



CITY OF ATLANTA

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TIM KEANE
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STAFF REPORT

February 22, 2017

REVISED

March 8, 2017

(Revised text shown in italic.)

Agenda Item: Application for Type III Certificate of Appropriateness (CA3-17-032) for a new single family house at **388 Atwood Street** - Property is zoned R-4A/West End Historic District/ Beltline.

Applicant: ECI Asset, LLC
1081 Sanders Avenue

Facts: This property is located on the east side of Atwood Street between Sells Avenue on the north and Greenwich Avenue on the south. The property has a slight rise from front to back. The proposal before the Commission at this time is the construction of a two-story, single-family house with a front-to-back gable, full width projecting front porch, and two siding-facing roof “wings” / dormers. There is a driveway proposed on the right side of the house, with a walkway connecting to the front porch stairs.

On February 28, 2017, the Applicant submitted a revised design and supporting materials, which are taken into account in this revised Staff Report.

Analysis: The following code sections apply to this application:

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

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

(1) Certificates of Appropriateness: Certificates of appropriateness within this district shall be required as follows:

(a) When required:

(ii) To erect a new structure or to make an addition to any structure within the district, when said addition can be seen from public right-of-way; and (b) Type required:

(b) Type required:

(vi) The following Type III Certificates of Appropriateness shall be reviewed by the commission and shall be required for:

a. All new principal structures.

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

contributing buildings of the same block face." Those elements to which the compatibility rule applies are specified in these regulations by reference to "compatibility rule."

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

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

- (1) Generally: The following building elements and architectural features shall be considered when applying section 16-20.009 of this chapter to the West End Historic District: doors, windows, foundations, finished floor elevations, roofs, roof features, gutters, downspouts, cornices, siding, porches, steps, terraces, dormers, shutters, awnings, gateways, archways, louvers, walls, fences, and gates.
- (2) Building Façades:
 - (a) All new construction shall conform to the existing building orientation by having sidewalks, front yards, porches and front doors facing and parallel to the street, and if located on a corner, the main façade shall face the principal street whenever possible.
 - (b) At a minimum, the front of all new construction, including any portion thereof, shall be placed at the distance from the street determined by the compatibility rule. This requirement shall also apply to those sides of corner lots which also face a street.
 - (c) All building materials, which upon completion are visible from the public right-of-way, are subject to the compatibility rule.
 - (d) Siding repair or replacement shall match the original in material, scale and direction. For new construction and additions, brick, wood or horizontal smooth cementitious siding is permitted.
 - (e) Contemporary design of new construction, compatible with adjacent and surrounding structures, is permitted.
 - (f) Height of the first floor of the front façade above grade shall be subject to the compatibility rule. Notwithstanding the compatibility rule, the first floor of the principal structure shall be on foundations and shall be elevated above grade at the front façade a minimum of two entrance risers each of which shall be not less than seven inches in height. Slab-on-grade construction is not permitted.
 - (g) No structure shall exceed that height established by the compatibility rule.
- (3) Windows and Doors:
 - (d) If muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.
 - (e) The replacement and reconfiguration of windows on the side elevations to accommodate kitchens and bathrooms is permitted.
 - (f) Dropped ceilings, when located below the head of a window, shall be sufficiently recessed from the window opening to maintain the original exterior appearance.
 - (h) The ratio of openings to solid for all new construction (for example, windows to wall) shall be established by the compatibility rule.
 - (i) The scale, size, proportion, and location of all openings in new construction shall be established by the compatibility rule.
 - (k) New or replacement doors shall be made of wood and shall contain a rectangular light opening subject to the compatibility rule as to its scale, size, proportion placement, and style to original doors within that block face.
- (5) Foundations:
 - (a) Foundation materials, including infill materials, shall replicate the original materials in size, shape, color, texture and mortar, and shall be installed using construction techniques similar to the original.
 - (b) New foundations shall be of masonry or concrete construction. Other foundation materials are permitted provided they are appropriate to the building on which they are located and in scale, materials and style with adjacent and surrounding buildings.
 - (c) Slab on grade is not permitted.
 - (d) Lattice, painted concrete block, brick or stucco shall be used as infill between foundation masonry piers when infill is otherwise required.
- (6) Chimneys:
 - (a) Chimneys shall match original materials, mortar, color and pattern whenever possible.
 - (b) New chimneys shall be faced with brick or stucco.
 - (c) Siding on chimneys is prohibited.
 - (d) When any portion of a chimney is visible from a public street as a façade element, the chimney shall originate at grade.
- (7) Roofs:
 - (b) Cold-rolled roofing is permitted only on flat roofs. Corrugated metal and corrugated fiberglass roofs are not permitted.
 - (c) The use of synthetic roofing materials is permitted if not visibly distinguishable from the original as viewed from the public street.
 - (d) The shape and pitch of roofs for new construction shall be subject to the compatibility rule.

- (8) Decks: Decks shall be constructed to the rear of the structure and shall not extend beyond the sides of the structure. Decks on the corner lots shall be screened with fencing or vegetation to reduce visibility from the public street.
- (9) Porches:
 - (d) New or replacement porches shall contain balustrades, columns and other features consistent with the architectural style of the house or other original porches in that block. The height of the top rail shall be no more than 33 inches above the finish porch floor, except as required by the City's building code.
- (12) Paved Surfaces:
 - (a) The original layout, patterns and paving materials of sidewalks, driveways, alleyways, curbs and streets shall be retained. The design and material of new replacement paving materials shall be subject to the compatibility rule.
 - (b) The design and material of new paved surfaces areas, other than those specified in subsection (a) above, including driveways, walkways, and patios, or portions thereof, shall be subject to the compatibility rule.
 - (c) New driveways shall not exceed a width of ten feet not including the flare at the street.
- (13) Off-Street Parking Requirements:
 - (a) Off-street parking shall not be permitted in the front yard or half-depth front yard.
 - (b) Carports and garages shall be behind the rear of the main structure. If the main structure is located on a corner lot, the front yard setback for that side street shall apply to the construction of a carport or garage.
 - (c) The use of alleys for access to such parking is permitted. No variance is required for driveways accessed from an alley.
- (17) Public Sidewalks and Planting Strips:
 - (a) Existing public sidewalks, planting strips, and associated topography shall be retained.
 - (b) The public sidewalk shall be the same width as the sidewalk on abutting properties.
 - (c) The compatibility rule shall apply to public sidewalk paving materials.
 - (d) Where a public sidewalk to be replaced is adjacent to poured concrete, original concrete hexagonal pavers or poured concrete with stamped hexagonal motif, the new sidewalk shall be poured concrete bordered with brick laid flat.

Compatibility Rule Analysis and Documentation

The Applicant provided no compatibility rule information. The District regulations base the front yard setback, building height, first floor height, roof form and pitch, window size / patterns, building materials, and sidewalk paving materials on the contributing buildings on the block face, which includes the same side of the street between the next two intersections. In this case, the following addresses would be the points of comparison:

376 and 380

The Staff would recommend the Applicant provide complete compatibility rule information.

In the revised submission, the Applicant provided compatibility rule information regarding the building height, first floor height, and setbacks, as well as provided current photographs of the two houses showing their fenestration pattern and roof form. No information was provided about the roof pitches and materials. The Staff would retain its previous recommendation as it relates to roof pitches and materials, and clarifying to what point was the front yard setback measured.

Setbacks and Site Plan

As noted above, the front yard setback is determined by the compatibility rule. Given no information was provided about the front yard setbacks on the block, the Staff cannot confirm that the proposed front yard setback meets the District regulations. The Staff would recommend the front yard setback meet the District regulations.

Based on the compatibility rule information provided, the front yard setback meets the District regulations.

The side and rear yard setbacks meet the underlying zoning district regulations (R-4A).

The project includes a driveway that goes beyond the front façade of the house. To avoid parking in the front yard, the driveway must proceed at least 20 ft. past the front façade of the house, which the proposed driveway does not. The Staff would recommend the driveway proceed at least 20 ft. past the front façade of the house.

The driveway not extends 20 ft. past the front façade of the house.

The Staff would also strongly suggest that in addition to the walkway from the front porch to the driveway, a walkway from the front porch to the site stairs and sidewalk be included in the site plan as well.

A walkway now extends from the front porch to the public sidewalk.

Massing and Building Height

As noted above, the building height is determined by the compatibility rule. Given no information was provided about the building heights on the block, the Staff cannot confirm that the proposed approximately 32 ft. height (as measured to the peak of the front facing gable) meets the District regulations. The Staff would recommend the building height meet the District regulations. The Staff would also add that the elevations (upon which the building height will be measured) do not reflect the topography of the house, which would affect the actual height and appearance of the elevations when built.

Based on the compatibility rule information provided, the proposed house height of about 24 ft. meets the District regulations.

Regardless of the specific height measurement, the Staff doubts the proposed house will be able to meet the height requirement as the only two contributing houses on the block face are one-story houses that are very likely less than 32 ft. tall.

Further, first floor height is determined by the compatibility rule. Given no information was provided about the first floor heights on the block face, the Staff cannot confirm that the proposed first floor height meets the District regulations. The Staff would recommend the first floor height meet the District regulations.

Based on the compatibility rule information provided, the proposed first floor height of about 2 ft. does not meet the District regulations as the range is 3.7 ft. to 4.29 ft. The Staff would retain its previous recommendation.

On the block face, both contributing buildings have gable roofs – one front facing and one side facing - making the proposed gable roof form generally compliant with the District regulations. However, as noted above, the roof pitch is determined by the compatibility rule. Given no information was provided about the roof pitches on the block face or the roof pitch of the proposed house, the Staff cannot confirm that the proposed roof pitch meets the District regulations. The Staff would recommend the roof pitch meet the District regulations.

In the revised submission, no information was provided about the roof pitches. The Staff would retain its previous recommendation.

The Staff is further concerned about the use of the two “wings” or side facing dormers. The Staff is not aware of any such roof components on the block face or any such roof components that are original

elements of contributing house in the District. The Staff would recommend the roof “wings” / dormers be eliminated from the proposed design.

In the revised design, the dormers on the side roof planes have been eliminated; given the house is now a side to side gable roof form.

On the block, the predominant front porch form is a ½ or 2/3 width projecting front porch – that is a porch that is ½ or 2/3 the width of the front façade and has a separate, projecting roof form. The proposed front porch width does not meet the District regulations, but the projecting roof form does. Further the Staff is concerned about the lack of depth to the front porch, which is about 6 ft. deep. The Staff finds that this porch depth is not consistent with front porch depths on the block or in the District. The Staff would recommend the front porch roof form and depth be redesigned to meet the District regulations and be compatible with contributing houses on the block.

In the revised design, the front porch consists of a covered stoop, which does not meet the District regulations. The Staff would retain its previous recommendation.

Taking into account the concerns noted above, the Staff finds that it is not likely that the house in its current design will meet the District’s regulations related to size and massing.

Building Facades

In the District, the Commission reviews those facades or portions thereof visible from a public street, which in this case would include the front and side facades.

Windows and Doors

The District regulations require that the ratio of openings to solid for all new construction (for example, windows to wall) meet the compatibility rule, with a permitted differential of ten (10) percent. Further, they require that the scale, size, and proportion of all openings in new construction shall be established by the compatibility rule with a permitted differential of ten (10) percent. As noted above, the almost all aspects of the fenestration are subject to the compatibility rule. Given no information was provided about the fenestration of the other contributing houses on the block face, the Staff cannot confirm that the proposed fenestration pattern meets the District regulations. Regardless of what the compatibility rule analysis would show, the Staff has concerns about specific characteristics of the windows and front door. First, the side facades have only a few windows, leaving significant amounts of blank wall. Second, there are horizontally proportioned, “transom” windows. The Staff would recommend the windows and doors are compatible with the house and meet the District regulations.

Thought the house has been completely redesigned, all of the window and door issues noted above still remain in the new design. Further, the triple window on the front façade is not compatible with the District and the grouped windows do not have a compatible trim package. The Staff would retain its previous recommendation.

Porch / Deck

The District regulations require that porches shall contain balustrades, columns and other features consistent with porches in that block. Given no information was provided about the front porch elements, the Staff cannot confirm that the proposed front porch elements meet the District regulations. Nonetheless, the predominant front porch column design on the block is a split column with a brick base. Further, the Staff has concerns about the open ends of the front porch stairs are not compatible with other front porch stairs on the block. The Staff would recommend that the front porch elements meet the District regulations.

As noted above, the front porch consists of a front stoop. The Staff would retain its previous recommendation.

The proposed deck meets the District regulations.

The chimney is suspended from the side of the house without a foundation.

Building Materials

The Staff is concerned about the wood front porch column bases, wood front porch stairs, and the unspecified trim elements on the house. The Staff would recommend that all the materials of the house meet the District regulations.

In the revised design, no material notes are included in the elevations, though the wood front porch stairs have been changed to brick stairs. Further, the chimney is sheathed in siding and doesn't have a foundation. The Staff would retain its previous recommendation.

General Conclusions

In addition to taking into account all of the concerns noted above, the Staff finds that the revised design is not compatible with the District. The "American Small House" or "Cape Code Cottage" style and massing is not found in the District (or on the block face) and there are a variety of elements that do not meet specific District regulations, including the first floor height, front stoop, grouped windows, suspended chimney, nested gables, small dormer, roof pitch, different sized windows, and a lack of windows on the side facades. The Staff would recommend the house be substantially redesigned to be compatible with the houses on the block face and to meet specific District regulations.

Staff Recommendation: Based upon the following:

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

Staff recommends deferral of the Application for a Type III Certificate of Appropriateness (CA3-17-032) for a new single family house at **388 Atwood Street** - Property is zoned R-4A/West End Historic District/ Beltline, to allow time for the applicant to address the following concerns and comments:

1. *The Applicant shall provide complete compatibility rule information for the roof pitches and materials and shall clarify to what point was the front yard setback measured, per Section 16-20G.005(2);*
2. The first floor height shall meet the District regulations, per Section 16-20G.006(2)(f);
3. The roof pitch shall meet the District regulations, per Section 16-20G.006(7)(d);
4. The front porch roof form and depth shall be redesigned to meet the District regulations and shall be compatible with contributing houses on the block face, per Section 16-20G.006(9)(d);
5. The windows and doors shall be compatible with the house and shall meet the District regulations, per Section 16-20G.006(3);
6. The front porch elements shall meet the District regulations, per Section 16-20G.006(9);
7. All the materials of the house shall meet the District regulations, per Section 16-20G.006(2)(c);
8. *The house shall be substantially redesigned to be compatible with the houses on the block face and to meet specific District regulations, per Section 16-20G.006; and*
9. The Applicant shall submit any revised materials (including the required number of copies) at least eight (8) days prior to the meeting to which this application is deferred.



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TIM KEANE
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OFFICE OF DESIGN

STAFF REPORT

February 22, 2017

REVISED

March 8, 2017

(Revised text shown in italic.)

Agenda Item: Application for Type III Certificate of Appropriateness (CA3-17-033) for a new single family house at **498 Atwood Street** - Property is zoned R-4A/West End Historic District/ Beltline.

Applicant: Gateway Construction Company, LLC
3645 Market Place Boulevard

Facts: This property is located on the east side of Atwood Street between Lucile Avenue on the north and Oak Street on the south. The property has a slight rise from front to back. The proposal before the Commission at this time is the construction of a two-story, single-family house with a hipped roof and full width projecting front porch. There is a driveway proposed on the right side of the house, with a walkway connecting to the front porch stairs.

On February 28, 2017, the Applicant submitted a revised design and supporting materials, which are taken into account in this revised Staff Report.

Analysis: The following code sections apply to this application:

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

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

- (1) Certificates of Appropriateness: Certificates of appropriateness within this district shall be required as follows:
 - (a) When required:
 - (ii) To erect a new structure or to make an addition to any structure within the district, when said addition can be seen from public right-of-way; and
 - (b) Type required:
 - (vi) The following Type III Certificates of Appropriateness shall be reviewed by the commission and shall be required for:
 - a. All new principal structures.
- (2) The Compatibility Rule: The compatibility rule is a method of ensuring that alterations to existing structures and the design of proposed new construction are sensitive to and sympathetic toward existing elements of design, proportions, scale, massing, materials, and general character of the contributing buildings in the immediately adjacent environment of the block face. To permit flexibility, many regulations are made subject to the compatibility rule, which states: "The elements in question (roof form, architectural trim, etc.) shall match that which predominates on the contributing buildings of the same block face, or where quantifiable (i.e., buildings height and width as measured at front façade,

floor height, lot dimensions, etc.), shall be no smaller than the smallest or larger than the largest such dimension of the contributing buildings of the same block face." Those elements to which the compatibility rule applies are specified in these regulations by reference to "compatibility rule."

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

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

- (1) Generally: The following building elements and architectural features shall be considered when applying section 16-20.009 of this chapter to the West End Historic District: doors, windows, foundations, finished floor elevations, roofs, roof features, gutters, downspouts, cornices, siding, porches, steps, terraces, dormers, shutters, awnings, gateways, archways, louvers, walls, fences, and gates.
- (2) Building Façades:
 - (a) All new construction shall conform to the existing building orientation by having sidewalks, front yards, porches and front doors facing and parallel to the street, and if located on a corner, the main façade shall face the principal street whenever possible.
 - (b) At a minimum, the front of all new construction, including any portion thereof, shall be placed at the distance from the street determined by the compatibility rule. This requirement shall also apply to those sides of corner lots which also face a street.
 - (c) All building materials, which upon completion are visible from the public right-of-way, are subject to the compatibility rule.
 - (d) Siding repair or replacement shall match the original in material, scale and direction. For new construction and additions, brick, wood or horizontal smooth cementitious siding is permitted.
 - (e) Contemporary design of new construction, compatible with adjacent and surrounding structures, is permitted.
 - (f) Height of the first floor of the front façade above grade shall be subject to the compatibility rule. Notwithstanding the compatibility rule, the first floor of the principal structure shall be on foundations and shall be elevated above grade at the front façade a minimum of two entrance risers each of which shall be not less than seven inches in height. Slab-on-grade construction is not permitted.
 - (g) No structure shall exceed that height established by the compatibility rule.
- (3) Windows and Doors:
 - (d) If muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.
 - (e) The replacement and reconfiguration of windows on the side elevations to accommodate kitchens and bathrooms is permitted.
 - (f) Dropped ceilings, when located below the head of a window, shall be sufficiently recessed from the window opening to maintain the original exterior appearance.
 - (h) The ratio of openings to solid for all new construction (for example, windows to wall) shall be established by the compatibility rule.
 - (i) The scale, size, proportion, and location of all openings in new construction shall be established by the compatibility rule.
 - (k) New or replacement doors shall be made of wood and shall contain a rectangular light opening subject to the compatibility rule as to its scale, size, proportion placement, and style to original doors within that block face.
- (5) Foundations:
 - (a) Foundation materials, including infill materials, shall replicate the original materials in size, shape, color, texture and mortar, and shall be installed using construction techniques similar to the original.
 - (b) New foundations shall be of masonry or concrete construction. Other foundation materials are permitted provided they are appropriate to the building on which they are located and in scale, materials and style with adjacent and surrounding buildings.
 - (c) Slab on grade is not permitted.
 - (d) Lattice, painted concrete block, brick or stucco shall be used as infill between foundation masonry piers when infill is otherwise required.
- (6) Chimneys:
 - (a) Chimneys shall match original materials, mortar, color and pattern whenever possible.
 - (b) New chimneys shall be faced with brick or stucco.
 - (c) Siding on chimneys is prohibited.
 - (d) When any portion of a chimney is visible from a public street as a façade element, the chimney shall originate at grade.
- (7) Roofs:
 - (b) Cold-rolled roofing is permitted only on flat roofs. Corrugated metal and corrugated fiberglass roofs are not permitted.

- (c) The use of synthetic roofing materials is permitted if not visibly distinguishable from the original as viewed from the public street.
- (d) The shape and pitch of roofs for new construction shall be subject to the compatibility rule.
- (8) Decks: Decks shall be constructed to the rear of the structure and shall not extend beyond the sides of the structure. Decks on the corner lots shall be screened with fencing or vegetation to reduce visibility from the public street.
- (9) Porches:
 - (d) New or replacement porches shall contain balustrades, columns and other features consistent with the architectural style of the house or other original porches in that block. The height of the top rail shall be no more than 33 inches above the finish porch floor, except as required by the City's building code.
- (12) Paved Surfaces:
 - (a) The original layout, patterns and paving materials of sidewalks, driveways, alleyways, curbs and streets shall be retained. The design and material of new replacement paving materials shall be subject to the compatibility rule.
 - (b) The design and material of new paved surfaces areas, other than those specified in subsection (a) above, including driveways, walkways, and patios, or portions thereof, shall be subject to the compatibility rule.
 - (c) New driveways shall not exceed a width of ten feet not including the flare at the street.
- (13) Off-Street Parking Requirements:
 - (a) Off-street parking shall not be permitted in the front yard or half-depth front yard.
 - (b) Carports and garages shall be behind the rear of the main structure. If the main structure is located on a corner lot, the front yard setback for that side street shall apply to the construction of a carport or garage.
 - (c) The use of alleys for access to such parking is permitted. No variance is required for driveways accessed from an alley.
- (17) Public Sidewalks and Planting Strips:
 - (a) Existing public sidewalks, planting strips, and associated topography shall be retained.
 - (b) The public sidewalk shall be the same width as the sidewalk on abutting properties.
 - (c) The compatibility rule shall apply to public sidewalk paving materials.
 - (d) Where a public sidewalk to be replaced is adjacent to poured concrete, original concrete hexagonal pavers or poured concrete with stamped hexagonal motif, the new sidewalk shall be poured concrete bordered with brick laid flat.

Compatibility Rule Analysis and Documentation

The Applicant provided no compatibility rule information. The District regulations base the front yard setback, building height, first floor height, roof form and pitch, window size / patterns, building materials, and sidewalk paving materials on the contributing buildings on the block face, which includes the same side of the street between the next two intersections. In this case, the following addresses would be the points of comparison:

506, 510, and 514

The Staff would recommend the Applicant provide complete compatibility rule information.

In the revised submission, the Applicant provided compatibility rule information regarding the building height, first floor height, and setbacks, as well as provided current photographs of the two houses showing their fenestration pattern and roof form. No information was provided about the roof pitches and materials. The Staff would retain its previous recommendation as it relates to roof pitches and materials, and clarifying to what point was the front yard setback measured.

Setbacks and Site Plan

As noted above, the front yard setback is determined by the compatibility rule. Given no information was provided about the front yard setbacks on the block, the Staff cannot confirm that the proposed front yard setback meets the District regulations. The Staff would recommend the front yard setback meet the District regulations.

Based on the compatibility rule information provided, the front yard setback meets the District regulations.

The side and rear yard setbacks meet the underlying zoning district regulations (R-4A).

In the revised design, the side yard setbacks have been reduced to 4.13 ft. and 4.83 ft. based on the compatibility rule comparison to the other houses on the block face. However, as noted above the side yard setbacks are not based on the compatibility rule but rather the underlying zoning category, which requires 7 ft. side yards. The Staff would recommend the side yard setbacks meet the underlying R-4A regulations.

The project includes a driveway that goes beyond the front façade of the house. To avoid parking in the front yard, the driveway must proceed at least 20 ft. past the front façade of the house, which the proposed driveway does.

In the revised design the driveway still continuous 20 ft. past the front façade of the house, but it is not a shared driveway with the proposed house next door (the portion of the driveway on each lot is about 4.5 ft.) As this is a conforming lot, each property must have its own independent driveway connected to a public street. The Staff would recommend that the proposed driveway meets all of the District regulations and is fully contained on the subject property.

The Staff would also strongly suggest that in addition to the walkway from the front porch to the driveway, a walkway from the front porch to the site stairs and sidewalk be included in the site plan as well.

A walkway now extends from the front porch to the public sidewalk.

Massing and Building Height

As noted above, the building height is determined by the compatibility rule. Given no information was provided about the building heights on the block, the Staff cannot confirm that the proposed approximately 30 ft. height (as measured to the peak of the front facing gable) meets the District regulations. The Staff would recommend the building height meet the District regulations. The Staff would also add that the elevations (upon which the building height will be measured) do not reflect the topography of the house, which would affect the actual height and appearance of the elevations when built.

Regardless of the specific height measurement, the Staff doubts the proposed house will be able to meet the height requirement as the only three contributing houses on the block face are one-story houses that are very likely less than 30 ft. tall.

Based on the compatibility rule information provided, the proposed house height of about 28 ft. meets the District regulations as it is between the smallest (26.69 ft.) and tallest (about 31.5 ft.).

Further, first floor height is determined by the compatibility rule. Given no information was provided about the first floor heights on the block face, the Staff cannot confirm that the proposed first floor height meets the District regulations. The Staff would recommend the first floor height meet the District regulations.

Based on the compatibility rule information provided, the proposed first floor height of 3 ft. meets the District regulations as the range is 2.59 ft. to 3.3 ft. The Staff would retain its previous recommendation.

On the block face, two of the three contributing buildings have hipped roofs, making the proposed hipped roof form generally compliant with the District regulations. However, as noted above, the roof pitch is determined by the compatibility rule. Given no information was provided about the roof pitches on the block face or the roof pitch of the proposed house, the Staff cannot confirm that the proposed roof pitch meets the District regulations. The Staff would recommend the roof pitch meet the District regulations.

In the revised design, the roof form is now a front to back gable roof, which is not the predominant pattern on the block face. Further, no information was provided about the roof pitches on the block face. The Staff would retain its previous recommendation, adding the concern about the roof form.

On the block, the predominant front porch form is a full width front porch – that is a porch that is the full width of the front façade. There appear to be equal number of projecting and integral front porch forms, making the projecting front porch compatible. However, the Staff is concerned about the lack of depth to the right side of the front porch, which is about 6 ft. deep. The Staff finds that this portion of the porch’s depth is not consistent with front porch depths on the block or in the District. The Staff would recommend the front porch depth be redesigned to meet the District regulations and be compatible with contributing houses on the block.

In the revised design, the front porch depth has increased to 10 ft., which meets the District regulations.

Lastly, the Staff is concerned about the cantilevered portion of the rear façade, which will be visible from the street.

Taking into account the concerns noted above, the Staff finds that it is not likely that the house in its current design will meet the District’s regulations related to size and massing.

Building Facades

In the District, the Commission reviews those facades or portions thereof visible from a public street, which in this case would include the front and side facades.

Windows and Doors

The District regulations require that the ratio of openings to solid for all new construction (for example, windows to wall) meet the compatibility rule, with a permitted differential of ten (10) percent. Further, they require that the scale, size, and proportion of all openings in new construction shall be established by the compatibility rule with a permitted differential of ten (10) percent. As noted above, the almost all aspects of the fenestration are subject to the compatibility rule. Given no information was provided about the fenestration of the other contributing houses on the block face, the Staff cannot confirm that the proposed fenestration pattern meets the District regulations. Regardless of what the compatibility rule analysis would show, the Staff has concerns about specific characteristics of the windows and front door. First, the side facades have only a few windows (particularly the north [left] façade), leaving significant amounts of blank wall. Second, it is not clear if the paired windows are separated by the appropriate trim. Third, there is a horizontally proportioned window on the south (right) façade. The Staff would recommend the windows and doors are compatible with the house and meet the District regulations.

In the revised design, the windows have been revised to only include single full size double hung windows, one “1/2 size” double hung window, and paired full-size double hung windows. It would

appear, though it is not clear, that the windows contain compatible trim and detailing. Further, the Staff is concerned about the spacing of the front door and front façade windows to each other, the overall façade, and the front porch stairs. Given this lack of clarity and remaining concerns, the Staff would retain its previous recommendation.

Porch / Deck

The District regulations require that porches shall contain balustrades, columns and other features consistent with porches in that block. Given no information was provided about the front porch elements, the Staff cannot confirm that the proposed front porch elements meet the District regulations. Nonetheless, the predominant front porch column design on the block is a full height, brick column, not a split wood /brick base column as proposed. The Staff would recommend that the front porch elements meet the District regulations.

On the block face, the predominant front porch column design is a spit wood / brick base column, not a full height brick column as originally concluded. As such, the proposed columns in the revised design meet the District regulations. There are a variety of picket designs on the block face, including two likely non-historic configurations. The Staff finds the proposed butt-jointed pickets could be compliant depending on their actual design. Further, the front porch stairs are shown as open wood treads, which does not meet the District regulations. The Staff would retain its previous recommendation.

The proposed deck meets the District regulations.

Building Materials

The Staff is concerned about the unspecified trim elements on the house. The Staff would recommend that all the materials of the house meet the District regulations.

In the revised design, there are still unspecified trim elements. The Staff would retain its previous recommendation.

Staff Recommendation: Based upon the following:

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

Staff recommends deferral of the Application for a Type III Certificate of Appropriateness (CA3-17-033) for a new single family house at **498 Atwood Street** - Property is zoned R-4A/West End Historic District/ Beltline, to allow time for the applicant to address the following concerns and comments:

1. The Applicant shall provide complete compatibility rule information for *roof pitches and materials, and shall clarify to what point was the front yard setback measured*, per Section 16-20G.005(2);
2. *The side yard setbacks shall meet the underlying R-4A regulations, per the R-4A regulations;*
3. *The proposed driveway shall meet all of the District regulations and shall be fully contained on the subject property; per Section 16-20G;*
4. *The roof form and roof pitch shall meet the District regulations, per Section 16-20G.006(7)(d);*
5. The windows and doors shall be compatible with the house and shall meet the District regulations, per Section 16-20G.006(3);
6. The front porch elements shall meet the District regulations, per Section 16-20G.006(9);
7. All the materials of the house shall meet the District regulations, per Section 16-20G.006(2)(c); and
8. The Applicant shall submit any revised materials (including the required number of copies) at least eight (8) days prior to the meeting to which this application is deferred.



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TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT

February 22, 2017

REVISED

March 8, 2017

(Revised text shown in italic.)

Agenda Item: Application for Type III Certificate of Appropriateness (CA3-17-035) for a new single family house at **502 Atwood Street** - Property is zoned R-4A/West End Historic District/ Beltline.

Applicant: Gateway Construction Company, LLC
3645 Market Place Boulevard

Facts: This property is located on the east side of Atwood Street between Lucile Avenue on the north and Oak Street on the south. The property has a slight rise from front to back. The proposal before the Commission at this time is the construction of a two-story, single-family house with a hipped roof and 2/3 width projecting front porch. There is a driveway proposed on the left side of the house, with a walkway connecting to the front porch stairs.

On February 28, 2017, the Applicant submitted a revised design and supporting materials, which are taken into account in this revised Staff Report.

Analysis: The following code sections apply to this application:

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

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

(1) Certificates of Appropriateness: Certificates of appropriateness within this district shall be required as follows:

(a) When required:

(ii) To erect a new structure or to make an addition to any structure within the district, when said addition can be seen from public right-of-way; and (b) Type required:

(b) Type required:

(vi) The following Type III Certificates of Appropriateness shall be reviewed by the commission and shall be required for:

a. All new principal structures.

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

contributing buildings of the same block face." Those elements to which the compatibility rule applies are specified in these regulations by reference to "compatibility rule."

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

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

- (1) Generally: The following building elements and architectural features shall be considered when applying section 16-20.009 of this chapter to the West End Historic District: doors, windows, foundations, finished floor elevations, roofs, roof features, gutters, downspouts, cornices, siding, porches, steps, terraces, dormers, shutters, awnings, gateways, archways, louvers, walls, fences, and gates.
- (2) Building Façades:
 - (a) All new construction shall conform to the existing building orientation by having sidewalks, front yards, porches and front doors facing and parallel to the street, and if located on a corner, the main façade shall face the principal street whenever possible.
 - (b) At a minimum, the front of all new construction, including any portion thereof, shall be placed at the distance from the street determined by the compatibility rule. This requirement shall also apply to those sides of corner lots which also face a street.
 - (c) All building materials, which upon completion are visible from the public right-of-way, are subject to the compatibility rule.
 - (d) Siding repair or replacement shall match the original in material, scale and direction. For new construction and additions, brick, wood or horizontal smooth cementitious siding is permitted.
 - (e) Contemporary design of new construction, compatible with adjacent and surrounding structures, is permitted.
 - (f) Height of the first floor of the front façade above grade shall be subject to the compatibility rule. Notwithstanding the compatibility rule, the first floor of the principal structure shall be on foundations and shall be elevated above grade at the front façade a minimum of two entrance risers each of which shall be not less than seven inches in height. Slab-on-grade construction is not permitted.
 - (g) No structure shall exceed that height established by the compatibility rule.
- (3) Windows and Doors:
 - (d) If muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.
 - (e) The replacement and reconfiguration of windows on the side elevations to accommodate kitchens and bathrooms is permitted.
 - (f) Dropped ceilings, when located below the head of a window, shall be sufficiently recessed from the window opening to maintain the original exterior appearance.
 - (h) The ratio of openings to solid for all new construction (for example, windows to wall) shall be established by the compatibility rule.
 - (i) The scale, size, proportion, and location of all openings in new construction shall be established by the compatibility rule.
 - (k) New or replacement doors shall be made of wood and shall contain a rectangular light opening subject to the compatibility rule as to its scale, size, proportion placement, and style to original doors within that block face.
- (5) Foundations:
 - (a) Foundation materials, including infill materials, shall replicate the original materials in size, shape, color, texture and mortar, and shall be installed using construction techniques similar to the original.
 - (b) New foundations shall be of masonry or concrete construction. Other foundation materials are permitted provided they are appropriate to the building on which they are located and in scale, materials and style with adjacent and surrounding buildings.
 - (c) Slab on grade is not permitted.
 - (d) Lattice, painted concrete block, brick or stucco shall be used as infill between foundation masonry piers when infill is otherwise required.
- (6) Chimneys:
 - (a) Chimneys shall match original materials, mortar, color and pattern whenever possible.
 - (b) New chimneys shall be faced with brick or stucco.
 - (c) Siding on chimneys is prohibited.
 - (d) When any portion of a chimney is visible from a public street as a façade element, the chimney shall originate at grade.
- (7) Roofs:
 - (b) Cold-rolled roofing is permitted only on flat roofs. Corrugated metal and corrugated fiberglass roofs are not permitted.
 - (c) The use of synthetic roofing materials is permitted if not visibly distinguishable from the original as viewed from the public street.

- (d) The shape and pitch of roofs for new construction shall be subject to the compatibility rule.
- (8) Decks: Decks shall be constructed to the rear of the structure and shall not extend beyond the sides of the structure. Decks on the corner lots shall be screened with fencing or vegetation to reduce visibility from the public street.
- (9) Porches:
 - (d) New or replacement porches shall contain balustrades, columns and other features consistent with the architectural style of the house or other original porches in that block. The height of the top rail shall be no more than 33 inches above the finish porch floor, except as required by the City's building code.
- (12) Paved Surfaces:
 - (a) The original layout, patterns and paving materials of sidewalks, driveways, alleyways, curbs and streets shall be retained. The design and material of new replacement paving materials shall be subject to the compatibility rule.
 - (b) The design and material of new paved surfaces areas, other than those specified in subsection (a) above, including driveways, walkways, and patios, or portions thereof, shall be subject to the compatibility rule.
 - (c) New driveways shall not exceed a width of ten feet not including the flare at the street.
- (13) Off-Street Parking Requirements:
 - (a) Off-street parking shall not be permitted in the front yard or half-depth front yard.
 - (b) Carports and garages shall be behind the rear of the main structure. If the main structure is located on a corner lot, the front yard setback for that side street shall apply to the construction of a carport or garage.
 - (c) The use of alleys for access to such parking is permitted. No variance is required for driveways accessed from an alley.
- (17) Public Sidewalks and Planting Strips:
 - (a) Existing public sidewalks, planting strips, and associated topography shall be retained.
 - (b) The public sidewalk shall be the same width as the sidewalk on abutting properties.
 - (c) The compatibility rule shall apply to public sidewalk paving materials.
 - (d) Where a public sidewalk to be replaced is adjacent to poured concrete, original concrete hexagonal pavers or poured concrete with stamped hexagonal motif, the new sidewalk shall be poured concrete bordered with brick laid flat.

Compatibility Rule Analysis and Documentation

The Applicant provided no compatibility rule information. The District regulations base the front yard setback, building height, first floor height, roof form and pitch, window size / patterns, building materials, and sidewalk paving materials on the contributing buildings on the block face, which includes the same side of the street between the next two intersections. In this case, the following addresses would be the points of comparison:

506, 510, and 514

The Staff would recommend the Applicant provide complete compatibility rule information.

In the revised submission, the Applicant provided compatibility rule information regarding the building height, first floor height, and setbacks, as well as provided current photographs of the two houses showing their fenestration pattern and roof form. No information was provided about the roof pitches and materials. The Staff would retain its previous recommendation as it relates to roof pitches and materials, and clarifying to what point was the front yard setback measured.

Setbacks and Site Plan

As noted above, the front yard setback is determined by the compatibility rule. Given no information was provided about the front yard setbacks on the block, the Staff cannot confirm that the proposed front yard setback meets the District regulations. The Staff would recommend the front yard setback meet the District regulations.

Based on the compatibility rule information provided, the front yard setback meets the District regulations.

The side and rear yard setbacks meet the underlying zoning district regulations (R-4A).

In the revised design, the side yard setbacks have been reduced to 4.13 ft. and 4.83 ft. based on the compatibility rule comparison to the other houses on the block face. However, as noted above the side yard setbacks are not based on the compatibility rule but rather the underlying zoning category, which requires 7 ft. side yards. The Staff would recommend the side yard setbacks meet the underlying R-4A regulations.

The project includes a driveway that goes beyond the front façade of the house. To avoid parking in the front yard, the driveway must proceed at least 20 ft. past the front façade of the house, which the proposed driveway does.

In the revised design the driveway still continuous 20 ft. past the front façade of the house, but it is not a shared driveway with the proposed house next door (the portion of the driveway on each lot is about 4.5 ft.) As this is a conforming lot, each property must have its own independent driveway connected to a public street. The Staff would recommend that the proposed driveway meets all of the District regulations and is fully contained on the subject property.

The Staff would also strongly suggest that in addition to the walkway from the front porch to the driveway, a walkway from the front porch to the site stairs and sidewalk be included in the site plan as well.

A walkway now extends from the front porch to the public sidewalk.

Massing and Building Height

As noted above, the building height is determined by the compatibility rule. Given no information was provided about the building heights on the block, the Staff cannot confirm that the proposed approximately 30 ft. height (as measured to the peak of the front facing gable) meets the District regulations. The Staff would recommend the building height meet the District regulations. The Staff would also add that the elevations (upon which the building height will be measured) do not reflect the topography of the house, which would affect the actual height and appearance of the elevations when built.

Based on the compatibility rule information provided, the proposed house height of about 28 ft. meets the District regulations as it is less than the tallest house (about 31.5 ft.).

Regardless of the specific height measurement, the Staff doubts the proposed house will be able to meet the height requirement as the only three contributing houses on the block face are one-story houses that are very likely less than 30 ft. tall.

Further, first floor height is determined by the compatibility rule. Given no information was provided about the first floor heights on the block face, the Staff cannot confirm that the proposed first floor height meets the District regulations. The Staff would recommend the first floor height meet the District regulations.

Based on the compatibility rule information provided, the proposed first floor height of 3 ft. meets the District regulations as the range is 2.59 ft. to 3.3 ft.

On the block face, two of the three contributing buildings have hipped roofs, making the proposed hipped roof form generally compliant with the District regulations. However, as noted above, the roof pitch is determined by the compatibility rule. Given no information was provided about the roof

itches on the block face or the roof pitch of the proposed house, the Staff cannot confirm that the proposed roof pitch meets the District regulations. The Staff would recommend the roof pitch meet the District regulations.

In the revised design, the roof form is now a front to back gable roof, which is not the predominant pattern on the block face. Further, no information was provided about the roof pitches on the block face. The Staff would retain its previous recommendation, adding the concern about the roof form.

On the block, the predominant front porch form is a full width front porch – that is a porch that is the full width of the front façade. As such, the proposed front porch width does not meet the District regulations. The Staff would recommend the front porch width be redesigned to meet the District regulations and be compatible with contributing houses on the block.

There appear to be equal number of projecting and integral front porch forms, making the projecting front porch compatible.

In the revised design, the front porch is now a full width, integral front porch that is 8 ft. deep, all of which meet the District regulations.

Taking into account the concerns noted above, the Staff finds that it is not likely that the house in its current design will meet the District’s regulations related to size and massing.

Building Facades

In the District, the Commission reviews those facades or portions thereof visible from a public street, which in this case would include the front and side facades.

Windows and Doors

The District regulations require that the ratio of openings to solid for all new construction (for example, windows to wall) meet the compatibility rule, with a permitted differential of ten (10) percent. Further, they require that the scale, size, and proportion of all openings in new construction shall be established by the compatibility rule with a permitted differential of ten (10) percent. As noted above, the almost all aspects of the fenestration are subject to the compatibility rule. Given no information was provided about the fenestration of the other contributing houses on the block face, the Staff cannot confirm that the proposed fenestration pattern meets the District regulations. Regardless of what the compatibility rule analysis would show, the Staff has concerns about specific characteristics of the windows and front door. First, the side facades have only a few windows (particularly the north façade), leaving significant amounts of blank wall. Second, it is not clear if the paired windows are separated by the appropriate trim. The Staff would recommend the windows and doors are compatible with the house and meet the District regulations.

In the revised design, the windows have been revised to only include single full size double hung windows, one “1/2 size” double hung window, and paired full-size double hung windows. It would appear, though it is not clear, that the windows contain compatible trim and detailing. Further, the Staff is concerned about the spacing of the front door and front façade windows to each other, the overall façade, and the front porch stairs. Given this lack of clarity and remaining concerns, the Staff would retain its previous recommendation.

Porch / Deck

The District regulations require that porches shall contain balustrades, columns and other features consistent with porches in that block. Given no information was provided about the front porch elements, the Staff cannot confirm that the proposed front porch elements meet the District regulations. Nonetheless, the predominant front porch column design on the block is a full height, brick column, not a split wood / brick base column as proposed. The Staff would recommend that the front porch elements meet the District regulations.

On the block face, the predominant front porch column design is a split wood / brick base column, not a full height brick column as originally concluded. As such, the proposed columns in the revised design meet the District regulations. There are a variety of picket designs on the block face, including two likely non-historic configurations. The Staff finds the proposed butt-jointed pickets could be compliant depending on their actual design. The Staff would retain its previous recommendation.

The proposed deck meets the District regulations.

Building Materials

The Staff is concerned about the unspecified trim elements on the house. The Staff would recommend that all the materials of the house meet the District regulations.

In the revised design, there are still unspecified trim elements. The Staff would retain its previous recommendation.

Staff Recommendation: Based upon the following:

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

Staff recommends deferral of the Application for a Type III Certificate of Appropriateness (CA3-17-035) for a new single family house at **502 Atwood Street** - Property is zoned R-4A/West End Historic District/ Beltline, to allow time for the applicant to address the following concerns and comments:

1. The Applicant shall provide complete compatibility rule information for *roof pitches and materials, and shall clarify to what point was the front yard setback measured*, per Section 16-20G.005(2);
2. *The side yard setbacks shall meet the underlying R-4A regulations, per the R-4A regulations;*
3. *The proposed driveway shall meet all of the District regulations and shall be fully contained on the subject property; per Section 16-20G;*
4. *The roof form and roof pitch shall meet the District regulations, per Section 16-20G.006(7)(d);*
5. The windows and doors shall be compatible with the house and shall meet the District regulations, per Section 16-20G.006(3);
6. The front porch elements shall meet the District regulations, per Section 16-20G.006(9);
7. All the materials of the house shall meet the District regulations, per Section 16-20G.006(2)(c);
and
8. The Applicant shall submit any revised materials (including the required number of copies) at least eight (8) days prior to the meeting to which this application is deferred.



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TIM KEANE
Commissioner
OFFICE of DESIGN

STAFF REPORT

January 25, 2017

REVISED

March 8, 2017

(Revised text shown in italic.)

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-573) for a variance to allow a reduction in the rear yard setback from 3' (required) to 2' (proposed), and to allow a reduction in the side yard setback from 3' (required) to 1' 2" (proposed); and to allow an increase in the allowable rear yard lot coverage for an accessory structure from 25% (required) to 35.2% (proposed) at **831 Lake Ave.** Property is zoned R-5 / Inman Park Historic District (Subarea 1) / Beltline.

Applicant: Terry D Jackson
831 Lake Ave.

Facts: The house on this property was built in the 2000s and is considered non-contributing to the District. In the rear yard of the property is a one-car car port in the right, rear corner of the property and brick patio. The concrete driveway extends up the right side of the house to the car port.

The application before the Commission at this time is a three-part variance request related to the construction of a two-story, two-car accessory garage structure in the right, rear corner of the property. The Staff would note that if no variances were needed for the proposed accessory garage structure and the proposal otherwise meet all of the other District regulations, the proposed accessory garage structure could be reviewed and approved by the Staff via a Type II Staff Review application. If the variances are approved by the Commission, then the Applicant would need to file a Type II Staff Review application documenting compliance with the Commission's approval of the variances (including any related conditions) and the remainder of the District regulations.

At the January 25th meeting, the Commission deferred this application to allow time for the Applicant to address the concerns and comments of the Staff, as well as those of the Commission. On February 27th, the Applicant submitted additional information that is taken into account with this revised Staff Report.

Analysis: The following code sections apply to this application:

Per Section 16-20L.005 of the Atlanta Land Development Code, as amended:
The following general regulations shall apply to all properties located within the Inman Park Historic District.

Section 16-20L.005 General Regulations.
The following general regulations shall apply to all properties located within the Inman Park Historic District.

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

- d. Type III Certificates of Appropriateness shall be required for:
 - v. Variances and special exceptions.
- 3. Variances, Special Exceptions, and Appeals.

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

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

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

- 6. Permitted accessory uses and structures: These regulations permit uses and structures that are customarily incidental and subordinate to permitted principal uses and structures. These include but are not limited to the following, subject to limitations and requirements set forth herein or elsewhere in this part:
 - a. Greenhouses, garden sheds, private garages, and similar structures. When a private garage is part of a principal structure, the garage door may not be located on the front façade of the principal structure, nor the side façade if visible from a public street or park.
 - f. The following regulations shall apply to all permitted accessory uses and structures:
 - i. Except in the case of home occupation, no accessory use shall be of a commercial nature.
 - ii. No accessory structure shall be constructed until construction of the principal structure has actually begun, and no accessory structure shall be used or occupied until the principal structure is completed and in use.
 - iii. Accessory structures shall not cover more than 25 percent of the rear yard.
 - iv. Accessory structures shall be placed behind the principal structure; side and rear setbacks shall not be less than three feet.
 - v. Accessory structures shall not exceed 25 feet in height or the height of the principal structure, whichever is less, and shall not contain a total floor area greater than 30 percent of the floor area of the principal structure.

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

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

The Applicant noted the following in their variance response for all three variance requests: the property is small in size, the lot coverage will not increase, the garage is small, there are larger garages in the District, there are problems with tree debris, they want secured parking, it is consistent with the house's and District architecture, and its lack of visibility from the street.

Generally speaking, the Staff does not find that the application meets the variance criteria. The Staff further finds that while the lot is smaller than a standard R-5 lot, it is similar in size to all of the lots on this block and most of the lots in this portion of the District. The Staff would acknowledge that due to the existing improvements in the rear yard, the lot coverage will not increase. The Staff finds that a two-story, two-car garage is not necessarily small particularly given the size of the principal structure on the lot. There are

larger garages in the District, but the Staff would note that they exist on larger (often deeper) lots and have larger principal structures with them. While the Staff understands the concern about tree debris, this could be resolved with the existing carport or if necessary a two-car carport. Further, while the Staff understands the interest in secured parking, the Staff would note that the driveway currently has two gates on it and the yard appears to be completely fenced. The Staff would agree that the proposed accessory garage structure's architectural features and materials are consistent with the house and the District. The Staff would not agree that the proposed accessory garage structure will not be able to be seen from the street as it will be at the end of a straight driveway.

The Staff finds that while the lot is smaller than a standard R-5 lot, this is not an extraordinary and exceptional condition that pertains to this particular piece of property given the presence of similar properties in the District. The Staff finds that the lot's rectangular shape and relatively level topography are also not extraordinary and exceptional. The Staff also finds that the application of the Zoning Ordinance of the City of Atlanta to this particular piece of property would not create an unnecessary hardship as there are other alternatives that address the Applicant's concerns. The Staff would finally find that relief, if granted, would cause substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance of the City of Atlanta given the size and location of the proposed accessory garage structure in relationship to the subject property and the built patterns of the District.

In their revised submission, the Applicant provided revised rear yard lot coverage calculations which use the accurate size of both the garage footprint and rear yard area, resulting in a rear yard lot coverage calculation for the garage of 29.83%. This ratio is still above the 25% allowed by the District regulations. Further, the visual representation on the site plan would make it appear that the rear lot coverage is still higher than 29.83%. No addition information was provided in the revised submission in response to the variance criteria. The Staff would retain its previous recommendation regarding the denial of the variance request.

Design Analysis

Apart from the accessory structure requirements related to the variance requests, the proposed accessory garage structure meets the general location requirements (behind the principal structure), the height limitations less than 25 ft. or the height the house, whichever is less), and the general square footage requirements (less than 30% of the principal structure).

Staff Recommendation: Based upon the following:

- (a) The application has not met the variance criteria, per Section 16-26.003(1).

Staff recommends denial of the application for a Type III Certificate of Appropriateness (CA3-16-573) for a variance to allow a reduction in the rear yard setback from 3' (required) to 2' (proposed), and to allow a reduction in the side yard setback from 3' (required) to 1' 2" (proposed); and to allow an increase in the allowable rear yard lot coverage for an accessory structure from 25% (required) to 35.2% (proposed) at **831 Lake Ave.** Property is zoned R-5 / Inman Park Historic District (Subarea 1) / Beltline.



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TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT March 8, 2017

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-17-048) for a variance to allow a 6' high privacy fence/wall where otherwise a 4' high fence is permitted at **1314 Lucile Ave.** Property is zoned R-4A / West End Historic District / Beltline.

Applicant: Thia Johnson
6809 Island Point Dr., Buford

Facts: This existing single family residence was constructed between 1915 and 1916 and is considered contributing to the District.

Analysis: The following Code sections apply to this application:

Sec. 16-29.001. - Application.

For the purposes of this part, certain terms, words or phrases used herein shall be defined, and requirements, restriction or limitations applied as follows:

(25) Walls and fences:

- a. Wall: Any structure forming a physical barrier or enclosure which is so constructed that 50 percent or more of the gross vertical surface is closed and prevents the passage of light, air and vision through said surface in a horizontal plane.
Wall, retaining: A structure whose sole function is to contain earth so as to provide a stable surface at a grade higher than the adjacent grade level.
- b. Fence: Any structure forming a physical barrier or enclosure which is so constructed that at least 50 percent of the vertical surface is open to permit the transmission of light, air and vision through said surface in a horizontal plane.

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

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

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

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

- (1) *Certificates of Appropriateness:* Certificates of appropriateness within this district shall be required as follows:
 - (a) *When required:*
 - (i) To change the exterior appearance of any portion of a structure within the district, when said change can be seen from the public right-of-way;
 - (ii) To erect a new structure or to make an addition to any structure within the district, when said addition can be seen from public right-of-way; and
 - (iii) To demolish or move any contributing structure, in whole or in part, within the district.

- (b) *Type required:*
 - (i) 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 Code of Ordinances.
 - (ii) Notwithstanding any other provision herein, no certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - (vi) The following Type III Certificates of Appropriateness shall be reviewed by the commission and shall be required for:
 - a. All new principal structures.
 - b. Additions that are visible from a public street or park.
 - c. Revisions to previously approved plans that result in an increase in floor area ratio, lot coverage, height or a change in the building footprint.
 - c. Subdivisions and aggregations.
 - d. Variances.
- (3) *Variances:* The urban design commission shall have the power to hear, grant and deny variances from the provisions of this chapter (20G) when, due to special conditions, a literal enforcement of its provisions in a particular case will result in unnecessary hardship. The procedures, standards, criteria, and appeal provisions for decisions regarding such variances shall be the same as those specified in chapter 26 of this part 46, which provisions are hereby incorporated herein.

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

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

(14) Fences:

- (a) Fences shall be fabricated of brick, iron, wood or metal pickets. Fence lines shall follow or run parallel to a property line in the front and half-depth front yards. Fences shall not obscure the front façade of the building.
- (b) Fences located in the front or half-depth front yard shall not exceed four feet in height. Front yard fences may exceed four feet in height provided the height is no more than the height of the adjacent, contiguous fencing on immediately adjacent properties.
- (c) Fences shall not exceed six feet in height when located in the side or rear yards.
- (d) Chain link fabric is not permitted in a front yard or half depth front yard.
- (e) Fences may be constructed on top of a retaining wall. The combined height of the retaining wall and fence shall not exceed six feet when located in a front or half-depth front yard.
- (f) Walls are only permitted in the rear and side yards only when such yards are not adjacent to a public street and when such walls are located behind the rear façade of the principal structure. When such walls are permitted, they shall be six feet or less in height.

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

- (e) Special exceptions on greater height of walls or fences in required yards: The board of zoning adjustment may grant special exceptions in any district for greater heights only upon finding that:
 - 1. Such wall or fence is justified by reason of security or privacy and will not unduly prevent passage of light and air to adjoining properties and is not incompatible with the character of the neighborhood;
 - 2. Such greater height is justified by requirements for security of persons or property in the area;
 - 3. Such greater height is justified for topographic reasons; or
 - 4. Such greater height, in the yard or yards involved, is not incompatible with the character of the surrounding neighborhood.

The Zoning Ordinance of the City of Atlanta allows 4 criteria for approving a special exception to exceed the allowable height of a fence and to place a wall in a front/half-depth front yard. Staff finds the Applicant has not presented information to satisfy any of these criteria, but does state that the fence is needed for security of the persons renting the property and privacy. Staff

finds that the criteria concerning security of the property can be satisfied through documentation of the recent crime statistics for the immediate area surrounding the subject property to be provided to document a pattern of crime in the area. With regards to a concern for property, Staff finds that the Applicant would need to document that a 4' high fence would not alleviate concerns of privacy.

As such, Staff recommends the Applicant provide recent crime statistics for the neighborhood which document a pattern of crime in the area, or document that a 4' high fence would not provide sufficient privacy for the property.

Staff Recommendation: Based upon the following:

1) The project meets the conditions of granting a Special Exception, with the exceptions noted above per Sec. 16-28.008;

Staff recommends approval of an Application for a Type III Certificate of Appropriateness (CA3-17-048) for a variance to allow a 6' high privacy fence/wall where otherwise a 4' high fence is permitted at **1314 Lucile Ave.** with the following conditions:

1. The Applicant shall provide recent crime statistics for the neighborhood which document a pattern of crime in the area, or document that a 4' high fence would not provide sufficient privacy for the property, per Sec. 16-28.008(e)(2); and,
2. Staff shall review and if appropriate, approve the final plans and documentation.



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STAFF REPORT March 8, 2017

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-17-052) for a special use permit for an office use at **1226 Ponce De Leon Ave.** – Property is zoned Druid Hills Landmark District.

Applicant: Greener Gables 1226 LLC
1230 Peachtree Road, Suite 1200

Facts: The existing house was built in the 1920s and is considered contributing to the District. The Applicant is proposing to use the house as a law office. The District regulations require that the conversion of a residential use in the Ponce de Leon Avenue corridor to a non-residential use obtain both a Certificate of Appropriateness from the Commission and a special use permit from the Atlanta City Council. A special use permit has been filed with the Office of Zoning and Development for an upcoming Zoning Review Board hearing (U-17-002). Before the Commission at this time is the Certificate of Appropriateness for the office use.

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:
 - (v) The conversion of any existing building to a nonresidential permitted principal use or use permitted by special use permit.

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.

- (3) Special use permits: The following nonresidential uses may be granted a special use permit by the city council only upon a finding of the city council that: (a) such nonresidential use of the existing structure is not incompatible with or detrimental to the residential character of the district; and (b) that the structure, as it exists or as it is permitted to be modified under this chapter and the district regulations, can no longer feasibly be used as a residence; provided, however, the burden of proving that the structure can no longer feasibly be used as a residence shall be upon the applicant. The council considerations as to the feasibility of residential use shall include, but not be limited to, the original purchase price of the property, the year it was purchased, the asking price for the property, the length of time the property has been on the residential market, the efforts which have been made by the applicant to sell the property for residential use, the number of persons expressing an interest in purchasing the property, any repairs that may be necessary to the structure, and recent sales of similar properties in the vicinity.
- a. Offices with no more than one person for each 300 square feet of floor area within an existing or altered structure.

The Applicant is proposing to convert the existing building into an office space with 7-8 employees. There are no exterior changes, additions or site work proposed with this application, though the Staff has recently approved in-kind repairs / replacement to the barrel tile roof to prevent further water damage.

The District regulations have additional requirements beyond the standard special use permit requirements that are used throughout the City.

The Staff is aware that this structure has been used for both residential and office space separately in the past. Given the proposal does not include changing the exterior of the building (beyond the in-kind repairs previously mentioned); the Staff finds the proposed use will not be incompatible with or detrimental to the residential character of the District and the architectural character of the District. Further, as the proposed use will only have a small staff, nothing will be sold on the property and the law services will be mostly delivered off-site, the Staff finds the proposed use will not be detrimental to the land use patterns of the District.

The Applicant concluded that it is not feasible for this building to remain as a residence. They noted the location of the property along a high traffic road (Ponce de Leon Avenue), the surrounding school and church uses (the latter of which was recently approved by the Commission to become a multifamily project), and immediately previous use as an office space. While the Staff generally agrees with this conclusion, the Applicant did not provide information in response to the specific criteria outlined in the District regulations that would further support that conclusion. The Staff would recommend the Applicant provide documentation addressing the specific informational requirements found in the District regulations regarding the feasibility of residential use.

Given that a maximum of 8 employees will be on site and the house is about 2,850 sq. ft., the employee / square footage has been met.

Staff Recommendation: Based upon the following:

- a) Except as noted above, the project meets the District regulations, per Section 16-20B.003 and .004.

Staff recommends approval of application for an Application for a Type III Certificate of Appropriateness (CA3-17-052) for a special use permit for an office use at **1226 Ponce De Leon Ave.** – Property is zoned Druid Hills Landmark District, with the following conditions:

1. The Applicant shall provide documentation addressing the specific informational requirements found in the District regulations regarding the feasibility of residential use, per Section 16-20B.004(3); and
2. The Staff shall review, and if appropriate approve the final documentation.



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STAFF REPORT March 8, 2017

Agenda Item: Application for a Type II Certificate of Appropriateness (CA2-17-057) for site work at **821 Piedmont Avenue (Nicolson House LBS)** - Property is zoned SPI-17 / LBS (Landmark Building or Site).

Applicant: Craig Kuglar
821 Piedmont Ave.

Facts: The Nicolson House was designated a Landmark Building / site (LBS) in 1989 and sits on the southeast corner of Piedmont Avenue and 6th Street.

The proposal currently before the Commission is for the re-building of a collapsed stone retaining wall as well as moving and widening the associated site stairs.

Analysis: The following Code sections apply to this application:

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

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

Section 16-20.009:

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

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.

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

The regulations have several qualitative requirements for site work on Landmark designated properties. If a portion of the project is not discussed below, Staff found that the related regulation was met.

As the photographs clearly show the existing retaining wall is actively failing, Staff has no concerns with its replacement and the re-use of the existing stone in that replacement. However, Staff does recommend the mortar used in the proposed retaining wall match the original material in color and consistency.

Staff finds that widening and moving the site stairs from their original location would be an inappropriate treatment of a historic site feature. As such Staff recommends the site stairs be retained in their original location and at their original width.

In addition to being a Landmark Building / Site, the subject property is also in a Special Public Interest (SPI) zoning district. The Staff would recommend that if any changes in the scope of work are necessitated by any SPI-related design review, those changes be reviewed, and if appropriate, approved by Staff.

Staff Recommendation: Based upon the following:

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

Staff recommends approval of an Application for a Type II Certificate of Appropriateness (CA2-17-057) for site work at 821 **Piedmont Ave.(Nicolson House LBS)**. with the following conditions:

1. The mortar used in the proposed retaining wall shall match the original material in color and consistency, per Sec. 16-20.009;

2. The site stairs shall be retained in their original location and at their original width, per Sec. 16-20.009;
3. If any changes in the scope of work are necessitated by any SPI-related design review, those changes shall be reviewed, and if appropriate, approved by the Staff; and,
4. The Staff shall review, and if appropriate, approve the final plans.



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STAFF REPORT March 8, 2017

Agenda Item: Application for a Type II Certificate of Appropriateness (CA2-17-058) for alterations at 519 Cherokee Ave. Property is zoned R-5 / Grant Park Historic District (Subarea 1).

Applicant: Celso Paez
523 Cherokee Ave.

Facts: This existing single family residence was constructed in 1906 and is considered contributing to the District.

Analysis: The following Code sections apply to this application:

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

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

(2) *Certificates of Appropriateness.*

(B) Type II Certificates of Appropriateness shall be required for: Minor alterations to those façades of any contributing principal structure that face public streets; fences; walls; accessory structures; decks; and paving. If the proposed alteration meets the requirements of section 16-20K.007, then the director of the commission shall issue the Type II Certificate. If the proposed alteration does not meet the requirements of section 16-20K.007, the director of the commission shall deny the application. Appeals from said decision of the director regarding the issuance and/or denial of Type II Certificates may be taken by any aggrieved person by filing said appeal in the manner prescribed in the appeals section of Chapter 16-20.008(a) for Type I Certificates.

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

(2) *Architectural Standards.*

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

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

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

1. Identified design elements of size, scale, massing and materials of new construction shall be substantially consistent with said identified design elements found in contributing structures of like use in the district as listed in subsection 16-20K.007(15)(c.).
 11. Any façades that face a public street shall consist of fenestration that is either: 1) substantially consistent with fenestration on contributing structures of like use in the district, or 2) shall be no less than 15 percent and no greater than 40 percent of the total surface wall area. Windows may be individual or grouped. No individual window unit shall exceed 28 square feet. Within each individual window unit, no individual window sash, either fixed or operable, shall exceed 16 square feet.
 15. On those façades of any structure that face a public street, the following regulations on building materials shall apply. Alternate materials may be submitted for review by the commission.
 - a. Paving materials for walks and drives: Black asphalt is prohibited.
 - b. Visible foundation materials: Foundations shall constitute a distinct building design element and shall contrast with the front façade siding material. Brick, stone, concrete, stucco, and architectural concrete masonry units (C.M.U.) shall be permitted. Standard, unfinished concrete block and stacked stone is prohibited.
 - c. Siding/vencer: Horizontal lap siding, vinyl siding, aluminum siding, shingles, brick, hard stucco, and stone shall be permitted. Stacked stone is prohibited.
 - d. Roofing: Asphalt shingles, wood shingles, metal shingles, slate, and pre-finished metal panels shall be permitted.
 - e. Chimneys: Brick, stone, or architectural concrete masonry units (C.M.U.) shall be permitted. Siding is prohibited.
 - f. Fences: Brick, stone, wire mesh, architectural C.M.U., or vertical pickets made of ornamental metal, wood or simulated wood shall be permitted in the front yard and half depth front yard.
- (D) *Design Criteria for Alterations and Additions to Contributing Structures.* Alterations and additions to contributing structures requiring a Certificate of Appropriateness shall comply with one of the following provided that the mere increase in floor area otherwise authorized in the district shall not constitute a standard for review:
1. Alterations and additions shall be consistent with and reinforce the historic architectural character of the entire existing contributing structure and shall comply with the applicable regulations for new construction set forth in subsection 16-20K.007(2)(B) above; or
 2. New additions, exterior alterations, or related new construction will not destroy historic materials that characterize the property. The new work may differentiate from the old. To protect the historic integrity of the property and its environment, any new work will be compatible with the massing, size, scale and architectural features of the property and environment.

The District gives two options for reviewing alterations and additions to contributing structures. Staff finds the first of these two criteria to be appropriate for application as the project has the potential to destroy historic materials that characterize the property. If a portion of the project is not discussed below, Staff found that the related regulation was met.

In general Staff finds that the addition of windows in the front facing gables would not be inconsistent with the architectural character of the existing structure, and would in fact reinforce the architectural character of the existing contributing structure. However, Staff does find that the window proposed for the principal gable is too wide for the façade. Further, this window should be a casement window as opposed to a double hung window to give the impression that it is an accent as opposed to a main feature of the façade. As such, Staff recommends the window proposed for the principal gable shall be made smaller and be proportional to the gable façade and be a casement window as opposed to a double hung window.

Staff Recommendation: Based upon the following:

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

Staff recommends approval of an Application for a Type II Certificate of Appropriateness (CA2-17-058) for alterations at **519 Cherokee Ave.** with the following conditions:

1. The window proposed for the principal gable shall be made smaller and shall be proportional to the gable façade and be a casement window as opposed to a double hung window, per Sec. 16-20K.007(d)(1);
2. Staff shall review and if appropriate, approve the final plans and documentation.



CITY OF ATLANTA

KASIM REED
MAYOR

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TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT March 8, 2017

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-17-061) for alterations and an addition at **80 Spruce St.** Property is zoned R-5 / Inman Park Historic District (Subarea 1) / Beltline

Applicant: Adam Stillman
350 Sinclair Ave.

Facts: This existing single family residence was designed by Samuel D. Niles, was constructed between 1892 and 1893, and is considered contributing to the District.

Analysis: The following Code sections apply to this application:

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

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

1. General criteria.
 - 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.
 - 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.
- d. Type III certificates of appropriateness shall be reviewed by the commission and shall be required for:
 - i. All new principal structures.
 - 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.
 - iii. Revisions to previously approved plans that result in an increase in floor area ratio, lot coverage, height or a change in the building footprint.
 - iv. Subdivisions, consolidations, and replats as required per section 16-20L.005(5).
 - v. Variances and special exceptions.

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.*
 - a. No individual house design shall be substantially repeated on the same side of a street block.
 - b. An unpaved planting strip adjacent and parallel to the public street shall be provided. The compatibility rule shall apply to the dimensions and location of planting strips.
 - c. A sidewalk between the planting strip and the required front yard and parallel to the public street shall be provided. The compatibility rule shall apply to sidewalks. The sidewalk shall be the same width as the sidewalk on abutting properties or it shall be the width required by law, whichever is greater. If no sidewalk exists in the block, the new sidewalk shall not be less than six-feet wide. If no sidewalk paving material predominates in the block, the sidewalk shall be constructed of the

- historically accurate material for that block, either hexagonal pavers, concrete inlaid with hexagonal imprint, or brick.
- d. A paved walkway from the front sidewalk to the front entry of the principal structure shall be provided.
 - e. All front façades, front porches, front steps, and front doors of the principal structure shall face and be parallel to the street, except in those blocks in which the historic pattern is such that houses are situated at an angle to the street, in which case the compatibility rule shall apply.
 - f. The compatibility rule shall apply to the form and pitch of the primary roof of the principal structure.
 - g. The compatibility rule shall apply to the height, scale, and massing of the principal structure, except as noted below. In no case shall the height of a structure exceed 35 feet. (See section 16-28.022 for excluded portions of structure.)
 - i. The height of additions shall not be subject to the compatibility rule, but shall be no higher than the existing structure.
 - ii. Notwithstanding the compatibility rule, any new roof ridge line shall be no higher than the highest roof ridge line of the existing structure.
 - h. Height of the first floor of the front façade above grade shall be subject to the compatibility rule. The first floor of the principal structure shall be on foundations and shall be elevated above grade at the front façade a minimum of two entrance risers each of which shall be not less than seven inches in height. Slab-on-grade construction is not permitted.
 - 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. Decks are permitted only when located to the rear of the principal structure. Such decks shall be no wider than the width of the house and shall not project beyond the side façade of the existing house.
 - k. The use of chimneys with new principal structures is encouraged. When any portion of a chimney is visible from a public street or park as a façade element, the chimney shall originate at grade.
 - l. Fences and walls, excluding permitted retaining walls, visible from a public street or park upon completion, subject to the provisions of section 16-28.008(5) and the following limitations, may occupy required yards:
 - i. Fences not exceeding four feet in height may be erected in the front yard or half-depth front yard. Walls, excluding permitted retaining walls, are not permitted in the front yard or in other yards adjacent to public streets,
 - ii. Fences and walls not exceeding six feet in height may be erected in side or rear yards.
 - iii. Fences located in the required front yard adjacent to a street shall be constructed of brick, stone, metal vertical pickets or wood pickets. Chain link fencing is not permitted in front yards or in other yards adjacent to public streets.
 - 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.
 - ii. The type of brick and pattern of brickwork.
 - iii. The type of stone and pattern of stonework.
 - iv. The material and texture of stucco.
 - v. The size and type of doors.
 - (1) Exterior doors shall be wood panel or fixed glass panel in wood frame.
 - vi. The materials and pattern of roofing.
 - vii. Paving materials for walks and drives.
 - (1) Asphalt is not permitted.
 - 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.
 - ix. Visible portions of chimneys.
 - (1) Chimneys shall be faced with masonry. Siding on chimneys is not permitted.
 - x. Skylights are permitted where not visible from a public street or park wherever possible. Protruding bubble skylights are prohibited.
- 2. *Setback requirements:*
 - b. *New additions to existing structures:* The following setback requirements and maximum floor area ratio shall apply to all permitted uses of new additions to existing structures: Rear setbacks shall be subject to the compatibility rule. The compatibility rule shall not apply to the front and side setbacks of any addition to an existing structure, however the front and side yard setbacks of the addition shall not be less than the respective setback, at its closest point, of the existing structure.
- 4. *Principal uses and structures:*
 - a. Properties that have an underlying zoning designation of R-5 shall be used only for the following principal purposes subject to the following provisions:
 - v. Floor area ratio shall not exceed 0.50.

The District has both quantitative and qualitative regulations with regards to alterations and additions to contributing structures. If a portion of the project is not discussed below, Staff found that the related regulation was met.

Staff has no concerns with the design of the proposed alterations and addition.

Staff Recommendation: Based upon the following:

- 1) The project meets the regulations with the exceptions noted above, per Sec. 16-20L.006;

Staff recommends approval of an Application for a Type II Certificate of Appropriateness (CA3-17-061) for alterations and an addition at **80 Spruce St.**



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TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT March 8, 2017

Agenda Item: Application for a (CA3-17-062) to subdivide one (1) lot into two (2) lots; and (CA3-17-063) for a new single family home facing Robinson Ave. at **665 Home Ave.** Property is zoned R-5 / Grant Park Historic District (Subarea 1).

Applicant: Piedmont Ridge Builders
665 Home Avenue

Facts: According to the Grant Park inventory sheet this through lot currently contains a one-story, 1926 cottage which is contributing to the District. The rectangular lot is located between Home Avenue (which the current house faces) and Robinson Avenue, which is where the new house will be located. In addition to building a new house, the application includes additions and alterations to the rear of the existing house that would be allow it to be connected to the proposed new house. Upon completion of the new house and alterations to the existing house, the Applicant proposes to create a zero lot line subdivision with the common property line between the garages of each house.

Analysis: The following code sections apply to this application:

Sec. 16-07.008. - Minimum yard requirements.

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

- (5) Maximum floor area within this district:
 - a. For a single-family detached dwelling on a lot which meets the minimum lot area requirement described in section 16-07.007(2): The maximum floor area ratio shall not exceed 0.50 of the net lot area.
- (6) Maximum lot coverage: Maximum lot coverage within this district shall not exceed 55 percent of the net lot area.

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

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

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

- (1) General Criteria.
 - (A) Notwithstanding any other provision herein, no Certificate of Appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.

- (B) Except as otherwise provided herein, the procedures for determining the appropriate type of certificate shall be those specified in section 16-20.008 of the zoning code.
- (C) In Residential Subarea I, the commission shall apply the standards referenced in 16.20.009 only if the standards set forth in this Chapter 20K do not specifically address the application.
- (2) Certificates of Appropriateness.
 - (C) Type III Certificates of Appropriateness shall be required for:
 - 1. All new principal structures;
- (6) Tree Preservation and Replacement. The provisions of City of Atlanta Tree Ordinance, Atlanta City Code section 158-26, shall apply to this district.
- (7) Paved surfaces: The original layout, patterns and paving materials of sidewalks, curbs and streets shall be retained.

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

- (1) Development Controls.
 - (A) Front Yards: Front yard setbacks shall either: i) conform to the setback of the previously existing contributing building of like use; or ii) shall be no closer to the street than the closest and no farther from the street than the farthest contributing structure of like use on that side of the block.
 - (B) Side Yards: Side yards shall either: i) conform to the setback of the previously existing contributing building of like use; ii) conform to the setback of the existing building; iii) conform to any existing pattern of unequal side yard setbacks previously established by a majority of the contributing buildings of like use on that side of the block; or iv) be of a width of not less than seven feet.
 - (C) Rear Yard: Rear yard setback shall be seven feet.
 - (D) Off-street parking and driveway requirements:
 - 1. Off-street parking shall not be permitted in the front yard or half-depth front yard.
 - 2. The commission shall have the authority to vary section 28.006(10) relative to the requirement for an independent driveway connected to a public street.
 - 3. If constructed, independent driveways within the front yard or half-depth front yard shall be a maximum of ten feet wide and shall have a maximum curb cut of ten feet, exclusive of the flare.
- (2) Architectural Standards.
 - (A) Statement of Intent. The purpose of these regulations is to set forth basic, minimum standards of architectural design and construction that are compatible with and complementary to the existing historic residences within the neighborhood, as the cumulative historic diversity of the built environment is a defining characteristic of this neighborhood. It is not the intent of these regulations to limit the design of new housing to replication of styles of existing structures, but to foster residential design that, with regard to massing, size, scale, materials, and architectural elements, enhances the architectural quality of the neighborhood and simultaneously encourages creativity. Additionally, these regulations are intended to integrate the physical characteristics of new construction into the existing neighborhood in a meaningful way so as to restore and promote the public health, safety, and welfare of this neighborhood.
The following residential architectural styles currently predominate in the neighborhood and contribute to its unique historic character; they are included here for reference only: American Four Square, Craftsman, English Vernacular Revival, Folk Victorian, Queen Anne, and Shotgun.
 - (B) Design Standards and Criteria for New Principal Structures.
 - 1. Identified design elements of size, scale, massing and materials of new construction shall be substantially consistent with said identified design elements found in contributing structures of like use in the district as listed in subsection 16-20K.007(15)(c).
 - 2. A paved walkway from the front sidewalk to the front entry of the principal structure shall be provided.
 - 3. Front porches on the principal structure shall be required and shall be a minimum of one-third the width of the front façade and a minimum of seven feet in depth. Side porches shall be a minimum of four feet in depth. Porches may be enclosed by screen wire only, provided all the main features of a porch are maintained in place and the screening materials can be removed at a future date with minimal damage to said features.
 - 4. All front façades and front porches of the principal structure shall face and be parallel to the lot frontage. Wrap around front porches are permitted.
 - 5. Roof form above the front façade of the principal structure shall be gabled and/or hipped. Roof pitch shall be a minimum of 6 in 12. Roof pitch above porches shall not be restricted.

6. The height of the principal structure shall not exceed 35 feet. (See section 16-28.022 for excluded portions of structures.)
 7. The first floor of the principal structure shall be on foundations and elevated above the grade a minimum of two entrance step risers each of which shall be no less than six inches in height. All front steps shall have closed risers and closed ends. Access ramps shall be permitted.
 8. Garages entrances are prohibited on the front façade. Single car-width garage entrances are permitted on the half depth front yard façade of the structure. Double car-width garage entrances are permitted at the rear of the structure.
 9. Decks, Balconies and Upper Level Terraces:
 - a. Decks shall be permitted only when located to the rear of the principal structure.
 - b. Decks shall be permitted at any level.
 - c. Balconies and upper level terraces shall be permitted.
 10. Any portion of a chimney that is located on any façade that faces a public street shall originate at grade.
 11. Any façades that face a public street shall consist of fenestration that is either: 1) substantially consistent with fenestration on contributing structures of like use in the district, or 2) shall be no less than 15 percent and no greater than 40 percent of the total surface wall area. Windows may be individual or grouped. No individual window unit shall exceed 28 square feet. Within each individual window unit, no individual window sash, either fixed or operable, shall exceed 16 square feet.
 12. When practical, skylights should be located where least visible from the public street. If skylights are visible from the public street, the glass shall be tinted to match the surrounding roof area. Protruding "bubble" skylights are prohibited.
 15. On those façades of any structure that face a public street, the following regulations on building materials shall apply. Alternate materials may be submitted for review by the commission.
 - a. Paving materials for walks and drives: Black asphalt is prohibited.
 - b. Visible foundation materials: Foundations shall constitute a distinct building design element and shall contrast with the front façade siding material. Brick, stone, concrete, stucco, and architectural concrete masonry units (C.M.U.) shall be permitted. Standard, unfinished concrete block and stacked stone is prohibited.
 - c. Siding/veneer: Horizontal lap siding, vinyl siding, aluminum siding, shingles, brick, hard stucco, and stone shall be permitted. Stacked stone is prohibited.
 - d. Roofing: Asphalt shingles, wood shingles, metal shingles, slate, and pre-finished metal panels shall be permitted.
 - e. Chimneys: Brick, stone, or architectural concrete masonry units (C.M.U.) shall be permitted. Siding is prohibited.
 - f. Fences: Brick, stone, wire mesh, architectural C.M.U., or vertical pickets made of ornamental metal, wood or simulated wood shall be permitted in the front yard and half depth front yard.
- (E) Site development, sidewalks and curbs:
1. The sidewalk shall be the same width as the sidewalk on abutting properties. If no sidewalk exists on abutting properties the new sidewalk shall match sidewalk widths on the block. If no sidewalk exists on the block, the new sidewalk shall be six feet wide.
 2. Repairs or replacement of existing brick sidewalks shall be constructed of brick on a concrete base and laid in a pattern to match the existing pattern on abutting properties or elsewhere in the district.
 3. Repairs or replacement of concrete sidewalks adjacent to existing brick sidewalks on the same linear block, or in blocks where brick sidewalks are installed, shall be constructed of brick on a concrete base and laid in a pattern to match the existing pattern on abutting properties or elsewhere in the district.
 4. Sidewalks crossing driveways shall be brick on a concrete base and laid in a pattern to match the existing sidewalk on abutting properties or elsewhere in the district. Driveway aprons shall not interfere with the visual field of the pedestrian path.
 5. Curbing shall be granite; poured concrete shall not be used. Curbing shall be at least six inches in height from street level.
 6. Historic materials such as brick, granite, and cobblestones shall be reused where possible.
 7. All American with Disabilities Act (ADA) Detectable Warning Devices installed in this district shall be a red brick color.

CA3-17-062 (Zero Lot Line Subdivision)

As noted above, the Applicant proposes to create a zero lot line subdivision once the construction is done. Zero lot line subdivisions are distinct in the City of Atlanta codes from “regular” subdivisions which are completed prior the construction of houses. The District regulations do not have requirements or criteria for zero lot line subdivisions and as such the Commission has not reviewed zero lot line subdivisions in the past.

As such, the Staff would recommend the application for the zero lot line subdivision be denied without prejudice.

CA3-27-063 (Design Review)

Application of Zero Lot Line Subdivision Process and District Regulations to Proposed Design

Though the Commission would not review the zero lot line subdivision for the reasons stated above, the Staff is concerned that the proposed design will not qualify for a zero lot line subdivision. Such subdivisions can only divide an existing parcel along a common, party wall that joins two completely enclosed and insulated spaces. In the proposed design, while the two garages are joined by a party wall, the garages themselves are not connected to the two units houses by insulated, fully enclosed spaces. Between each garage and the main house is an open air deck and breezeway. Therefore, if a zero lot subdivision is not possible based on the current design, the design would have to be significantly modified to create a true, City-defined duplex, which itself has requirements of how the units are joined together.

The Staff would recommend the Applicant confirm that the proposed design (regardless of any revisions required to comply with the District regulations) can qualify as a zero lot line development.

For the purposes of the rest of the Staff’s commentary and design assessment, it will assume that the proposed design would quality for a zero lot subdivision. The Staff would note that this design review analysis does not constitute endorsement or approval of the zero lot line concept by the Staff.

Lastly, the Staff would note that the rear additions and alterations to the existing house are not subject to review by the Commission as the proposed new house takes precedent given its relationship to Robinson Avenue. There are no alterations proposed to the Home Avenue façade of the existing house.

Site Plan

The maximum FAR (floor area ratio) allowed for the existing lot is 0.50 of the net lot area. The subject property has a net lot area of 13,587 sq. ft. meaning that all the main structures built on the lot would be allowed to have a maximum square footage of 6,793.5 sq. ft. The square footage of the proposed structure is 5,622 sq. ft. which meets this requirement. The maximum lot coverage allowed is 55% of the net lot area. The proposed lot coverage is just over 54%, below the 55% allowance.

In this case, the double frontage lot has two front yards – one facing Home Avenue and one facing Robinson Avenue. The front yard setback along Robinson Avenue can either be based on the compatibility rule or the previously existing contributing building of like use. The proposed front yard setback is 30 ft. As there are no contributing buildings on the block face, the next closest block face with contributing buildings should be used to calculate the front yard setback requirement. The Staff would recommend the Applicant document compliance with the front yard setback using the next closest block face with contributing houses.

Of the side yard setback options, the regulations allow the side yard setbacks of no less than 7 ft. which is being met with both proposed side yards. Given the current configuration of the lot, there is no rear yard setback.

As required by the regulations, the site plan indicates a walkway from the porch to the front property line. However, it is not clear the material of the proposed walkway. The Staff would recommend the plans indicate the material of the proposed walkway and that it meet the District regulations.

The plans do not indicate an existing public sidewalk along Robinson Avenue. The Staff recommends that if no public sidewalk exists along this portion of Robinson Avenue or if the public sidewalk is extensively damaged or destroyed during construction, a new public sidewalk be installed which meets the District regulations.

The plans indicate a proposed concrete, 8 ft. wide, ribbon strip driveway from Robinson Avenue to the previously mentioned joined garages at the center of the lot, which meets the District regulations.

Massing and Building Height

The proposed two story house is defined by an 8-in-12 hipped roof and one-story, full width front porch. Per the District regulations, the maximum height allowed is 35 ft. The District regulations do not specify how the height should be measured, therefore the Staff finds the standard City measurement should be used. The Staff finds the height requirement has been met given the proposed height is about 33 ft., measured to the peak of the roof.

A deck is proposed as part of the design at the back of the house, which meets the District regulations.

The house is proposed to be on a crawlspace foundation which at the front steps will be 5 steps high. However, it is not clear from the elevations if the actual grade lines are accurately shown all the way around the proposed house. The Staff would recommend the Applicant clarify the foundation proposal, its height on all sides of the proposed house and that the foundation will meet the District regulations.

Building Facades

The Commission reviews the facades that face a public street. In this case, the Staff will comment on the façades that face Robinson Avenue.

Windows and Doors

A single front door is parallel and facing Robinson Avenue as required. The design of the door is a large, oval glass over two panels.

The Applicant is proposing to install 3-over-1, double hung windows with unspecified trim on the Robinson Avenue facing façade with one reduced size double hung window in the middle of the second floor. The District regulations allow for windows to either be compatible with the windows on contributing houses or are no less than 15% and no more than 40% of the wall surface. A fenestration calculation was provided that show the fenestration on the Robinson Avenue façade is 17.9%, which meets the District regulations. The Staff would still suggest, though, that the windows have trim that is compatible with contributing buildings in the District and that the paired windows are separated by a 6 in. trim piece.

Building Materials

The proposed materials include horizontal cementitious siding, asphalt shingle roofing, and a brick clad foundation. The Staff would note that all of these materials are permitted by the District regulations. The materials for the front porch elements, window and door trim and the front door is not indicated. The Staff recommends that an appropriate material for all of the exterior materials be indicated on the plans and meet the District regulations.

Porch

Per regulations, the minimum allowed depth for the front porch is 7'. The Staff finds that the proposed front porch is 6.5 ft. and does not meet the District regulations. The Staff would recommend the front porch depth meet the District regulations.

Given the level of detail in the plans, it is not clear if the porch columns, railings, and other elements are compatible with other similar porches in the District. Further, the front porch stairs do not have closed risers and ends, and the front porch foundation appears to be wood posts. The Staff would recommend that all aspects of the front porch meet the District regulations.

CA3-17-062:

Staff Recommendation: Based upon the following:

- 1) The District regulations do not have requirements or criteria for zero-lot line subdivisions; per Section 16-20K.

The Staff recommends denial without prejudice of an application for a Type III Certificate of Appropriateness (CA3 17 062) to subdivide one (1) lot into two (2) lots at **665 Home Ave.** Property is zoned R-5 / Grant Park Historic District (Subarea 1).

CA3-17-063

Staff Recommendation: Based upon the following:

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

The Staff recommends deferral of an application for a Type III Certificate of Appropriateness (CA3 17 063) for a new single family home facing Robinson Ave. at **665 Home Ave.** Property is zoned R-5 / Grant Park Historic District (Subarea 1), to allow time for the Applicant to address the following concerns and comments:

1. The Applicant shall confirm that the proposed design (regardless of any revisions required to comply with the District regulations) can qualify as a zero lot line development;
2. The Applicant shall document compliance with the front yard setback using the next closest block face with contributing houses, per Sec. 16-20K.007(1)(A);
3. The plans shall indicate the material of the proposed walkway and that it shall meet the District regulations, per Section 16-20K.007(2)(B) (15);
4. If no public sidewalk exists along this portion of Robinson Avenue or if the public sidewalk is extensively damaged or destroyed during construction, a new public sidewalk shall be installed which meets the District regulations, per Sec. 16-20K.006(7);
5. The Applicant shall clarify the foundation proposal, its height on all sides of the proposed house and that the foundation will meet the District regulations, per Section 16-20K.007(2)(B)(7);
6. An appropriate material for all of the exterior materials shall be indicated on the plans and shall meet the District regulations, per Sec. 16-20K.007(2)(B)(15);
7. The front porch depth shall meet the District regulations, per Sec. 16-20K.007(2)(B)(3) and (4);
8. All aspects of the front porch shall meet the District regulations, per Sec. 16-20K.007(2)(B)(3) and (4); and
9. The Staff shall review and if appropriate, approve the final plans and documentation.



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TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT March 8, 2017

Agenda Item: Application for Type III Certificates of Appropriateness (CA3-17-069) to subdivide one (1) lot into three (3) lots at **783 Lynwood Street** - Property is zoned R-5/ Grant Park Historic District (Subarea 1)/Beltline.

Applicant: Nina Gentry
992 Eden Avenue

Facts: The existing lot contains one house in its western portion. The property slopes significantly up from the street frontage at an angle such that the southwest corner of the existing lot is the highest point and the properties to the south site higher than the subject property.

Analysis: The following code sections apply to this application:

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

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

- (1) General Criteria.
 - a. Notwithstanding any other provision herein, no Certificate of Appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - b. Except as otherwise provided herein, the procedures for determining the appropriate type of certificate shall be those specified in section 16-20.008 of the zoning code.
 - c. In Residential Subarea I, the commission shall apply the standards referenced in 16.20.009 only if the standards set forth in this Chapter 20K do not specifically address the application.
- (2) Certificates of Appropriateness.
 - a. Type I Certificates of Appropriateness for ordinary repairs and maintenance shall not be required in this district. Painting or repainting of any structure, or portion thereof, does not require a Certificate of Appropriateness.
 - b. Type II Certificates of Appropriateness shall be required for: minor alterations to those facades of any contributing principal structure that face public streets; fences; walls; accessory structures; decks; and paving. If the proposed alteration meets the requirements of section 16-20K.007, then the director of the commission shall issue the Type II Certificate. If the proposed alteration does not meet the requirements of section 16-20K.007, the director of the commission shall deny the application. Appeals from said decision of the director regarding the issuance and/or denial of Type II Certificates may be taken by any aggrieved person by filing said appeal in the manner prescribed in the appeals section of Chapter 16-20.008(a) for Type I Certificates.
 - c. Type III Certificates of Appropriateness shall be required for:
 1. All new principal structures
 2. All major alterations and additions to existing structure, with respect to any façade that faces a public street.

- (3) Subdivisions. In addition to the requirements of the subdivision and zoning ordinances, including but not limited to sections 15-08.002(a)(2) and 15-08.005(d)(6), all subdivisions of lots shall conform to the historic platting pattern in the district with regard to lot size, dimensions, and configurations.

The lot in question fronts 171' on Lynwood Avenue and has a varying depth of 142' – 153'. The Applicant is proposing to subdivide the lot into three (3) lots that will front Lynwood Avenue. Per the underlying R-5 zoning, the lots must have a minimum frontage of 50' and an area of no less than 7500 sq. ft. Staff finds the proposed lots meet the underlying zoning requirement.

The Grant Park Historic District regulations require the resulting lots to conform to the historic platting of the district in regards to lot size, dimension and configuration. While the lots in the District vary, Staff finds that most existing lots are rectilinear, have frontages between 50-70 feet and have depths between 140-200 feet. Unlike some other historic neighborhoods, the lot pattern in Grant Park has not changed significantly over the years. As such, Staff finds the existing lot pattern is very similar to the historic platting pattern. As the proposed lots are consistent and compatible with the existing pattern, Staff finds the proposed lots conform to the historic platting pattern. Based on the information we have at this time, Staff does not have concerns regarding the proposed subdivision. Staff would note that once the final subdivision is approved by the Office of Zoning and Development, no applications for variances (including those that would be heard by the Commission) will be accepted for one year as required by the subdivision code.

Staff Recommendation: Based upon the following:

- 1) The plans meet the regulations noted above per Section 16-20K.006(3);

Staff recommends approval of the application for a Application for Type III Certificates of Appropriateness (CA3-17-069) to subdivide one (1) lot into three (3) lots at **783 Lynwood Street** - Property is zoned R-5/ Grant Park Historic District (Subarea 1)/Beltline.



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STAFF REPORT March 8, 2017

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-17-079) for a subdivision of one (1) lot into three (3) lots at **985 Howell Pl.** Property is zoned R-4A / West End Historic District.

Applicant: Terica Kindred
2020 Howell Mill

Facts: This lot is currently vacant.

Analysis: The following Code sections apply to this application:
Sec. 16-20G.005. - General regulations.

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

- (1) *Certificates of Appropriateness:* Certificates of appropriateness within this district shall be required as follows:
 - (b) *Type required:*
 - (vi) The following Type III Certificates of Appropriateness shall be reviewed by the commission and shall be required for:
 - c. Subdivisions and aggregations.
- (2) *The Compatibility Rule:* The compatibility rule is a method of ensuring that alterations to existing structures and the design of proposed new construction are sensitive to and sympathetic toward existing elements of design, proportions, scale, massing, materials, and general character of the contributing buildings in the immediately adjacent environment of the block face. To permit flexibility, many regulations are made subject to the compatibility rule, which states: "The elements in question (roof form, architectural trim, etc.) shall match that which predominates on the contributing buildings of the same block face, or where quantifiable (i.e., buildings height and width as measured at front façade, floor height, lot dimensions, etc.), shall be no smaller than the smallest or larger than the largest such dimension of the contributing buildings of the same block face." Those elements to which the compatibility rule applies are specified in these regulations by reference to "compatibility rule."
- (5) *Lot size:* In addition to the requirements of the subdivision and zoning ordinances, the compatibility rule specified in this chapter 20G shall apply to all subdivisions and aggregations of lots with regard to lot size, dimensions and configurations.

The Applicant is proposing to subdivide the existing lot into three (3) new lots facing Peeples St. Subdivisions in the District are required to meet the Compatibility rule in regards to the size, dimensions, and configurations of the resulting lots. In looking at the block face in question, Peeples St., Staff finds that while the configuration of the lots meets the compatibility rule, that the size and dimensions of the proposed lot exceed the allowable range for the block face. As such, Staff finds that the request does not meet the District regulations.

Staff Recommendation: Based upon the following:

1) The project does not meet the regulations with the exceptions noted above, per Sec. 16-20G.005;

Staff recommends denial of an Application for a Type III Certificate of Appropriateness (CA3-17-079) for a subdivision of one (1) lot into three (3) lots at **985 Howell Pl.**



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STAFF REPORT March 8, 2017

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-17-073) for alterations and a rear porch addition at **176 Elizabeth St.** Property is zoned R-5 / Inman Park Historic District (Subarea 1) / Beltline.

Applicant: Elbert R Martin
176 Elizabeth St.

Facts: This existing single family residence was constructed in 1908 and is considered contributing to the District.

Analysis: The following Code sections apply to this application:

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

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

1. General criteria.
 - 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.
 - 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.
- 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.*
 - a. No individual house design shall be substantially repeated on the same side of a street block.
 - b. An unpaved planting strip adjacent and parallel to the public street shall be provided. The compatibility rule shall apply to the dimensions and location of planting strips.
 - c. A sidewalk between the planting strip and the required front yard and parallel to the public street shall be provided. The compatibility rule shall apply to sidewalks. The sidewalk shall be the same width as the sidewalk on abutting properties or it shall be the width required by law, whichever is greater. If no sidewalk exists in the block, the new sidewalk shall not be less than six-feet wide. If no sidewalk paving material predominates in the block, the sidewalk shall be constructed of the historically accurate material for that block, either hexagonal pavers, concrete inlaid with hexagonal imprint, or brick.
 - d. A paved walkway from the front sidewalk to the front entry of the principal structure shall be provided.

- e. All front façades, front porches, front steps, and front doors of the principal structure shall face and be parallel to the street, except in those blocks in which the historic pattern is such that houses are situated at an angle to the street, in which case the compatibility rule shall apply.
 - f. The compatibility rule shall apply to the form and pitch of the primary roof of the principal structure.
 - g. The compatibility rule shall apply to the height, scale, and massing of the principal structure, except as noted below. In no case shall the height of a structure exceed 35 feet. (See section 16-28.022 for excluded portions of structure.)
 - i. The height of additions shall not be subject to the compatibility rule, but shall be no higher than the existing structure.
 - ii. Notwithstanding the compatibility rule, any new roof ridge line shall be no higher than the highest roof ridge line of the existing structure.
 - h. Height of the first floor of the front façade above grade shall be subject to the compatibility rule. The first floor of the principal structure shall be on foundations and shall be elevated above grade at the front façade a minimum of two entrance risers each of which shall be not less than seven inches in height. Slab-on-grade construction is not permitted.
 - 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. Decks are permitted only when located to the rear of the principal structure. Such decks shall be no wider than the width of the house and shall not project beyond the side façade of the existing house.
 - k. The use of chimneys with new principal structures is encouraged. When any portion of a chimney is visible from a public street or park as a façade element, the chimney shall originate at grade.
 - n. The compatibility rule shall apply to the following aspects of fenestration, if visible from a public street or park upon completion:
 - i. The style of the individual window.
 - (1) Windows in the front façade shall be predominantly vertical in proportion.
 - (2) If muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.
 - (3) Window and door casings widths and depths are subject to the compatibility rule.
 - ii. The size and shape of individual window openings.
 - iii. The overall pattern of fenestration as it relates to the building façade.
 - p. Wood lap siding, cementitious lap siding, brick, stone, external insulating finishing system ("EIFS"), and true stucco systems are permissible building materials for the façade of the principal structure. Corrugated metal, aluminum siding, and vinyl siding are not permitted.
 - q. The compatibility rule shall apply to building materials and design elements, if visible from a public street or park upon completion, and in addition to all other applicable regulations, as follows:
 - iv. The material and texture of stucco.
 - v. The size and type of doors.
 - (1) Exterior doors shall be wood panel or fixed glass panel in wood frame.
 - vi. The materials and pattern of roofing.
 - vii. Paving materials for walks and drives.
 - (1) Asphalt is not permitted.
 - 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.
 - ix. Visible portions of chimneys.
 - (1) Chimneys shall be faced with masonry. Siding on chimneys is not permitted.
 - x. Skylights are permitted where not visible from a public street or park wherever possible. Protruding bubble skylights are prohibited.
2. *Setback requirements:*

- b. *New additions to existing structures:* The following setback requirements and maximum floor area ratio shall apply to all permitted uses of new additions to existing structures: Rear setbacks shall be subject to the compatibility rule. The compatibility rule shall not apply to the front and side setbacks of any addition to an existing structure, however the front and side yard setbacks of the addition shall not be less than the respective setback, at its closest point, of the existing structure.
- 4. *Principal uses and structures:*
 - a. Properties that have an underlying zoning designation of R-5 shall be used only for the following principal purposes subject to the following provisions:
 - i. Single-family detached dwelling.
 - v. Floor area ratio shall not exceed 0.50.

The District has both quantitative and qualitative regulations with regards to alterations and additions to contributing structures. If a portion of the project is not discussed below, Staff found that the related regulation was met.

Site plan

The Applicant has provided two versions of a site plan, one of which shows a future project involving a deck. As the rear deck is not proposed at this time, Staff will not direct their comments toward its design. However, Staff would note that the deck would require a rear yard setback variance as it does not meet the compatibility rule.

Addition

The Applicant has proposed two options for the design of the alterations on the rear of the structure which are dependent on the future height of a patio to be reviewed at a later date. As staff has no general concerns with the design of either proposal, Staff recommends the Applicant clarify their preferred method for the rear porch alterations.

The plans note stucco as the siding material for the addition. As the existing non-historic addition is sided in stucco, Staff has no general concerns with this siding choice but recommends the proposed stucco facades be a true stucco system. Further, Staff recommends the texture of the proposed stucco match the texture of the existing stucco.

The materials and pattern of roofing are subject to the compatibility rule if they are visible from a public street or park. Staff recommends the Applicant provide documentation that the metal roofing over the proposed garage and patio doors meets the compatibility rule.

Staff Recommendation: Based upon the following:

- 1) The project meets the regulations, with the exceptions noted above, per Sec. 16-20L.006;

Staff recommends approval of an Application for a Type III Certificate of Appropriateness (CA3-17-073) for alterations and a rear porch addition at **176 Elizabeth St.**, with the following conditions:

- 1. The Applicant shall clarify their preferred method for the rear porch alterations;
- 2. The proposed stucco facades shall be a true stucco system, per Sec. 16-20L.006(1)(p);
- 3. The texture of the proposed stucco shall match the texture of the existing stucco, per Sec. 16-20L.006(1)(q)(iv);

4. The Applicant shall provide documentation that the metal roofing over the proposed garage and patio doors meets the compatibility rule, per Sec. 16-20L.006(1)(q)(vi); and,
5. Staff shall review and if appropriate, approve the final plans and documentation.



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STAFF REPORT March 8, 2017

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-17-074) for a variance to allow a reduction in the rear yard setback from 3' (required) to 0' (proposed) for an accessory structure at 1120 St Augustine Pl. Property is zoned R-4/Atkins Park Historic District.

Applicant: Allison Hoffman Suazo
1315 Northview Ave.

Facts: This existing single family residence was constructed in 1919 and is considered contributing to the District.

Analysis: The following Code sections apply to this application:

Sec. 16-200.006. - General regulations.

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

(1) *Certificates of appropriateness.*

(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 Code of Ordinances.

(E) Type III certificates of appropriateness shall be required for:

(ii) All major alterations and additions to existing structures.

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

Sec. 16-200.007. - Specific regulations.

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

(3) *Maximum floor area ratio:* The floor area ratio shall not exceed 50 percent of the total lot area.

(4) *Maximum lot coverage:* Lot coverage shall not exceed 50 percent of total lot area.

(5) *Development controls for accessory structures.*

(A) *Side yards:* The side yard setbacks of accessory structures shall be a minimum of three feet. Where an accessory structure directly abuts an accessory structure on an abutting property, the side yard setback may be zero feet.

(B) *Rear yard:* The rear yard setbacks of accessory structures shall be a minimum of three feet, measured from the rear property line.

- (C) Accessory structures are permitted in the side or rear yards within the buildable area of the lot so as to not project beyond the front façade of the principal structure. Placement of accessory structures shall conform to the compatibility rule.
- (D) Accessory structures shall not exceed 16 feet in height or the height of the principal structure, whichever is less, measured from slab to ridge pole, and shall not contain a floor area greater than 25 percent of the floor area of the principal structure. Plumbing shall be limited to hose bib, and electricity shall be limited to 60 amps.

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

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

In their response to the variance criteria, the Applicant does not identify any extraordinary or exceptional conditions on the lot that prevent a compliant accessory structure from being constructed. The Applicant indicates that adherence to the required 3' rear yard setback would present a hardship as cars would hit the house as they exit the garage. No peculiar conditions on the lot are identified by the Applicant. The Applicant does state that they feel that a rear yard setback of 0' would maintain the character of accessory structures along the alleyway to the rear of the lot.

While not related to the variance criteria, the Applicant has cited several accessory structures with rear yard setbacks less than 3'. As such, Staff finds that the granting of a variance would not cause a detriment to the purposes and intent of the Zoning Ordinance of the City of Atlanta. However, Staff finds that the request does not meet all of the criteria required by the regulations and cannot support the variance request.

Staff Recommendation: Based upon the following:

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

Staff recommends denial of an Application for a Type III Certificate of Appropriateness (CA3-17-074) for a variance to allow a reduction in the rear yard setback from 3' (required) to 0' (proposed) for an accessory structure at **1120 St Augustine Pl.**



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STAFF REPORT March 8, 2017

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-17-076) for a variance to reduce the rear yard setback from 7' (required) to 3.3' (proposed); and (CA3-17-078) for a second story addition at **453 Waldo St.** Property is zoned R-5/Grant Park Historic District (Subarea 1) / Beltline.

Applicant: John Sitton
662 Rosalia Street Se

Facts: This existing single family residence was constructed in 1911 and is considered contributing to the District.

Analysis: The following Code sections apply to this application:

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

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

(2) *Certificates of Appropriateness.*

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

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

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

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

(1) *Development Controls.*

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

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

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

(2) *Architectural Standards.*

- (A) *Statement of Intent.* The purpose of these regulations is to set forth basic, minimum standards of architectural design and construction that are compatible with and complementary to the existing historic residences within the neighborhood, as the cumulative historic diversity of the built environment is a defining characteristic of this neighborhood. It is not the intent of these regulations to limit the design of new housing to replication of styles of existing structures, but to foster residential design that, with regard to massing, size, scale, materials, and architectural elements, enhances the architectural quality of the neighborhood and simultaneously encourages creativity. Additionally, these regulations are intended to integrate the physical characteristics of new construction into the existing neighborhood in a meaningful way so as to restore and promote the public health, safety, and welfare of this neighborhood. The following residential architectural styles currently predominate in the neighborhood and contribute to its unique historic character; they are included here for reference only: American Four Square, Craftsman, English Vernacular Revival, Folk Victorian, Queen Anne, and Shotgun.
- (B) *Design Standards and Criteria for New Principal Structures.*
1. Identified design elements of size, scale, massing and materials of new construction shall be substantially consistent with said identified design elements found in contributing structures of like use in the district as listed in subsection 16-20K.007(15)(c.).
 2. A paved walkway from the front sidewalk to the front entry of the principal structure shall be provided.
 3. Front porches on the principal structure shall be required and shall be a minimum of one-third the width of the front façade and a minimum of seven feet in depth. Side porches shall be a minimum of four feet in depth. Porches may be enclosed by screen wire only, provided all the main features of a porch are maintained in place and the screening materials can be removed at a future date with minimal damage to said features.
 4. All front façades and front porches of the principal structure shall face and be parallel to the lot frontage. Wrap around front porches are permitted.
 5. Roof form above the front façade of the principal structure shall be gabled and/or hipped. Roof pitch shall be a minimum of 6 in 12. Roof pitch above porches shall not be restricted.
 6. The height of the principal structure shall not exceed 35 feet. (See section 16-28.022 for excluded portions of structures.)
 7. The first floor of the principal structure shall be on foundations and elevated above the grade a minimum of two entrance step risers each of which shall be no less than six inches in height. All front steps shall have closed risers and closed ends. Access ramps shall be permitted.
 11. Any façades that face a public street shall consist of fenestration that is either: 1) substantially consistent with fenestration on contributing structures of like use in the district, or 2) shall be no less than 15 percent and no greater than 40 percent of the total surface wall area. Windows may be individual or grouped. No individual window unit shall exceed 28 square feet. Within each individual window unit, no individual window sash, either fixed or operable, shall exceed 16 square feet.
 15. On those façades of any structure that face a public street, the following regulations on building materials shall apply. Alternate materials may be submitted for review by the commission.
 - a. Paving materials for walks and drives: Black asphalt is prohibited.
 - b. Visible foundation materials: Foundations shall constitute a distinct building design element and shall contrast with the front façade siding material. Brick, stone, concrete, stucco, and architectural concrete masonry units (C.M.U.) shall be permitted. Standard, unfinished concrete block and stacked stone is prohibited.
 - c. Siding/veneer: Horizontal lap siding, vinyl siding, aluminum siding, shingles, brick, hard stucco, and stone shall be permitted. Stacked stone is prohibited.
 - d. Roofing: Asphalt shingles, wood shingles, metal shingles, slate, and pre-finished metal panels shall be permitted.
 - e. Chimneys: Brick, stone, or architectural concrete masonry units (C.M.U.) shall be permitted. Siding is prohibited.
 - f. Fences: Brick, stone, wire mesh, architectural C.M.U., or vertical pickets made of ornamental metal, wood or simulated wood shall be permitted in the front yard and half depth front yard.
- (D) *Design Criteria for Alterations and Additions to Contributing Structures.* Alterations and additions to contributing structures requiring a Certificate of Appropriateness shall comply with one of the following

provided that the mere increase in floor area otherwise authorized in the district shall not constitute a standard for review:

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

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

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

Variance

In their response to the variance criteria the Applicant identifies the atypical lot configuration as the extraordinary and exceptional condition of the subject property. Staff finds that the lot configuration does not meet the minimum lot requirements of the R-5 Zoning regulations.

The Applicant states that the application of the Zoning Ordinance of the City of Atlanta would result in a loss of north side yard area. While Staff agrees that such an application of the rear yard setback requirements would result in some loss of the north side yard area, Staff would not consider such a loss to be a hardship. Further, such an addition could be massed so as to comply with all setback requirements of the Grant Park Historic District regulations.

The Applicant states, and Staff agrees, that the configuration of the lot is peculiar. The Applicant further states that the variance would not result in a detriment to the public good or impair the purposes and intent of the Zoning Ordinance of the City of Atlanta. Staff finds that the second story addition proposed for this project would result in a loss of historic materials and character which would impair the purpose and intent of the Zoning Ordinance of the City of Atlanta.

Addition

Site plan

The site plan does not note the proposed floor area or lot coverage. Staff recommends the site plan note the floor area and lot coverage.

Addition

The District allows two separate criteria for reviewing additions to a contributing structure. The first criteria requires that the addition be consistent with and reinforce the historic architectural character of the entire existing contributing structure, and the second criteria requires that the

addition not destroy historic materials. Staff finds that the proposed project would not meet either criterion.

While the preferred method is to mass an addition to the rear of a contributing structure, the lot dimensions and placement of the existing structure do not allow for such an arrangement. While the Commission and Staff have typically discouraged additions to the side of a contributing structure, Staff finds that the lot geometry presents unique design challenges which necessitate a unique solution.

The addition method proposed by the Applicant, while likely less visually impactful on the Waldo St. right of way, would result in the loss of the entire existing roof structure of the contributing structure, introduce a new roof form, and result in the loss of the original chimney stack. An addition to the side of the structure could be placed within the required 7' rear yard setback thus negating the need for a variance, and could be designed so as to be consistent with the architecture of the existing contributing structure. As such, Staff finds that a modest one story addition massed to the side of the principal structure could fulfil the quantitative and qualitative requirements of the District regulations. Staff recommends the addition be redesigned to show an addition to the side of the principal structure.

CA3-17-076

Staff Recommendation: Based upon the following:

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

Staff recommends denial of an Application for a Type III Certificate of Appropriateness (CA3-17-076) for a variance to reduce the rear yard setback from 7' (required) to 3.3' (proposed) at **453 Waldo St.**

CA3-17-078

Staff Recommendation: Based upon the following:

- 1) The request does not meet the variance criteria, per Sec. 16-20K.007;

Staff recommends deferral of an Application for a Type III Certificate of Appropriateness (CA3-17-078) for a second story addition at **453 Waldo St.**, to allow the Applicant time to address the following concerns of Staff:

1. The addition shall be redesigned to show an addition to the side of the principal structure, per Sec. 16-20K.007(2)(D)(1); and,
2. All new materials shall be submitted no less than 8 days before the deferred meeting date.



CITY OF ATLANTA

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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT March 8, 2017

Agenda Item: Application for a Type II Certificate of Appropriateness (CA2-17-077) for new signage at **379 Edgewood Ave.** Property is zoned Martin Luther King, Jr. Landmark District (Subarea 4).

Applicant: Melvin Cooper
2435 Lake Ter., Eastpoint

Facts: This existing commercial building is considered contributing to the District.

Analysis: The following code sections apply to this application:

Section 16-20C.004 General Regulations

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:
 - 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.
3. Certificates of appropriateness.
 - a. General provisions.
 - i. The procedures for determining the correct type of certificate of appropriateness shall be those specified in section 16-20.008, except as otherwise provided herein.
 - ii. No certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - iii. No certificate of appropriateness shall be required to repaint any structure or portion thereof, or, to make ordinary repairs and maintenance using in-kind materials.
 - iv. No certificates of appropriateness shall be required for demolition or moving of non-contributing structures.
 - b. Type II certificates of appropriateness.
 - ii. Type II certificates reviewed by the commission. All required Type II certificates of appropriateness not listed above shall be reviewed by the commission. In addition, the following shall be reviewed by the commission as a Type II certificate of appropriateness:
 - (1) Alterations to any façade of any principal structure; and

Section 16-28A.010

(27) M.L. King, Jr. Landmark District. The following signs shall be permitted in the M.L. King, Jr. landmark district:

- a. General Regulations: Notwithstanding any other individual district standards, all signs within the M.L. King, Jr. landmark district are subject to the following general regulations:
 - (1.) No billboard signs shall be permitted in the M.L. King, Jr. landmark district.
 - (2.) No freestanding signs shall be permitted in the M.L. King, Jr. landmark district.
 - (3.) No monument signs shall be permitted in the M.L. King, Jr. landmark district.
 - (4.) No LSVD signs shall be permitted in the M.L. King, Jr. landmark district.
 - (5.) No sign shall be permitted within the M.L. King, Jr. landmark district except after approval by the ur
 - (6.) Signs provided for contributing structures shall be designed in a manner that is compatible with the design, materials, and general character of signage from the time period of historical significance for the structure.
 - (7.) Signs provided for non-contributing structures shall be designed in a manner that is compatible with the design, materials, and general character of signage from the time period of historical significance for the district.
 - f. Edgewood Avenue and Auburn Commercial District (Subarea 4): The sign regulations for the Edgewood Avenue and Auburn Avenue Commercial District (Subarea 4) shall be the same as the regulations for the SPI-1 (Central core) district, provided that:
 - (1.) No individual sign shall exceed 100 square feet in sign area.
 - (2.) No projecting sign shall exceed eight square feet in sign area.
 - (3.) Sign location on the building shall correspond with that portion of the building owned or leased by the person erecting the sign.
 - (4.) Sign shall be located as follows:
 - i. In the area of the storefront above the transom and below the second floor windows or centered between the transom and the cornice.
 - ii. On or in display windows or upper facade windows.
 - iii. On or in the glazing of the doors.
 - iv. On the valance of awnings.
 - v. On the fascia or top edge of canopies.
 - vi. Projecting perpendicularly from the building.
 - (5.) Changing signs shall be prohibited.
- (12) SPI-1 Downtown District.
- a. General Regulations: Signs within SPI-1 Downtown District are subject to the regulations set forth in this section (12). For purposes of this section (12), "street" means public streets and private streets, as well as associated public right-of-way including public right-of-way accessible only to pedestrians.
 - b. Building Signs:
 1. Type: Wall signs, projecting signs, canopy signs, parapet wall signs, suspended signs, and marquee signs shall be permitted. Only one of the signs may be either suspended or projecting along each street frontage per business establishment, provided that corner business establishments may have two projecting signs limited to one projecting sign per street frontage. Wrap signs, as defined herein, shall be permitted within the time, manner and place limitations contained in (12)l. herein.
 2. Number:
 - (a) Sidewalk-Level Business Establishments: A maximum of three signs shall be allowed for each business establishment on the sidewalk-level of a building. For the purposes of this section (12), "sidewalk level" shall be as defined by Section 16-18A.005(3) except where additional signage is authorized on a monument sign or multi-tenant sign.
 - (c) Corner Business Establishments: One additional sign shall be allowed for each business establishment occupying corner space that faces two streets and is located on the sidewalk-level or second-level, provided such sign is oriented toward the additional street.
 3. Area: Where a business establishment is permitted to have signs, the following regulations shall apply:
 - (a) Sidewalk-Level and Second-Level Business Establishments: The combined area of the signs except for that signage on monument signs or multi-tenant signs if allowed shall not exceed

- ten percent of the total area of the walls of the business establishment that face the street but at least 60 square feet of combined sign area is allowed for each business establishment.
- (b) Corner Business Establishments: The area of the additional sign authorized by subsection (12)b.2.(c) shall not exceed ten percent of the total area of the walls of such business establishment that face the additional street, or 60 square feet, whichever is less and this calculation shall exclude that signage on monument signs or multi-tenant signs if allowed.
 - (c) No individual sign shall exceed 200 square feet except for wrap signs as provided for in (12)l.
4. Height: The height limitation set forth in Section 16-28A.007(m) may be exceeded as follows:
- (a) Subject to subsection (12)b.4.(a) above; no portion of a sign for a sidewalk-level business establishment shall be located more than 40 feet in height above the elevation of the nearest sidewalk clear zone.
 - (c) Notwithstanding the permission for increased height in SPI-1, no portion of any sign shall extend above the top of the building upon which it is located.
- g. Signs Extending Over Right-of-Way: Signs extending or projecting over any property line onto sidewalk or street right-of-way shall be subject to all other provisions of this chapter, of Part 16, and of any other applicable requirements of the Code of Ordinances of the City of Atlanta governing such signs.

The District has both quantitative and qualitative regulations with regards to signs including the number, size, and type of signs allowed as well as their location, materials, type, and method of attachment to the building. If a portion of the project is not discussed below, Staff found that the related regulation was met.

The Applicant is proposing a new wall sign and a new projecting sign. No information regarding the sign material has been received. Staff recommends sign material meet the District regulations.

No information on how the wall sign will be attached to the building has been provided. Staff recommends method of attachment for the proposed wall sign meet the District regulations. Staff further recommends the proposed projecting sign be attached at the mortar joints of the existing brick.

Staff Recommendation: Based upon the following:

1. The renovations meet the District regulations, per Section 16-28A.007 and 16-20A.009.

Staff recommends: approval of an Application for a Type II Certificate of Appropriateness (CA2-17-077) for new signage at **379 Edgewood Ave.** with the following conditions:

1. The sign material shall meet the District regulations, per Sec. 16-28A.010(27)(a)(6);
2. The method for attachment for the proposed wall sign shall meet the District regulations, per Sec. 16-20C.004(1)(j);
3. The proposed projecting sign shall be attached at the mortar joints of the existing brick, per Sec. 16-20C.004(1)(j); and,
4. Staff shall review and if appropriate, approve the final plans and documentation.



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TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT March 8, 2017

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-17-079) for a subdivision of one (1) lot into three (3) lots at **985 Howell Pl.** Property is zoned R-4A / West End Historic District.

Applicant: Terica Kindred
2020 Howell Mill

Facts: This lot is currently vacant.

Analysis: The following Code sections apply to this application:
Sec. 16-20G.005. - General regulations.

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

- (1) *Certificates of Appropriateness:* Certificates of appropriateness within this district shall be required as follows:
 - (b) *Type required:*
 - (vi) The following Type III Certificates of Appropriateness shall be reviewed by the commission and shall be required for:
 - c. Subdivisions and aggregations.
- (2) *The Compatibility Rule:* The compatibility rule is a method of ensuring that alterations to existing structures and the design of proposed new construction are sensitive to and sympathetic toward existing elements of design, proportions, scale, massing, materials, and general character of the contributing buildings in the immediately adjacent environment of the block face. To permit flexibility, many regulations are made subject to the compatibility rule, which states: "The elements in question (roof form, architectural trim, etc.) shall match that which predominates on the contributing buildings of the same block face, or where quantifiable (i.e., buildings height and width as measured at front façade, floor height, lot dimensions, etc.), shall be no smaller than the smallest or larger than the largest such dimension of the contributing buildings of the same block face." Those elements to which the compatibility rule applies are specified in these regulations by reference to "compatibility rule."
- (5) *Lot size:* In addition to the requirements of the subdivision and zoning ordinances, the compatibility rule specified in this chapter 20G shall apply to all subdivisions and aggregations of lots with regard to lot size, dimensions and configurations.

The Applicant is proposing to subdivide the existing lot into three (3) new lots facing Peeples St. Subdivisions in the District are required to meet the Compatibility rule in regards to the size, dimensions, and configurations of the resulting lots. Staff finds that the block face in question consists of properties which are outside of the Historic District and are therefore inappropriate for use as compatibility comparisons. Staff recommends the Applicant provide information detailing the allowable lot dimension range of the closest block face containing contributing properties, along with an assessment of why the block face chosen is appropriate for compatibility comparisons.

Staff Recommendation: Based upon the following:

1) The project does not meet the regulations with the exceptions noted above, per Sec. 16-20G.005;

Staff recommends deferral of an Application for a Type III Certificate of Appropriateness (CA3-17-079) for a subdivision of one (1) lot into three (3) lots at **985 Howell Pl.**, to allow the Applicant time to address the following Staff concerns:

1. The Applicant shall provide information detailing the allowable lot dimension range of the closest block face containing contributing properties, along with an assessment of why the block face chosen is appropriate for compatibility comparisons, per Sec. 16-20G.005(5); and,
2. All updated materials shall be submitted no less than 8 days before the scheduled meeting date.



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STAFF REPORT March 8, 2017

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-17-080) for an addition and alterations at **725 Pearce St.** Property is zoned R-4A/Adair Park Historic District (Subarea 1) / Beltline.

Applicant: WH Ventures LLC.
6175 Hickory Flat Highway, Canton

Facts: This existing single family residence was constructed in 1902 and is considered contributing to the District.

Analysis: The following Code sections apply to this application:

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

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

- (1) *The Compatibility Rule:* The compatibility rule is a method of requiring that alterations and new construction are sensitive and sympathetic to existing elements of design, scale and general character of the district with particular attention to the immediate environment constituting a particular block. In accordance with this purpose, the compatibility rule is as follows: "To the maximum extent possible, the element in question, such as roof form or architectural trim, shall substantially match that which predominates on that block. When elements are quantifiable, such as building height or floor heights, they shall equal the statistical average of all like elements of all structures of like use in that block." Those elements to which the compatibility rule applies are specified in regulations by reference to "compatibility rule."

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:
 - b. *Type required:*
 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:*
- a. *Building façades:*
 - 1. All new construction shall conform to the existing building orientation (setbacks) by having sidewalks, front yards, porches and front doors facing and parallel to the street, and if located on a corner, the main façade shall face the principal street whenever possible.
 - 2. At a minimum, the front of all new construction, including any portion thereof, shall be placed at the distances from the street determined by the compatibility rule. This requirement shall also apply to those sides of corner lots which also face a street.
 - 3. All building materials which upon completion are visible from the public right-of-way, shall be compatible with those which predominate in the subarea.
 - 4. Siding repair or replacement shall match the original materials in scale and direction. Wood clapboard, if original is preferred; however, aluminum, masonite vinyl or other horizontal siding is permitted if window trim, cornerboards, and fascia/bargeboards are left in place or replaced with new material to match the original.
 - 5. Contemporary design of new construction, compatible with adjacent and surrounding structures, is permitted.
 - 6. No structure shall exceed that height established by the compatibility rule, with a permitted differential of ten (10) percent.
 - b. *Windows and Doors:*
 - 1. Architecturally significant windows and doors, including details, trimwork, and framing, shall be retained.
 - 2. Original window and door openings shall not be blocked or enclosed, in whole or in part.
 - 3. Replacement windows and doors shall be permitted only when originals cannot be rehabilitated. Replacement windows and doors shall match the original in style, materials, shape and size with no more than a one-inch width or height difference from the original size.
 - 4. Dropped ceilings, when located below the head of a window, shall be sufficiently recessed from the window opening to maintain the original exterior appearance.
 - 5. New doors and windows, when permitted, shall be compatible in scale, size, proportion, placement, and style to existing windows and doors.
 - 6. The ratio of openings to solid for all new construction (for example, windows to wall) shall be established by the compatibility rule, with a permitted differential of ten (10) percent.
 - 7. The scale, size, and proportion of all openings in new construction shall be established by the compatibility rule with a permitted differential of ten (10) percent.
 - 8. New windows or doors added to existing structures shall be located on sides or to the rear of buildings, rather than on the front.
 - c. *Foundations:*
 - 1. Foundation materials, including infill materials, shall replicate the original materials in size, shape, color, texture and mortar, and shall be installed using construction techniques similar to the original.
 - 2. New foundations shall be of masonry or concrete construction. Other foundation materials are permitted provided they are appropriate to the building on which they are located and in scale, materials, and style with adjacent and surrounding buildings.
 - 3. Slab on grade is not permitted.
 - 4. Lattice, painted concrete block, brick or stucco shall be used as infill between foundation masonry piers when infill is otherwise required.
 - d. *Storm doors, storm windows, shutters and awnings:*
 - 1. Shutters shall be operable or appear operable, and shall fit the size of the window.
 - 2. Replacement shutters shall match the original shutters in design, materials and configuration.
 - 3. Storm doors, screen doors or storm windows shall be of compatible design and shall not cover, obscure or dominate significant architectural details.
 - 4. Fabric and metal awnings are permitted. All other types of canopies and awnings are prohibited.
 - e. *Chimneys:*

1. Chimneys shall match original materials, mortar, color and pattern whenever possible.
 2. New chimneys shall be faced with brick or stucco.
 3. Siding on chimneys is prohibited.
- 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.
- g. *Porches:*
1. Architecturally significant porches, steps and stoops shall be retained.
 2. Replacement porches, steps and stoops shall match the original in size, style and materials.
 3. Porches may be enclosed with screenwire or glass if the main characteristics of a front porch are maintained.
 4. Porches shall contain balustrades, columns and other features consistent with porches in that block.
- h. *Accessory structures:* Accessory structures, such as carriage houses, smoke houses, greenhouses, tenant and alley houses, private garages, carports, electric vehicle charging stations equipped with Level 1 and/or Level 2 EVSE, air conditioners and heating units, can be located to the side or rear of the main structure within the buildable area of the lot and shall not project beyond the front of the main structure. In addition, said structures shall be located in the least visible location within permissible areas. Screening with appropriate plant or fence materials is required if said structure is visible from the public right-of-way.
- 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.
- j. *Walls:* Concrete block may be used in retaining walls, but stone or brick facing material is required.
- k. *Ornaments:*
1. Architecturally significant ornaments, such as corner boards, cornice, brackets, downspouts, railings, columns, steps, doors and windows moldings, shall be retained.
 2. Replacement ornaments shall be permitted only when originals cannot be rehabilitated.
 3. Installation of new ornaments, where none previously existed, shall be permitted only when it is in accordance with the architectural style of the original structure.
- (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.
- (6) *Off-Street Parking Requirements:*
- a. Off-street parking shall not be permitted in the front yard.
 - b. Carports and garages shall be behind the rear of the main structure. If the main structure is located on a corner lot, the front yard setback for that side of the street shall apply to the construction of a carport or garage.
- (7) *Signs:*
- a. Identification signs for home occupations shall not exceed two (2) square feet in area.
 - b. Identification signs for institutional uses shall not exceed 30 square feet in area.

The District has both quantitative and qualitative regulations with regards alterations and additions to existing structures. If a portion of the project is not discussed below, Staff found that the related regulation was met.

Site plan

The site plan indicates a new concrete drive to be installed to the left of the principal structure which terminates in the front yard. Per the regulations, parking in the front yard is prohibited. As such, Staff recommends the proposed drive extend no less than 20' past the front façade of the structure.

Addition

While Staff has no concerns with the use of brick as a siding material for the sides of the addition, Staff recommends a vertical expansion joint be used to differentiate the new addition from the existing portions of the structure. Staff notes from the photographs provided by the Applicant that the original structure has a textured or “raised” brick pattern which accentuates the Flemish bond. Staff recommends that the side facades of the addition be comprised of a flat brick surface without a raised pattern to further add differentiation and proper historic interpretation.

The drawings appear to show the existing windows being retained, but staff has concerns based on the details and window schedule that some windows may be proposed for replacement. As Staff has not received any information detailing that the existing windows are non-original or beyond repair, the need for replacement cannot be established. Staff recommends the Applicant clarify whether any windows are proposed for replacement, provide information detailing whether those windows are original to the structure, and the ability of those windows to be repaired. Further, Staff recommends any original windows which can be repaired be retained. The window schedule provided by the Applicant shows wood one over one double hung windows. According to the District inventory, the original windows on this structure were prairie style double hung windows. As such, Staff recommends any new or replacement windows be prairie style, true divided lite, double hung windows.

Staff Recommendation: Based upon the following:

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

Staff recommends approval of an Application for a Type III Certificate of Appropriateness (CA3-17-080) for an addition and alterations at **725 Pearce St.** with the following conditions:

1. The proposed drive shall extend no less than 20' past the front façade of the structure, per Sec. 16-20I.006(6)(a);
2. A vertical expansion joint shall be used to differentiate the new addition from the existing portions of the structure, per Sec. 16-20.009;
3. The side facades of the addition shall be comprised of a flat brick surface without a raised pattern to further add differentiation and proper historic interpretation, per Sec. 16-20.009;
4. The Applicant shall clarify whether any windows are proposed for replacement, provide information detailing whether those windows are original to the structure, and the ability

- of those windows to be repaired, per Sec. 16-20I.006(4)(b)(1);
5. Any original windows which can be repaired shall be retained, per Sec. 16-20I.006(4)(b)(1);
 6. Any new or replacement windows shall be prairie style, true divided lite, double hung windows, per Sec. 16-20I.006(4)(b)(3);
 7. Staff shall review and if appropriate, approve the final plans and documentation.



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TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT

March 8, 2017

Agenda Item: Review and Comment (RC-17-083) for **Doctor’s Memorial Park at Fairburn Road and Benjamin E. Mays Drive** - Property is zoned RG-2.

Applicant: City of Atlanta Office of Parks Design
266 Peachtree Street

Facts: The proposed park is located in southwest Atlanta in the Fairburn Mays neighborhood. The park will be bordered by Benjamin E. Mays Drive on the north and Fairburn Road on the west. The intent of the park is to “memorialize some of Atlanta’s African-American medical professionals”. The site is relatively flat, but does gradually slope down away from the street corner. At this time, the Commission is reviewing and commenting on the proposed design of the park, which includes concrete sidewalks / walking paths, an open lawn, a memorial plaza, and playground.

Analysis: The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

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

Overall Comments

The Staff finds that the design is the culmination of a public involvement process typical of what is used for City-sponsored planning processes for parks of this size. The Staff further finds that the design plan is a comprehensive, yet succinct and easily comprehended document. The Staff finds that such master planning efforts are necessary for all of the City’s parks and publically-accessible spaces (existing, expanded, and new).

As the Staff has recommended in the past, parks need to be planned as a whole so that as public amenities they are sustainable, reflect the changing interests of the constituents they must serve (both local and regional), and take into account other development activity around them, which in this case would include on-going changes to the Fairburn and Mays corridors. The Staff acknowledges that

specific programming (non-physical) recommendations are not always the subject of a design process. However, the Staff finds that having some programmatic recommendations for the park could be as useful as the physical design in ensuring the park's success.

It is not clear to the Staff if the design process included the development of any formal goals and priorities. The Staff finds that if goals and priorities are associated with the park proposal, they can provide direction to future decision making regarding physical, programmatic, or management proposals that might arise; whether or not those proposals are in the current design. The design clearly describes the physical characteristics of the future park, but the Staff finds that it would be helpful to know how these physical components reflect any policies or goals that might have been defined during the design development and community engagement process.

Similarly, the Staff would recommend that the park proposal include some basic design guidelines that address materials, aesthetics and other physical features of the facility beyond the specific recommendations included in the design. If any changes to the park need to be made in the future, these guidelines could provide guidance as to the appropriateness of those proposed revisions.

Specific Comments

Given that the submitted design is at the "100% construction drawings" stage, the Staff assumes that the components and site planning arrangements shown in the design will not necessarily change. At the same time, the Staff has the following comments about the design.

Memorial Plaza and Playground

The Staff finds that the proposed memorial (which consists of stone pillars on a stone base with cascading water on either side of each pillar) is a unique and engaging design, but does have two recommendations. First, the Staff would recommend the pillars be somewhat larger and of a scale that will visually anchor this portion of the park and more importantly the street corner the park is on. Second, the Staff would recommend that some additional written description of the park's theme be included somewhere in the memorial plaza. Regarding the plaza itself, the Staff is concerned about the amount of hardscape and general open space at the street corner. The center of the plaza is over 100 ft. from the street corner, with the memorial pillars even farther. This distance could reduce the visual impact of the plaza to the surrounding area, as well as make it seem detached from the rest of the park.

Regarding the playground, it is not clear to the Staff what age groups the playground is targeted to and if that aligns with the population of the surrounding neighborhoods, who are the most likely people to use the park. In addition the Staff is concerned about the lack of shade associated with the playground that could lead to the equipment and/or play surface getting too hot during the summer.

Circulation

The Staff fully supports the use of accessible and semi-accessible paths and walkways in the park which given the site topography, create the curvilinear circulation system. The Staff would recommend, though, that a small path connect the main interior circular path to Fairburn Road due south of the playground to avoid an impromptu path being created by park users. Further, the Staff would recommend that the sidewalk / plaza area along Mays Drive (like the sidewalk along Fairburn Road) include a planting strip to separate pedestrians from the travel lanes of Mays Drive. Further, it is also not clear to the Staff why the crushed gravel path along the parking lot extends past the last parking space and dead ends into the side lot line.

Landscape, Plantings, and Fixtures

The Staff would recommend that all of the plantings consists of native or semi-native species and that they be arranged so that clear site lines are created into and from the park, particularly since the park slopes down from the street corner making the southeast portion of the landscaped area one of the lowest portions of the park.

The Staff would also recommend that the various fixtures in the park (light poles, trash cans, benches, signs, etc.) are from a standard City of Atlanta park “palette” to allow for easier maintenance and replacement, as well as to reinforce that this park is part of a comprehensive and unified City of Atlanta park system.

Conclusions

The Staff fully supports the creation of the park and finds that the general design is a very positive and well thought out proposal. The Staff further finds that in the absence of such a design, the park’s future would be less clear and as such would ultimately provide fewer benefits to its users and the entire City as a whole.

Staff Recommendation: Staff recommends that the Commission deliver its comments to the Applicant at the Commission meeting regarding the Review and Comment (RC-17-083) for **Doctor’s Memorial Park at Fairburn Road and Benjamin E. Mays Drive** - Property is zoned RG-2.



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TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT

March 8, 2017

Agenda Item: Review and Comment (RC-17-084) for **Boone and West Lake Park** at **Joseph E. Boone Boulevard and West Lake Drive** - Property is zoned R-4.

Applicant: City of Atlanta Office of Parks Design
266 Peachtree Street

Facts: The existing park is located in southwest Atlanta in the West Lake neighborhood. The park will be bordered by Boone Boulevard on the north and West Lake Drive on the east. The site is relatively flat, but does gradually slope up away from the street corner, including a more severe slope at the very southern edge of the park. There currently are not improvements or park facilities on the property. At this time, the Commission is reviewing and commenting on the proposed redesign of the park, which includes concrete sidewalks / walking paths, an open lawn, picnic / grilling area, a small memorial plaza, playgrounds, a fitness area, and the relocation of an Olympic-area sculpture that was previously installed at Underground Atlanta. In addition, none-specimen trees will be removed in the western and southern portions of the park.

Analysis: The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

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

Overall Comments

The Staff finds that the design is the culmination of a public involvement process typical of what is used for City-sponsored planning processes for parks of this size. The Staff further finds that the design plan is a comprehensive, yet succinct and easily comprehended document. The Staff finds that such master planning efforts are necessary for all of the City's parks and publically-accessible spaces (existing, expanded, and new).

As the Staff has recommended in the past, parks need to be planned as a whole so that as public amenities they are sustainable, reflect the changing interests of the constituents they must serve (both local and regional), and take into account other development activity around them, which in this case would include on-going changes to the West Lake and surrounding neighborhoods. The Staff acknowledges that specific programming (non-physical) recommendations are not always the subject of a design process. However, the Staff finds that having some programmatic recommendations for the park could be as useful as the physical design in ensuring the park's success.

It is not clear to the Staff if the design process included the development of any formal goals and priorities. The Staff finds that if goals and priorities are associated with the park proposal, they can provide direction to future decision making regarding physical, programmatic, or management proposals that might arise; whether or not those proposals are in the current design. The design clearly describes the physical characteristics of the future park, but the Staff finds that it would be helpful to know how these physical components reflect any policies or goals that might have been defined during the design development and community engagement process.

Similarly, the Staff would recommend that the park proposal include some basic design guidelines that address materials, aesthetics and other physical features of the facility beyond the specific recommendations included in the design. If any changes to the park need to be made in the future, these guidelines could provide guidance as to the appropriateness of those proposed revisions.

Specific Comments

Given that the submitted design is at the "75% progress set" stage, the Staff assumes that the components and site planning arrangements shown in the design will not necessarily change significantly. At the same time, the Staff has the following comments about the design.

Plaza, Playground, and Olympic-area Sculpture

While the Staff completely supports the recognition of Joseph E. Boone at this park, the Staff does have some recommendations for that recognition and the plaza it is associated with. First, the Staff would recommend the recognition include a vertical element that is substantial enough to visually anchor this portion of the park and more importantly the street corner the park is on. Second, the Staff would recommend that some additional written description of the honoree be included somewhere in the memorial plaza.

Regarding the plaza itself, the Staff is concerned about the configuration of the hardscape and open space at the street corner. The plaza is relatively thin in depth, but wide, extending about 60 ft. along both street frontages, not taking into account the landscaping at the actual street corner. This shape could reduce the visual impact of the plaza to the surrounding area and reduce its functionality for special events that might need hardscape surfaces.

Regarding the playgrounds, the Staff supports the installation of different and separate playgrounds for specific age groups and assumes that these age groups align with the population of the surrounding neighborhoods, who are the most likely people to use the park. However, the Staff is concerned about the lack of shade associated with the playgrounds that could lead to the equipment and/or play surface getting too hot during the summer.

Regarding the proposed installation of the Olympic-area sculpture, the Staff appreciates that this sculpture will once again be able to be experienced by the public. The Staff would recommend an appropriate identifying plaque be included in the installation of the sculpture. Further, the Staff finds that if the sculpture was specifically designed for its original location (from the artist's perspective), there should be information included in the plaque that notes the original intent and location of the sculpture.

Circulation

The Staff fully supports the use of accessible and semi-accessible paths and walkways in the park that create the curvilinear circulation system. The Staff also supports the multiple that the path system connects to the adjacent public sidewalks, which may help avoid impromptu paths being created by park users. Lastly, the Staff agrees with the use of planting strips along both street frontages to separate pedestrians from the adjacent travel lanes.

At the same time, the Staff would recommend the inclusion of on-street parking to expand access to the park, as appears to have been included in a previous design version, shown as "Option C" in the submission.

Landscape, Plantings, and Fixtures

The Staff would recommend that all of the plantings consists of native or semi-native species and that they be arranged so that clear site lines are created into and from the park, particularly since the park slopes up from the street corner making the south portion of the park the highest portion of the park.

The Staff would also recommend that the various fixtures in the park (light poles, trash cans, benches, signs, etc.) are from a standard City of Atlanta park "palette" to allow for easier maintenance and replacement, as well as to reinforce that this park is part of a comprehensive and unified City of Atlanta park system.

Lastly, the Staff would recommend the inclusion of more trees within the picnic / grilling area to increase the amount of shade, help delineate it from the open lawn to the east, and reinforce the idea that it should not be the focus of any ball-related activities.

Conclusions

The Staff fully supports the creation of the park and finds that the general design is a very positive and well thought out proposal. The Staff further finds that in the absence of such a design, the park's future would be less clear and as such would ultimately provide fewer benefits to its users and the entire City as a whole.

Staff Recommendation: Staff recommends that the Commission deliver its comments to the Applicant at the Commission meeting regarding the Review and Comment (RC-17-084) for **Boone and West Lake Park at Joseph E. Boone Boulevard and West Lake Drive** - Property is zoned R-4.



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STAFF REPORT **March 8, 2017**

Agenda Item: Review and Comment (RC-17-092) on text amendment Z-17-03 to amend Part 16 Chapter 28A Sign Ordinance of the City of Atlanta be creating an overlay sign district entitled “Arts and Entertainment District”. Effected properties are zoned variously.

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

Facts: The proposed Arts and Entertainment District sign overlay district would be generally located in Downtown and will be coordinated by the Downtown Atlanta Community Improvement District (managed by Central Atlanta Progress.) As noted in the project summary provided by the Downtown Atlanta Community Improvement District:

“The Atlanta Arts and Entertainment District is a proposed neighborhood activation and economic development project for Downtown Atlanta. It is powered by future outdoor media that will create light, vitality and activity Downtown through non-traditional and creative means while supporting commercial investment and addressing the needs and demands of national and international events hosted in Atlanta.

As the physical and symbolic center of the city and the region, Downtown must grow and evolve as the preferred dense, diverse and active market place for commerce and entertainment. Digital signage and media, managed in a coordinated way, can play a significant role in supporting this desired activity and defining Atlanta’s culture and brand.

When adopted by the Atlanta City Council, the District will provide new advertising sign rights for private property owners provided that the signage is executed in an innovative and creative manner that protects the aesthetics of Downtown. Further, the new media assets will be made available for specially managed programming that supports Downtown revitalization goals.”

There are several individually designated properties and districts in Downtown within the geographic area that would be covered by the proposed sign district and thus could potentially be affected by the proposed sign district and the changes to the City’s Sign Ordinance.

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 sign district would not be detrimental to the designated properties and districts and would not have negative effects on the designated properties and districts for the following reasons:

1. The historic preservation-related, architectural requirements that would apply to the designated properties and districts would not be altered;
2. The Staff and/or Commission's role in reviewing alterations and additions related to the designated properties and districts would not change; and
3. The Staff and/or Commission's ability to ensure that alterations and additions will be compatible with the designated properties and districts as required by the historic preservation-related zoning regulations would not change.

In particular, the proposed sign district would not override the Commission's ability to deny a proposed sign, alteration, or other change to a designated property or district that does not meet the applicable historic preservation-related zoning regulations and in particular Section 16-28A.007(v) of the Sign Ordinance. Section 16-28A.007(v) is the section of the Sign Ordinance that provides the design standards for signage on designated properties and in some cases, designated districts.

Staff Recommendation: Staff recommends that a letter of support and Commission comments regarding Review and Comment (RC-17-092) on text amendment Z-17-03 to amend Part 16 Chapter 28A Sign Ordinance of the City of Atlanta be creating an overlay sign district entitled "Arts and Entertainment District" be sent to the Secretary of the Zoning Review Board and appropriate City Staff.



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STAFF REPORT

March 8, 2017

Agenda Item: Review and Comment (RC-17-093) for a special use permit (U-17-001) to allow a day care center / pre-kindergarten at **502 Seminole Avenue** - Property is zoned R-5 / Inman Park Historic District / Beltline.

Applicant: Druid Hills Pre-School, Inc.
1200 Ponce de Leon Avenue

Facts: The underlying zoning of almost the entire residential core of the District is R-5, which allows day cares, pre-schools and similar activities through a special use permit. The proposed day care center / prekindergarten would be located in a church building, which is considered contributing to the District. The property is located on the west side of Seminole Avenue near the intersection with Sinclair Avenue. The property has a somewhat unusual shape with middle of the property necking down before increasing in width in the middle of the block. The church is located along the Seminole Avenue, with a parking lot to the south, while the rear portion of the lot is unimproved. Along the western portion of the southern property line (functionally the back of the property), there is an un-improved public right-of-way called Rugby Street.

Before the Commission at this time is the application for the special use permit. All changes to the site and any exterior changes to the building will still need in the future the required certificate of appropriateness, which depending in the scope of the work would be reviewed by the Staff or the Commission. Included in the special use permit application is a proposed site plan which would include improving the existing parking lot along Seminole Avenue and creating an egress only travel way from the rear of the property along an improved Rugby Street to North Highland Avenue.

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 special use permit is not detrimental to the District regulations and the intent of the District, and would not necessarily have negative effects on the District for the following reasons:

1. The physical characteristics of the surrounding properties in the District would not change;
2. The architectural requirements found in the existing District regulations that apply to the property would not be altered;
3. The Staff and/or Commission's role in reviewing development at the property would not change; and
4. The Staff and/or Commission's ability to ensure that new construction, alterations, additions, site work, etc. will be compatible with the District as required by the District and other historic preservation-related zoning regulations would not change.

Further, a day care center / pre-kindergarten at this location would not require any physical changes to the property that would otherwise not be compatible with the District. Nor, as noted above, would the special use permit supersede the requirement for the issuance of a certificate of appropriateness for any such physical changes to the property that are otherwise covered by the District regulations.

Staff Recommendation: Staff recommends that a letter with the Commission comments regarding Review and Comment (RC-17-093) for a special use permit (U-17-001) to allow a day care center / pre-kindergarten at **502 Seminole Avenue** be sent to the Secretary of the Zoning Review Board and appropriate City Staff.



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TIM KEANE
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OFFICE OF DESIGN

STAFF REPORT February 22, 2017

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-17-025) for a subdivision from one (1) lot into four (4) lots at **200 Edgewood Avenue**. Property is zoned Martin Luther King, Jr. Landmark District (Subarea 4).

Applicant: James R. Greeg
1469 Highway West, McDonough

Facts: The project, conditionally approved by the Commission in 2014 (CA3-14-300 and 427) involved several properties, some of which are vacant (facing Edgewood Avenue) and three of which have existing, contributing buildings on them as follows:

20 Jessie Hill, Jr. Drive (YMCA Boys Branch Building) – Part of the Butler Street YMCA complex of buildings, this is a two-story, brick building with simple windows, doors, and cast concrete trim.

10 Jessie Hill, Jr. Drive (Hill Haverty Building) - This is a two-story, brick building with two, bricked-in storefronts on the ground floor and two, multiple-pane, metal window panels above .

206 Edgewood Avenue (Edgewood Haverty Building) – This is very similar in materials, fenestration pattern, and detailing to 212 Edgewood Avenue, except that the storefronts and upper story windows have been replaced with modern components. Although it has the same number of floors as 212 Edgewood Avenue, its parapet wall extends slightly above the adjacent building.

212 Edgewood Avenue (at the very corner of Jesse Hill Jr. Drive and Edgewood Avenue) is not included in the project.

From 2005 to 2012, the Commission reviewed and approved with various conditions other projects for this site, which included the review of the consolidation of the formerly separate lots in 2012.

In 2014, the Commission conditionally approved the project that stands today, which included:

1. A new, 6-story multi-family building above a underground parking deck with commercial uses at the sidewalk level;
2. Demolition of the rear portion of 206 Edgewood Avenue and renovation of the remaining portion into leasable / usable space;

3. Demolition of the rear portion of 20 Jessie Hill, Jr. Drive and renovation of the remaining portion into leasable / usable space;
4. Renovation of 10 Jessie Hill, Jr. Drive into a loading dock area; and
5. General streetscape improvements.

Before the Commission at this time is the subdivision of the property into four (4) lots that coincide with the footprints of the four buildings on the site: the three contributing / renovated buildings, and the new, mixed use building / parking deck.

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.

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:
 - iv. Lot consolidations, subdivisions and replatting; and
7. Lot consolidations, subdivisions and replatting. No subdivision, consolidation or replatting of parcels or lots shall be approved unless the applicant establishes:
 - a. That the proposed subdivision, consolidation or replat is substantially consistent with the historic character of the district and meets all lot requirements set forth in Chapter 20C; and
 - b. That the proposed subdivision, consolidation or replat will facilitate development that furthers the historic qualities and regulations of the district. In addition, within Subareas 1 and 2, all subdivisions, consolidations or replats of parcels or lots shall conform to the historic platting pattern in these subareas with regard to lot size, dimensions, and configurations.

Given the proposed subdivision will follow the footprints of three existing contributing buildings and the footprint of a completed project that was approved by the Commission, the Staff finds that the proposed subdivision “is substantially consistent with the historic character of the district and meets all lot requirements”. Further, the Staff finds that as the proposed subdivision will be aligned with the footprint and internal delineations of an approved project, it “will facilitate development that furthers the historic qualities and regulations of the district.” The Staff has no concerns about the proposed subdivision.

Staff Recommendations:

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 (CA3-17-025) for a subdivision from one (1) lot into four (4) lots at **200 Edgewood Avenue**. Property is zoned Martin Luther King, Jr. Landmark District (Subarea 4).