

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: April 5, 2013

Committee Members Present

Denise Starling, BATMA
Sally Silver, City Council District 7 (abstained for second case)
Bob Staisowski, NPU-B
Bonnie Dean, BCID (first case only)
Dwight Bell, BCID

City Staff Members Present

Karl Smith-Davids

1. Proposed Development Address: Blue Moon Pizza

Applicant: Edward Johnson on behalf of owner Kevin Slater

SAP#:

Project Scope: Outdoor Dining

Variation Requested: Clear Zone width Section 16-181.015

Project Details

Outdoor sidewalk level dining to include planter boxes and tables along the street. Project is located in Subarea 1 and is a Type 3 street. Clear zone is 5 feet. Outdoor service will include alcoholic beverages.

Recommendations

The committee supports the incorporation of outdoor dining in this location and recognizes that the pre-existing conditions of the site create some constraints, however, the proposed configuration allows only a 5 foot walk zone when a 10 foot walk zone and 5 foot amenity zone is required in the regulation (sec 16-181.015). It is the desire of the committee to reach a compromised layout that maximizes the clear zone to the extent possible to ensure adequate pedestrian circulation and consistency within the district.

Several suggestions for achieving this maximization of the clear zone were presented including shifting planter boxes, changing the size of planter boxes, incorporating “2-top” tables rather than 4-top to allow internal circulation, incorporating “garage-style” doors that allow more indoor outdoor space up against the building façade.

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The committee recommends the applicant consider options for redesigning the area in a manner that maximizes the clear zone and return to the Committee at the May meeting for further review.

2. **Proposed Development Address:** 34 Irby Parch Bench

Applicant: Dewayne Martin

SAP#:

Project Scope:

Variation Requested:

Project Details:

This is the third time the applicant has appeared before the DRC Committee. Prior recommendations issued by the committee are excerpted below:

November 7, 2012

Due to concerns over the safety of the proposed parking (being located across the street where no crosswalks or sidewalks exist), the DRC recommends denial of the requested SAP for parking. It is the opinion of this 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.

December 5, 2012

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.

In this meeting, the applicant represented to the committee that additional parking arrangements had been made with 3191 Paces Ferry Place and provided a copy of the lease for those spaces.

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The committee requested confirmation of the lease regarding Whole Foods spaces, which the applicant produced. The committee asked whether the agreement had been accepted by the new property owner as the property had recently changed hands. The applicant indicated a belief that the agreement would be automatically assumed by the new owner, however, was not able to confirm this.

The applicant indicated that he had made several attempts to reach agreement with the Peachtree Animal Hospital regarding parking arrangements that would resolve the nonconformity caused by the outdoor bar erected previously without a permit, however, had not been able to come to an agreement.

Recommendation

The committee has previously offered two potential solutions for resolving the nonconformity to the applicant as outlined in the previous recommendations above. Four months have lapsed since this recommendation was provided and, although attempts have been made by the applicant to reach resolution, no significant progress on either option has been made. Therefore, it is the recommendation of the Committee that the SAP be denied.