



CITY OF ATLANTA

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DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
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TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT November 21, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-490) for the consolidation of two (2) lots into one (1) lot at **900 & 904 DeKalb Ave.** Properties are zoned C-2 / Inman Park Historic District (Subarea 2) / Beltline.

Applicant: Luke Wilkinson
154 Krog St. NE Suite 170

Facts: According to the District inventory, the structure at 900 DeKalb Ave was constructed in 1955 and considered non-contributing to the District.

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.

In October of this year, the Commission reviewed and commended on Special Exception V-16-254 to allow a reduction in the required on-site parking.

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.
 - a. Except as otherwise provided herein, the procedures for determining the appropriate type of certificate of appropriateness shall be those specified in section 16-20.008 of the Zoning Code.
 - e. Initial plan review for proposed improvements in Subareas 2 and 3. Prior to submission of any development plans involving new construction including any addition to any existing building that otherwise requires review by the commission, such plans shall first be submitted to and reviewed by the bureau of planning for conformance with the zoning requirements of Subarea 2 or 3 as applies. The director of the bureau of planning shall review said plans and shall transmit to the director of the urban design commission in writing within 30 days of receipt of such plans a written statement as to whether or not in the planning director's opinion, such plans are in conformance with the zoning requirements imposed within Subarea 2 or within Subarea 3, as is applicable.

- f. 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.
- 2. Certificates of appropriateness.
 - a. Notwithstanding any other provision herein, no certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - b. Type I certificates of appropriateness for ordinary repairs and maintenance shall not be required in this district. Painting or repainting of any structure or portion thereof does not require a certificate of appropriateness.
 - c. Type II certificates of appropriateness shall be reviewed by the director of the commission and shall be required for:
 - i. All alterations to existing structures where visible from a public street or park, unless such alterations or additions are specifically exempted from certificates of appropriateness in the subarea regulations.
 - ii. Fences, walls, accessory structures, decks, rear porches, and paving.
 - iii. If a Type II certificate of appropriateness is required and the proposed alteration meets the requirements of section 16-20L.006, section 16-20L.007, or section 16-20L.008, as applicable, the director of the commission shall issue Type II certificate within 14 days of the application.
 - iv. If a Type II certificate of appropriateness is required and the proposed alteration does not meet the requirements of section 16-20L.006, section 16-20L.007, or section 16-20L.008, as applicable, the director of the commission shall deny the application with notice to the applicant within 14 days of the application.
 - v. Appeals from any such decision of the director regarding the approval and/or denial of Type II certificates may be taken by any aggrieved person by filing an appeal in the manner prescribed in the appeals section of Chapter 16-20.008(a) for Type I certificates.
 - d. Type III certificates of appropriateness shall be reviewed by the commission and shall be required for:
 - iv. Subdivisions, consolidations, and replats as required per section 16-20L.005(5).
- 5. Subdivisions or consolidations.
 - b. In Subarea II and III, no replat to create additional lots or consolidation shall be approved unless and until the commission has made a finding that the proposed replat or consolidation will result in lots that would allow for future development that would meet the district and subarea regulations without the need for variance or special exception. The commission may make such a finding independent of or concurrently with the review of proposed new construction, alterations, or additions on those same lots.

The Applicant is proposing to consolidate a series of lots along the north side of DeKalb Ave. The additional space created would serve as parking which would serve the proposed development at 900 DeKalb Ave. In general, Staff finds that the proposed lot configuration would likely not require a variance. In general, Staff finds that the proposed configuration would fit in with the overall lot configuration for the commercial parcels in the subarea. As such, Staff has no concerns with the proposed consolidation.

CA3-16-490:

Staff Recommendation: Based upon the following:

- 1) The project meets the regulations with the exceptions noted above, per Sec. 16-20L.005;

Staff recommends approval of an Application for a Type III Certificate of Appropriateness (CA3-16-490) for the consolidation of two (2) lots into one (1) lot at **900 & 904 DeKalb Ave.**



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TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT November 21, 2016

Agenda Item: Review and comment (RC-16-227) for a new playground and site work at **430 Lakeshore Drive (Lake Claire Park)** – Property is zoned R-4.

Applicant: Kissberg Parker Fry JV LLC
6575 Peachtree Industrial Boulevard

Facts: The park is located along the west side of Lakeshore Drive in a “T” shape with additional frontage along McClendon Avenue to the south, and a pedestrian connection to Almeta Avenue to the west. The park consists mostly of open space and wooded areas with a few contemporary features, including walkways, signage, lighting, retaining walls, playground equipment, tennis courts, and a pavilion. As viewed from Lakeshore Drive, the majority of the park sits below sidewalk level and is accessed through an asphalt drive near the playground and a small set of stairs at the northern end of the Lakeshore Drive frontage. The existing playground is located near Lakeshore Drive on the southern end of that frontage.

The proposed work consists of the following actions:

- Renovate and enhance the existing playground equipment, add a metal picket fence along the lawn / playfield side of the playground area (the northern edge), add a seat wall along the western edge, and build an adjacent “gathering area” with a drinking fountain, benches, and electrical outlets;
- Remove the existing asphalt access drive and replace with a concrete maintenance lane / walkway;
- Construct an accessible route from Lakeshore Drive down to the playground using a wood boardwalk and ramp system; and
- Install a rain garden between the accessible route and the playground area, as well as to the south of the playground.

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.
- (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.

While the Staff generally finds that the design of the project is appropriate for the context in which it sits (within a park with contemporary / new features within the Lake Claire neighborhood), the Staff does have several comments and concerns.

First, the installation of a fence along the northern edge of the playground would suggest that there is a drop off there, but it is not clear if there is or will be a retaining wall upon which the proposed fence would sit. Further, if there is or will be a retaining wall, it should be a material that is compatible with the park's overall design and the neighborhood in which is located.

Second, the Staff is concerned about the lack of seating on the western and northern edges of the playground.

Third, given the slope down which the accessible route will be built, the Staff is concerned that from the bottom of the slope, park users might be able to see the underside of the boardwalk and ramp system. The Staff would recommend that any visibility of the underside of the boardwalk and ramp system be blocked by landscaping or finished screen walls.

Fourth, the Staff is concerned that the proposed shade structure over the gathering area is not included in the current phase of the proposal. While it understands the limitations of any given budget, this structure would appear to be the only way to shade any part of the playground area and provide a respite from the summer sun and heat for park users.

Staff Recommendation: The Staff recommends that the Commission confirm the delivery of its comments at the meeting for an application for Review and comment (RC-16-494) for a new playground and site work at **430 Lakeshore Drive (Lake Claire Park)** – Property is zoned R-4.



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STAFF REPORT November 21, 2016

Agenda Item: Application for Type III Certificates of Appropriateness (CA3-16-496 for alterations and additions to an accessory structure at **1655 South Ponce de Leon Avenue**. - Property is zoned Druid Hills Landmark District.

Applicant: Alice Johnson Design
1403 Emory Road

Facts: According to the Druid Hills inventory, the single family house on the property was built in 1920 and is considered contributing to the District, as is the accessory structure that is the subject of this application. According to the Applicant, the accessory structure was built around 1920 as well. The property sits up from the side walk and street, with the property continuing to rise in the rear yard where the accessory structure is located. The accessory structure consists of a garage on a lower level that faces the front of the property and a living area behind it that is accessed through two different doors that face the rear of the property.

The current application consists of the following actions:

1. Remove the rear facing stoop to the living area, three rear facing windows, and two rear facing doors;
2. Add a full width screen porch along the back of the accessory structure with a concrete floor, shed roof, and wood columns;
3. Add a shed dormer on the rear roof plane of the accessory structure with four small windows; and
4. Add three windows and a set of French doors in the rear wall of the accessory structure into the proposed screen porch.

Analysis: The following code sections apply to this application:

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

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

- (1) General Standards. In the Druid Hills Landmark District, the Commission shall apply the following general standards only if the standards set forth elsewhere in this chapter 20B do not specifically address the application:
 - (a) A property shall be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
 - (b) The historic character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property shall be avoided.
 - (c) Each property shall be recognized as a physical record of its time, place, and use. Changes shall not be undertaken that create a false sense of historical development, such as adding conjectural features or elements from other historic properties.
 - (d) Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
 - (e) Distinctive materials, features, finishes, and construction techniques, or examples of craftsmanship that characterize a property, shall be preserved.
 - (f) Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, texture, and, where possible, materials.
 - (g) Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
 - (h) Archaeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.
 - (i) New additions, exterior alterations, or related new construction, shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work may be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
 - (j) New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
- (2) Certificates of Appropriateness.
 - (a) Except as otherwise provided herein, the procedures for determining the correct type of certificate of appropriateness shall be those specified in section 16-20.008 of the Zoning Ordinance.
 - (b) Notwithstanding any other provision herein, no certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - (c) No certificate of appropriateness shall be required for the removal of dead, dying, or hazardous tree as defined in the City of Atlanta Tree Ordinance or a tree with a diameter breast height of less than six (6) inches.
 - (g) Type III certificates of appropriateness shall be reviewed and decided by the Commission and shall be required for:
 - i. All new principal structures.
 - ii. All additions to existing principal structures and accessory buildings, including decks.
 - iii. All new accessory structures.
- (4) Minimum landscape requirements: The overall quality of the landscaped area visible from public right-of-ways should be preserved as an integral part of the historic character of the District. Any major alteration to the landscape or topography visible from the public right-of-way in the District shall maintain the general landscaping scale and character reflected in the original development of Druid Hills in order to preserve the historic landscape character of the District. Any major alteration to the landscape or topography visible from the public right-of-way shall:
 - (a) follow the standards set forth in 16-20B.003(1);
 - (b) be consistent and compatible with the overall landscape plan and design on the property and block;
 - (c) maintain the spatial organization of an open space in front of the house, asymmetrical plantings on the sides of the principal structure and a rear tree canopy;
 - (d) not excessively or unnecessarily alter the natural topography of the site, with the exception of grading necessary to protect and preserve the integrity of a structure;
 - (e) ensure that any new grades shall meet the existing topography in a smooth transition;
 - (f) retain any existing historic circulation systems, including driveways, walkways and paths;
 - (g) ensure that any new circulation systems and substantial reconstruction of existing circulation systems is consistent and compatible with the existing circulation systems on the property and block with respect to layout, scale, materials, and topographic siting;
 - (h) ensure that any off-street parking be constructed of a material which will assure a surface resistant to erosion, have adequate access to a public street and have adequate circulation space; and
 - (i) comply with the provisions of the City of Atlanta Tree Ordinance with the following exceptions:
 - i. When the removal of trees is permitted by the Commission, each tree removed shall be replaced with a tree of an appropriate species having a minimum caliper of two and one half (2 ½) inches; and
 - ii. Taking into account the site density and tree spacing regulations of the City of Atlanta Tree Ordinance, any replacement trees and placement of said trees shall comply with (a)-(g) above.

- (iii) Compliance with (i) above shall not eliminate any additional recompense or tree replacement that otherwise may be required by the City of Atlanta Tree Ordinance.
- (5) Minimum drainage controls: Structures shall be located so as to preserve the natural terrain of the district. Proper drainageways shall be provided to prevent increased water runoff and erosion, siltation of streams or flooding of property as required by the department of public works.
 - (a) No structure shall be permitted within any 100-year floodplain.
 - (b) No single-family structure shall be constructed on natural slopes greater than 25 percent.
 - (c) No structure other than single-family shall be permitted on slopes greater than 15 percent.
- (6) Minimum architectural controls: Any new construction, additions, renovations or alterations in the District shall maintain the general architectural scale and character reflected in the original development of Druid Hills in order to preserve the historic character of the district and shall follow the standards set forth by Section 16-20B.003(1).

Sec. 16-20B.004. - Ponce de Leon Corridor regulations.

In addition to the general regulations required in section 16-20B.003, the following regulations shall apply to any new development or the conversion of any existing structures to permitted uses within the Ponce de Leon Corridor. These regulations are intended to preserve the environmental character and the physical appearance of the corridor in order to encourage the continued use of the existing structures for residential use where feasible, and to assure that any nonresidential use which may be permitted for preservation purposes in existing structures is compatible with the historic character of the district as a whole.

- (1) Permitted principal uses and structures:
 - a. Single-family dwelling and two-family dwelling.
- (2) Permitted accessory uses and structures: Uses and structures are permitted which are customarily incidental and subordinate to permitted uses and structures. These include but are not limited to the following, subject to limitations and requirements set forth herein or elsewhere in this chapter:
 - a. Greenhouses, garden sheds, private garages and similar structures.
 - b. Guest houses, servant quarters, or lodging facilities for caretakers or watchmen.
 - c. Swimming pools, tennis courts and similar facilities.
 - d. Home occupation, subject to limitations set forth in section 16-29.001(17).
 - e. Structures necessary to support active construction projects on the same property.
 - f. Except in the case of home occupation, no accessory use shall be of a commercial nature.
 - g. Such structures shall be located to the rear of the principal structure and not within any required side or rear yards
- (5) Lot coverage:
 - a. For single-family and two-family dwellings: No more than 35 percent of the lot may be covered by structures, parking and driveways.
- (6) Minimum yard and development requirements:
 - a. Setbacks:
 - 4. South side of Ponce de Leon, Fairview Road NE to Atlanta city limits:
 - Front yard: 168 feet.
 - Side yards:
 - Single-family: 20 feet.
 - Two-family: 25 feet.
 - Multifamily: 30 feet.
 - Other use: 50 feet.
 - At public street: 50 feet.
 - Rear yard: 35 feet.
 - c. Maximum height: No building shall exceed 45 feet in height.
 - d. Off-street parking may be located within ten feet of side and rear yard lines upon approval of the commission. Such approval shall be conditioned upon adequate buffering and screening. No parking in required yards will be allowed where such yards adjoin public rights-of-way.

General Development Controls

There are a variety of accessory uses allowed in the Ponce de Leon corridor. Though labeled as a “studio” it would appear that this accessory building could also be a guest house of some type. The Staff would recommend the Applicant confirm the proposed use of the accessory structure.

The proposed lot coverage is not indicated on the site plan. The Staff would recommend the Applicant document compliance with the maximum lot coverage requirement.

The proposed screen porch addition to the accessory structure meets the setback requirements.

The survey submitted with the plans indicates that no portion of the property is within a “federal flood area”.

The District regulations restrict building on slopes of greater 25% for single-family structures (including additions thereto) and 15% for other structures. While likely not an issue the Staff would recommend the Applicant document compliance with all of the District’s slope disturbance requirements.

Site Work

There are no new fences or walls proposed as part of the project.

There is no change in the amount or location of parking on the property.

No trees are indicated as being affected by the proposed addition. Nonetheless, the Staff would recommend the Applicant document compliance with the District’s tree-related regulations if any trees are affected by the proposed work.

Accessory Structure Work

The proposed alterations and additions do not change the overall height of the accessory structure, which is well below the 45 ft. height limitation.

The Staff does concur that the accessory structure is contributing to the property and the District. At the same time, it finds that the proposed removal of the existing rear-facing stoop, rear-facing windows, and rear-facing doors is typical for a rear addition and would not affect the overall historic integrity and character of the accessory structure. As such, the Staff does not have concerns about the removal of these features from the accessory structure.

Similarly, in general the Staff does not have concerns about the proposed additions and alterations. They are compatible with the architectural style of the accessory structure, would use compatible exterior materials, do not in any way overwhelm the massing or design of the accessory structure, and would have no visibility from any public street.

However, the Staff is somewhat concerned that due to the use of “matching” materials and architectural elements, the proposed additions might appear too seamless with the original structure and thus create a false sense of historical development for the accessory structure. The Staff would recommend the additions be slightly differentiated from the existing accessory structure to avoid a false sense of development.

Staff Recommendation: Based upon the following:

a) Except as noted above, the proposed design does meets the District regulations, per Section 16-20B.

The Staff recommends approval of the application for an Application for Type III Certificates of Appropriateness (CA3-16-496 for alterations and additions to an accessory structure at **1655 South Ponce de Leon Avenue** with the following conditions:

1. The Applicant shall confirm the proposed use of the accessory structure, per Section 16-20B.004(2);
2. The Applicant shall document compliance with the maximum lot coverage requirement, per Section 16-20B.004(5)(a);
3. The Applicant shall document compliance with all of the District's slope disturbance requirements, per Section 16-20B.003(5)(b) and (c);
4. The Applicant shall document compliance with the District's tree-related regulations if any trees are affected by the proposed work, per Section 16-20B.003(4);
5. The additions shall be slightly differentiated from the existing accessory structure to avoid a false sense of development, per Section 16-20B.003(1) and (6); and
1. The Staff shall review, and if appropriate approve, the final plans and supporting documentation.



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TIM KEANE
Commissioner
OFFICE OF DESIGN

STAFF REPORT November 21, 2016

Agenda Item: Review and Comment (RC-16-499) on site work at **800 Cherokee Avenue (Zoo Atlanta)**.

Applicant: Alan Wieczynski
15 Simpson Street

Facts: On May 25, 2016, the Commission reviewed and commented on (RC-16-182) on an update to the 2008 Zoo Master Plan. This current application is for a specific project to install a new ropes course over an existing playground yard. The existing equipment under the proposed ropes course would be relocated.

Analysis: The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

- (5) The commission shall review the proposed location and design of buildings, bridges, viaducts, elevated ways, streets, highways, gates, fences, railings, lamp standards, and other structure or fixtures to be erected or placed on land belonging to the city, or on any private or public property which extends over or upon any property or right-of-way owned or controlled by the city.

The proposal includes the removal of most of the equipment from the playground area near the entrance, moving the main playground structure to the western side of the playground area and installing a two-level ropes course in the former playground location. The ropes course would be a multi-level wood and steel structure with access from an existing raised plaza north of the playground area. The plaza is above a tunnel over the nearby children's train. The ropes course structure would be "contemporary" design that does not attempt to look rustic or "natural".

While the Staff does not have any concerns about the overall concept / "design" of the proposed ropes course structure, it does have several comments about the project. First, the Commission reviewed an update to the Zoo Atlanta Master Plan earlier this year. The Staff would recommend the Applicant describe how the ropes course and reducing the size of the playground relates to the implementation of the revised Master Plan for Zoo Atlanta. Second, the proposal would appear to make the playground area substantially smaller by removing equipment and presumably limiting access to areas below the ropes course. The Staff is concerned that given the ropes course would likely be for older children there won't be a significant play area for younger children at Zoo Atlanta. Third, it is not clear from the submission if access to the area under the rope course will indeed be restricted for safety or other reasons. Fourth, right now the plaza provides a view over the children's area of Zoo Atlanta. While not especially high, the view provides a sense of arrival / departure from this portion of Zoo Atlanta. The Staff is concerned that with the installation of the ropes course, the visual relationship between the plaza and the children's area will be diminished.

Staff Recommendation: The Staff recommends Commission deliver its comments at the meeting regarding RC-16-499 on site work at 800 Cherokee Avenue (Zoo Atlanta).



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STAFF REPORT November 21, 2016

Agenda Item: Review and Comment (RC-16-500) on demolition and new construction at **800 Cherokee Avenue (Zoo Atlanta)**.

Applicant: Alan Wieczynski
15 Simpson Street

Facts: On May 25, 2016, the Commission reviewed and commented on (RC-16-182) on an update to the 2008 Zoo Master Plan. This current application is for a specific project to replace the existing “curator barn” with a new curator barn in the same location.

Analysis: The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

- (5) The commission shall review the proposed location and design of buildings, bridges, viaducts, elevated ways, streets, highways, gates, fences, railings, lamp standards, and other structure or fixtures to be erected or placed on land belonging to the city, or on any private or public property which extends over or upon any property or right-of-way owned or controlled by the city.

The proposal includes the demolition of the existing curator barn, which is a contemporary, utilitarian-style building with no architectural design or features. As noted in the project description, it is not used by or visible to the general public and is considered a “back of house” structure. This building would be replaced by a new building with a slightly smaller footprint but with a similar, basic-utilitarian design.

While the Staff does not have any concerns about the removal of the existing building or the overall concept / “design” of the proposed building, it does have several comments about the project. First, the Commission reviewed an update to the Zoo Atlanta Master Plan earlier this year. The Staff would recommend the Applicant describe how the replacement of the curator barn relates to the implementation of the revised Master Plan for Zoo Atlanta. Second, it is not clear from the submission how the storm water run-off from the building will be handled. Gutters are specified for the pre-fabricated building, but no other information was included about storm water management. Third, the plans indicate the removal of two significant trees near the east side of the building (14 in. and 28 in., respectively) but not if or how they will be replaced. Fourth, it is not clear what will happen to the area of the site what was previously occupied by the larger footprint of the curator barn being removed. The Staff assumes the concrete pad will be removed and landscaping installed, but that is not described in the submission.

Staff Recommendation: The Staff recommends Commission deliver its comments at the meeting regarding RC-16-500 on demolition and new construction at 800 Cherokee Avenue (Zoo Atlanta).



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TIM KEANE
Commissioner
CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT November 21, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-501) for alterations, window replacement, and a rear addition at **125 Pearl St.** Property is zoned Cabbagetown Landmark District (Subarea 3) / Beltline.

Applicant: Adam Stillman
350 Sinclair Ave.

Facts: This 1920's Extended hall-parlor structure is considered contributing to the District.

Analysis: The following Code sections apply to this application:

Sec. 16-20A.005. - Certificates of appropriateness.

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

- (1) *When required:*
 - a) To change the exterior appearance of any portion of a structure within the district;
 - b) To erect a new structure or to make an addition to any structure within the district;
 - c) To demolish or move any contributing structure, in whole or in part, within the district;
- (2) *Type required:*
 - a) When a certificate of appropriateness is required under the provisions of subsection (a) above, the procedures for determining the appropriate type of certificate shall be those specified in section 16-20.008 of the Zoning Code. Provided, however, that a partial demolition of a contributing building 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.

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

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

- (2) The commission shall apply the standards in section 16-20.009 only if the standards set forth elsewhere in this chapter 20A do not specifically address the application.
- (6) The compatibility rule.
 - a) In general, the intent of the regulations and guidelines is to ensure that alterations to existing structures and new construction are compatible with the design, proportions, scale, massing, and general character of the contributing buildings in the immediately adjacent environment of the block face, the entire block, a particular subarea (including appropriate reference to subarea style) or the district as a whole. To permit flexibility, many regulations are made subject to the compatibility

rule, which states: "The element in question (roof form, architectural trim, etc.) shall match that which predominates on the contributing buildings of the same architectural style and like use on that block face or, where quantifiable (i.e., buildings height and width as measured at front façade, floor height, lot dimensions, etc.), no smaller than the smallest or larger than the largest such dimension of the contributing buildings of the same architectural style and like use in that block face."

- b) For the purposes of the compatibility rule, height and width shall be measured at the front façade.
 - c) In any instance where one contributing building of the same architectural style and like use on a block face is higher or wider by more than ten percent than any other contributing building of like use on a block face, such structure shall be eliminated in the application of the compatibility rule.
 - d) Those elements to which the rule applies are noted in the regulations by a reference to the "compatibility rule."
- (7) Variances. Variance requests shall be heard by the commission which will have the authority to grant or deny variances from the provisions of this chapter when, due to special conditions, a literal enforcement of its provisions in a particular case will result in unnecessary hardship. The procedures, standards, criteria and appeal provisions for decisions regarding such variances shall be the same as those specified in chapter 26 of this Part 16.
- (9) Minimum lot requirements. There shall be front, rear, and side yard setbacks. The distance of said setbacks shall be determined by the compatibility rule.
- (13) Design standards and criteria for new principal buildings. The following regulations shall apply to new construction of principal buildings.
- a) *General criteria:*
 - 1. All new construction shall be one of the house styles of a contributing building that appears on the block face of the street on which the new construction shall occur.
 - 2. The general façade organization and proportions shall be subject to the compatibility rule.
 - 3. All of the following building elements shall be appropriate to the selected house style, regarding design, size, dimension, scale, material, location on the building, orientation, pitch, reveal and amount of projection from the façade:
 - a. roofs, chimneys, and roofing materials;
 - b. siding;
 - c. eaves, soffits, brackets, rafter tails, knee braces, cornice returns, and gable returns;
 - d. corner boards, fascia boards, bottom boards, decorative trim, and attic vents;
 - e. doors and door transoms;
 - f. windows and window transoms;
 - g. porches, including supports, columns, balustrades, steps, and roofs; and
 - h. foundation walls, foundation piers, and water tables.All the elements listed above shall be utilized in a meaningful, coherent manner, rather than a mere aggregation of random historic elements.
 - 4. Sidewalks, front yards, porches, and front doors facing and parallel to the street shall be provided.
 - b) *Façades:*
 - 1. Wood, smooth-surface cementitious siding or Masonite siding are permitted. Siding shall exhibit a horizontal, clapboard profile. Siding shall have no less than a four-inch reveal and no more than a six-inch reveal.
 - 2. The height of the first floor above street level shall meet the compatibility rule. The foundation shall be a minimum of 14 inches and a maximum of four feet above the surface of the ground adjacent to the front façade. Brick, stone, smooth finish stucco, and smooth finish concrete are permitted as foundation facing materials.
 - 3. Windows shall be predominantly vertical in proportion, shall not be constructed in combination of more than two units, and shall be double-hung wood sash with true divided lights. Window organization and fenestration patterns shall meet the compatibility rule.
 - 4. Exterior doors visible from any public right-of-way shall be solid wood panel or single-pane fixed glass and shall be composed of no more than 50 percent glass.
 - 5. Exterior architectural details, such as brackets, decorative trim, corner boards, bottom boards, fascia boards, porch railing, columns, steps and doors, and attic vents, shall be shown on the submitted plans, and shall be subject to the compatibility rule.
 - c) *Roofs:*

1. The shape and pitch of roofs, as well as ridge, dormer, overhang, and soffit construction shall meet the compatibility rule.
 2. Skylight and solar panels are not permitted on the front façade of any structure. "Bubble type" skylights are not permitted anywhere in the Cabbagetown Landmark District. The placement and design of flat profile skylights and/or solar panels, where permitted, shall minimize their ability to be seen from public rights-of-way and is subject to approval by the commission.
 3. When chimneys are included, chimneys shall be faced in brick, originate at grade and are subject to approval by the commission.
 4. Boxed gable returns are not permitted.
 5. Roofing material shall be asphalt shingles. Fiberglass roofs are not permitted. Flat-roofed structures or structures not visible from any public right-of-way may use any roof covering that conforms to standard architectural specifications.
- e) *Porches:*
1. Front porches shall contain balustrades, columns, and have other characteristics, including floor dimension, height, roof pitch, overhang, and column size that meet the compatibility rule.
 2. Decorative metal, resin, fiberglass and plastic columns are not permitted.
 3. Porches may be enclosed with recessed screen wire if the main characteristics of the porch are maintained.
 4. Front porch steps shall be made of wood, brick, or concrete. Metal steps are not permitted.
- f) *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. Sidewalks shall be brick on a concrete base and laid in a pattern to match existing on abutting properties or elsewhere in the district.
 3. Curbing shall be granite; poured concrete shall not be used.
 4. A paved walkway from the front public sidewalk to the front entry of the principal building shall be provided.
- (14) Design standards for alterations and additions to contributing buildings. Alterations and additions to contributing buildings shall be subject to design review by the commission and shall be consistent with and reinforce the historic architectural character of the existing building, shall comply with the appropriate regulations for new construction set forth in section 16-20A.006(13), and shall comply with the following requirements:
- a) All repair work shall be match the original materials regarding design, size, dimension, scale, material, location on the building, orientation, pitch, reveal and amount of projection from the façade.
 - b) All replacement materials or building elements shall match the original materials or building elements regarding design, size, dimension, scale, materials, location on the building, orientation, pitch, reveal and amount of projection from the façade.
 - c) Alterations shall not introduce materials or building elements that do not reinforce the architectural character of the building and shall not destroy historic materials that characterize the property.
 - d) The height or width of any alteration or addition shall not exceed the height or width of the existing building.
 - e) Any alterations or additions shall be compatible with the massing, scale and architectural features of the property.

Sec. 16-20A.009. - Shotgun and Cottage Housing (Subarea 3).

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

- (1) *Shotgun Housing.* Shotgun housing is a style typified by simple structures whose width is no more than that of one room extending from the front to rear of the structure or, in the case of a double shotgun, two rooms wide. This housing type is usually closely spaced and is found most often along Savannah Street and Berean Avenue within this subarea.
- (3) *Permitted principal uses and structures.* A building or premises shall be used only for the following principal purposes:
 - a) Single-family detached dwellings.
- (6) *Minimum lot requirements.* In addition to the setback requirements in section 16-20A.006(9), in no case shall any portion of a building be closer to a public sidewalk than any portion of any contributing building of like use on the block face.
- (7) *Maximum building height and width.* The compatibility rule shall apply.
- (8) *Floor area ratio.* The floor area ratio shall not exceed 0.50.
- (9) *Roofs.*
 - a) Roofing materials shall be asphalt shingles or batten seamed metal.
 - b) Metal shingles are permitted if they are appropriate to the house style.
- (12) *Porches.*
 - a) Decks shall be permitted on the side or rear of the house if not visible from the street.
 - b) Rear decks shall be no wider than the house.
 - c) Side and rear porches shall be permitted if appropriate to the house style.

Site Plan

This lot fronts 37' on the west side of Pearl St. and has a depth of 152'. Per regulations, the side and rear yard setbacks shall be based on the compatibility rule. The proposed north and south side yard setbacks will conform to the setbacks of the existing contributing structure and therefore meet the requirements. The proposed rear yard setback is 64' 3" which falls within the allowable setback range based on the contributing cottage style structures at 103 Pearl St. (62' 3") and 107 Pearl St. (82' 6"). Per regulations the maximum floor area ratio (FAR) allowed is .50. Staff finds the FAR is .23 and therefore meets the FAR requirement.

New Addition, alteration, and site work

The proposed addition will be placed to the rear of the existing structure. Stylistically speaking the proposed addition is consistent and compatible with the existing dwelling. The architectural elements are simple and consistent with the overall style of the existing structure. While the preferred method of massing rear additions is to set them back from the original side facades (to create distinction between the original and new), Staff finds that the retention of the existing structure's rear corner boards to be an acceptable method of providing differentiation from the existing structure and the addition.

The proposed addition will contain a roof which is shorter than the principal roof of the existing structure by almost a foot. The District regulations require additions to contributing structures to contain a roof with a height which matches or which is lower than the height of the existing structure. As such, Staff finds that the proposed roof height of the addition meets the regulations.

The siding for the proposed addition is indicated as cedar shake to match the existing siding. The windows for the proposed addition are indicated as wood 1 over 1 windows, and the rear steps are indicated as wood. The existing windows on the structure are 6" shorter than the proposed windows and contain a 6 over 6 lite division pattern. As such, Staff recommends the proposed

windows match the height and lite division pattern of the existing windows. The material for the rear door on the proposed addition is not indicated on the plans. Staff recommends the plans indicate door materials for the proposed addition that meet the regulations.

Lastly, on the rear portion of the existing north side façade, the Applicant is proposing to shorten a window to allow for the existing kitchen to be expanded. While not specifically addressed in the regulations, in the past the Commission has allowed window alterations which result from the addition or expansion of a kitchen or bathroom provided that the proposed window is proportional to the existing windows. Staff finds that the proposed window is proportional to the windows on the existing structure and has no concerns with the proposed alteration.

The existing timber planters in the rear yard of the structure are proposed for removal. Staff has no concerns with the proposed work

CA3-16-501:

Staff Recommendation: Based upon the following:

- 1) The plans meet the regulations with the exception of the elements noted above, per Sec. 16-20A.005 & Sec. 16-20A.006;

Staff recommends approval of the Application for a Type III Certificate of Appropriateness (CA3-16-501) for alterations, window replacement, and a rear addition at **125 Pearl St.** with the following conditions:

1. The proposed windows shall match the height and lite division pattern of the existing windows, per Sec. 16-20A.006(13)(b)(3);
2. The plans shall indicate door materials for the proposed addition that meet the regulations, per Sec. 16-20A.006(13)(a)(3)(e); and,
3. Staff shall review and if appropriate approve the final plans and documentation.



CITY OF ATLANTA

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TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT November 21, 2016

Agenda Item: Review and Comment (RC-16-503) for on V-16-291 for a variance to reduce the north side yard setback from 7' (required) to 4' 6" (proposed) at **636 Atwood St.** Property is zoned R-4A / West End Historic District / Beltline.

Applicant: Ian Tolbert
636 Atwood St.

Facts: According to the District inventory, this structure was constructed between 1922 and 1923, and is considered contributing to the District.

At its October 12, 2016 meeting, the Commission deferred the Application for an addition, an accessory structure, and site work (CA3-16-433) to the December 14, 2016 meeting to allow the Applicant time to submit for a variance from the Board of Zoning Adjustment.

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.

The Applicant is requesting a variance to allow a second story addition to the rear of the structure within the footprint of the existing structure. The existing structure sits within the 7 foot R-4A side yard setback, a condition which is not uncommon in the District.

Notwithstanding the issuance of a variance for the side yard distance requirement, the Commission will be tasked with reviewing the proposed work for architectural compatibility with the existing structure. In general, Staff finds that the issuance of a side yard setback variance will neither increase nor decrease the likelihood that a compatible design could be

approved by the Commission. Likewise, the project will still be required to meet the standards for architectural compatibility set out in the District regulations regardless of the outcome of the variance review. As such, Staff finds that the variance request will not significantly affect the pending review by the Commission.

Staff recommends the Commission send a letter containing their comments to the Secretary of the Board of Zoning Adjustment and the Applicant.



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STAFF REPORT November 21, 2016

Agenda Item: Application for a Type II Certificate of Appropriateness (CA2-16-506) for site work and a rear deck at **770 Lexington Ave.** Property is zoned R-4A / Adair Park Historic District (Subarea 1) / Beltline.

Applicant: Chris De Lastic
143 Berean Ave.

Facts: According to the District inventory, this existing single family residence was constructed prior to 2010 and is considered non-contributing to the District.

In February of 2013 this property received a Stop Work Order for site work, including paving and the installation of fences, completed without a permit. The non-compliant work has not been brought into compliance since that time.

Analysis: The following Code sections apply to this application:

Sec. 16-06A.008. - Minimum yard requirements.

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

- (6) *Maximum lot coverage:* Maximum lot coverage within this district shall not exceed 55 percent of the net lot area.

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

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

- (1) *Certificates of Appropriateness:* Certificates of appropriateness within this subarea shall be required as follows:
 - a. *When required:*
 1. To change the exterior appearance of any portion of a structure within the subarea, when said change can be seen from the public right-of-way;
 2. To erect a new structure or to make an addition to any structure within the subarea, when said new structure or addition can be seen from the public right-of-way; and
 3. To demolish or move any contributing structure, in whole or in part, within the subarea.
 - b. *Type required:*
 1. Type I certificates of appropriateness for ordinary repairs and maintenance are not required in this subarea. This exemption in no way obviates the requirements for certificates of

appropriateness for all minor alterations (Type II), major alterations (Type III) and demolitions (Type IV, except partial demolitions).

2. Except with regard to Type I certificates, the procedures for determining the appropriate type of certificate required under subsection 16-20I.006(1)a. above shall be those specified in section 16-20.008 of the zoning code, provided, however, that a partial demolition shall require a Type IV certificate of appropriateness only when said partial demolition will result in the loss of significant architectural features which destroys the structure's historic interpretability or importance.
- (3) *Lot Size:* In addition to the requirements of the subdivision and zoning ordinances, the compatibility rule specified in this chapter 20I shall apply to all subdivisions and aggregations of lots with regard to lot size, dimensions and configurations.
- (4) *Architectural Standards:*
 - i. *Fences:* Fences shall be fabricated of brick, cast iron, wrought iron, stone and wood pickets. Fence lines shall follow the property line. Fences shall not obscure the front façade of the building. Chain link type of fencing shall be located to the rear of the lot and shall not extend beyond the front façade of the main structure into the front yard.
 - (f.) *Roofs:*
 1. Roofing materials shall be of the same size, texture and materials as existing, exposed roofing materials when the existing, exposed roofing materials constitute a significant architectural feature of the structure.
 2. Cold-rolled roofing is permitted only on flat roofs. Corrugated metal and corrugated fiberglass roofs are not permitted.
 3. The shape and pitch of roofs for new construction shall be subject to the compatibility rules.
 4. Decks, skylights, solar panels and communication equipment, when otherwise allowed by these or other regulations are permitted on roofs of buildings provided they cannot be seen from the public right-of-way.
 - j. *Walls:* Concrete block may be used in retaining walls, but stone or brick facing material is required.
- (5) *Paved Surfaces:*
 - a. The original layout, patterns and paving materials of sidewalks, curbs and streets shall be retained.
 - b. Resurfacing or new installation of paved areas, other than those specified in subsection 16-20I.006(5)a. above, including driveways, walkways, and patios, or portions thereof, shall match the color and materials of the original surface whenever possible.

Sec. 16-28.008. - Required yards and open space, detailed limitations on occupancy.

In addition to general limitations on yard or open space occupancy set forth herein, the following limitations and requirements shall apply:

- (5) *Walls or fences in required yards; height limits:* Fences, walls or hedges may occupy required yards as follows; provided, however, that such fence, wall or hedge shall be maintained in a safe and sightly condition and that no such walls or fences create substantial impediments to visibility as prohibiting at section 16-28.008(9). The height of a retaining wall shall be measured as the greatest vertical length from one side of finished grade to the top of said adjacent retaining wall unless specified below.
 - (a) In the R-1 through R-5 districts, the following retaining walls and fences are permitted:
 - (1) Within the required front and half-depth front yards:
 - (i) Where no retaining wall is constructed, fences not exceeding four feet in height may be erected.
 - (ii) Not more than two retaining walls with a maximum height of three feet each may be erected, provided however that the face of the upper wall shall be separated from the face of the lower wall by at least a minimum horizontal distance that is landscaped and equal in length to the height of the upper wall.
 - (iii) A fence not exceeding four feet is permitted at the top of one of the provided retaining walls.
 - (2) Within the required side and rear yards:
 - (i) Where no retaining wall is constructed, fences or walls not exceeding six feet in height may be erected or maintained.
 - (ii) Not more than two retaining walls with a maximum height of six feet each may be erected, provided however that the face of the upper wall shall be separated from the face

of the lower wall by at least a minimum horizontal distance that is landscaped and equal in length to the height of the upper wall.

- (iii) A fence not exceeding six feet is permitted at the top of one of the provided retaining walls.

Site plan

Based on conversations with the Applicant and their agent, Staff can confirm that the site plan provided by the Applicant does not show the work proposed at this time, but rather an earlier scope of work proposed to bring the property into compliance. As such, Staff recommends the Applicant provide an updated site plan which shows the current proposed scope of work.

The current lot coverage exceeds the 55% maximum allowed by the R-4A Zoning. From the site plan provided, Staff finds that the impervious surfaces must be reduced by a minimum of 41.85 sf. in order to be in compliance with the maximum lot coverage. The Applicant has stated in their proposed scope their desire to reduce the paved surfaces at the rear of the property. As an updated site plan has not been provided, Staff recommends the paved area be reduced by no less than 41.85 sf.

Fences

The scope of the non-compliant work includes the installation of an 8' high rear fence on top of an existing retaining wall which is comprised of horizontal wood pickets, a fence in the left side yard of an undetermined height comprised of horizontal wood pickets, and several posts which were intended for use to enclose the remainder of the property in fencing.

With regards to the rear fence, the Zoning regulations allow for a fence no higher than 6' on top of an allowable retaining wall, and for a fence no higher than 6' on the sides of the property. In general, Staff finds that the use of horizontal wood pickets is not compatible with the character of the District as a whole. The Applicant has expressed their desire to remove the non-compliant rear fence, side fence, and fence posts as part of the proposed scope of work. Staff has no general concerns with the proposed work, but does recommend that any replacement fence be comprised of a compliant material, design, and height.

Deck

Lastly, the Applicant is proposing repairs to the existing rear deck. While the Staff has recommended that decks be allowed in locations other than roof tops that does not eliminate the requirement that they not be seen from the public right of way. Due to the current placement of the deck, the topography of the lot, and the composition of the left side façade of the structure, Staff finds it to not be visible from the public street which is in compliance with the District regulations. Thus, Staff has no general concerns with the proposed work, but recommends the deck conform to the existing footprint and not extend past the left side façade of the structure.

CA2-16-506:

Staff Recommendation: Based upon the following:

- 1) The project meets the regulations with the exceptions noted above, per Sec. 16-20I.006 & Sec. 16-06A.008;

Staff recommends approval of an Application for a Type II Certificate of Appropriateness (CA2-16-506) for site work and a rear deck at **770 Lexington Ave.** with the following conditions:

1. The Applicant shall provide an updated site plan which shows the current proposed scope of work, per Sec. 16-20I.006(1)(b)(2);
2. The paved area shall be reduced by no less than 41.85 sf., per Sec. 16-06A.008(6);
3. Any replacement fence shall be comprised of a compliant material, design, and height, per Sec. 16-20I.006(4)(i);
4. The deck shall conform to the existing footprint and shall not extend past the left side façade of the structure, per Sec. 16-20I.006(4)(f)(4); and,
5. Staff shall review and if appropriate, approve the final plans.



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STAFF REPORT November 21, 2016

Agenda Item: Applications for a Type III Certificate of Appropriateness (**CA3-16-507**) for a new multifamily and townhouse development at **0 and 393 Joiner Street** – Property is zoned Castleberry Hill Landmark District (Subarea 1).

Applicant: Brian Ehram
2474 North Winds Parkway, Suite #600

Facts: In 2007 the Commission reviewed applications for a new mixed use development, lot consolidation and variance for a larger project that included the property that is the subject of this application. In 2008, the Commission reviewed applications for a revision to plans and a special exception for the earlier project. Earlier this year, the Commission approved another version of a mixed-use project for the parcel of land just north of the subject property.

This current application is for a new multi-family residential project located between Fair Street to the north, the railroad tracks to the east, the rear property lines of the properties fronting Peters Street to the west, and another parcel to the south. There are no structures on the subject property, which is relatively flat with various forms of paving and hardscape remaining from previous uses. The proposal is to build 62 townhouse units arranged around a private drive / roadway that connects to the southeastern end of Fair Street. The townhouses would be arranged in 12 groups, ranging in size from groups of two (2) to groups of six (6). All the townhouse would be three stories tall, some with options roof top terraces. Though the narrative project summary refers to both 115 multi-family units and 52 townhouses, the rest of the submission only provides information about the 52 townhouse units. The Staff assumes the reference to the multi-family units is related to the previously reviewed project to the north.

Analysis: The following code sections apply to this application:

Per Section 16-20N.004. Definitions.

For the purposes of interpreting this chapter 20N, the following definitions shall apply:

1. "District" means the Castleberry Hill Landmark District, as shown on the official zoning map adopted herewith entitled the "Castleberry Hill Landmark District."
2. "Fenestration" means the arrangement, proportion, and design of windows and doors in a building.
3. "Principal structure" means the main structure on a property, exclusive of any detached accessory structures.
4. "Public street" means publicly dedicated streets and specifically excludes alleys in the District.
5. "Additions to the roof of a principal structure" means any enclosed space that does not meet the definition set out in section 16-28.022(1).

6. "Arterial street" means main artery through neighborhood (Peters, Nelson, Walker, Whitehall, McDaniel, Spring, Mitchell and Fair streets; and Northside, M. L. King, Jr. and Centennial Olympic Park drives.)

Per Section 16-20N.006. Certificates of appropriateness.

4. Type III certificates of appropriateness shall be required for:
- (a) Construction of all new principal structures;

Per Section 16-20N.007. General Regulations.

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

1. In the District, the commission shall apply the standards referenced below only if the standards set forth elsewhere in this chapter 20N do not specifically address the application or any portion of the application:
 - (i) New additions, exterior alterations, or related new construction, shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work may be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
 - (k) Contemporary design for new construction and for additions to existing properties shall not be discouraged when such new construction and additions do not destroy significant historical, architectural, or cultural material, and such construction or additions satisfy section 16-20N.007 or section 16-20N.008, as applicable.
 - (l) The height of a structure shall be measured on the facade facing the public street and measurement shall be taken from the highest point of such grade to the top of the parapet wall.
2. Compatibility rule.
 - (a) The intent of the regulations and guidelines is to ensure that alterations and additions to existing structures and new construction are compatible with the design, proportions, scale, and general character of the block face, the entire block, a particular subarea or the district as a whole. To permit flexibility, some regulations are made subject to the compatibility rule, which states: "Where not quantifiable, the element in question (building proportion, roof form, fenestration, etc.) shall match that which predominates on the contributing buildings in the subarea. Where quantifiable, the element in question (i.e., distance of first floor above sidewalk grade), shall be no smaller than the smallest or larger than the largest such dimensions of the contributing buildings in the subarea."
 - (b) Those elements to which the rule applies are noted in the regulations by a reference to the "compatibility rule."
6. Aggregation of lots. No lots shall be aggregated except upon approval of the commission. Applications shall be made to the commission. The commission shall find that the resulting lots are so laid out that buildings that are compatible in design, proportion, scale, and general character of the subarea, and the district as a whole, may be reasonably situated and constructed upon such lots.
7. Tree preservation and replacement. The provisions of the City of Atlanta Tree Ordinance, Atlanta City Code section 158-26, shall apply to this district.
8. Off-street and off-site parking.
 - (a) All new construction, alterations, or additions that increase the number of dwelling units and/or increase the square footage of nonresidential uses, or any change in use shall include the required off-street parking.
 - (b) The number of required off-street parking spaces is set out in each subarea.
 - (d) Use of shared driveways and/or alleys is encouraged. Required driveways may be located outside the lot boundaries if they directly connect to a public street and are approved by the commission.
 - (e) Curb cuts and driveways are not permitted on any arterial street when reasonable access may be provided from a side or rear street or from an alley.
 - (f) 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.
 - (g) No circular drives shall be located between any principal building and any public street.
 - (h) One curb cut is permitted for each development. Developments with more than one public street frontage or more than 300 feet of public street frontage may have two curb cuts.
 - (i) No drop-off lanes are permitted along public streets, except as required by educational and religious facilities.
 - (j) Sidewalk paving materials shall be continued across intervening driveways.
 - (k) Entrances to garages that serve residential units shall be located in a side or rear yard.
 - (l) All contiguous ground-floor residential units shall share one common drive, located in rear yards or side yards, to serve garages and parking areas.
9. Design standards and other criteria for construction of, additions to, or alterations of principal buildings:
 - (a) The distance above the sidewalk grade of the first floor of the building shall be subject to the compatibility rule. This requirement shall only apply to the facade of the building determined by subsection 16-20N.006(1)(I).
 - (b) Setbacks.
 - i. The facades of principal buildings facing a public street shall not be setback from the property line.

- ii. Facades of a principal building adjacent to a side property line shall not be setback from the side property line, except under the following circumstances:
 - a. Facades with windows shall meet section 704.8 of the 2000 International Building Code, and shall not exceed six feet.
 - b. In the case of the installation of a driveway along a side property line, the façade shall be setback ten feet from the property line for one-way drives and 20 feet for two-way drives.
- iii. There shall be no rear yard setback requirements.
- (c) All street-fronting sidewalk level development shall provide fenestration for a minimum of 60 percent of the length of the frontage, beginning at a point not more than three feet above the public sidewalk, for a height no less than nine feet above the sidewalk.
- (d) Sidewalk level development without fenestration shall not exceed a maximum length of ten feet of facade.
- (e) Nothing may be erected, placed, planted, or allowed to grow in such a manner as to impede visibility within visibility triangles at street intersections between the heights of two and one-half feet and eight feet above grade.
- (f) Relationship of building to street.
 - i. The first eight feet of all building levels that have sidewalk level arterial street frontage shall have a commercial, office, or residential use and shall not be used for parking or storage.
 - ii. The primary pedestrian entrance to all uses and business establishments with sidewalk level street frontage shall:
 - a. Be visible from the street.
 - b. Be directly accessible, visible, and adjacent to the sidewalk, pedestrian plaza, courtyard, or outdoor dining area adjacent to such street.
 - c. Face and be visible to an arterial street when located adjacent to such arterial streets.
 - iii. A street address number shall be located above the principal building entrance, shall be clearly visible from the sidewalk, shall contrast with their background, and shall be a minimum of four inches in height with a minimum stroke of 0.5 inch.
- (g) Facade materials. Brick, stone, and true stucco systems with a smooth finish shall be the predominant building materials for the facades of the principle structure. Concrete block and other masonry materials may be used on facades of principal structures that do not face a public street. Aluminum siding and vinyl siding are not permitted on any facade.
- (h) Awnings and canopies.
 - iii. Awnings and canopies must have a minimum clearance of eight feet above the sidewalk level, and shall not encroach more than five feet over the public sidewalk.
 - iv. Installation of new canopies, where none previously existed, shall be permitted only if they are compatible with the original structure.
 - v. New awning frames attached to storefronts, doors or windows shall replicate the shape of the covered area and fit within that area.
 - vi. New awnings shall be attached to the area above the display and transom windows and below the cornice and signboard area, or attached to the storefront display window and the transom window.
 - vii. Multiple awnings on a single building shall be similar in shape and configuration.
 - viii. Only that portion of the awning used for signage shall be illuminated.
- 10. Exterior stairs and landings.
 - (a) Except for the primary pedestrian entrance to a unit or building, all exterior stairs and landings must be on the side or rear of the principle structure and substantially parallel to the structure.
 - (b) Stair treads must be equal widths.
 - (c) Exterior stairs and landings shall be constructed of metal or poured concrete.
- 11. Structures on the roofs of principal buildings.
 - (a) All components of a structure or addition on the roof of a principal building visible from a public street shall be metal or masonry.
 - (b) The enclosed floor area of a structure shall not exceed 25 percent of the total roof area, unless otherwise necessary to meet the minimum requirements for mechanical and elevator equipment, stairwells, elevator, and stair landings.
 - (c) Enclosed structures shall not exceed ten feet in height above the parapet wall and shall be setback no less than ten feet from all street-fronting facades.
 - (d) All components of a structure or addition on a roof of a principal building shall be set behind the parapet wall.
- 12. Lighting, security, and maintenance requirements for parking structures and surface parking lots.
 - (a) Lighting shall be provided throughout all parking facilities at a minimum of one-half foot candle of light.
 - (c) Parking facilities shall be maintained in a clean, safe, and sanitary condition. Parking spaces and driving lanes shall be clearly defined and maintained.
- 13. Fences, walls, and retaining walls.
 - (a) Fences shall be no more than ten feet high.

- (b) Fences between the principal building and the public street shall be constructed of metal, brick, stone, ornamental iron or metal, or architectural masonry.
- (c) Fences to the rear or side of the principal building shall be constructed of metal, brick stone, ornamental iron or metal, architectural masonry, chain link, or wood.
- (d) Walls shall not be permitted between the principal building and the public street. Walls shall be no more than ten feet high. Walls, including retaining walls, shall be constructed or faced with metal, brick, stone, architectural masonry, or hard coat stucco.
- (e) Retaining walls adjacent to a public street or sidewalk shall not exceed four feet in height, unless required by existing site topography.
- (f) Adjacent to a public street or sidewalk, the total height of any combination of fencing, wall and/or retaining wall shall not exceed ten feet.

Per Section 16-20N.008 - Specific regulations for Historic Core, Subarea 1.

In the Castleberry Hill Core District, Subarea 1, the commission shall apply the standards referenced in section 16-20N.006(1) only if the standards set forth in Section 16-20N.007 do not specifically address the application or any portion thereof:

1. Design standards and other criteria for construction of, additions to, or alterations of principal buildings:
 - (a) The compatibility rule shall apply to the height, scale, and massing of the principal structure. In no case shall the height of a principal structure exceed 40 feet.
 - (b) The height of a principal structure shall be 40 feet. Properties with first floor retail space exceeding 12 feet in height shall have a ten percent height bonus, allowing for a maximum height not to exceed 44 feet. With the exception of properties north and east of Mangum Street that front Nelson Street, shall have a ten-foot height bonus, allowing for a maximum height not to exceed 50 feet.
 - (c) All building elements shall be utilized in a meaningful, coherent manner, rather than a mere aggregation of random historic elements, including but not limited to their: design, size, dimension, scale, material, location on the building, orientation, pitch, reveal and amount of projection from the façade:
 - (d) Fenestration.
 - i. The compatibility rule shall apply to the following aspects of fenestration:
 - a. The style and material of the individual window or door.
 - b. The size and shape of individual window and door openings.
 - c. The overall pattern of fenestration as it relates to the building facade.
 - d. The use of wood or aluminum for exterior framing, casing, and trim for windows and doors, and the use of wood, aluminum, brick, or stone for bulkheads.
 - ii. Painted glass and reflective glass, or other similarly treated fenestration, are not permitted.
 - iii. 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.
 - iv. Subject to the compatibility rule, glass block may be used for door surrounds and transoms.
 - (e) Facades.
 - i. Brick, stone, and true stucco systems with a smooth finish shall be the predominant building materials for the facades of the principal structure. Concrete block and other masonry materials may be used on facades of principal structures that do not face a public street. Corrugated metal, aluminum siding, and vinyl siding are not permitted on any facade.
 - (f) Lighting and storefront illumination.
 - i. Security, decorative, and other lighting shall minimize light spillage by providing cutoff luminaries that have a maximum 90-degree illumination. The commission may also require other elements to reduce light spillage.
 - ii. Any security, decorative, or other lighting luminaries shall be located a minimum height of eight feet above the sidewalk, drive, or pedestrian area.
 - (g) Loading areas, loading dock entrances, and building mechanical and accessory features.
 - i. Commercial dumpsters shall not be visible from any public street. Residential dumpsters shall not be visible from: Walker Street, Nelson Street, or Peters Street. Notwithstanding the visibility requirements noted above, all dumpsters shall be concealed with walls six feet in height and constructed or faced with metal, brick, stone, architectural masonry, or hard coat stucco.
 - ii. Loading docks and loading areas shall not be permitted on the primary facade of a principal building.
 - iii. Building mechanical and accessory features shall not be permitted between the principal building and any public street.
 - iv. Building mechanical and accessory features shall be located to the rear of the principal building and shall be in the location least visible from the public street. Screening with appropriate materials shall be required if the equipment is visible any public street.

- v. When located on rooftops, building mechanical and accessory features visible from the public street shall be incorporated in the design of the building and screened with materials compatible with the principal façade material of the building.
- (h) Excluding the flare at the street, driveways shall not exceed ten feet in width for one-way drives or 20 feet in width for two-way drives. Loose stone or gravel is not permitted as a paving material.
- (i) Sidewalk regulations.
 - i. Hexagonal sidewalk pavers shall be retained.
 - ii. Hexagonal sidewalk pavers shall be used for any sidewalk repair or replacement on the public streets.
 - iii. Curbing shall be granite.
 - iv. New sidewalks 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 a minimum of seven feet wide and a maximum of 15 feet wide.
 - v. Street furniture: Street furniture to include, but is not limited to: street lights, seating, newspaper vending boxes, trash receptacles, official city and neighborhood signage, trees and shrubs and flower pots.
 - vi. Outdoor seating: Seating areas should be specifically defined and located as to not obstruct pedestrian access or motorist visibility.
 - vii. Umbrellas: Must have a minimum clearance of seven feet above the sidewalk level and located as to not obstruct pedestrian access or motorist visibility.
 - viii. Newspaper vending boxes: Should be located as to not obstruct pedestrian access or motorist visibility.
 - ix. Tree planting: When installed, all newly planted trees shall be a minimum of four inch caliper measured 36 inches above ground, and a minimum of ten feet in height. Trees shall be drought tolerant, limbed up to a minimum seven-foot height, and shall have a maximum mature height of 40 feet. Trees shall have a minimum planting area of 25 square feet. All plantings, planting replacement, and planting removal must be approved by the city arborist. The planting area shall be planted with evergreen ground cover such as mondo grass or liriope spicata.
 - x. Trash receptacles: Where installed, trash receptacles shall be a Victor Stanley Model S-42 or similar looking standard.
 - xi. Decorative pedestrian lights, where installed, shall be placed a maximum of 40 feet on center and spaced equal distance between any street trees along all streets. All said lights shall be Atlanta Type "C" as approved by the planning bureau.
- 2. Permitted principal uses and structures: A building or premises shall be used only for the following principle purposes:
 - (a) Multi-family dwellings, two-family dwellings, and single-family dwellings.
- 3. Off-Street Parking Requirements

The following parking requirements shall apply to all uses:

 - (a) Off-street parking shall not be permitted between the principal building and the public street.
 - (b) Off-street parking may be located in a rear or side yard.
 - (c) All dwellings: Off-street parking requirements shall be as follows: See section 16-08.007, Table I, for applicable ratios according to the appropriate floor area ratio.

Approach to the Review

Though large in size, the property only has frontage along the southern side of Fair Street. This would make the northern property line of the parcel the front property line / front yard, with side property lines / side yards along the rear of the properties that face Peters Street and along the railroad tracks, and a rear property line / rear yard at the southern end of the property.

Overall Design Comments

Beyond the individual and specific concerns about the project noted below, the Staff has general, overall concerns about the concept of the project – that of a relatively traditional, somewhat garden style townhouse development. The Staff is concerned that the project concept is not compatible with the commercial, industrial, and urban fabric of the District. While the Staff does not have a concern about a completely residential project (which is allowed by the District regulations), it is the overall form and layout of the design that is of concern. The project does not maintain the “street wall” along Fair Street, has large of amount of open space in general and green space in particular, has somewhat randomly placed building groups, utilizes a curvilinear street/driveway pattern, does not respond to the rhythm of building spacing and adjacency (orientation, proximity, and front/back definition). The Staff understands

that the project site is somewhat unique with a small frontage, tremendous depth, and railroad corridor frontage, but finds that the proposed project is consistent with itself rather than the District.

The Staff would recommend the overall design concept of the project be revised to be compatible with the street pattern, site orientation, building pattern, and physical characteristics of the District.

General Development Controls, Parking, and Setbacks

The subject property spans about two blocks behind Peters Street. On the City's parcel map, Joiner Street continues through what would be the middle of the subject property and it not indicated as abandoned. On the proposed site plan, Joiner Street dead-ends in to the middle of the subject property and what would have been right-of-way is included in the developable area. No survey was included in the submission. The Staff would recommend the Applicant provide documentation of the abandonment and transfer to the Applicant of that portion of Joiner Street within their proposed site plan.

All new construction providing residential dwellings are required to provide off-street parking. All other uses are not required to provide parking. The required number of residential parking spaces is based upon the applicable ratios in the Land Use Intensity table in the Zoning Code for the calculated floor area ratio. Two spaces are provided for each unit, but no parking calculations were included in the submission to determine the required minimum parking for the project. The Staff recommends the Applicant provide documentation the parking requirement has been met.

Per the District regulations, the building facades that face a public street must not be setback from the property line. In looking at the site plan, the townhouses that are fronting along Fair Street are setback from the front property line. The Staff would recommend the townhouses along Fair Street have a zero (0) front yard setback.

The facades along the side property line / side yards (i.e. along the rear of the properties that face Peters Street and along the railroad tracks) must not be setback from the property line unless providing a driveway (with a maximum of 10 ft. setback for a one-way drive) or windows along that property line (with a maximum of 6 ft. setback). Based on the conceptual site plan submitted, most of the townhouses along the west property line are more than 10 ft. from the property, even those that have a driveway between them and the property line. Only those townhouses labeled #26-37 would appear to meet the setback requirement, as they have some windows on their side facades. Along the east property line along the railroad tracks, none of the townhouses appear to meet the side setback requirements. The Staff would recommend the townhouses closest to the side property lines meet the side yard setback requirements.

There is no rear yard setback requirement, so the townhouses at the very southern end of the property are compliant.

Site Work and Site Plan-related Requirements

The access to the project is off Fair Street at the northern end of the property. This access is provided through a partial extension of Fair Street by what appears to be a semi-public street / driveway that turns into the project site. This extension is located on the Fair Street of what was or is the Fair Street right-of-way. It is not clear whether this extension is compliant with City of Atlanta right-of-way / street specifications. The Staff would recommend that the Applicant confirm the right-of-way status of the portion of Fair Street along the northern property line and that the proposed extension meets pertinent City of Atlanta street standards.

Beyond the issue of the extension, the Staff finds that the driveway width when it crosses the property line is wider than the 20 ft. maximum allowed by the District regulations for two-way drives. Further, the sidewalk material does not continue across the driveway entrance. Lastly, the Staff is concerned that the proposed driveway / street extension is not compatible with the street design and layout found in the District, including the consistent use of angular street corners with small turning radiuses. The Staff is also concerned about the street of the remaining Fair Street right-of-way area that is as yet undefined in this proposal. The Staff would recommend the entrance to the project along Fair Street be substantially redesigned to comply with all of the District regulations.

There are no loading areas indicated on the site plan for any portion of the project. The Staff recommends the Applicant clarify that the loading area requirements are met.

Per the District regulations, there are specific requirements regarding dumpsters and mechanical equipment. Any dumpsters and mechanical equipment are not indicated on the plans. The Staff recommends the Applicant submit documentation the dumpster and mechanical equipment requirements are met.

No information is included on the site plan regarding the proposed sidewalks along Fair Street. The Staff recommends the Applicant clarify the sidewalk proposal for the development and that all new sidewalks meet the District regulations.

Entrances to garages that serve residential units must be located in a side or rear yard. Further, all contiguous ground-floor residential units must have one common drive that is located in rear yards or side yards. The Staff's concern is that the driveway entrance to the project is located in the middle of the Fair Street frontage, dividing the front portion of the driveway into two sections. The Staff finds that the location of this driveway does not meet the District regulations as it is not located in the side yard area of the property either along the railroad tracks to the east or along the rear of the properties that face Peters Street to the west. The Staff would recommend the driveway entrance to the project off of Fair Street be relocated to the side yard portion of the property.

There is no information provided about parking lot / driveway lighting. The Staff would recommend that all parking and driveway-related lighting meet the District regulations.

There are no fences or retaining walls indicated on the site plan.

Building Height and Form

Per the District regulations, the maximum building height is based on the compatibility rule (which allows comparisons to any contributing building in the subarea) and in no case shall be more than 40 ft. Specifically, the general regulations require the height of a structure be measured on the façade facing the public street and the measurement be taken from the highest point of such grade to the top of the parapet wall. The submission includes elevations for all of the building groups, including Building Groups #1 and #2 along Fair Street, indicating that all of the building groups are less than 40 ft. in height. Measuring from the grade (vs. the finish floor), the buildings are about 35.5 ft. in height. Given that there are contributing buildings in the subarea, the Staff finds the building height requirement has been met.

The distance above the sidewalk grade of the first floor of the building groups along Fair Street is subject to the compatibility rule. No compatibility rule analysis was provided for this characteristic of the building. The Staff would recommend the Applicant document compliance with the first floor height requirements for the building groups along Fair Street.

Fair Street is classified in the District regulations as an “arterial street”. The first eight feet of all building levels that have sidewalk level arterial street frontage shall have a commercial, office, or residential use and shall not be used for parking or storage. The parking area for each townhouse is located on the ground floor accessed from the rear of the unit. As no floor plans were submitted for the first floor of the buildings along Fair Street, the Staff cannot confirm that the front eight feet of the ground floor of the townhouse unit is not used for parking. The Staff would recommend the ground floor of the townhouse units facing Fair Street meet the use requirements for such floors.

The structures on the roofs of the building groups meet some of the requirements for such structures, but not all. Those portions that are visible from a public street must be clad in metal or masonry. The Staff finds that this could include more than the roof top structures on the buildings along Fair Street given the size and relationship of the subject property to other public streets. The proposed roof top structures appear to project less than 10 ft. above the parapet wall. As no roof plan was submitted, it is not clear if the footprint of the roof top structures takes up more than 25% for the roof surface. The Staff would recommend the Applicant document compliance with all of the roof top structure requirements.

Building Elements and Materials

The primary pedestrian entrance to the buildings along Fair Street is visible from the street; directly accessible, visible, and adjacent to the sidewalk, and faces and is to an arterial street when located adjacent to such arterial streets.

Per the District regulations the fenestration pattern, individual window attributes, and overall façade organization are based on both the compatibility rule and specific requirements for the amount and type of fenestration on the first floor. The Applicant has provided examples of buildings in the District which they assert provide a basis for their proposed fenestration and overall façade organization. Several of the examples provided as points of comparison are non-contributing and therefore cannot be used. Even leaving out the non-contributing buildings provided for comparison, the Staff does find that the general fenestration pattern and the overall façade organization does meet the District regulations for the upper floors. The Staff does not find that the ground floor fenestration pattern meets the District regulations as most contributing buildings have storefront window systems or grouped windows of some type. Further, the Staff does not find that light pattern of the upper level windows meets the compatibility rule. No information was provided about window materials. The Staff would recommend the proposed fenestration, individual window characteristics, and general façade organization meet all of the District regulations, including but not limited to the specific fenestration requirements for ground floors and light pattern.

A street address number must be located above the principal building entrances along Fair Street that is clearly visible from the sidewalk, contrasts with their background, and is a minimum of four inches in height with a minimum stroke of 0.5 inch. No such street numbers are indicated on the elevations of the building along Fair Street. The Staff would recommend the buildings along Fair Street meet the street numbering requirements.

All of the proposed buildings will be clad in brick, which meets the District regulations.

Staff Recommendation: Based upon the following:

- a) The plans do not meet the District regulations with exceptions noted in the above analysis, per Section 16-20N.007 and Section 16-20N.008;

Staff recommends deferral of the application for a Type III Certificate of Appropriateness (**CA3-16-507**) for a new multifamily and townhouse development at **0 and 393 Joiner Street** – Property is zoned Castleberry Hill Landmark District (Subarea 1), to allow time for the Applicant to address the following comments and concerns:

1. The overall design concept of the project shall be revised to be compatible with the street pattern, site orientation, building pattern, and physical characteristics of the District, Section 16-20N.007 and .008;
2. The Applicant shall provide documentation of the abandonment and transfer to the Applicant of that portion of Joiner Street within their proposed site plan;
3. The Applicant shall provide documentation the parking requirement has been met, per Section 16-20N.008(3);
4. The townhouses along Fair Street shall have a zero (0) front yard setback, per Section 16-20N.007(9)(b);
5. The townhouses closest to the side property lines shall meet the side yard setback requirements, per Section 16-20N.007(9)(b);
6. The Applicant shall confirm the right-of-way status of the portion of Fair Street along the northern property line and that the proposed extension meets pertinent City of Atlanta street standards;
7. The entrance to the project along Fair Street shall be substantially redesigned to comply with all of the District regulations, per Section 16-20N.007(8) and .008(1)(h);
8. The Applicant shall clarify that the loading area requirements are met, per Section 16-20N.008(1)(g);
9. The Applicant shall submit documentation the dumpster and mechanical equipment requirements are met, per Section 16-20N.008(1)(g);
10. The Applicant shall clarify the sidewalk proposal for the development and that all new sidewalks meet the District regulations, per Section 16-20N.008(1)(i);
11. The driveway entrance to the project off of Fair Street shall be relocated to the side yard portion of the property, per Section 16-20N.007(8) and .008(1)(h);
12. All parking and driveway-related lighting shall meet the District regulations, per Section 16-20N.007(12) and .008(1)(f);
13. The Applicant shall document compliance with the first floor height requirements for the building groups along Fair Street, per Section 16-20N.007(9)(a);
14. The ground floor of the townhouse units facing Fair Street shall meet the use requirements for such floors, per Section 16-20N.007(9)(f);
15. The Applicant shall document compliance with all of the roof top structure requirements, per Section 16-20N.007(11);
16. The proposed fenestration, individual window characteristics, and general façade organization shall meet all of the District regulations, including but not limited to the specific fenestration requirements for ground floors and light pattern, per Section 16-20N.007(9)(c) and (d) and .008(1)(c) and (d);
17. The buildings along Fair Street shall meet the street numbering requirements, per Section 16-20N.007(9)(f); and
18. The Applicant shall submit the revised plans and supporting documentation (including all of the required copies) at least eight (8) days prior to the meeting to which this application is deferred.



CITY OF ATLANTA

KASIM REED
MAYOR

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TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT November 21, 2016

Agenda Item: Review and Comment (RC-16-516) on rezoning legislation (Z-16-066) regarding a text amendment to the PD-MU (Planned Development- Mixed Use) zoning category. Properties are zoned PD-MU.

Applicant: City of Atlanta Office of Zoning and Development
55 Trinity Avenue

Facts: The City of Atlanta is proposing to amend the permitted uses in the PD-MU zoning category to allow “outdoor aquatic recreation establishments” through the special use permit process. While this proposed text amendment does not directly revise any specific Historic or Landmark District regulations or the general historic preservation regulations that apply to Historic or Landmark Buildings / Sites, those designations do and can apply as overlay zoning categories to PD-MU zoned properties. As the Commission is required to review and comment on zoning actions that could affect designated properties, a review and comment is required for this proposed zoning text amendment.

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.

The Staff finds that the proposed text amendment will not negatively affect designated properties that are also zoned PD-MU for the following reasons:

1. The physical characteristics of the designated properties would not change due to a new allowed use;
2. The architectural requirements found in the existing historic preservation-related zoning regulations would not be altered by this text amendment;
3. The Commission’s role in reviewing development for designated properties would not change; and
4. The Commission’s ability to ensure that new construction, alterations, additions, site work, etc. for designated properties will be compatible with the property as required by the historic preservation-related zoning regulations would not change.

Staff Recommendation: Staff recommends that a letter with the Commission’s comments regarding Review and Comment (RC-16-516) on rezoning legislation (Z-16-066) be sent to the Secretary of the Zoning Review Board and appropriate City Staff.



CITY OF ATLANTA

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TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT **November 21, 2016**

Agenda Item: Review and Comment (RC-16-517) on rezoning legislation (Z-16-067) regarding a text amendment to the I-1 (Light Industrial) zoning category. Properties are zoned I-1.

Applicant: City of Atlanta Office of Zoning and Development
55 Trinity Avenue

Facts: The City of Atlanta is proposing to amend the permitted uses in the I-1 zoning category to allow “private schools” through the special use permit process. While this proposed text amendment does not directly revise any specific Historic or Landmark District regulations or the general historic preservation regulations that apply to Historic or Landmark Buildings / Sites, those designations do and can apply as overlay zoning categories to I-1 zoned properties. As the Commission is required to review and comment on zoning actions that could affect designated properties, a review and comment is required for this proposed zoning text amendment.

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.

The Staff finds that the proposed text amendment will not negatively affect designated properties that are also zoned I-1 for the following reasons:

1. The physical characteristics of the designated properties would not change due to a new allowed use;
2. The architectural requirements found in the existing historic preservation-related zoning regulations would not be altered by this text amendment;
3. The Commission’s role in reviewing development for designated properties would not change; and
4. The Commission’s ability to ensure that new construction, alterations, additions, site work, etc. for designated properties will be compatible with the property as required by the historic preservation-related zoning regulations would not change.

Staff Recommendation: Staff recommends that a letter with the Commission’s comments regarding Review and Comment (RC-16-517) on rezoning legislation (Z-16-067) be sent to the Secretary of the Zoning Review Board and appropriate City Staff.



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TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT November 21, 2016

Agenda Item: Review and Comment (RC-16-518) on Z-16-068 regarding a text amendment to the **C-2 (Commercial Service), I-1 (Light Industrial), and I-2 (Heavy Industrial) zoning categories**. Properties are zoned C-2, I-1, and I-2.

Applicant: City of Atlanta Office of Zoning and Development
55 Trinity Avenue

Facts: The City of Atlanta is proposing to amend the permitted uses in the C-2, I-1, and I-2 zoning categories to allow “all-terrain vehicle (ATV) parks” through the special use permit process. While this proposed text amendment does not directly revise any specific Historic or Landmark District regulations or the general historic preservation regulations that apply to Historic or Landmark Buildings / Sites, those designations do and can apply as overlay zoning categories to C-2, I-1, and I-2 zoned properties. As the Commission is required to review and comment on zoning actions that could affect designated properties, a review and comment is required for this proposed zoning text amendment.

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.

The Staff finds that the proposed text amendment will not negatively affect designated properties that are also zoned C-2, I-1, and I-2 for the following reasons:

1. The physical characteristics of the designated properties would not change due to a new allowed use;
2. The architectural requirements found in the existing historic preservation-related zoning regulations would not be altered by this text amendment;
3. The Commission’s role in reviewing development for designated properties would not change;
4. The Commission’s ability to ensure that new construction, alterations, additions, site work, etc. for designated properties will be compatible with the property as required by the historic preservation-related zoning regulations would not change; and
5. The specific locational requirements of the proposed use will make it difficult to place such a facility within any designated district or property.

Staff Recommendation: Staff recommends that a letter with the Commission’s comments regarding Review and Comment (RC-16-518) on rezoning legislation (Z-16-068) be sent to the Secretary of the Zoning Review Board and appropriate City Staff.



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TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT November 21, 2016

Agenda Item: Review and Comment (RC-16-519) on Z-16-069 regarding a text amendment to **various zoning categories related to music recording studios**. Properties are zoned variously.

Applicant: City of Atlanta Office of Zoning and Development
55 Trinity Avenue

Facts: The City of Atlanta is proposing to amend the permitted uses in numerous zoning categories to allow “music recording studios” only through the special use permit process and to clarify that they are not a “by right” permitted use. This proposed text amendment does directly revise the following specific Historic or Landmark District regulations by allowing music recording studios through the special use permit process, accept as noted below:

- Baltimore Block LD
- Cabbagetown LD–Subarea 1 (The Mill)
- Cabbagetown LD–Subarea 4 (Neighborhood Commercial)
- Cabbagetown LD–Subarea 5 (Transitional)
- Castleberry Hill LD–Subarea 1
- Castleberry Hill LD–Subarea 2
- Inman Park HD–Subarea 3 (Railroad Corridor and Industrial) – only eliminates it as a permitted use
- Martin Luther King, Jr. LD–Subarea 4 (Auburn / Edgewood Avenue)

Further, the proposed text amendment would revise the regulations of numerous non-historic preservation related zoning districts that are overlaid with other Historic or Landmark District designations or Historic or Landmark Buildings / Sites designations. As the Commission is required to review and comment on zoning actions that could affect designated properties, a review and comment is required for this proposed zoning text amendment.

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.

The Staff generally finds that the proposed text amendment will not negatively affect designated properties for the following reasons:

1. The physical characteristics of the designated properties would not change due to a new allowed use;
2. The architectural requirements found in the existing historic preservation-related zoning regulations would not be altered by this text amendment;
3. The Commission's role in reviewing development for designated properties would not change;
4. The Commission's ability to ensure that new construction, alterations, additions, site work, etc. for designated properties will be compatible with the property as required by the historic preservation-related zoning regulations would not change; and .
5. The specific requirement for this use to be located within "sound proof buildings" will reduce any negative noise effects to surrounding properties.

At the same time, the Staff is somewhat concerned about the distance requirements from "any residential district" included in the text amendment. Given the mixed-use nature of many of the City's designated areas and the areas around designated buildings / sites, the Staff finds that there could be residential properties close to potential music recording studio locations that are not within a "residential district". This concern should be mitigated by the requirement for sound proof buildings.

Staff Recommendation: Staff recommends that a letter with the Commission's comments regarding Review and Comment (RC-16-519) on rezoning legislation (Z-16-069) be sent to the Secretary of the Zoning Review Board and appropriate City Staff.



CITY OF ATLANTA

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TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT November 21, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-497) for a variance to increase the left side yard setback from a maximum of 0' (required) to 7' (proposed); and to increase the right side yard setback from a maximum of 8' (required) to 33' (proposed) (CA3-16-417) for alterations and an addition at **262 Edgewood Ave.** Property is zoned Martin Luther King, Jr. Landmark District (Subarea 4).

Applicant: Jordan Williams
914 Howell Mill Rd

Facts: According to the 2002 District inventory sheet, this commercial structure was constructed in 1920. It is considered contributing to the District. The proposal before the Commission at this time is the construction of a bar / lounge in the basement level of an otherwise one-story building. The street level of the building is occupied by a restaurant / lounge. The basement level of the building does not have any windows and only has one door at the east corner of the rear façade. The proposed actions before the Commission at this time are:

1. Remove a temporary structure from the rear yard of the property;
2. Construct a one-story rear addition to the building at the basement level to house restrooms for the new lounge;
3. Install a new door opening and door at the west corner of the rear façade; and
4. Install a new door in the existing opening at the east corner of the rear façade.

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.
 - b. The intent of these regulations is to ensure that alterations to existing structures and new construction are compatible with the massing, size, scale, and architectural features of each Subarea and of the immediately adjacent environment of a particular block or block face. To further that intent and simultaneously retain flexibility, the regulations provide a "compatibility rule" which is: The element in question, such as roof form or architectural trim, shall match that which predominates:
 - ii. On contributing buildings on the same block in Subareas 3 and 4.
 - c. Where quantifiable, such as building height or floor height, the element shall be no smaller than the smallest or larger than the largest such dimension of the contributing building(s) along the same block face in Subareas 1 and 2 and on individual blocks in Subareas 3 and 4.
 - d. Those elements to which the compatibility rule applies are specified in these regulations by reference to "compatibility rule."
 - e. Building height shall be measured on the front elevation from the average point of grade on the front elevation to the highest point of the roof or façade, whichever is higher.
 - g. Whenever individual block faces in Subareas 1 and 2 or individual blocks in Subareas 3 and 4 are void of contributing structures, the contributing structures located on the opposing block face shall be utilized for purposes of adhering to compatibility rule provisions. If the opposing block face is void of contributing structures, the contributing structures on the nearest block face along the same street frontage shall be utilized.
3. Certificates of Appropriateness.
- a. General Provisions.
 - i. The procedures for determining the correct type of Certificate of Appropriateness shall be those specified in Section 16-20.008, except as otherwise provided herein.
 - ii. No certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - c. Type III certificates of appropriateness. The following Type III certificates of appropriateness shall be reviewed by the commission and shall be required for:
 - ii. Additions;
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).

Sec. 16-20C.006. - Lot controls and building heights.

2. The following lot controls and building heights provisions shall apply to Subareas 3 and 4.

a. Building heights.

i. Maximum building heights shall be permitted up to a maximum of one and one-half times the height permitted utilizing the compatibility rule, provided that:

(2) For property located west of Interstate 75/85, no building shall be permitted to exceed a maximum height of 68 feet.

ii. The building heights permitted in this subsection are intended to be the maximums authorized but are subject to further compatibility restrictions under other provisions of this district relative to building form, scale, massing and materials.

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.

c. Required open space.

i. Open space shall be required only for multi-family uses. All other uses shall have no open space requirements.

3. The following additional yards provisions shall apply to Subareas 3 and 4.

a. Front, rear and side yards. All front, rear and side yards for this subarea shall be established through the compatibility rule, except that zero-lot-line side yards shall be permitted as a minimum side yard allowance regardless of the compatibility rule application.

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

1. The following Design Standards provisions shall apply to Subareas 1 through 4.

a. Building compatibility.

i. All elements of new construction shall be utilized in a meaningful, coherent manner, rather than a mere aggregation of random historic elements.

ii. The compatibility rule shall apply to a principal structure's general façade organization, proportion, scale, roof form, pitch and materials, door and window placement, and other architectural details including but not limited to brackets, decorative trim, corner boards, bottom boards, fascia boards, columns, steps and attic vents.

iii. Fiberglass roofs shall be prohibited.

b. Fenestration.

i. The compatibility rule shall apply to the following aspects of fenestration:

(1) The style and material of the individual window or door.

(2) The size and shape of individual window and door openings.

(3) The overall pattern of fenestration as it relates to the building façade.

(4) The use of wood or aluminum for exterior framing, casing, and trim for windows and doors, and the use of wood, aluminum, brick, or stone for bulkheads.

ii. Painted glass and reflective glass, or other similarly treated fenestration, are not permitted.

iii. Except as otherwise provided in 16-20C.008(2), if muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.

3. The following Design Standards provisions shall apply to Subareas 3 through 4.

a. Facades.

i. Building materials for the façades of principal structures shall be determined by the compatibility rule. Concrete block and other masonry materials may be used on façades of principal structures that do not face a public street. Corrugated metal, aluminum siding, and vinyl siding are not permitted on any façade.

Per Section 16-26.003:

(1) Findings Required: Except as permitted by the provisions of subsection (2) below, variances may be granted by the board only upon making all of the following findings:

(a) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography;

(b) The application of the Zoning Ordinance of the City of Atlanta to this particular piece of property would create an unnecessary hardship;

(c) Such conditions are peculiar to the particular piece of property involved; and

(d) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance of the City of Atlanta.

CA3-16-497 (Variance Analysis)

The Staff finds the variance criteria have been met. The side yard setback requirements in Subarea 4 are based on the range of the side yard setbacks on the block. In this case, the side yard setback range established by the compatibility rule would require the Applicant to build an addition much larger than they need or want. In this case, the two other comparison buildings which are located around the corner from the subject property (the subject building is also a point of comparison) are also almost as wide as their lot, so the biggest setback that would be allowed on each side of the proposed addition would require that a wider addition be built than is proposed.

The Staff would recommend approval of the side yard setback variances.

CA3-16-417 (Design Review)

The rear yard setback is based on the compatibility rule. In this case the two comparison properties have rear yard setbacks of 40 ft. and 0 ft. The rear yard setback of the proposed addition is about 34.5 ft. meeting the District regulations. Given the Staff's recommendation regarding the side yard setback variance above, the Staff finds the proposed addition meets all of the setback requirements.

There is no lot coverage requirement in Subarea 4 of the District. There is no open space requirement for non-residential uses in Subarea 4 of the District. The proposed addition is well below the maximum height of 68 ft.

The Staff has no concerns about the façade material, coping material, or design of the proposed addition. It is typical of a utilitarian, rear addition found in the District. It is compatible with the design and materials of the existing building.

The Staff has no concerns about the new door opening and new doors themselves. Like the addition, these openings are typical of utilitarian architectural components found on the rear of a building.

Staff Recommendations:

CA3-16-497 (Variance):

Based upon the following:

- a) The proposed project meets the variance criteria, per Section 16-26.003.

Staff recommends approval of an application for a Type III Certificate of Appropriateness (CA3-16-497) for a variance to increase the left side yard setback from a maximum of 0' (required) to 7' (proposed); and to increase the right side yard setback from a maximum of 8' (required) to 33' (proposed) at **262 Edgewood Ave.** Property is zoned Martin Luther King, Jr. Landmark District (Subarea 4).

CA3-16-417 (Design Review):

Based upon the following:

- a) Except as noted above, the proposed project meets the District regulations, per Section 16-20C.

Staff recommends approval of an application for a Type III Certificate of Appropriateness (CA3-16-417) for alterations and an addition at **262 Edgewood Ave.** Property is zoned Martin Luther King, Jr. Landmark District (Subarea 4).



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TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT November 21, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-485) for a front porch enclosure / addition at **556 Moreland Ave.** Property is zoned RG-3-C / Inman Park Historic District (Subarea 1).

Applicant: Michael Laudette
2687 McCollum Pkwy., Ste. F, Kennesaw

Facts: This existing multifamily development was constructed in 2001 and is considered non-contributing to the District.

The existing application is for an addition to unit 1-A.

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.
 - a. Except as otherwise provided herein, the procedures for determining the appropriate type of certificate of appropriateness shall be those specified in section 16-20.008 of the Zoning Code.
 - b. In the Inman Park Historic District, the commission shall apply the standards referenced below only if the standards set forth elsewhere in this chapter 20L do not specifically address the application including multi-family residential, institutional, commercial, industrial and mixed use structures in Subarea 1:
 - i. A property shall be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
 - ii. The historic character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property shall be avoided.
 - iii. Each property shall be recognized as a physical record of its time, place, and use. Changes shall not be undertaken that create a false sense of historical development, such as adding conjectural features or elements from other historic properties.
 - iv. Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
 - v. Distinctive materials, features, finishes, and construction techniques, or examples of craftsmanship that characterize a property, shall be preserved.
 - vi. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, texture, and, where possible, materials.

- vii. Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
 - viii. Archaeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.
 - ix. New additions, exterior alterations, or related new construction, shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work may be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
 - x. New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
- 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:
 - ii. Additions that are visible from a public street or park, unless such additions are specifically exempted from a certificate of appropriateness in the subarea regulations.
- Sec. 16-20L.006. - Specific regulations for Inman Park Core District, Subarea 1.
- In the Inman Park Core District, Subarea 1, the commission shall apply the standards referenced in section 16-20L.005(1)(b) only if the standards set forth below in this chapter 20L do not specifically address the application:
- 1. *Design standards and other criteria for construction of and for additions to one- and two-family residential structures.*
 - i. Front porches on principal structures shall be required. The compatibility rule shall apply to the design and size of said front porches, provided that such porches shall be a minimum of 12 feet wide or one-half of the width of the front façade, whichever is greater, and a minimum of eight feet deep. Front porches shall contain roofs, balustrades, columns, steps, and other features compatible with porches in the existing block. Front porches may extend up to ten feet into the required front yard. All front porch steps shall have closed risers and ends.
 - j.
 - m. The compatibility rule shall apply to the height of portions of retaining walls located in a required front yard or in a required yard adjacent to a public street that are visible from a public street or park. Such retaining walls shall be faced with stone, brick, or smooth stucco. The compatibility rule notwithstanding, no single section of such retaining wall shall exceed four feet in height.
 - n. The compatibility rule shall apply to the following aspects of fenestration, if visible from a public street or park upon completion:

- i. The style of the individual window.
 - (1) Windows in the front façade shall be predominantly vertical in proportion.
 - (2) If muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.
 - (3) Window and door casings widths and depths are subject to the compatibility rule.
- ii. The size and shape of individual window openings.
- iii. The overall pattern of fenestration as it relates to the building façade.
- o. Mechanical equipment shall be located to the side and rear of the principal structure and where possible in the location least visible from a public street or park. Screening with appropriate plant material or fencing is required if the equipment is visible from a public street or park.
- p. Wood lap siding, cementitious lap siding, brick, stone, external insulating finishing system ("EIFS"), and true stucco systems are permissible building materials for the façade of the principal structure. Corrugated metal, aluminum siding, and vinyl siding are not permitted.
- q. The compatibility rule shall apply to building materials and design elements, if visible from a public street or park upon completion, and in addition to all other applicable regulations, as follows:
 - i. The dimensions of the exposed face of lap siding and wood shingles.
 - v. The size and type of doors.
 - (1) Exterior doors shall be wood panel or fixed glass panel in wood frame.
 - viii. Visible foundation materials.
 - (1) Foundations shall constitute a distinct building design element and shall contrast with the primary façade siding material. Exposed concrete or CMU foundation walls are prohibited as a finished surface.
- 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.

Initial issues

The proposed project involves the enclosure of the existing front porch associated with this particular condominium unit and turning the space into a sunroom. Several substantive issues exist with such a request in this subarea of the District. Firstly is the requirement that all principal structures contain a front porch. Staff finds that the Applicant's plan for enclosing the front porch would remove the required front porch without providing a new, and required, front porch. To allow the project as proposed would therefore require a variance from the requirement that principal structures contain a front porch. As such, Staff recommends the Applicant apply for a variance from the requirement that principal structures contain a front porch.

The second issue with the proposed design is the reduction in the front yard setback. In the District, new additions to existing structures are required to conform to the existing front yard setback. The purpose of this requirement is to encourage additions to the rear of the structure which would leave the street facing façade untouched. Based on the information provided by the Applicant, the existing front yard setback is 43'. The proposed addition would reduce the front yard setback by 8', resulting in a setback of 35'. Such a request would require a variance from the requirement that an addition conform to the setback of the existing structure. As such, Staff recommends the Applicant apply for a variance to allow an addition which does not conform to the front yard setback of the existing structure.

The third issue surrounding this project is the conditional RG-3-C underlying zoning. At this time Staff is unable to obtain a copy of the zoning conditions for this property. These conditions could contain design requirements which the project would be required to meet in addition to the design requirements of the District regulations. Staff will be requesting the zoning files associated with these conditions to properly review the project, but these files will not be available before the November 21, 2016 meeting. As such, Staff recommends the project conform to any RG-3-C zoning conditions discovered after a review of the original zoning files in addition to the District design requirements.

CA3-16-485:

Staff Recommendation: Based upon the following:

- 1) The project does not meet the regulations, per Sec. 16-20L.006;

Staff recommends deferral of an Application for a Type III Certificate of Appropriateness (CA3-16-485) for a front porch enclosure / addition at **556 Moreland Ave.** to allow the Applicant time to address the following Staff concerns:

1. The Applicant shall apply for a variance from the requirement that principal structures contain a front porch, per Sec. 16-20L.006(1)(i);
2. The Applicant shall apply for a variance to allow an addition which does not conform to the front yard setback of the existing structure, Per Sec. 16-20L.006(2)(b);
3. The project shall conform to any RG-3-C zoning conditions discovered after a review of the original zoning files in addition to the District design requirements; and,
4. All variance applications shall be submitted in compliance with the application deadline schedule, and any new materials shall be submitted no less than 8 days before the scheduled meeting date.



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TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT November 21, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-481) for Building A, a variance to reduce the front yard setback from 94' (existing) to 88' (proposed), and to reduce the side yard setback from 114' (existing) to 38' (proposed); for Building C, a variance to allow parking between the principal building and the public street; for Building D, a variance to reduce the rear yard setback from 21.1' (existing) to 14' (proposed), to reduce the east side yard setback from 42.6' (existing) to 17.5' (proposed), and to reduce the special (south) yard setback from 10.8' (required) to 6.7' (proposed); and (CA3-16-480) for alterations, additions, and new construction at **1192 & 1228 (aka 1200) Ponce De Leon Ave.** – Property is zoned Druid Hills Landmark District.

Applicant: Minerva USA, LLC.
2292 Henderson Mill Rd.

Facts: The existing church, attached education / community building, pre-school-related equipment and gymnasium are considered non-contributing to the District. The property is located on the northeast corner of Ponce de Leon Avenue and Briarcliff Road. From the Ponce de Leon Avenue side of the building, the property slopes up to the church complex, while on the Briarcliff Road side of the building the lot slopes slightly down away from the sidewalk. There are several mature trees located in the front portion of the property and along Briarcliff Road, as well as less significant trees along the eastern and northern property lines.

In general the proposal before the Commission at this time consists of converting the existing sanctuary building into multifamily units (Building 1), constructing an addition to the front of the side chapel (Building A), adding a floor to the community / education building (Building 2), removing the gymnasium building, adding three new stand-alone buildings (two with parking underneath) (Buildings B, C, and D) and removing a substantial amount of the surface parking and hardscape around the property.

At the November 9, 2016 Commission meeting, the Staff issued preliminary comments and the Commission had a preliminary discussion about the proposed project. The Applicant has submitted additional documentation (received on November 17th) in response to the Staff's preliminary comments and the Commission preliminary discussion. This Staff Report takes into account the materials received on November 17th.

Analysis: The following code sections apply to this application:

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

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

- (1) General Standards. In the Druid Hills Landmark District, the Commission shall apply the following general standards only if the standards set forth elsewhere in this chapter 20B do not specifically address the application:
 - (a) A property shall be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
 - (b) The historic character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property shall be avoided.
 - (c) Each property shall be recognized as a physical record of its time, place, and use. Changes shall not be undertaken that create a false sense of historical development, such as adding conjectural features or elements from other historic properties.
 - (d) Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
 - (e) Distinctive materials, features, finishes, and construction techniques, or examples of craftsmanship that characterize a property, shall be preserved.
 - (f) Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, texture, and, where possible, materials.
 - (g) Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
 - (h) Archaeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.
 - (i) New additions, exterior alterations, or related new construction, shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work may be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
 - (j) New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
- (2) Certificates of Appropriateness.
 - (a) Except as otherwise provided herein, the procedures for determining the correct type of certificate of appropriateness shall be those specified in section 16-20.008 of the Zoning Ordinance.
 - (b) Notwithstanding any other provision herein, no certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - (c) No certificate of appropriateness shall be required for the removal of dead, dying, or hazardous tree as defined in the City of Atlanta Tree Ordinance or a tree with a diameter breast height of less than six (6) inches.
 - (g) Type III certificates of appropriateness shall be reviewed and decided by the Commission and shall be required for:
 - i. All new principal structures.
 - ii. All additions to existing principal structures and accessory buildings, including decks.
- (3) Minimum off-street parking requirements:
 - a. Off-street parking spaces shall not be permitted in any front yard or within 50 feet of the public right-of-way in any half-depth front yard, except for yards adjacent to Moreland Avenue, where a 60-foot limit shall apply. For the purpose of this regulation, the front yard shall be that area between the public right-of-way and the forward line of the principal structure.
 - b. No off-street parking shall be located within 20 feet of any lot line.

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

Sec. 16-20B.004. - Ponce de Leon Corridor regulations.

In addition to the general regulations required in section 16-20B.003, the following regulations shall apply to any new development or the conversion of any existing structures to permitted uses within the Ponce de Leon Corridor.

These regulations are intended to preserve the environmental character and the physical appearance of the corridor in order to encourage the continued use of the existing structures for residential use where feasible, and to assure that any nonresidential use which may be permitted for preservation purposes in existing structures is compatible with the historic character of the district as a whole.

- (1) Permitted principal uses and structures:
 - b. Multifamily dwellings as follows:

1. The conversion of existing structures containing at least 1,600 square feet of total floor area and conformance with the following criteria:
 - (a) Each dwelling unit contained within the existing structure shall be at least 750 square feet of floor area.
 - (b) Such conversion may be made on a lot with yards or other open space of lesser dimensions than required herein for any new construction, but such conversion shall not increase the degree of nonconformity existing.
2. The construction of new structures on either vacant parcels or as additional structures where the existing structure is proposed to remain, such additional construction shall conform to the development controls as so specified above and all other regulations of the District.
- (2) Permitted accessory uses and structures: Uses and structures are permitted which are customarily incidental and subordinate to permitted uses and structures. These include but are not limited to the following, subject to limitations and requirements set forth herein or elsewhere in this chapter:
 - a. Greenhouses, garden sheds, private garages and similar structures.
 - b. Guest houses, servant quarters, or lodging facilities for caretakers or watchmen.
 - c. Swimming pools, tennis courts and similar facilities.
 - d. Home occupation, subject to limitations set forth in section 16-29.001(17).
 - e. Structures necessary to support active construction projects on the same property.
 - f. Except in the case of home occupation, no accessory use shall be of a commercial nature.
 - g. Such structures shall be located to the rear of the principal structure and not within any required side or rear yards
- (4) Area regulations; subdivision of lots: The minimum size lot resulting from subdivision shall be not less than 20,000 square feet except for zero-lot-line subdivisions.
 - b. Lot area:
 3. Multifamily dwelling: Each lot shall contain a minimum lot area of not less than 3,600 square feet per dwelling unit.
- (5) Lot coverage:
 - b. For multifamily uses: Shall be computed as for R-G, Chapter 8, Table 1, Land Use Intensity Ratios.
- (6) Minimum yard and development requirements:
 - a. Setbacks:
 5. North side of Ponce de Leon; Briarcliff Road, NE, to Springdale intersection except for gateway property at northeast corner of Briarcliff which shall maintain its existing setbacks:
 - Front yard: 132 feet.
 - Side yards: 30 feet plus five feet for each additional story above two. At public street intersections, side yard setback shall be 50 feet.
 - Rear yard: 35 feet.
 - b. Open space and space between buildings: Same as R-G, see chapters 8 and 28.
 - c. Maximum height: No building shall exceed 45 feet in height.
 - d. Off-street parking may be located within ten feet of side and rear yard lines upon approval of the commission. Such approval shall be conditioned upon adequate buffering and screening. No parking in required yards will be allowed where such yards adjoin public rights-of-way.

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

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

Per Section 16-26.003:

- (1) Findings Required: Except as permitted by the provisions of subsection (2) below, variances may be granted by the board only upon making all of the following findings:
 - (a) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography;
 - (b) The application of the Zoning Ordinance of the City of Atlanta to this particular piece of property would create an unnecessary hardship;

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

Variance Analysis (CA3-16-481)

The Applicant's argument for their variance is focused on the unusual and odd shape of the lot, the reduction in the buildable area given the retention of the church complex, and the constraints created by not generally putting any new buildings closer to Ponce de Leon Avenue or Briarcliff Road than the existing building. These characteristics of the lot and of the proposed design greatly reduce the amount of developable space on the property, while at the same time allowing for a project that would be more compatible with the site orientation and lay out of the District. The Applicant also notes that the location of the bulk of the new construction towards the rear and northeast portions of the property will not have a substantial effect on the adjacent properties, which consist of residential buildings to the north with heavy landscaping along the property line (outside the District) and the two / three story Springdale Park Elementary School to the east (in the District). Lastly, the Applicant noted that their placement of Building C at the rear of the site (within a current parking lot) allows for more parking and paving to be removed in the front of the site without actually creating a new parking area.

The Staff recommends approval of all components of the variance request.

General Development Controls

The number of multifamily units that is permitted on the property is a function of the property size such that for each dwelling unit provided there has to be at least 3,600 sq. ft. of lot area. The proposed 51 units meet this District regulation.

The number of multifamily units is further defined by a minimum square footage for each unit provided in an existing building. The 7 units provided in the church building and the 12 units provided in the community / education building are well over 750 sq. ft. per unit, meeting this District regulation.

Regarding the lot coverage, the District regulations refer to the Land Use Intensity (LUI) Table of the Residential General zoning district (RG) which doesn't calculate lot coverage per se, but does have total and usable open space requirements which do define lot coverage in a different fashion by requiring minimum amounts of open space (total and usable). Further, the floor area ratio (FAR) that would be applied to the chart is not prescribed by the District regulations, but rather calculated based on the number of units and the size of the units allowed by the District regulations in relation to the net lot area. For this proposal, the total residential square footage proposed is 129,028 sq. ft.

The LUI Table requires that all calculations related to it be done using gross lot area. Therefore to calculate the effective FAR the total residential square footage proposed would be divided by the gross lot area (218,710 sq. ft.) for a resulting effective FAR of .589. The closest FAR listed in the LUI Table is .606, resulting in a required open space of .70 of the gross lot area and usable open space of .40 of the gross lot area. The recent submission includes all of these calculations and shows that the proposed project meets both the total and usable open space requirements.

The District regulations also use the RG zoning district regulations to calculate the distance between the buildings. The recent submission includes all of these calculations for each side of each building, documenting that the District regulations have been met.

The proposal includes at least two (2) parking spaces for each multifamily unit. Notwithstanding the new condition of parking between the building and within a certain distance of Moreland Avenue the street addressed in the variance request, the parking that is provided within 10 ft. of the side and rear property lines already exists and will remain as is.

The District regulations restrict building on slopes of greater than 25% for houses and no greater than 15% for other structures. The recent submission includes slope calculations for each for the three new stand-alone buildings and the addition to the community / education building. In each case, the slope calculations take into account the steepest cross slope for the building. In no case is the slope being built upon greater than 9%.

The District regulations prohibit development in the 100 year flood plain. The survey included in the recent submission includes a note indicating that the property does not appear to lie within the 100 year floodplain.

The only accessory structure included in the proposal is a “wood arbor” located above four parking spaces just to the east of proposed Building B. The District regulations require that accessory structures be located to the rear of the principal building. In this case, the Staff finds the wood arbor is located to the side of the principal building and thus does not meet the District regulations. The Staff would recommend the wood arbor that is east of Building B be removed from the proposed design.

Site Elements

The proposal does not appear to contain any new retaining walls other than those directly associated with providing access to the underground parking beneath two of the new buildings.

The site plan also indicates the removal of a significant of asphalt paving and hardscape, reuse of the remaining paving, and a walkway system. The site plan included in the recent submission indicates that all of the new walkways will be concrete and all of the patio / hardscape paving associated with the building units will be concrete pavers. The Staff has no concerns about the material or design of the walkways or hardscape associated with the building units.

The site plan in the recent submission indicates proposed plantings and trees that are generally compliant with the District regulations and indicates where trees will be retained, lost, and planted. The tree calculations indicate that 26 trees will be lost and 60 trees will be planted of various species. The Staff’s only concern about the tree planting design is the trees to be planted in front of the proposed Building B. Generally speaking in the District and particularly along Ponce de Leon Avenue, the front yards of the buildings are open with trees and planting to the sides that frame the view / vista of the building. In this case, the two trees closest to Ponce de Leon Avenue could block the vista of Building B. The Staff would recommend the tree plantings near and in front of Building B be repositioned to frame the view of Building B and comply with the District regulations.

Currently there are two fences on the property; one around the day care playground and one along the Briarcliff Road frontage. The fence around the day care playground will be removed along with

playground to make way for the Building A addition. The fence along the Briarcliff Road frontage will be retained in place and repaired in kind. No new fences are proposed in any yard along a public street.

Overall Massing and Design

The maximum height allowed for any new construction on the property is 45 ft. The Staff does not have any concerns about the third floor addition to the community / education building (Building 1), the addition to the front of the chapel building (Building A) or Building B as they are all well below 45 ft. in height. In the recent submission, the Applicant provided detailed calculations regarding the height of Building C and D using the City's standard technique for measuring building height. Using this technique, Building C has a calculated height of about 43.5 ft. and Building D has a calculated height of about 44.5 ft.

Buildings 1, 2, and A

These buildings consist of the renovation of the existing sanctuary (Building 1), the addition of another level to the community / education building (Building 2) by removing the existing roof system, and a front addition to the chapel portion of the complex (Building A) by partially removing the front of the existing chapel building. As the existing buildings are not considered contributing to the District, the partial demolition of them is not a concern to the Staff. The Staff also generally finds that except as noted below the proposed renovations / additions are compatible with the existing form, massing, and architectural style of the church complex.

The Staff has several concerns about Building A. First, it is concerned that due to the use of "matching" materials and architectural elements for Building A, the proposed addition might appear too seamless with the original structure and thus could create a false sense of historical development related to Building A. The Staff would recommend that Building A be slightly differentiated from the church and community / education building to avoid a false sense of development.

Second, the Staff is concerned about the wall height below the first floor windows on the Ponce de Leon façade of the building. Due to the drop in grade, more of the foundation wall is exposed on this façade than the side facades of Building A. The Staff finds that this would create an ill-proportioned façade pattern facing Ponce de Leon Avenue. The Staff would recommend the lower portion of the Ponce de Leon Avenue façade of Building A be articulated so as to reduce the amount of blank wall below the first floor windows.

Third, the Staff is concerned about the use of the punched-in openings for the side terraces on Building A, particularly the façade facing Briarcliff Road. The Staff assumes that the design is trying to maintain the fenestration pattern and rhythm found on the rest of the building, but the Staff finds that the punched openings will appear awkward and/or contrived. Given the size and orientation of this building, the Staff further finds that having actual terraces / porches would be appropriate and would in fact help differentiate the new building / addition from the original church and community / education building. The Staff would recommend the design of the terraces on Building A be revised to be more consistent with regular porches found in the District.

Building B, C, and D

Generally speaking, the Staff concurs with the overall concept of the arrangement, massing, and design of the three proposed new buildings. They are located on the property to allow each one to be "read" as its own visual component without trying to compete with each other. Further, though

Buildings B and C are somewhat closer to the existing buildings on the property than might be found with other buildings on the Ponce de Leon corridor, they do have significant separation between them and the existing buildings. The architectural styles are distinctly different from each other which create more visual separation between the buildings and allows them to not compete with each other architecturally. They are also distinct but generally compatible with the other buildings on the Ponce de Leon corridor, except as noted below.

Building B will appear the most like a single family house which the Staff finds is appropriate given that of the three new buildings it would occupy the most obvious “infill” location on the property between the existing church and the adjacent single family house to the east. However, the Staff is concerned about the somewhat boxy appearance of the building at its front elevation due to the façade being in one plane and the simple side-to-side gable roof. Further, the Staff is concerned about double hung windows that appear to be too short for their width giving them a squatty appearance. The Staff would recommend that the design of Building B be revised to reduce the rectangular, unarticulated massing and increase the compatibility of the fenestration with the District.

Building C will appear more like an apartment building, which the Staff finds is appropriate given its location between the community / education building and the multifamily properties to the north. However, the Staff is concerned about the size of the porch columns, which on the elevations appear to be very thin in proportion to the porch and the building in general. The Staff would recommend the porch columns for Building C be increased in size to be compatible with the porches and the building. In addition, given the somewhat traditional design aesthetic of the building, the Staff would recommend that the paired windows and any grouped windows / doors on Building C have the appropriate trim separating the fenestration units.

Building D will be the most contemporary and largest of the three new buildings which the Staff finds is appropriate given its lack of visibility from the public street and its adjacency to the adjacent, contemporary, and relatively large public school building to the east.

Architectural Elements and Materials

The Staff has no concerns about the proposed materials.

CA3-16-481:

Staff Recommendation: Based upon the following:

- a) Except as noted above, the project meets the variance criteria, per Section 16-26.003(1).

Staff recommends approval of Application for a Type III Certificate of Appropriateness (CA3-16-481) for Building A, a variance to reduce the front yard setback from 94' (existing) to 88' (proposed), and to reduce the side yard setback from 114' (existing) to 38' (proposed); for Building C, a variance to allow parking between the principal building and the public street; for Building D, a variance to reduce the rear yard setback from 21.1' (existing) to 14' (proposed), to reduce the east side yard setback from 42.6' (existing) to 17.5' (proposed), and to reduce the special (south) yard setback from 10.8' (required) to 6.7' (proposed) at 1192 & 1228 (aka 1200) Ponce De Leon Ave. to allow time for the Applicant to address the following Staff concerns and comments:

CA3-16-480:

Staff Recommendation: Based upon the following:

- a) Except as noted above, the project meets the District regulations, per Section 16-20B.

Staff recommends approval of application for a Type III Certificate of Appropriateness (CA3-16-480) for alterations, additions, and new construction at **1192 & 1228 (aka 1200) Ponce De Leon Ave.** with the following conditions:

1. The wood arbor that is east of Building B shall be removed from the proposed design, per Section 16-20B.004(2)(g);
2. The tree plantings near and in front of Building B shall be repositioned to frame the view of Building B and comply with the District regulations, per Section 16-20B.003(4);
3. Building A shall be slightly differentiated from the church and community / education building to avoid a false sense of development, per Section 16-20B.003(1) and (6);
4. The lower portion of the Ponce de Leon Avenue façade of Building A shall be articulated so as to reduce the amount of blank wall below the first floor windows, per Section 16-20B.003(1) and (6);
5. The design of the terraces on Building A shall be revised to be more consistent with regular porches found in the District, per Section 16-20B.003(1) and (6);
6. The design of Building B shall be revised to reduce the rectangular, unarticulated massing and increase the compatibility of the fenestration with the District, per Section 16-20B.003(1) and (6);
7. The porch columns for Building C shall be increased in size to be compatible with the porches and the building, per Section 16-20B.003(1) and (6);
8. The paired windows and any grouped windows / doors on Building C shall have the appropriate trim separating the fenestration units, per Section 16-20B.003(1) and (6); and
9. The Staff review, and if appropriate approve, the final plans and supporting documentation.