

SPI-9 Development Review Committee

MEMORANDUM

TO: Charletta Wilson-Jacks, Director City of Atlanta Office of Planning

FROM: Denise Starling on behalf of the SPI-9 Development Review Committee

Date: December 5, 2012

Committee Members Present

Denise Starling, BATMA
Sally Silver, City Council District 7
Dwight Bell, BCID
Bob Stasiowski, NPU-B

City Staff Members Present

Karl Smith-Davids

1. Proposed Development Address: 34 Irby Ave.

Applicant: Dewayne Martin on behalf of Larry Martin and Paul DeAggone, Park Bench

SAP#: SAP-12-138

Project Scope:

Variation Requested:

The applicant provided an update to the committee regarding negotiation with the Peachtree Animal Hospital related to the parking impacts caused by the unpermitted development of an outdoor bar behind the Park Bench.

Mr. Martin indicated that the Animal Hospital's attorney, Mike Nations, had been brought in to the negotiation and there was a commitment to work together to resolve the problem; however, resolution had not been achieved to date. The applicant noted they provided a revised parking plan to the animal hospital on December 4th and were scheduled to meet to discuss the agreement on December 7th. During the course of the meeting, the animal hospital representatives emailed saying they were not in agreement with the proposed plan.

The applicant also noted they were in the process of filing to change their status from a nightclub to a bar in response to the committee's prior instruction to get all improprieties straightened out.

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Recommendation:

It is the opinion of this DRC Committee, that the Park Bench owner's actions have inappropriately forced a neighboring property into non-compliance and that the onus should be upon Park Bench to resolve the issue on behalf of both properties either via removal of the patio and reversion to the former parking lot or SAP meeting the full criteria of a shared parking arrangement both for the applicant and adjacent property. There has not been a satisfactory agreement for consideration, so the committee will not take any action at this time.