor Circle (West Manor Park)**.



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TIM KEANE
Commissioner

Office of Design

STAFF REPORT **October 26, 2016**

Agenda Item: Review and Comment (RC-16-458) on a special use permit (U-16-020) for the transfer of development rights to **670 - 690 Dekalb Avenue** - Property is zoned I-2 / Inman Park Historic District (Subarea 3) / Beltline

At the Request of: Dentons, US, LLP on behalf of North American Properties
303 Peachtree Street

Facts: The project site sits on the north side of Dekalb Avenue south of the Edgewood Avenue bridge and east of Airline Street. The property includes property inside and outside the Inman Park Historic District that spans what was both sides of the historic railroad corridor (the District boundary followed the course of the historic railroad corridor). The property also contains the previous right-of-way and improvements of the north-south Gunby Street. As part of this project, the now Beltline corridor will be shifted on the site. The relocated Beltline corridor, along with the diagonal District zoning line creates a project site with three “sections”: east of the Beltline corridor, west of the Beltline corridor inside the District and west of the Beltline corridor outside the District. The Commission role is limited to the first two sections of the project: east of the Beltline corridor and west of the Beltline corridor inside the District.

This Review and Comment application relates to the Applicant’s special use permit request to transfer 30,000 sq. ft. of residential development rights onto the project site for a new mixed-use development. These residential development rights have been previously severed from the sending property, which was owned by Atlanta Beltline, Inc. This transfer of development rights (TDR) transaction would involve a property in a designated Historic District and as such is subject to Review and Comment by the Commission.

Also before the Commission at this time is a set of companion Certificate of Appropriateness Applications related to the same property / development:

- CA3-16-407 – a lot consolidation;
- CA3-16-408 - a variance to allow an increase in building height from 52’ (allowed) to 76’ (proposed); and
- CA3-16-409 - a new mixed-use development

The overall project to which these companion applications relate includes the following components / actions:

1. Demolish all of the existing improvements on the site;
2. Build a multi-story, multi-part, multi-frontage, mixed-use building generally wrapping around a parking deck to the west of the relocated Beltline corridor with retail facing the relocated Beltline corridor; and
3. Build a multi-story, residential building around a courtyard to the west of the relocated Beltline corridor.

Analysis: The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

- (e) Powers and Duties: The commission is the city agency responsible for developing and administering the city's historic preservation and urban design activities and shall have the following powers and duties:
 - (6) The commission shall review and make written recommendation to the zoning review board and to the board of zoning adjustment on any proposed action pending before said boards regarding any building, site or district which has been designated for historic protection pursuant to this article or by chapter 20 of part 16 of the Code of Ordinances.

As noted above, pending before the Commission are companion Certificate of Appropriateness applications that directly address the physical characteristics of the property and the project. While the TDR would result in more density being possible on the site, all of the physical characteristics of the project are still governed by the Inman Park Historic District and by the Beltline Zoning Overlay District. This includes the building heights, setbacks, site and pedestrian features, location of parking, general architectural composition, and compatibility with the surrounding properties.

The underlying zoning (I-2) would still regulate the type of uses and other basic zoning characteristics.

Further, as noted by the Applicant, even with the TDR the proposed project does not take advantage of all of the potential development rights on the site. The advantage of the TDR to the project is that it increases the amount of residential development that can occur on the site, which the Applicant finds is more useful than an increase in the amount of commercial or non-residential development potential.

Based on the information we have at this time and given the still pending Commission reviews related to the lot consolidation, a height variance, and the overall project design, the Staff has no concerns regarding the proposed TDR.

Staff Recommendation: Staff recommends that a letter of support with the Staff's and the Commission's comments be sent to the Applicant and the Zoning Review Board regarding Review and comment (RC-16-458) on a special use permit (U-16-020) for the transfer of development rights to **670 - 690 Dekalb Avenue**.



CITY OF ATLANTA

KASIM REED
MAYOR

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TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT
October 12, 2016
Updated October 26, 2016
(updated text in italics)

Agenda Item: Application for a Type IV Certificate of Appropriateness (CA4PH-16-420) for a demolition due to a threat to public health and safety at **348 Hamilton E Holmes Dr.** Property is zoned R-4 / Collier Heights Historic District.

Applicant: Jenay Myers
321 Villa View Way, Hampton

Facts: This existing single family residence was constructed in 1945 and is considered contributing to the District.

At the October 12, 2016 Commission meeting, the Commission found that the Applicant had met the burden of proof on the majority of Staff's concerns which are detailed in the previous Staff Report. The Commission then voted to defer the application to allow the Applicant time to address the following 3 staff concerns:

- 1. The Applicant shall submit an independent analysis and supporting information to document a major and imminent threat to public safety, per Section 16-20.008;*
- 2. The Applicant shall provide documentation regarding the fair market value using similar properties located within the Collier Heights Historic District, per Section 16-20.008;*
- 3. The Applicant shall provide documentation regarding the market value estimate after the demolition or removal of the structure, per Section 16-20.008;*

Analysis: The following code sections apply to this application:

Per Section 16-20.007. Certificates of appropriateness; generally.

- (a) When Required, Generally: In addition to other permits which are required pursuant to any city ordinance, and in addition to any certificate of appropriateness which may be required pursuant to any other landmark or historic building, site or district regulation contained in part 16 of the Code of Ordinances, certificates of appropriateness shall, unless provided otherwise in the detailed regulations governing Landmark or Historic Districts contained within a designation ordinance as provided in section 16-20.006 of the Code of Ordinances, be required for any of the following actions within each of the following categories.

- (4) Historic Districts:
 - (c) To demolish or move any contributing structure in whole or in part, within an Historic District;

Analysis: The following code sections apply to this application:

Per Section 16-20.007. Certificates of appropriateness; generally.

(a) When Required, Generally: In addition to other permits which are required pursuant to any city ordinance, and in addition to any certificate of appropriateness which may be required pursuant to any other landmark or historic building, site or district regulation contained in part 16 of the Code of Ordinances, certificates of appropriateness shall, unless provided otherwise in the detailed regulations governing Landmark or Historic Districts contained within a designation ordinance as provided in section 16-20.006 of the Code of Ordinances, be required for any of the following actions within each of the following categories.

- (5) Historic Districts:
 - (c) To demolish or move any contributing structure in whole or in part, within a Historic District;

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).]
- (1) Certificates of Appropriateness.
 - d. Type IV Certificates of Appropriateness shall be required for demolition or moving of any contributing principal structure. A partial demolition of a contributing principal structure shall require a Type IV Certificate of Appropriateness only when said partial demolition will result in the loss of significant architectural features which destroys the structure's historic interpretability or importance.

Staff Response to the Application Submitted

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

No Independent analysis or supporting information has been submitted. The Applicant has submitted, however, a Notice of an Unsafe Building issued by the Office of Buildings. Staff finds that the Notice of an Unsafe Building does not satisfy the requirement that an independent analysis of the structure be performed. In general, Staff finds that a major and imminent threat to public threat exists when the building is in danger of collapsing. As such, Staff recommends the Applicant submit an independent analysis and supporting information to document a major and imminent threat to public safety.

The Applicant has submitted a letter from Atlanta Construction Enterprises, Inc. which details the level of deterioration of the property. Based on this analysis, it appears to Staff that the original damage has begun to spread to other portions of the structure.

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

The Applicant has not submitted information on reasonable alternatives to demolition for rectifying the threat, and states that no reasonable alternatives exist. Staff recommends the Applicant provide documentation that alternatives to demolition, such as renovation of the existing structure, are not reasonable.

Based on the Commission's decision at the October 12, 2016 public hearing, Staff finds this recommendation has been met.

3. Demonstrate that the costs associated with rectifying the threat would create a condition whereby the investments in the project are incapable of earning a reasonable economic return. This finding shall be made by considering, and the applicant shall submit to the Commission evidence establishing, each of the following factors:

a) The applicant's knowledge of the landmark designation at the time of acquisition, or whether the property was designated subsequent to acquisition.

The property owners are aware of the historic designation.

b) The current level of economic return on the property as considered in relation to the following:

(1) The amount paid for the property, the date of purchase, and party from whom purchased, including a description of the relationship, if any, between the owner of record or applicant and the person from whom the property was purchased.

No information regarding the purchase price of the property was provided. The Applicant states the property was acquired in the 1950's.

(2) The annual gross and net income, if any, from the property for the previous three (3) years; itemized operating and maintenance expenses for the previous three (3) years; and depreciation deduction and annual cash flow before and after debt service, if any, during the same period.

According to the Applicant, the property does not generate income and has been vacant for several years.

(3) Remaining balance on any mortgage or other financing secured by the property and annual debt service, if any, during the prior three (3) years.

The Applicant has stated the mortgage for the property is paid in full.

4. Real estate taxes for the previous four (4) years and assessed value of the property according to the two (2) most recent assessed valuations.

| | |
|------|----------|
| 2012 | \$204.37 |
| 2013 | \$165.90 |
| 2014 | \$170.50 |
| 2015 | \$164.45 |

2015 Assessed value- \$3,760.00

2016 Assessed value- \$3,760.00

5. All appraisals obtained within the previous two (2) years by the owner or applicant in connection with the purchase, financing or ownership of the property.

There were no appraisals available.

6. The fair market value of the property immediately prior to its designation and the fair market value of the property (in its protected status as a designated building or site) at the time the application is filed.

According to the Applicant, the fair market value of the property immediately prior to its designation was \$64,400.00 in 2002. The Applicant also states that the current fair market value of the property is \$3,760.00, but has not provided any comps for similar properties in the District to support this analysis. Staff finds that additional information is needed to establish the fair market value of the property. Staff recommends the Applicant provide documentation regarding the fair market value using similar properties located within the Collier Heights Historic District.

The Applicant has provided market information for 6 similar properties within the Collier Heights Historic District within the last 6 months. The sales price of these homes range from \$18,500 to \$70,000.

7. Form of ownership or operation of the property, whether sole proprietorship, for-profit or not-for-profit corporation, limited partnership, joint venture, or both.

According to the Applicant the property is currently held in trust by the executor of the estate of Gillette Dunlap.

8. Any state or federal tax returns on or relating to the property for the past two (2) years.

According to the Applicant, there are not tax records available.

9. That the property if not marketable or able to be sold, considered in relation to any listing of the property for sale or rent, price asked, and offers received, if any, within the previous two (2) years. Including testimony and relevant documents regarding:

a) Any real estate broker or firm engaged to sell or lease the property.

According to the applicant, this question does not apply.

b) Reasonableness of the price or rent sought by the applicant.

According to the Applicant the property is not for rent or for sale.

c) Any advertisement placed for the sale or rent of the property.

According to the Applicant, no advertisements have been placed and the property has not been listed.

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

a) A report from a licensed engineer or architect with experience in rehabilitation as to the structural soundness of any structures on the property and their suitability for rehabilitation.

The Applicant has not provided a report from a licensed engineer or architect with experience in rehabilitation, citing the Notice of an Unsafe Building issued by the Office of Buildings. Staff finds that the issuance of a Notice of an Unsafe Building by the Office of Buildings does not circumvent the requirement to obtain a report from a licensed engineer or architect with experience in rehabilitation as to the structural soundness of any structures on the property and their suitability for rehabilitation. As such, Staff recommends the Applicant provide a report from a licensed engineer or architect with experience in rehabilitation as to the structural soundness of any structures on the property and their suitability for rehabilitation.

Based on the Commission's decision at the October 12, 2016 public hearing, Staff finds this recommendation has been met.

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.

According to the Applicant demolition of the structure would cost between \$11,195-\$12,195, but Staff has not received a copy of this estimate. Staff recommends the Applicant provide a copy of the demolition estimate for this property. The Applicant did not provide information regarding other alternatives besides demolition of the structure.

Staff recommends the Applicant provide estimates for additional alternatives including a detailed estimate for renovations and new construction.

Based on the Commission's decision at the October 12, 2016 public hearing, Staff finds this recommendation has been met.

- c) Estimated market value of the property in the current condition; after completion of the proposed construction, alteration, demolition, or removal; and, in the case of a proposed demolition, after renovation of the existing property for continued use.**

According to the Applicant the value of the property in its current condition is \$7,000. The Applicant has not provided documentation regarding this value. Staff recommends the Applicant provide documentation regarding the market value estimate. According to the Applicant the estimated value after demolition or removal would be between \$8,000 - \$10,000. The Applicant has not provided documentation regarding this value. Staff recommends the Applicant provide documentation regarding the market value estimate after the demolition or removal of the structure. No information regarding the estimated value of the property after renovation of the existing property for continued use has been received. Staff recommends the Applicant provide documentation showing the estimated market value of the property after renovation of the existing property for continued use.

The Applicant has supplied copies of the most recent property assessment for tax purposes for this property. According to the Applicant's demolition contractor, the property could be up to \$1,000 more than the assessed value of \$9,400 after demolition. The Applicant's realtor was unable to provide market information for vacant properties in the District. Staff finds that this requirement has not been met as a demolition contractor would not typically be engaged to perform real estate market analysis. Staff recommends the Applicant provide documentation regarding the market value estimate after the demolition or removal of the structure based on market information for vacant lots in the District within the last 6 months.

Based on the Commission's decision at the October 12, 2016 public hearing, Staff finds the recommendation regarding the market value of the property after renovation has been met.

- 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.**

There is a letter from a real estate agent that indicates that renovating the property is not economically feasible. No information regarding the economic infeasibility of renovating the property has been received. Staff finds further information is needed. Staff recommends the Applicant provide information regarding the feasibility of renovating the existing home.

Based on the Commission's decision at the October 12, 2016 public hearing, Staff finds this recommendation has been met.

- e) **The infeasibility of new construction around, above, or below the existing protected building or site, and the infeasibility of a transfer of development rights, including an assessment of the monetary value that could be derived from such a transfer, pursuant to section 16-28.023 of the Code of Ordinances.**

According to the Applicant, the dangerous and unsafe nature of the structure makes construction above or below impossible and would make the transfer of development rights infeasible, but has provided no supporting documentation. Staff finds that the transfer of development rights would generally not apply to a residential lot such as the subject property, but finds that more information regarding the infeasibility of new construction around, above, or below the protected building or site is needed. Staff recommends the Applicant provide information regarding the infeasibility of new construction around, above, or below the protected building or site.

Based on the Commission's decision at the October 12, 2016 public hearing, Staff finds this recommendation has been met.

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

The Applicant provided a chart of seven different options with indications as to whether the incentives applied to their situation.

12. Also, please provide photographs of the existing conditions of the building, both exterior and interior.

The Applicant has provided pictures.

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. 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, Staff will include the report in the file for future reference.

Overall Comments

Based on the pictures provided, Staff finds that the existing building is in a state of disrepair. It is clear that the most of the front roof plane needs to be replaced, the exterior walls need to be repaired and in some instances replaced, the interior floor systems need to be replaced and there are likely issues with the foundation due to the structure being open to the elements.

While Staff finds that the building in its current condition is unsafe and a nuisance, Staff does not find the Applicant has proven the property is an imminent and major threat to public health and safety. As previously mentioned, a major and imminent threat to public health and safety exists when the

building is in danger of collapsing. Based on the information submitted, Staff finds a major and imminent threat has not been proven.

As Staff has determined that a major and imminent threat to public health and safety has not been proven, Staff finds that any alternatives presented would be moot as this time. However, as discussed above, the Applicant has not submitted any alternatives to demolishing the structure. Staff finds further documentation is required regarding the following: the values of the property currently and after reasonable alternatives are explored, and the infeasibility of rehabilitation or reuse of the property. Given the information we have at this time, Staff cannot support the application for demolition.

The contractor's letter has provided information into the structural soundness of the left side of the structure, and the effect it is having on the structure as a whole. Based on this information, Staff finds that multiple portions of the structure have been rendered structurally unsound due to prolonged exposure to the elements. In Staff's previous comments it is noted that a major and imminent threat exists when the structure is in danger of collapsing. This standard exists to differentiate between a structure which is only a danger to those entering it, and a structure which is a danger to anyone elsewhere on the property or on the public right of way. Based on the Contractor's report Staff finds the structure to be structurally unsound and in danger of collapsing. As such, Staff finds the structure presents a major and imminent threat to public health and safety. In order to preserve a record of the existing structure for any future architectural use, Staff recommends the Applicant submit archival quality photographs showing all exterior facades, and any interior spaces as are reasonable given the dangers with entering the home. Staff recommends the photographs be submitted in hard copies on 5x7 or similar sized paper and which are clearly labeled with both the address and the directional view of the structure, along with digital copies on an archival quality CD.

Staff Recommendation: Based upon the following:

- a) The Applicant has proven a threat to public health and safety, per Section 16-20.008;
- b) The Applicant has proven there are not alternatives to rectifying the public threat to health and safety; and

Staff recommends *approval* of the Application for a Type IV Certificate of Appropriateness (CA4PH-16-420) for a demolition due to a threat to public health and safety at **348 Hamilton E Holmes Dr.** with the following condition:

1. *The Applicant shall provide documentation regarding the market value estimate after the demolition or removal of the structure based on market information for vacant lots in the District within the last 6 months.*
2. *The Applicant shall submit archival quality photographs showing all exterior facades and interior spaces as may be reasonable given the dangers with entering the home. The photographs shall be clearly labeled with both the address and the directional view of the structure and shall be submitted in hard copy on 5x7 or similar sized paper along with digital copies on an archival quality CD.*