

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: March 6, 2013

Committee Members Present

Denise Starling, BATMA
Sally Silver, City Council District 7
Bob Staisowski, NPU-B

City Staff Members Present

Karl Smith-Davids

1. Proposed Development Address: Aspen Bartini E- Paces Ferry

Applicant: John Williams (Michael Saard, Kevin Leff on behalf of owner)

SAP#: Not filed

Project Scope: Unpermitted outdoor deck

Variation Requested:

Project Details: Unpermitted 340 s.f. outdoor dining deck constructed on the front side of the building to provide additional 36 seats for restaurant. Deck has already been constructed by removing two parking spaces and is constructed of stone and Trex material with a fixed railing.

Prior Recommendations (February): The plans provided appear to have inconsistencies with the actual as built condition observed from the aerial photographs provided, particularly regarding the placement of the deck and its adjacency to the handicapped accessible parking space. Due to this inconsistency, the committee cannot adequately determine the number of usable parking spaces and has concerns about the accessibility of the handicapped parking space in particular. A minimum of 9 parking spaces (and maximum of 11) must be provided. The applicant should revise the plans based upon as built conditions and resubmit those plans at the March DRC meeting.

The committee also notes inconsistencies with the SPI-9 requirements related to the construction of the deck itself – specifically the height and the fixed railings. Outdoor

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dining is required by the code to have movable “enclosures” when located in the supplemental zone. The applicant should explore options for meeting this requirement.

The applicant indicated a desire to remove the existing planter adjacent to the street. This planter was installed as a condition of the previous reviews to satisfy the requirements of screening parking from adjacent sidewalks with a 30 – 42” screen. The committee does not object to the removal of the planter provided a vegetative screen is installed in its place that meets the requirements. The applicant should provide specific landscaping plans to inform the committee of the proposed approach.

The applicant noted a desire to “decorate” the wood power pole that provides site lighting. The committee requests the applicant provide specific plans for the proposed approach.

March Recommendations:

- *Special Administrative Permit (SAP) Filing:* The property owner was advised that the SAP had not been officially filed with the Office of Planning to date and that it must be filed to trigger the 30 day review period that is allotted for consideration of SAPs.
- *Parking Requirements:* Per Sec. 16-181.023 the parking minimum for a restaurant (<60% alcohol sales) is equal to (1/300 s.f. interior s.f. x 0.75). Per the square footage of the building, this would equate to 8 regular parking spaces and one handicapped space. The revised plans show 9 spaces of inconsistent width and limited access to the handicapped space due to the turning radius and location of the unpermitted deck. The committee recommends the applicant rework parking spaces on the west side of the lot to meet minimum required width of 8’6” consistently and 13’ for the handicapped parking space. This approach shifts all spaces away from the façade of the building to allow increased loading area adjacent to the handicapped space which allows for enhanced vehicle maneuvering.
- *Surface Lot Parking Screening:* Per Sec. 16-181.023.4, the committee recommends the applicant remove the concrete planter boxes between the surface parking and the street, replace with a vegetative screen at a minimum of 30 inches and maximum of 42 inches in height the entire length of the parking spaces and installing one tree on each side of the curb cut.
 - Per Sec. 16-181.020.2a, the applicant will ensure the curb cut is a maximum of 24 feet in width.

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- *Valet operation:* Sec. 16-181.020 6 - The applicant has indicated that he is using a valet service during key business hours. The committee recommends removing one of the parking spaces (cross hatching it out) to allow the valet to turn vehicles and avoid backing out of the parking lot onto East Paces Ferry Road.
- *Outdoor Dining Deck:* sec. 16-181.017.6 - Based upon input from the City staff, the committee was informed that had the deck been properly permitted, no variations would have been required (railing system height = 36", less than ¼ of total building square footage, wall height = 28") and no negative impacts to adjacent properties result from the construction of the deck. In light of these circumstances, the committee recommends approval of the deck as constructed.
- *Power Pole:* No additional discussion regarding specific changes was presented.