



CITY OF ATLANTA

KEISHA LANCE BOTTOMS
MAYOR

DEPARTMENT OF CITY PLANNING
55 Trinity Avenue, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

TIM KEANE
Commissioner

OFFICE OF DESIGN

MEMORANDUM

TO: Atlanta Urban Design Commission
FROM: Doug Young, Executive Director
ADDRESS: 939 Oglethorpe Avenue
APPLICATION: CA3-18-069
MEETING DATE: March 14, 2018

FINDINGS OF FACT:

Historic Zoning: West End Historic District (Subarea 2) **Other Zoning:** R-4A / Beltline

Date of Construction: estimated to be 1920s or before

Property Location: North side of Oglethorpe Avenue

Contributing (Y/N)?: Yes **Building Type / Architectural form/style:** One-story, pyramidal roof, Queen Anne or New South Cottage

Project Components Subject to Review by the Commission: Removal of pyramidal roof, front accent gable and front accent dormer; construction of new side-to-side gable roof, front accent roof and front accent dormer; and construction of new rear-facing attic addition.

Project Components NOT Subject to Review by the Commission: None

Relevant Code Sections: Section 16-20.009, 16-20(G).005(b) and 16-20(G).006

Deferred Application (Y/N)?: No

Previous Applications/Known Issues: In December, 2017, the Staff approved application CA2S-17-561 and an express building permit was issued for tree damage repair described as “Home

damaged by storm (tree fell on back of house), will rebuild home exactly the same, no additions. No changes to outside, home will be [rebuilt] exactly the same. . .”

Recently, the Staff received complaints about the construction work and after reviewing the previously submitted materials again, concluded that the design plans approved by the City did not accurately describe the situation at the house before the tree damage and the proposed work, and did not match the written description of the project. A Stop Work Order was issued at this time. The Staff found that the express permit plans showed the side-to-side roof form as an existing part of the house when it did not exist before the tree damage and the pop-up, attic build out facing the rear as new construction though the written description noted that there was to be no additions and no outside changes to the house. In the Staff’s opinion, the construction work to go from the pre-tree damage situation (hipped roof, no rear attic build out) to the desired design (side to side gable and rear attic build out) is more than the “tree damage repair” reviewed by the Staff and would have also required a different review process under the Historic District regulations.

After the Stop Work Order was issued, and property owner and Staff met, and the property owner submitted the Type III Certificate of Appropriateness application that is before the Commission at this time. In an effort to avoid further damage while the house was open to the elements due to the Stop Work Order, the Staff and the property owner agreed that the property should be temporarily dried in, protected from vermin and animal intrusion, and water logged material should be removed on the first floor until the Commission hears the application for a Type III Certificate of Appropriateness.

SUMMARY CONCLUSION / RECOMMENDATION: APPROVAL WITH CONDITIONS.

CONCLUSIONS: The following conclusions pertinent to this request are in accordance Part 16-20. AND 16-20g.006 of the City’s Land Development Code.

Documentation / Review Process

Given the description of the project as tree damage repair / rebuilding in the application, a site plan would not be an essential component of the application submission vs. a project that includes an addition and/or ground up new construction. In this case, the project does include an addition (the rear facing attic build out), as well as the new side-to-side gable. The Staff checked both the Type II Staff Review submission and the building permit submission and did not find a site plan. One of the chief functions of a site plan is to allow the City to make sure the proposed project meets the setback requirements. The Staff would recommend the Applicant provide a site plan for the project.

The Staff would add that while it does not think these meeting the R-4A lot coverage and floor area ratios will be an issue, it will need to be documented as part of the rest of the permitting process.

Side-to-Side Gable Architectural Analysis

The rear-facing addition and the new side-to-side gable must meet the setback requirements. Within the Historic District, the side and rear setback requirements are set by underlying R-4A zoning. The setback is 7 ft. from the side property line and 15 ft. from the rear property line. It appears that only a couple of few exist between the houses meaning the sides setbacks to the property line would be even less. The Staff is concerned that the side-to-side gable construction will not be 7 ft. from the side property lines, given how close the existing house is to the side

property lines. If the side-to-side gable is not 7 ft. from the side property lines, either the construction needs to be returned to its previous condition (the hipped roof), a different design that meets the setbacks needs to be proposed, or a variance must be received from the Board of Zoning Adjustment to reduce the side yard setbacks.

In addition to the setback concerns, the Staff is also concerned about the removal of the hipped roof from the house and the construction of the side-to-side gable for three other reasons. First, regarding the compatibility rule for new construction, the Staff acknowledges that while there are side-to-side gables in the Historic District, there are numerous points of comparison on the block face. All but two houses on the block face have hipped roofs with various accent gables and some dormers - the other two have front-to-back gables. Using the new construction analysis approach, the proposed side-to-side gable does not meet the District regulations.

Second, the Staff is concerned that the proposed side to side gable would remove a defining feature of the house, which is its hipped roof. While often seen as “just part of the house”, the roof form is a defining characteristic of the house’s shape, massing, proportion, and how it presents itself to the street. Changing it from a hipped roof to a side to side gable alters the historic characteristics of the house.

Third, the removal of the hipped roof removed historic material / architectural features from the house that otherwise appeared in good condition. Even if the hipped roof had structural problems or damage, it could be rebuilt with the same design to keep the historic appearance of the house.

For the four reasons noted above, the Staff would recommend that the partially completed side-to-side gable be removed from the house and the previous hipped roof form, front facing accent gable, and front dormer be rebuilt to their previous appearance, height, and exterior trim / finishes.

Further, the Staff would recommend that the two previous chimneys that were partially removed to allow the construction of the side-to-side gable be rebuilt to match their previously existing appearance and height after the hipped roof is rebuilt.

Rear-Facing Gable / Attic Addition Architectural Analysis

While the Staff finds that the setback issue identified with the side-to-side gable does not exist with the rear-facing gable, it does have concerns about two characteristics of the design – its overall absolute height (quantitative) and how it projects above the main ridge line of the house as it is currently proposed / how it would project similarly with the re-establishment of the hipped roof form as recommended above (architectural).

The overall height of the house (as changed by the rear-facing addition) would be more than it was before the tree damage occurred. The height of the house is limited to the tallest historic house on the block face. It is not clear to the Staff if the proposed addition would exceed that maximum height.

As to the architectural compatibility of the rear addition, the visibility of the addition creates a roof form and shape of the house that is not compatible with the existing house and is not found on houses on the block face. What is found on houses on the block face appears to be rear facing additions / attic build-outs that are at or below the main ridge line, do not visually overshadow the

main roof form, have shorter side walls, and have a lower profile in relationship to the main roof form.

There may be a variety of ways to adapt the partially built rear-facing addition so that it meets the characteristics of a compatible attic build out, including but not limited to lowering the pitch of the proposed roof, lowering the overall height of the addition, making the addition's front roof form a hip shape, and/or slightly reducing the floor plate of the addition.

The Staff would recommend that the design of the rear addition / attic build out be modified to substantially decrease its visibility from the public street, decrease its height, and increase its architectural compatibility with the house prior to the tree damage.

STAFF RECOMMENDATION: Approval with the following conditions:

1. The Applicant shall provide a site plan for the project;
2. The partially completed side-to-side gable shall be removed from the house and the previous hipped roof form, front facing accent gable, and front dormer be rebuilt to their previous appearance, height, and exterior trim / finishes, per 16-20.009 and 16-20G.006(1), (2), and (7);
3. The two previous chimneys that were partially removed to allow the construction of the side-to-side gable be rebuilt to match their previously existing appearance and height after the hipped roof is rebuilt, per 16-20.009 and 16-20G.006(6);
4. The design of the rear addition / attic build out shall be modified to substantially decrease its visibility from the public street, decrease its height, and increase its architectural compatibility with the house prior to the tree damage, per 16-20.009 and 16-20G.006(1), (2), and (7); and
5. The Staff shall review, and if appropriate, approve the final plans and supporting documentation.

cc: Applicant
Neighborhood
File



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TIM KEANE
Commissioner

OFFICE OF DESIGN

MEMORANDUM

TO: Atlanta Urban Design Commission
FROM: Doug Young, Executive Director
ADDRESS: 493 Atlanta Ave.
APPLICATION: CA2-18-056
MEETING DATE: March 14, 2018

FINDINGS OF FACT:

Historic Zoning: Grant Park Historic District (Subarea 1) **Other Zoning:** R-5 / Beltline.

Date of Construction: N/A. The property is a vacant lot.

Property Location: South block face of Atlanta Ave., east of the Cherokee Ave. intersection, and west of the Park Ave. intersection.

Contributing (Y/N)?: N/A **Building Type / Architectural form/style:** N/A

Project Components Subject to Review by the Commission: Revision to previously approved plans.

Project Components NOT Subject to Review by the Commission: N/A

Relevant Code Sections: Sec. 16-20 & Sec. 16-20K

Deferred Application (Y/N)?: No

Previous Applications/Known Issues: CA3-16-454 for a new single family home reviewed 10/26/2016.

SUMMARY CONCLUSION / RECOMMENDATION: Approval with conditions.

CONCLUSIONS: The following conclusions pertinent to this request are in accordance Chapter 20 and Chapter 20K of the Zoning Ordinance of the City of Atlanta.

Revisions to previously approved plans

The revisions proposed by the Applicant would flip the orientation of the structure across its Y axis, creating a mirror image of the structure in design and site layout. Staff finds that the proposed changes would not cause the proposed structure to violate the side and rear yard setbacks, governed by the R-5 underlying zoning, or the 46' front yard setback governed by the Compatability rule.

Staff does have concerns with the effect the revisions will have on the proposed driveway configuration. The proposed driveway would begin with a curb cut on the northwest corner of the property, would cut diagonally across the front yard, and continue past the east façade of the structure. The effect would create an incompatible driveway configuration, and would prevent the required walkway from the front porch to the sidewalk from being installed. As such, Staff cannot support the proposed change. Staff recommends the proposed driveway be laid out in a straight configuration leading from the northeast corner of the property past the east side façade of the structure. Staff further recommends the required walkway leading from the front porch to the sidewalk be provided and shown on the proposed site plan.

STAFF RECOMMENDATION: Approval conditioned upon the following:

1. The proposed driveway shall be laid out in a straight configuration leading from the northeast corner of the property past the east side façade of the structure, per Sec. 16-20K.007(2)(B)(2);
2. The required walkway leading from the front porch to the sidewalk shall be provided and shown on the proposed site plan, per Sec. 16-20K.007(2)(B)(2);
3. the proposed structure shall conform to all other conditions approved by the Commission for CA3-16-454; and,
4. Staff shall review and if appropriate, approve the final plans and documentation.

cc: Applicant
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MEMORANDUM

TO: Atlanta Urban Design Commission
FROM: Doug Young, Executive Director
ADDRESS: 170 Boulevard SE
APPLICATION: CA2-18-060
MEETING DATE: March 14, 2018

FINDINGS OF FACT:

Historic Zoning: Cabbagetown Historic District **Other Zoning:** Beltline Overlay

Date of Construction: 1881

Property Location: On the east block fact of Boulevard SE., south of Gartrell Street

Contributing (Y/N)? Yes, **Building Type / Architectural form/style:** N/A

Project Components Subject to Review by the Commission: Signage on the historic water tank

Project Components NOT Subject to Review by the Commission: N/A

Relevant Code Sections: Chapter 28 A, Sec. 16-28A.010, Sec. 16-20A.001 (1)

Deferred Application (Y/N)? No

Previous Applications/Known Issues: N/A

SUMMARY CONCLUSION / RECOMMENDATION: Approval with conditions

CONCLUSIONS: The following conclusions pertinent to this request are in accordance Chapter 28 and Chapter 20A of the City of Atlanta Zoning Ordinance.

Water Tank

The Applicant proposes to hand-paint sign five feet in height and seven feet in length signage on the pre-existing historic 17 feet tall water tank which sits at the end of the property. Since the water tank existed at the property since inception of the building, Staff is not concerned with setback which are required for the sign ordinance. Additionally, the three feet height requirement for signs from the ground level would not apply since this water tank was erected before the historic ordinances were adopted. Additionally, Staff finds the proposed sign would meet the size regulation which allow for a sign up to 35 sf in area. Staff recommends that the Applicant lists how the paint will be applied so that in case of removal or update of the language the historic fabric of the water tank will not be disturbed.

STAFF RECOMMENDATION: Approval with conditions:

1. The Applicant shall specify how the application of the paint will occur on the water tank will be applied so that in case of removal or update of the language, the historic fabric of the water tank will not be disturbed. Sec. 16-20A.001 (1) and
2. Staff shall review and if appropriate, approve the final plans and documentation.

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MEMORANDUM

TO: Atlanta Urban Design Commission
FROM: Doug Young, Executive Director
ADDRESS: 553 Seminole Avenue
APPLICATION: CA2-18-062
MEETING DATE: March 14, 2018

FINDINGS OF FACT:

Historic Zoning: Inman Park Historic District **Other Zoning:** R-4

Date of Construction: 1930

Property Location: West of Cleburne at the corner on the right side

Contributing (Y/N)? Yes, **Building Type / Architectural form/style:** Bungalow

Project Components Subject to Review by the Commission: Raised roof line and new windows

Project Components NOT Subject to Review by the Commission: N/A

Relevant Code Sections: Sec.16- 20L.006

Deferred Application (Y/N)? No

Previous Applications/Known Issues: N/A

SUMMARY CONCLUSION / RECOMMENDATION: Approval with conditions

CONCLUSIONS: The following conclusions pertinent to this request are in accordance Chapter 20 and Chapter 20L of the City of Atlanta Zoning Ordinance.

Roof line

The Applicant is proposing to move the dormer and roof line on the east elevation of the rear of the house to meet the existing ridge line of the house to allow height for interior renovations. Since the Applicant is moving the new roof line to meet the existing ridge and has no plan to take it higher, Staff has no concern with this scope of work being proposed.

Replaced Materials

- The Applicant has specified that asphalt shingles will replace the existing roof shingles. The Applicant has provided photo of homes of neighbors on the block fact that show asphalt shingles. Staff is not concern with this line of work.
- Stucco siding will be placed above second floor. Since stucco is an acceptable material for siding in the district and is already present on the house, the Staff is not concern with this scope of work.

Windows

Window replacements and new windows are presented by the Applicant on the house. Much of this work will not be visible from the public street. However, the, north and south elevation windows will be, so the Staff reviewed and commented on those windows. The Applicant has indicated the window will be replaced with double hung windows replacing single hung windows, allowing for energy saving. It is clear to the Staff that the lite configuration on the windows are accurate and consistent with the existing muntin's patterns. Staff is not concern with this. Additionally, windows on the first floor of the house are not original to the house. The Applicant is planning to match these new windows in kind with those on the first floor. Staff also does not have concern with this.

STAFF RECOMMENDATION: Approval with conditions:

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

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MEMORANDUM

TO: Atlanta Urban Design Commission
FROM: Doug Young, Executive Director
ADDRESS: 330 Peters St.
APPLICATION: CA3-18-045
MEETING DATE: March 14, 2018

FINDINGS OF FACT:

Historic Zoning: Caslteberry Hill Landmark District (Subarea 2)

Other Zoning: None

Date of Construction: 1906 - 1907

Property Location: Subject property is located on the east block face of Peters St., south of the Walker St. intersection and north of the McDaniel St. intersection.

Contributing (Y/N)?: Yes **Building Type / Architectural form/style:** Early 20th century commercial structure.

Project Components Subject to Review by the Commission: Rooftop deck and addition

Project Components NOT Subject to Review by the Commission: N/A

Relevant Code Sections: Sec. 16-20N & Sec. 16-20

Deferred Application (Y/N)?: Yes. *Updated text italicized.*

Previous Applications/Known Issues: N/A

SUMMARY CONCLUSION / RECOMMENDATION: Approval with conditions.

CONCLUSIONS: The following conclusions pertinent to this request are in accordance Chapter 20 of the City of Atlanta Zoning Ordinance and Sec. 6-4043 of the Atlanta City Code.

Plans and documentation

The Applicant is proposing a rooftop deck with a stairwell access addition. From the plans provided, it is unclear where on the structure the proposed deck and addition would be. This information is needed to confirm whether any portion of the project would be visible from the public street which would require the project to conform to specific portions of the Castleberry Hill Landmark District regulations. The Applicant is additionally proposing what appears to be a seating area, which will be covered by a canopy of an unspecified material which will be supported by wood columns. An outdoor kitchen area and bar are also proposed. It is unclear whether the outdoor kitchen or the bar area would be covered, or what the methods of any proposed covering would be. As such, Staff recommends the Applicant provide information detailing where the proposed deck, its component features, and the addition would be on the roof. Additionally, Staff recommends the Applicant clarify whether any portion of the deck, its component features, or the addition would be visible from any public street. Staff further recommends the Applicant provide information detailing the proposed canopy material. Lastly, Staff recommends the Applicant detail whether the proposed kitchen area or bar would be covered, and explain the method of covering those elements of the project.

The Applicant has provided responses to the Staff Recommendations. Their response details the location of the proposed deck on the structure, the potential visibility of the deck, the proposed canopy material, and whether the proposed kitchen area would be covered. As such, Staff finds that these recommendations have been met.

With regards to the visibility of the structure, Staff finds that due to the location of the structure across from the Peters St. and Walker St. Split, that the potential viewshed of the deck location is much larger than it would otherwise be which could cause the deck railing and the canopy supports to be visible. The District regulations require visible portions of any structure on the roof of a principal building to be either a metal or masonry material. As such, Staff recommends the proposed deck railing and canopy supports be a metal or masonry material.

STAFF RECOMMENDATION: Approval conditioned upon the following:

1. *The proposed deck railing and canopy supports shall be a metal or masonry material, per Sec.16-20N.007(11); and,*
2. *Staff shall review and if appropriate, approve the final plans and documentation.*

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TIM KEANE
Commissioner

OFFICE OF DESIGN

MEMORANDUM

TO: Atlanta Urban Design Commission
FROM: Doug Young, Executive Director
ADDRESS: 189 Pearl Street
APPLICATION: CA3-18-055
MEETING DATE: March 14, 2018

FINDINGS OF FACT:

Historic Zoning: Cabbagetown Historic District **Other Zoning:** Beltline

Date of Construction: 2007

Property Location: West block face of Pearl Street, south of the Kirkwood Ave. intersection and north of the Fulton Ter. intersection

Contributing (Y/N)? No **Building Type / Architectural form/style:** Cottage

Project Components Subject to Review by the Commission: Construction of rear addition with basement, new patio, deck and chimney movement.

Project Components NOT Subject to Review by the Commission: N/A

Relevant Code Sections: Sec.16- 20A.006

Deferred Application (Y/N)? No

Previous Applications/Known Issues: N/A

SUMMARY CONCLUSION / RECOMMENDATION: Approval with conditions

CONCLUSIONS: The following conclusions pertinent to this request are in accordance Chapter 20 and Chapter 20A of the City of Atlanta Zoning Ordinance.

Plans

Additional Window

On pages A-4 and A-5, the Applicant reversed the “existing and “addition” on the proposed left and right elevations. In doing so, the Applicant has shown but not indicated on the plans, an additional window to be constructed on the proposed right elevation. Staff finds the new window to be compatible with the existing windows on the existing right elevation structure. Staff has no concern with the new window. However, Staff recommends the Applicant correct the plans to accurately reflect the existing and proposed portions of the project.

Exterior Architectural

The Applicant has provided detailed information of the facia, trim work and step configurations on the plans. This meets the standard set by the ordinance. Staff has no concerns with this.

Deck and Patio

The Applicant proposed to construct a new deck. The new deck is not wider than the house structure. The Applicant has also indicated that the new deck will be wood, and the patio will be concrete. Neither the construction of the deck or patio concerns the Staff.

Siding

Smooth-Face cementitious siding, has been indicated by the Applicant to be on the rear and side of the new addition. Smooth face cementitious siding for new construction for the district is permitted. Staff recommends the siding exhibits a horizontal, clapboard profile with a 4”to 6” reveal.

Roof

The new roof material proposed is indicated as asphalt shingles. This material is acceptable for roof material in the district. Staff has no concerns with this work.

The addition proposed will create a new roof form. However, this is compatible with the existing roof line and is lower than the existing front roof. Staff has no concern with this.

Chimney

The existing chimney will be removed and replaced on the roof to allow for the interior alterations. As proposed the chimney configuration matches the existing chimney in material and style, Staff has no concerns with the proposed changes.

STAFF RECOMMENDATION: Approval with conditions:

1. The new window shall replicate the fenestration pattern of the existing windows on the right elevation on the structure—vertical two units and shall be double-hung wood sash with true divided lights. Sec 16-20A.006 (13) (b) (3)
2. The siding shall exhibit a horizontal, clapboard profile, have no less than a 4” to 6” reveal Sec 16-20A.006 (13) (b) (1) and
3. Staff shall review and if appropriate, approve the final plans and documentation.

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TIM KEANE
Commissioner

OFFICE OF DESIGN

MEMORANDUM

TO: Atlanta Urban Design Commission
FROM: Doug Young, Executive Director
ADDRESS: 707-711 Catherine St. SW
APPLICATION: CA3-18-063
MEETING DATE: March 14, 2018

FINDINGS OF FACT:

Historic Zoning: Adair Park Historic District (Subarea 1)

Other Zoning: C-2-C

Date of Construction: 1911-12; 1928 (auditorium); 1937 (classroom annex)

Property Location: On the northeast corner of the Catherine St. and Mayland Ave. intersection

Contributing (Y/N)?: Yes
School type / Gothic Revival Style

Building Type / Architectural form/style: Two-story, Urban

Project Components Subject to Review by the Commission: Window and door replacement, masonry repair, roof repair, sitework

Project Components NOT Subject to Review by the Commission: Elevations not visible from the public right of way; interior renovations

Relevant Code Sections: Section 16-20I.006 and Section Sec. 16-20.009

Deferred Application (Y/N)?: No

Previous Applications/Known Issues: CA2-17-500 (construction of a privacy fence and demolition of a historically non-contributing cafeteria building) and RC-17-097 (variances for transitional yards and special exception for reduction in required parking).

SUMMARY CONCLUSION / RECOMMENDATION: Approve with conditions.

CONCLUSIONS: The following conclusions pertinent to this request are in accordance Chapter 20 and Chapter 20I of the City of Atlanta Zoning Ordinance.

Alterations/Repairs

Window repair/replacement

The project scope calls for the installation of wood, double-hung, six-over-six true divided light, sash windows in various sizes in openings that are missing windows or contain non-historic replacement units. The replacement windows are to match the character to the presumed historic configuration of the original windows based on archival photographic documentation but will be differentiated from the historic windows in mullion profile, construction, and glazing.

According to the Applicant extant historic windows will be evaluated for rehabilitation. While the locations of some historic windows have been identified in the project scope narrative (e.g. the 1937 annex and 1928 auditorium) and photographs, these windows have not been identified in the submitted plans. The Staff recommends the Applicant clarify on the plans, which specific historic windows are proposed for replacement. Further, the Staff recommends the Applicant provide additional documentation regarding the feasibility of rehabilitating the windows. If it is demonstrated the historic windows cannot be rehabilitated, Staff recommends the replacement windows shall match the originals in light design, function, materials, shape, and size.

Door replacement

According to the narrative scope of work, the existing exterior doors and frames will be repaired and retained “where feasible and code-permitted.” The Staff recommends the Applicant provide documentation regarding the feasibility of rehabilitating historic exterior doors proposed for replacement.

In addition, the Applicant proposes modifying an existing window at the rear (east elevation) of the auditorium annex into a door opening to allow for an accessible entrance into the proposed commercial spaces within the building (modification of another door opening at the rear of the original classroom building will not be visible from the public street and therefore does not fall under the purview of the Commission). While visible from the public street, the modified window will be located at the rear of the building per the District regulations and the proposed new door will be compatible in scale, size, proportion, placement, and style to existing doors. As such, Staff has no concerns with this component of the project.

Masonry repair/cleaning

Per the submitted materials, the Applicant proposes in-kind repointing /repair and cleaning of existing exterior brick and other masonry elements. The foundation walls may also require stabilization/reinforcement in selected areas where needed. Staff recommends all masonry repointing and repair work be carefully executed to avoid damage of existing fabric. Staff further recommends the new mortar duplicate the old in strength, composition, color, and texture, with repaired joints matching the existing in width and profile. Finally, Staff recommends the cleaning of the exterior masonry walls be conducted using the gentlest methods possible. If pressure washers are used, they should be set on the lowest pressure setting.

Roof

The existing roof is severely deteriorated and has collapsed in some sections of the building. The Applicant proposes to repair the underlying roof structure and cover it with composite asphalt shingles on the gabled roof form with a Thermoplastic Polyolefin (TPO) membrane over the low slope and flat roof sections. Areas where extant historic slate roofing exists (on the gabled entrance roofs) will be repaired and retained. Staff has no concerns with this component of the project.

Handrails/guardrail installation

The project scope of work calls for the installation of several handrails and guardrails at exterior ramps and stairs located on various sides of the building. While the Applicant has submitted sectional drawings showing the locations and heights of the proposed handrails and guardrails, the design and materials of these features was not specified in the narrative scope of work or the architectural plans. Based on submitted photographs, the extant handrails predominantly appear to be metal pipe railings. Staff recommends the proposed handrails/guardrails be compatible with architectural character of the historic buildings. Further, Staff also recommends that new handrails or guardrails be bolted into the mortar joints of the masonry to minimize damage to the historic fabric.

Sitework

Paving

Proposed paving improvements include repaving of the primary entrance walkway with bike parking pads on the front façade, new, secondary pedestrian walkways on the south and east (rear) of the building, and repaving of the entrance driveway and rear surface parking lot. While the Staff has no concerns with the repaving of the concrete walkways and rear, asphalt parking lot, based on the submitted site improvement plans the existing concrete driveway will also be paved with asphalt. The District regulations require new paving materials to match the color and materials of the original surface whenever possible. As such, Staff recommends the existing driveway be repaired in-kind with concrete.

Fencing

A 6-ft. fence with a pedestrian entrance gate is proposed along the southeastern corner of the property fronting Catherine Street. The fence along Catherine Street would connect to a 6-ft. privacy fence extending along the rear and north side yard of the property to an aluminum metal gate that extends across the driveway entrance at the northwest corner of the building. All fences and gates appear to be either wood or metal pickets per the District regulations. The height of the proposed fence and entrance gate in the half-depth front yard fronting Catherine Street meets the underlying zoning regulations; however, Staff recommends the fence be at least 50 percent open.

The proposed transformer pad in the southwest corner of the front yard will also be screened with a fence and landscaping per the submitted site improvement plan. Staff recommends the Applicant clarify the height, design, and materials of the proposed screen.

Lighting and landscaping

The proposed lighting plan includes three fluorescent fixtures along the primary entrance walkway, 13 wall-pack mounted fixtures positioned at points on each façade, and two, 12-ft. pole-mounted lights in the rear parking lot. Staff recommends the lighting fixtures attached to the building be mounted into the mortar joints of the masonry to minimize damage to the historic fabric and not obscure character-defining architectural features. Finally, while the District regulations do not speak to issues regarding lighting per se, Staff would suggest the Applicant try to minimize light spill into the surrounding residential properties.

STAFF RECOMMENDATION: Approval conditioned upon the following:

1. The Applicant shall provide photographic documentation of the condition of the proposed replacement historic windows, keyed to the plans, with information regarding the feasibility of repair. If the historic windows are determined to be in salvageable condition, they shall be retained and repaired in kind, per Section 16-20I.006 (4b);
2. The Applicant shall provide photographic documentation of the physical condition of exterior doors proposed for replacement with information regarding the feasibility of repair, per Section 16-20I.006 (4b);
3. All exterior masonry repair shall be conducted in kind, with new mortar and joint work to match existing. Cleaning of masonry walls shall use the gentlest methods possible, per Section 16-20.009 (5);

4. New handrails and guardrails shall be metal and compatible in design with the architectural character of the building, per Section 16-20I.006 (4j);
5. The method for attachment for the proposed handrails/guardrails shall meet the District regulations, per Section 16-20.009(7);
6. The concrete driveway shall be repaired in-kind, per Section 16-20I.006(5);
7. The proposed fence and entrance gate along in the half-depth front yard fronting Catherine Street must be at least 50 per cent open, per Section 16-28.008 (5d);
8. The Applicant shall clarify the height, design, and materials of the proposed transformer pad screen, per 16-20I.006 (4h) and Section 16-28.008 (5d);
9. The method for attachment for the proposed lighting fixtures shall meet the District regulations, per Section 16-20.009(7); and,
10. Staff shall review and, if appropriate, approve the final plans.

cc: Applicant
Neighborhood
File



CITY OF ATLANTA

KEISHA LANCE BOTTOMS
MAYOR

DEPARTMENT OF CITY PLANNING
55 Trinity Avenue, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

TIM KEANE
Commissioner

OFFICE OF DESIGN

MEMORANDUM

TO: Atlanta Urban Design Commission
FROM: Doug Young, Executive Director
ADDRESS: 869 Confederate Ave.
APPLICATION: CA3-18-064
MEETING DATE: March 14, 2018

FINDINGS OF FACT:

Historic Zoning: Grant Park Historic District (Subarea 1) **Other Zoning:** R-5 / Beltline.

Date of Construction: 1924

Property Location: South block face of Atlanta Ave., east of the Cherokee Ave. intersection, and west of the Park Ave. intersection.

Contributing (Y/N)?: Yes **Building Type / Architectural form/style:** Craftsman Style Bungalow

Project Components Subject to Review by the Commission: Variance to allow slab on grade foundation

Project Components NOT Subject to Review by the Commission: Design of proposed rear addition.

Relevant Code Sections: Sec. 16-20 & Sec. 16-20K

Deferred Application (Y/N)?: No

Previous Applications/Known Issues: N/A

SUMMARY CONCLUSION / RECOMMENDATION: Approval with conditions.

CONCLUSIONS: The following conclusions pertinent to this request are in accordance Chapter 20 and Chapter 20K of the Zoning Ordinance of the City of Atlanta.

Variance Requests

The requested variance is to allow the proposed rear foundation to be built with a slab on grade foundation. The District regulations require structures to be built on a foundation elevated above grade a minimum of two entry risers each measuring no less than 6 inches in height.

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

The Applicant's response to this criterion concerns the slope of the lot. According to the narrative and elevations provided, the property slopes up towards the rear of the property.

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

The Applicant states that the existing foundation of the structure is wood beam on pier construction, and that the rear portions of the structure are not properly elevated, creating a condition where the rear support members are touching the ground. Any compliant foundation would require the excavation of the site below the foundation.

Such conditions are peculiar to the particular piece of property involved;

While topography changes are not uncommon in the District, Staff finds that situations such as the one presented by the Subject Property are not prevalent.

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.

The proposed addition will be situated towards the rear of the property and will be minimally visible from the public right of way. As such, Staff finds the proposed slab on grade foundation would not impair the public good or the purposes or intent of the Zoning Ordinance of the City of Atlanta.

Staff finds that the request meets the variance criteria.

STAFF RECOMMENDATION: Approval.

cc: Applicant
Neighborhood
File



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MAYOR

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55 Trinity Avenue, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

TIM KEANE
Commissioner

OFFICE OF DESIGN

MEMORANDUM

TO: Atlanta Urban Design Commission

FROM: Doug Young, Executive Director

ADDRESS: 901 Oakdale Rd

APPLICATIONS: CA3-18-065 (accessory structure) and CA3-18-066 (variance)

MEETING DATE: March 14, 2018

FINDINGS OF FACT:

Historic Zoning: Druid Hills Landmark District

Other Zoning: N/A

Date of Construction: 1917

Property Location: On an interior lot on the east side of Oakdale Rd., north of South Ponce de Leon Ave.

Contributing (Y/N)?: Yes **Building Type / Architectural style:** Georgian house /Colonial Revival

Project Components Subject to Review by the Commission: Construction of a new accessory structure, pool, sports court, and a variance to reduce the rear and side yard setbacks

Project Components NOT Subject to Review by the Commission: N/A

Relevant Code Sections: Section 16-20B.003, Section 16-20B.006, Section 16-26.003, and Section 16-28.008

Deferred Application (Y/N)?: No

Previous Applications/Known Issues: None

SUMMARY CONCLUSION / RECOMMENDATION: Deferral of (CA3-18-066) and (CA3-18-065).

CONCLUSIONS: The following conclusions pertinent to this request are in accordance Chapter 20 and Chapter 20B of the City of Atlanta Zoning Ordinance.

Variance

The Applicant is requesting a variance to reduce the rear yard setback for a proposed new pool and pool house accessory structure from 25 ft. (required) to 22 ft. (proposed), to reduce the south side yard setback from 25 ft. (required) to 14 ft. (proposed), and to reduce the north side yard setback from 25 ft. (required) to 16 ft. (proposed). Staff notes the subject property is a conforming lot.

In the justification statement, the Applicant cites the sloping topography of the lot (from north side down to the south) and states the location of the former tennis court on a relatively flat area at the rear of the property presents the most optimal place for the proposed pool and pool house. The Applicant argues that placement of the proposed features on other areas of the property would require significant tree removal and re-grading, causing an unnecessary hardship for the property owner due to significant costs that would make the project economically unfeasible. Noted conditions that are particular to the property include: the sloping topography; the presence of several mature trees in the rear yard within the buildable area; and, the presence of an existing tennis court in a flat clearing at the rear of the lot. Finally, the Applicant states that relief from the existing zoning setback regulations would allow the proposed structures to be placed in an area on the lot that is equidistant from surrounding neighbors, make the proposed active recreational use not visible from the public street, allow for the retention of the existing tree canopy, and be consistent with other accessory structure development in the District.

After review of the submitted plans, documentation, and visual photography/video, the need for a variance to accommodate the proposed accessory building, pool, and sports court on the site of the existing tennis court remains unclear to Staff. While the proposed site plans show the concentration of mature trees on the lot and greatest variation in slope (approximately five feet, or a 10% change in grade) are located in the center of the rear yard, the area of the rear yard from approximately 100 ft. back to the rear property line seems to be generally level and devoid of any trees. Staff finds that the Applicant's argument does not contain enough information for the Staff to support the request, at this time. Based on the information presented, it appears there may be sufficient space in the rear yard to re-arrange the siting of the project components and shift the entire proposed development to the northwest, which could potentially place it within the buildable area of the lot and therefore eliminate the need for a variance. As such, Staff recommends a deferral of the variance request to allow the Applicant time to provide design alternatives that negate the need for variance or additional information detailing the hardship presented by the topography of the lot and presence of mature trees.

General Development Controls

The proposed lot coverage of 27.3 % (or, 12,694 sq. ft.) will be less than the existing 32.6% (15,115 sq. ft.) and under the maximum lot coverage limit of 35% allowed by the District regulations. The proposed pool house accessory structure will be 13 ft.-2 in., as measured from the average grade level to the mid-point of the roof, well below the District's 35-ft. maximum building height. Staff has no concerns with this component of the project.

Accessory building, pool, and sports court

In addition to the aforementioned concerns over the site plan/locations of the proposed buildings and structures on the lot, Staff has the following comments and recommendations regarding the project design and materials.

The proposed pool house accessory building will be one-story, with a hip roof and four hip dormers. The building will be clad with painted stucco and have a barrel-tile roof to match the principal dwelling. Six, twelve-light bi-fold doors on the south elevation open to the pool patio. Matching fenestration, as either fixed windows or doors, will be located on the north (rear), west, and east elevations. The Staff finds the

design, size, and scale of the proposed pool house are compatible with the main house and reflect the accessory building's secondary status on the property.

The proposed swimming pool and hot tub will be located directly behind the principal structure, will not extend beyond the sides of the primary dwelling, and therefore will not be visible from a yard adjacent to the public street. A patio composed of stone/concrete square pavers and grass will separate the proposed pool/hot tub from the pool house. The proposed sports court will be a 30 ft. x 30 ft. concrete pad located to the immediate south of the swimming pool/hot tub. Staff has no concerns with these components of the project.

Five stone columns are proposed along the north and west sides of the sports pad; however, no description or elevations of these features have been submitted beyond their delineation on the site plan. Staff suggests the Applicant provide additional documentation on the design, dimensions, and materials of the proposed columns.

Staff Suggestions

1. The Applicant provide additional information about the proposed columns in the rear yard.

Variance (CA3-18-066)

STAFF RECOMMENDATION: Deferral to allow time for the Applicant to address the following concerns:

1. The Applicant shall document the inability execute the project scope without a variance through site plan design alternatives, per Section 16-26.003(1)(a); or,
2. The Applicant provide additional information detailing the hardship presented by the topography of the lot and presence of mature trees, Per Sec. 16-26.003(1 and 2);
3. Any revised materials (and required copies thereof) shall be submitted to the Staff at least eight (8) days prior to the Commission meeting to which this application is deferred.

Pool, accessory building, and sports court (CA3-18-065)

STAFF RECOMMENDATION: Deferral of the Application to allow time for the Applicant to address the following comments and concerns:

1. Any revised materials (and required copies thereof) shall be submitted to the Staff at least eight (8) days prior to the Commission meeting to which this application is deferred.

cc: Applicant
Neighborhood
File



CITY OF ATLANTA

KEISHA LANCE BOTTOMS
MAYOR

DEPARTMENT OF CITY PLANNING
55 Trinity Avenue, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

TIM KEANE
Commissioner

OFFICE OF DESIGN

MEMORANDUM

TO: Atlanta Urban Design Commission

FROM: Doug Young, Executive Director

ADDRESS: 670 McDonald St.

APPLICATION: CA4PH-18-075 & CA3-18-076

MEETING DATE: March 14, 2018

FINDINGS OF FACT:

Historic Zoning: Grant Park Historic District (Subarea 1) **Other Zoning:** R-5 / Beltline.

Date of Construction:

Property Location: North block face of McDonald St., east of the Berean Ave. intersection, and west of the Cameron St. intersection.

Contributing (Y/N)?: Yes **Building Type / Architectural form/style:** Shotgun

Project Components Subject to Review by the Commission: Demolition due to a threat to public health and safety; and, reconstruction of a new single family residence.

Project Components NOT Subject to Review by the Commission: portions of the project which do not face the public right of way.

Relevant Code Sections: Sec. 16-20 & Sec. 16-20K

Deferred Application (Y/N)?: No

SUMMARY CONCLUSION / RECOMMENDATION CA4PH-18-075 & CA3-18-076:
Approval with conditions

Previous Applications/Known Issues:

May 25, 2016 – Denial of CA4ER-16-081 for a demolition due to an unreasonable economic return and Denial without prejudice of (CA3-16-494) for a new single family residence

May 10, 2017 - Approval of (CA3-17-195) for a variance to allow an addition which is not compatible with the size, scale, and massing of the existing structure; and (CA3-17-194) for alterations, an addition, and site work

Prior to submission of this application, the original shotgun style home was almost entirely demolished without proper permits, what remained of the original house collapsed, and a new house was constructed based on the plans previously approved for the proposed addition to the structure.

CONCLUSIONS: The following conclusions pertinent to this request are in accordance Chapter 20 and Chapter 20K of the Zoning Ordinance of the City of Atlanta.

Demolition

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

The Applicant has provided a timeline and narrative discussing how the project progressed. They have also provided a report from a licensed engineer stating that structural issues were present prior to the demolition of the structure.

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

The Applicant states that attempts were made to support the roof while other components were removed and replaced. During this time, the roof structure collapsed.

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

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

The Applicant states that the property owner was aware of the properties designation.

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

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

The Applicant states the amount paid for the property was \$120,000.00.

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

No response was reviewed for this question. However as the structure is currently under construction, Staff finds it unlikely the property is used to generate income at this time regardless of the future use of the property as either the property owners personal residence or as a rental.

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

The Applicant states the current debt on the property is \$291,000.00, with an annual debt service of \$8,000.00

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

The property owner has not provided this information but states that it will be delivered at a later date.

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

The property owner has not provided this information but states that it will be delivered at a later date.

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

The Applicant states the fair market value of the property in its current unfinished state is \$225,000.00.

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

The Applicant states that the property is owned by a joint-venture Limited Liability Company.

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

The Applicant states there have been no tax returns filed for the current company as it relates to the subject property.

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

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

The property owner has not provided this information but states that it will be delivered at a later date.

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

The property owner has not provided this information but states that it will be delivered at a later date.

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

The property owner has not provided this information but states that it will be delivered at a later date.

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

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

The property owner has not provided this information but states that it will be delivered at a later date.

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

The property owner has not provided this information but states that it will be delivered at a later date.

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

The property owner has not provided this information but states that it will be delivered at a later date.

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

The property owner has not provided this information but states that it will be delivered at a later date.

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

The property owner has not provided this information but states that it will be delivered at a later date.

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

The Applicant has stated that there are no economic incentives available to the Applicant.

Staff would note for the benefit of the Applicant that Federal and State incentives for Historic Preservation such as income tax credits and property tax credits are available to properties in National Register Historic Districts. However, as the demolition of this structure has already occurred, the property would no longer qualify for these incentives.

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

The Applicant has provided digital and hard copy photographs of the previously existing structure as well as the new structure.

Comment on Application Materials by the Bureau of Buildings

One of the requirements of the Type IV Certificate of Appropriateness process is for the Office of Buildings to comment on the application materials via a written report. Staff would note however, that the demolition of the previously existing structure and reconstruction of the new structure has already been completed. As such, the Office of Buildings will not be able to accurately review the structural issues with the previously existing structure.

Overall Comments

Based on the Applicant's responses, Staff finds that there were clearly some structural issues with the previous structure, but finds there were other options besides demolition that were not given sufficient consideration. Additionally, as the proper demolition procedures for the City of Atlanta were not followed, any discussion of ways to remediate the structural issues through a design/contstruction solution that would meet the District regulations is moot.

Given the current state of the demolition on the property, Staff finds it is necessary to retain as much historic fabric as is currently existing on the site. To this end, Staff recommends the Applicant detail the historic materials which are still on site, if any.

Staff further recommends the Applicant submit labeled color photographs printed on archival quality paper showing as much of the original structure as possible, the structure during the demolition proves, the structure in its collapsed state, and the replacement structure after the demolition was completed.

New construction/alterations

As the new structure was built using the renovation/addition elevations previously approved by the Commission, Staff has no concerns with the design of the new structure. Staff would recommend any historic materials documented by the conditional approval of the demolition request (CA4PH-18-075) be re-used in the proposed structure and replace any currently installed materials.

STAFF RECOMMENDATION CA4PH-18-075: Approval conditioned upon the following:

1. The Applicant shall detail the historic materials which are still on site.; and,
2. The Applicant shall submit photographs printed on archival quality paper showing as much of the original structure as possible, along with the replacement structure after the demolition was completed.

STAFF RECOMMENDATION CA3-18-076: Approval conditioned upon the following:

1. Any historic materials documented by the conditional approval of the demolition request (CA4PH-18-075) shall be re-used in the proposed structure shall and replace any currently installed materials.; and,
2. Staff shall approve and if appropriate, approve the final plans and documentation.

cc: Applicant
Neighborhood
File



CITY OF ATLANTA

KEISHA LANCE BOTTOMS
MAYOR

DEPARTMENT OF CITY PLANNING
55 Trinity Avenue, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

TIM KEANE
Commissioner

OFFICE OF DESIGN

MEMORANDUM

TO: Atlanta Urban Design Commission
FROM: Doug Young, Executive Director
ADDRESS: 320 North Highland Ave. and 0 Copenhill Ave.
APPLICATION: RC-18-061
MEETING DATE: March 14, 2018

FINDINGS OF FACT:

Historic Zoning: Inman Park Historic District (Subarea 1) **Other Zoning:** RG-2 / Beltline

Date of Construction: 1928 for 320 North Highland Ave. / 0 Copenhill Ave. is a vacant lot

Property Location: North side of N. Highland Ave. between Elizabeth St. and Copenhill Ave.

Contributing (Y/N)?: Yes **Building Type / Architectural form/style:** Two-story commercial / retail

Project Components Subject to Review by the Commission: A rezoning of the two lots from the RG-2 underlying zoning to C-1 with conditions to allow for commercial development.

Project Components NOT Subject to Review by the Commission: N/A

Relevant Code Sections: Section 6-4043 of the Atlanta City Code

Deferred Application (Y/N)?: No

Previous Applications/Known Issues: None

SUMMARY CONCLUSION / RECOMMENDATION: The Commission sends a letter with comments to the Zoning Review Board.

CONCLUSIONS: The following conclusions pertinent to this request are in accordance Chapter 20 of part 16 of the City of Atlanta Zoning Ordinance.

The subject properties include 320 North Highland Ave., which contains a contributing, two-story brick commercial building (also known as Villa de Grip) and 0 Copenhill Ave. that occupies the corner of the intersection and consists of a vacant lot that is currently used for surface parking. An interior alley divides the two lots on the lot boundary maps. The two subject properties have a unique geography as the last two developable lots on the north side of North Highland Ave. before that side of the road becomes parkland associated with Freedom Parkway heading northeast beyond Copenhill Ave.

Immediately adjacent to 320 North Highland Ave. are two lots with C-1 and I-1 underlying zoning (312 North Highland Ave. and 325 Elizabeth St., respectively), while the lot (346 Copenhill Ave.) to the immediate north of 0 Copenhill Ave. also has I-1 underlying zoning. The contributing, single-family houses opposite the subject properties on North Highland Ave. all have R-5 underlying zoning.

The Applicant has stated that the requested rezoning would allow for the properties to be developed in manner that is compatible with the use of the existing contributing building, along with the neighboring lots on the block, and will also be consistent with the proposed mix-use classification in the Comprehensive Development Plan.

Staff agrees that the proposed rezoning would allow the two subject properties to be used in a consistent manner with the other lots on the block, all of which have underlying C-1 or I-1 zoning. In addition, Staff notes that the rezoning of the two lots, in and of itself, does not preclude nor inhibit a project design that could meet or may otherwise be compatible with the District regulations. Staff would also note that any commentary by the Commission associated with the rezoning application does not serve as commentary or approval of any future lot consolidation, if proposed, nor does it serve as a commentary on any designs that are issued with the rezoning application. The Commission would retain its authority to approve or deny any future lot consolidation or new construction applications associated with these properties, independent of the rezoning application commentary and based solely on the compatibility of the projects with the District regulations.

STAFF RECOMMENDATION: The Commission sends a letter with comments to the Zoning Review Board.

cc: Applicant
Neighborhood
File



CITY OF ATLANTA

KEISHA LANCE BOTTOMS
MAYOR

DEPARTMENT OF CITY PLANNING
55 Trinity Avenue, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
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TIM KEANE
Commissioner

OFFICE OF DESIGN

MEMORANDUM

TO: Atlanta Urban Design Commission
FROM: Doug Young, Executive Director
ADDRESS: Various Addresses
APPLICATION: RC-18-081
MEETING DATE: March 14, 2018

FINDINGS OF FACT:

Historic Zoning: Zoned Variously **Other Zoning:** Zoned Variously

Date of Construction: Dates of construction range between 1920 and 1960

Property Location: Various Locations

Contributing (Y/N)?: No **Building Type / Architectural form/style:** Various

Project Components Subject to Review by the Commission: In Rem Review Board Demolition Orders Programmatic Agreement (executed 9/10/98).

Review of Proposed In-Rem Demolition Actions for February 2018:

10 Historic / Contributing Properties – Per Stipulation II and IV

1 Non-Historic / Non-Contributing Properties - Per Stipulation II & III

Project Components NOT Subject to Review by the Commission: N/A

Relevant Code Sections: Section 6-4043 of the Atlanta City Code

Deferred Application (Y/N)?: No

Previous Applications/Known Issues: None

SUMMARY CONCLUSION / RECOMMENDATION: Confirm the delivery of comments at the meeting.

CONCLUSIONS: The subject properties were recommended for demolition by the City of Atlanta's In Rem Review Board at its February 15, 2018 meeting. The properties are located across the City in both National Register of Historic Places-eligible and National Register listed neighborhoods. Ten of the properties are single-family houses. One is a commercial building.

Through the Administration In Rem proceeding set forth in Article III, Section 30 of the Atlanta Housing Code, the Atlanta Police Department-Code Enforcement Section can proceed with demolition or clean and close action against private property. When a property owner fails to bring his/her property into compliance with the Atlanta Housing Code or the Atlanta Commercial Institutional Building Maintenance Code, a review/inspection of such property is conducted by the Code Enforcement staff to determine if the property (structure) is eligible for demolition or clean and close abatement.

Generally, properties that are unsecured, fire damaged, collapsing, or severely dilapidated are eligible for In Rem proceedings. However, the Atlanta Housing Code states any property (structure) that cannot be repaired at cost less than 50% of the value (exclusive of foundation and lot) it can be demolished. If the structure can be repaired at less than 50% of the value (exclusive of foundations and lot) it can be cleaned and closed.

Once the inspection assessment (determination of demolition or clean and close) of such properties is completed, an In Rem hearing is scheduled and evidence is put forth before the In Rem Review Board. Evidence includes, but not limited to, the number of complaints filed with the APD-Code Enforcement Section, the types of violations noted, the progression of notification to property owner(s), photographs, and the inspection assessment.

When an Order of demolition or clean and close is issued by the In Rem Review Board, the APD-Code Enforcement Section has authorization to access that private property and abate the nuisance. Once the abatement is completed, a lien is filed against the property for the cost of the abatement.

While the Staff is always concerned about the loss of historic or potentially historic buildings in the City of Atlanta, the properties in the In Rem review process are either in very poor condition, the City is unable to find the legitimate property owner, or the property owner cannot or will not address the situation. Further, the properties have often been in the City of Atlanta's code compliance system for some time meaning that there are been additional opportunities at which the property was made aware of the problems and given an opportunity to address the situation.

Regardless, the Staff finds that given the volume of properties proposed for demolition, digital images of a representative sample of the properties in the best condition should be prepared and retained by the Code Enforcement Section of the Atlanta Police Department and the Office of Design's historic preservation staff.

Based on the information provided to date by the Code Enforcement Staff, the Staff would suggest the following four properties have digital images prepared and retained by the Code Enforcement Staff:

1318 Bluefield Drive SW
879 Crew Street SW
378 Tazor Street NW
263 West Lake Avenue NW

STAFF RECOMMENDATION: The Commission deliver comments at the meeting regarding Review and Comment (RC-18-081) for In-Rem demolition applications from February 15, 2018.

cc: Applicant
Neighborhood
File