

MT STUDIO

ARCHITECTURE

182 ELIZABETH STREET NE
ATLANTA GEORGIA 30307
404 274 5900 tarver@mts-architecture.com

April 2, 2020

Office of Zoning and Development
City of Atlanta
55 Trinity Ave SW
Atlanta GA 30303

Re: 3198 Cains Hill Place SAP Submission- project summary and Variations

Dear City Planners:

We are submitting this application for renovations to 3198 Cains Hill Place NW. In this letter we describe the scope of work and variations that are requested.

Scope of Work

We have been working with Connor Boney, the owner of Buckhead Butcher, to renovate the existing office building and turn it into a high-end butcher and wine shop on the ground floor and retain the office use on the second floor. In addition to retail sales of meat and associated food products, including wine, Buckhead Butcher plans to host small evening gatherings from time-to-time for cooking classes and wine tastings.

The building served as the offices for Harrison Design Associates for the last decade or more and had no publicly accessible areas. Per the Buckhead SPI-9 Graphic Appendix and Standards published in February 2010, Cains Hill Place is a Type 4 street.

The architectural work is to provide a visible retail presence to the façade by adding more windows and a steel awning with signage at the entry, removing the shingle “crenelations,” replacing them with brick, painting the building, adding a landscape buffer between the parking lot and public entry, and adding a dumpster enclosure. The building square footage will not change with the proposed renovation. The scope of the renovation exempts the property from the streetscape and relationship of the building to the street requirements pursuant to Section 16-18I.010.

The streetscape at the sidewalk, curb-cuts, street trees and furniture- such as they exist (they don't)- will remain untouched. The parking lot will be resurfaced and re-striped, handicap accessible parking added, and the overall number of parking spaces reduced from 38 to 35. The existing utility poles and overhead utility wires are planned to remain unchanged.

The number of parking spaces, 38, is an existing legal nonconformity per Section 16-38.003. We are proposing to reduce this nonconformity to 35 spaces. The Buckhead Parking Overlay district allows 23 parking spaces for the current office use. The proposed renovation will not change the maximum number of parking spaces allowed. Given the scope of the

renovations and adaptive reuse of the building, to require the applicant to further reduce the parking would cause an undue hardship.


Variations Requested

We have identified one variation to request: for the addition of the dumpster enclosure near the street.

The variation request is for the dumpster enclosure to be at the front of the property. Section 16-181.019.5 requires trash enclosures to be at the rear of the building. However, the existing building is very nearly the entire width of the property. The building is within about four feet of the north (side) property line and within about 3 feet of the south (side) property line. The building is on the west (rear) property line. The front of the building is only place there is room on the property for an enclosure. We would like to place a brick trash enclosure, over 6 feet tall, with decorative wooden doors, near the street for ease of access for trucks to remove the trash, and to keep it away from the building. The doors would face into the property, perpendicular to the street and would remain closed when the enclosure is not in use.

Thank you for your consideration of this variation. We are available to answer any questions about the project and look forward to talking with you about it in the coming weeks.

Thank you for your consideration,

A handwritten signature in blue ink, appearing to read "M. Tarver Siebert". The signature is fluid and cursive, with a large initial "M" and "S".

M. Tarver Siebert, RA

Enclosure: SAP Application & associated drawings

SURVEYOR CERTIFICATION

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated herein. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

Bradley D. Cash

Bradley D. Cash
Georgia Registered
Land Surveyor # 2840

PROPERTY DESCRIPTION - Tract 1

Tract 1

All that tract or parcel of land lying and being in Land Lot 99 of the 17th District, City of Atlanta, Fulton County, Georgia, and being more particularly described as follows:

Commencing at a point located at the intersection of the northerly right-of-way line of Irby Avenue (50-foot right-of-way) with the Westerly right-of-way line of Cains Hill Place (40-foot right-of-way), Thence along said right-of-way line of Cains Hill Place North 00 degrees 48 minutes 21 seconds East, a distance of 150.00 feet to a 1/2-inch rebar found (cap "SS,INC/3138") said point being the TRUE POINT OF BEGINNING; Thence continue North 00 degrees 42 minutes 58 seconds East, a distance of 99.92 feet to a 1/2-inch rebar found; Thence departing said right-of-way line South 89 degrees 21 minutes 59 seconds East, a distance of 191.87 feet to a 1/2-inch crimp top pipe found; Thence South 89 degrees 27 minutes 23 seconds East, a distance of 169.42 feet to a nail set located on the Westerly right-of-way line of Cains Hill Place; Thence along said right-of-way line South 00 degrees 52 minutes 43 seconds West, a distance of 100.50 feet to a 1/2-inch rebar found, said point being the TRUE POINT OF BEGINNING.

Said tract of land contains 0.390 Acres.

PROPERTY DESCRIPTION - Tract 2

Tract 2

All that tract or parcel of land lying and being in Land Lot 99 of the 17th District, City of Atlanta, Fulton County, Georgia, and being more particularly described as follows:

Commencing at a point located at the intersection of the northerly right-of-way line of Irby Avenue (50-foot right-of-way) with the Easterly right-of-way line of Cains Hill Place (40-foot right-of-way), Thence along said right-of-way line of Cains Hill Place North 00 degrees 48 minutes 21 seconds East, a distance of 150.00 feet to a 1/2-inch rebar found (cap "SS,INC/3138") Thence North 00 degrees 52 minutes 43 seconds East, a distance of 100.50 feet to a nail set, said point being the TRUE POINT OF BEGINNING; Thence continue North 00 degrees 42 minutes 58 seconds East, a distance of 99.92 feet to a 1/2-inch rebar found; Thence departing said right-of-way line South 89 degrees 21 minutes 59 seconds East, a distance of 191.87 feet to a 1/2-inch crimp top pipe found; Thence South 89 degrees 27 minutes 23 seconds East, a distance of 169.42 feet to a nail set; Thence North 89 degrees 25 minutes 34 seconds West, a distance of 140.62 feet to a 5/8-inch rebar set; Thence North 89 degrees 11 minutes 21 seconds West, a distance of 54.80 feet to a 3/4-inch crimp top pipe found, said point being the TRUE POINT OF BEGINNING.

Said tract of land contains 0.445 Acres.

PROPERTY DESCRIPTION - Tract 3

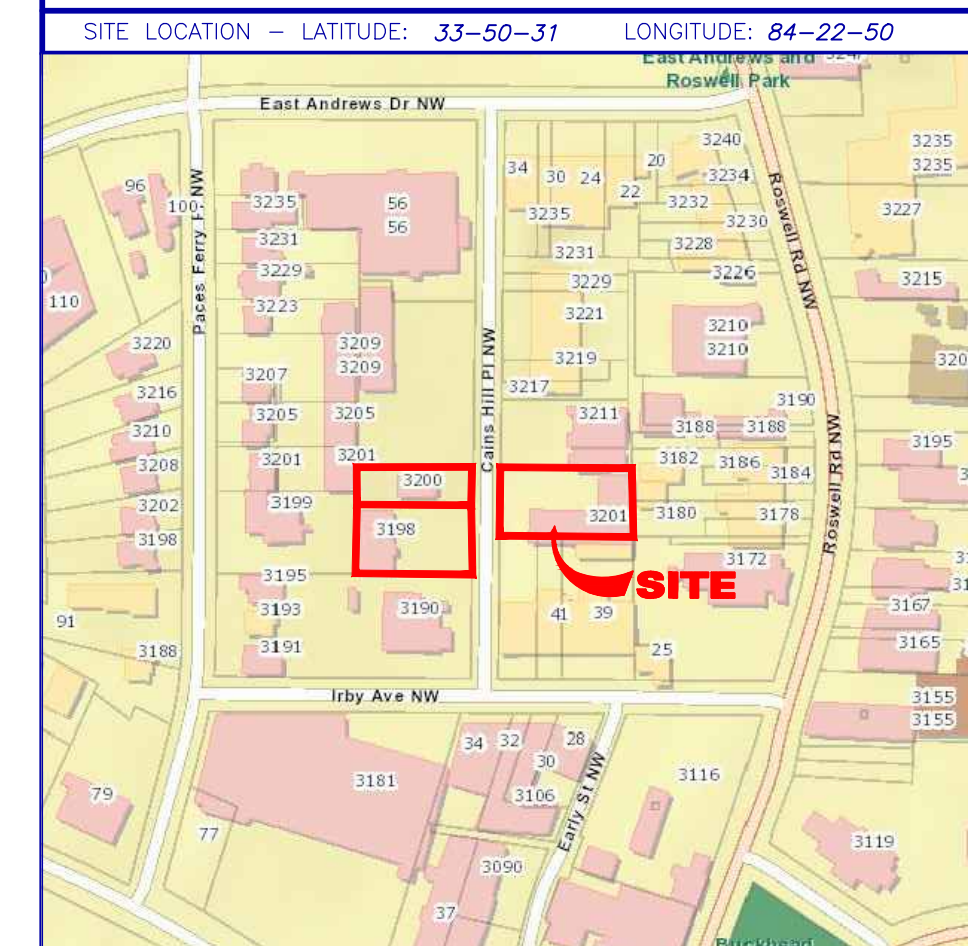
Tract 3

All that tract or parcel of land lying and being in Land Lot 99 of the 17th District, City of Atlanta, Fulton County, Georgia, and being more particularly described as follows:

Commencing at a point located at the intersection of the northerly right-of-way line of Irby Avenue (50-foot right-of-way) with the Westerly right-of-way line of Cains Hill Place (40-foot right-of-way), Thence along said right-of-way line of Cains Hill Place North 00 degrees 48 minutes 21 seconds East, a distance of 150.00 feet to a 1/2-inch rebar found (cap "SS,INC/3138") Thence North 00 degrees 52 minutes 43 seconds East, a distance of 100.50 feet to a nail set, said point being the TRUE POINT OF BEGINNING; Thence continue North 00 degrees 42 minutes 58 seconds East, a distance of 99.92 feet to a 1/2-inch rebar found; Thence departing said right-of-way line South 89 degrees 21 minutes 59 seconds East, a distance of 191.87 feet to a 1/2-inch crimp top pipe found; Thence South 89 degrees 27 minutes 23 seconds East, a distance of 169.42 feet to a nail set; Thence North 89 degrees 25 minutes 34 seconds West, a distance of 140.62 feet to a 5/8-inch rebar set; Thence North 89 degrees 11 minutes 21 seconds West, a distance of 54.80 feet to a 3/4-inch crimp top pipe found, said point being the TRUE POINT OF BEGINNING.

Said tract of land contains 0.195 Acres.

VICINITY MAP



GENERAL NOTES

THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE PERSON OR ENTITIES NAMED HEREON. NO EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO THE INFORMATION SHOWN HEREON IS TO BE EXTENDED TO ANY PERSONS OR ENTITIES OTHER THAN THOSE SHOWN HEREON.

REVISIONS LISTED ON THIS SURVEY APPLY ONLY TO THE SPECIFIC CHANGES REFERENCED, AND DO NOT CONSTITUTE AN UPDATE OF OTHER DATA ON THIS SURVEY. THE SURVEY DATE SHOWN HEREON IS THE APPLICABLE DATE AS RELATED TO PROVISIONS OF STATUTES OF LIMITATION UNLESS SPECIFICALLY NOTED OTHERWISE.

THIS PROPERTY IS NOT LOCATED IN A 100 YEAR FLOOD HAZARD AREA BASED ON THE FLOOD INSURANCE RATE MAP FOR THIS AREA. THE MAP NUMBER FOR THIS AREA IS 1312IC0234F, AND THE DATE OF SAID MAP IS 09-18-2013. THE PROPERTY LIES WITHIN "ZONE X". THIS DETERMINATION WAS MADE BY GRAPHICALLY DETERMINING THE POSITION OF THIS SITE ON SAID FIRM MAPS UNLESS OTHERWISE NOTED.

THE DATUM FOR THIS SITE WAS ESTABLISHED UTILIZING GLOBAL POSITIONING SYSTEMS, AND BASED ON POSITIONAL VALUES FOR THE VIRTUAL REFERENCE STATION NETWORK DEVELOPED BY GPS SOLUTIONS. THE HORIZONTAL REFERENCE FRAME IS NORTH AMERICAN DATUM OF 1983(2011)-STATE PLANE COORDINATE SYSTEM OF GEORGIA-WEST ZONE. THE VERTICAL REFERENCE FRAME IS NORTH AMERICAN VERTICAL DATUM OF 1988. ANY DIRECTIONS OR DIMENSIONS SHOWN ARE A RECTANGULAR, GROUND LEVEL PROJECTION OF THE STATE PLANE COORDINATE SYSTEM.

NO ZONING REPORT OR ZONING LETTER WAS PROVIDED TO THE SURVEYOR. THE SITE IS ZONED "SP1-9 (SA3)" (SPECIAL PURPOSE DISTRICT) AS SHOWN ON THE ZONING MAP OF CITY OF ATLANTA.

PLEASE NOTE: ZONING AND SETBACKS SHOULD BE CONFIRMED AND VERIFIED BY PLANNING AND ZONING PRIOR TO DESIGN OR CONSTRUCTION ACTIVITIES.

RIGHT-OF-WAY LINES SHOWN ON THIS SURVEY THAT ARE NOT ACTUAL BOUNDARIES OF THE SUBJECT TRACT(S) ARE DEPICTED GRAPHICALLY AND ARE SHOWN APPROXIMATELY FOR INFORMATIONAL PURPOSES ONLY. SAID RIGHT-OF-WAY LINES SHOULD NOT BE UTILIZED FOR DESIGN PURPOSES.

THE MEASURED WIDTH OF TRACT 1 DOES NOT MATCH THE RECORD DISTANCE CONTAINED IN THE TRACT DESCRIPTION. A BOUNDARY LINE AGREEMENT IS SUGGESTED BETWEEN THE OWNERS OF TRACT 1 AND TRACT 3.

TRACT 2 AND 3 AS SHOWN ARE THE SAME PROPERTIES AS DESCRIBED IN THE TITLE COMMITMENT.

ACCESS TO EACH TRACT FROM CAINS HILL PLACE, A PUBLIC RIGHT-OF-WAY, IS BY WAY OF CURB-CUTS AND DRIVE APRONS AS SHOWN.

- SURVEY REFERENCES**
- ALTA/NSPS ALND TITLE SURVEY FOR 56 EAST ANDREWS DRIVE, FOR EAST ANDREWS REALTY, LLC, PREPARED BY GEOSURVEY, LTD., DATED 06/17/2017 (20144889-04)
 - ALTA/NSPS ALND TITLE SURVEY FOR 45, 47 AND 49 IRBY AVENUE, FOR EDENS LIMITED PARTNERSHIP, PREPARED BY GEOSURVEY, LTD., DATED 12/01/2015 (20144842-04)
 - SURVEY OF 3198 CAINS HILL PLACE FOR HARRISON HODGES, INC., PREPARED BY HILL-FISTER ENGINEERING, INC., DATED 03/01/1989
 - SURVEY OF 3201 CAINS HILL PLACE FOR CALLE, PREPARED BY LANDPRO SURVEYING & MAPPING, DATED 03/27/2014.

TITLE EXCEPTIONS - Tract 1 and Tract 2

THE FOLLOWING EXCEPTIONS ARE LISTED IN SCHEDULE B, PART II, OF A COMMITMENT FOR TITLE INSURANCE, AS PREPARED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY, FILE NO. 1908830A, EFFECTIVE DATE MAY 01, 2019.

12. Easement from Everett P. Bean to Georgia Power Company, dated February 13, 1974, recorded March 11, 1974, in Deed Book 6008, Page 308, aforesaid records.

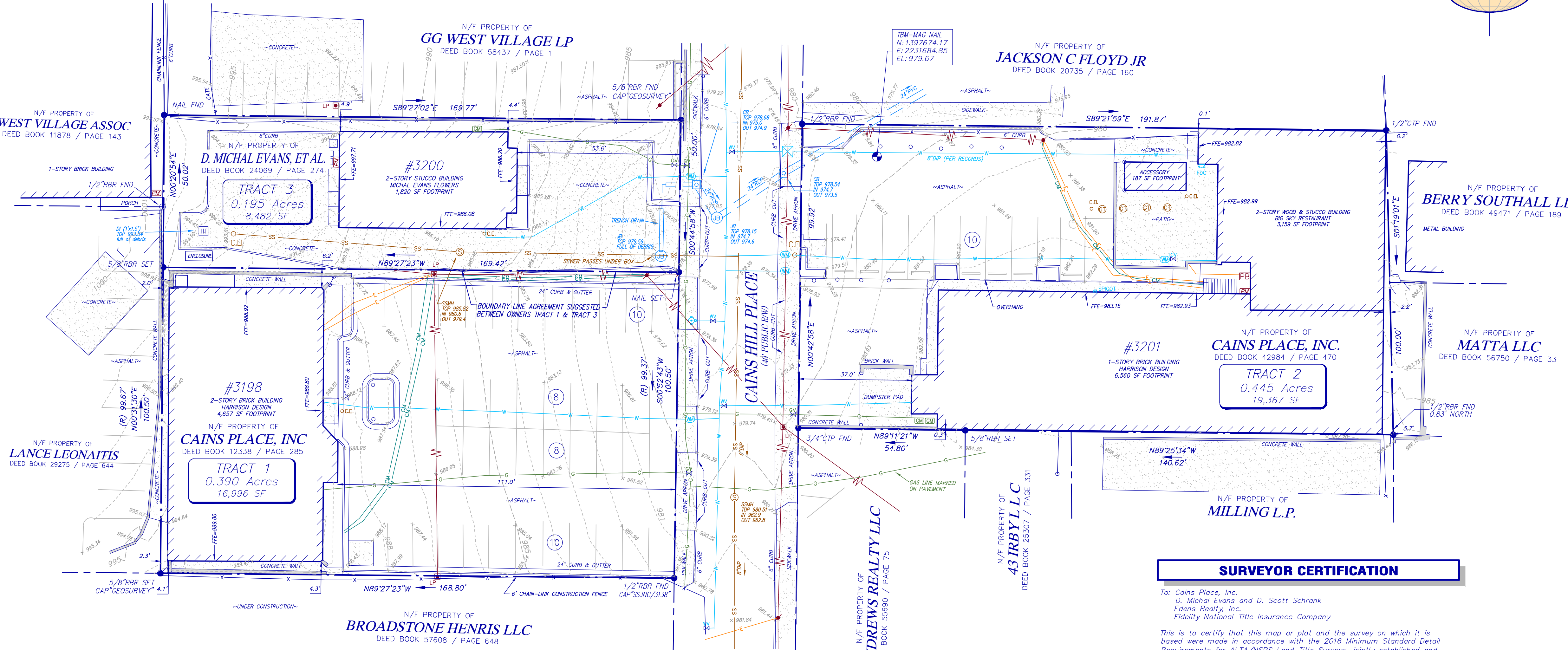
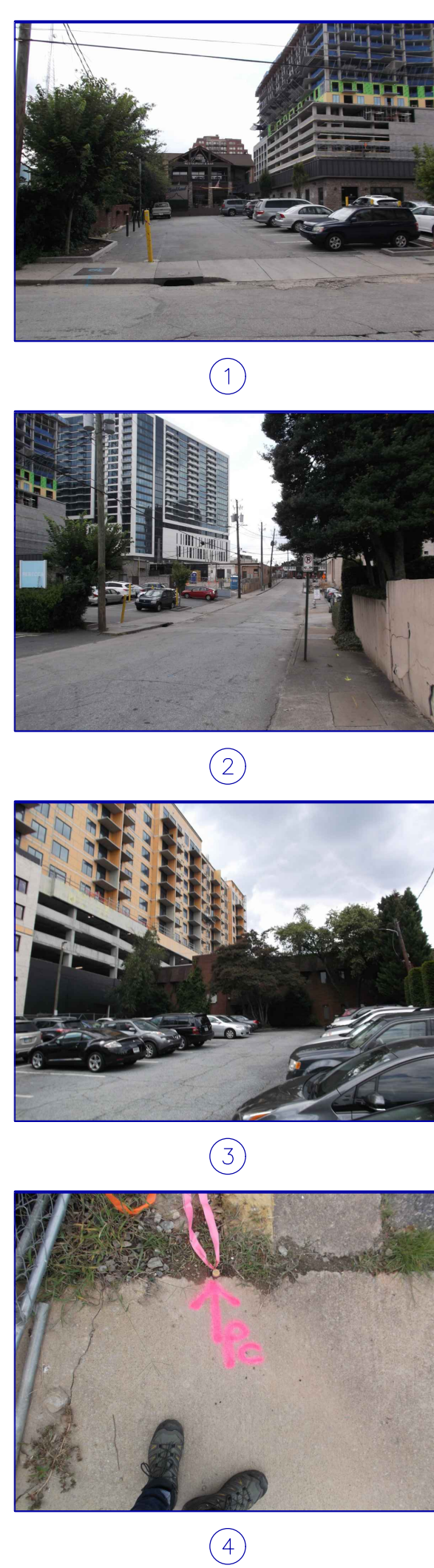
13. Easement from Harrison Hodge LLC to Georgia Power Company, dated January 16, 2014, recorded May 19, 2014, in Deed Book 53820, Page 253, aforesaid records.

TITLE EXCEPTIONS - Tract 3

THE FOLLOWING EXCEPTIONS ARE LISTED IN SCHEDULE B, PART II, OF A COMMITMENT FOR TITLE INSURANCE, AS PREPARED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY, FILE NO. 191102GA, EFFECTIVE DATE MAY 27, 2019.

NONE LISTED.

SITE PHOTOGRAPHS



LEGEND

STANDARD ABBREVIATIONS	STANDARD SYMBOLS
AC AIR CONDITIONER	OT OVERHEAD TRAFFIC SIGNAL LIGHT
BH BORE HOLE	OP POWER POLE
BSL BUILDING SETBACK LINE	OW GUY WIRE
CI CURB INLET	LP LIGHT POLE
OMP CORRUGATED METAL PIPE	ET ELECTRIC TRANSFORMER
CMF CONCRETE MONUMENT FND	WV WATER VAULT
CSF SANITARY CLEANOUT	GV GAS VALVE
CPD COMMUNICATION PEDESTAL	GM GAS METER
CTP CRIMPED TOP PIPE	WV WATER VALVE
DI DROP INLET	WM WATER METER
DIP DUCTILE IRON PIPE	FH FIRE HYDRANT
DWCS DOUBLE WING CATCH BASIN	UG UNDERGROUND ELECTRIC LINE
FNC FENCE	UG UNDERGROUND GAS LINE
FND FOUND	UC UNDERGROUND COMMUNICATION LINE
GM GAS METER	UL UNDERGROUND WATER LINE
INV INVERT	PI PHOTO POSITION INDICATOR
JB JUNCTION BOX	RS REGULAR PARKING SPACE COUNT
MH MANHOLE	HP HANDICAP PARKING SPACE
OHP OVERHEAD POWER	TI TREE POSITION INDICATOR
OTP OPEN TOP PIPE	
PM POWER METER	
PKS PK NAIL SET	
POB POINT OF BEGINNING	
PCP POINT OF COMMENCEMENT	
RCP REINFORCED CONCRETE PIPE	
RFR IRON REINFORCING BAR	
RBS 5/8" RBR SET CAPPED LSF 621	
(R) RECORD DISTANCE	
SS SANITARY SEWER	
SWCS SINGLE WING CATCH BASIN	
TRANS ELECTRIC TRANSFORMER	

IF YOU DIG

811 Know what's below.
Call before you dig.
Dial 811
Or Call 800-282-7411

UTILITY NOTE

THE UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON LOCATION OF MARKINGS PROVIDED BY:

UTILISURVEY, LLC
1227 NORTH PEACHTREE PARKWAY, STE 178
PEACHTREE CITY, GA 30269

THE UNDERGROUND UTILITIES (EXCEPT THE LOCATION OF EXISTING DRAINAGE, SEWER AND IRRIGATION UTILITIES AS WELL AS UNDERGROUND STORAGE TANKS) WERE LOCATED BY UTILISURVEY, LLC. UTILIZING RADIO FREQUENCY TECHNIQUE. THIS TECHNIQUE IS CAPABLE OF LOCATING METALLIC UTILITIES AND TRACER WIRES. ANY NON-METALLIC UTILITIES (WITHOUT TRACER WIRE) ARE NOT LOCATED.

THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. UNDERGROUND UTILITIES NOT OBSERVED OR LOCATED UTILIZING THIS TECHNIQUE MAY EXIST ON THIS SITE BUT NOT BE SHOWN, AND MAY BE FOUND UPON EXCAVATION. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THE SURVEYOR DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE.

INFORMATION REGARDING MATERIAL AND SIZE OF UTILITIES IS BASED ON RECORDS ACQUIRED FROM THE UTILITY OWNERS.

CLOSURE STATEMENT

THE FIELD CLOSURE UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 56,254, AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. A TRIMBLE 5610 STATION AND TRIMBLE TSC-3 DATA COLLECTOR WERE USED TO COLLECT THIS FIELD DATA.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 502,310, FEET. BDC, INC.

SURVEYOR CERTIFICATION

To: Cains Place, Inc.
D. Michal Evans and D. Scott Schrank
Edens Realty, Inc.
Fidelity National Title Insurance Company

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 5, 6(a), 7(a), 7(c), 8, 9, 11, 13, 14, 16, 19 & 20 of Table A thereof. The fieldwork was completed on July 30, 2019.

Date: July 30, 2019

GeoSurvey

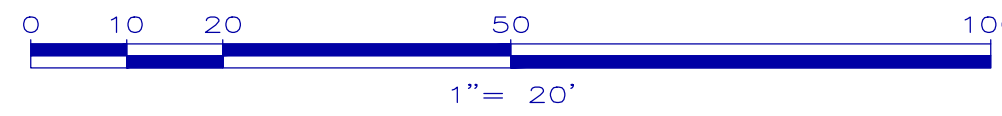
Land Surveying • 3D Laser Scanning

1660 Barnes Mill Road
Marietta, Georgia 30062

Phone: (770) 795-9900
Fax: (770) 795-8880

www.geosurvey.com
EMAIL: info@geosurvey.com
Certificate of Authorization #LSF-000621

GRAPHIC SCALE



ALTA/NSPS LAND TITLE SURVEY OF

3198, 3200 and 3201 Cains Hill Place

FOR

**Cains Place, Inc.
D. Michal Evans and D. Scott Schrank
Edens Realty, Inc.**

Fidelity National Title Insurance Company

GS JOB NO:	20144889	DRAWING SCALE:	1" = 20'	SURVEY DATE:	07/30/2019
FIELD WORK:	MS	CITY:	ATLANTA	STATE:	GA
PROJ MGR:	BDC	COUNTY:	FULTON	LAND LOT:	99
REVIEWED:	JRC	DISTRICT:	17TH		
DWG FILE:	20144889-7.dwg				

REVISIONS (SEE GENERAL NOTES)

No.	Date	Description
1	10/21/20	Revised per comments.



APPLICATION FOR A SPECIAL ADMINISTRATIVE PERMIT (SAP)
For SPI, Beltline, LW, MR, MRC, NC, I-Mix Zoning Districts & Unified Development Plans
 City of Atlanta, Office of Zoning and Development (404-330-6145)

File No.: **SAP-21-045**

APPLICANT (name) _____

ADDRESS _____

PHONE NO. _____ EMAIL _____

PROPERTY LANDOWNER _____

ADDRESS _____

PHONE NO. _____ EMAIL _____

ADDRESS OF PROPERTY _____

Land District _____ Land Lot _____ Council District _____ NPU _____

Is property within the BeltLine Overlay District? Yes No Zoning Classification _____

Is Inclusionary Zoning applicable to this project? Yes No Is this a Unified Development Plan? Yes No



Submittal Checklist (See detailed checklist on page 2):

- Project Summary:** Provide cover letter describing new construction, alterations, repairs or other changes to the exterior of existing structures and/or the site. Requests for administrative variations must be accompanied by a written justification for each.
- Property Survey:** Submit one (1) copy. Lot consolidation, re-platting or subdivision may be required prior to approval of SAP.
- Site Plan (released for construction and sealed) and Building Elevations:**
 - a. **Initial Submission: CbY(%)** site plan & **CbY(%)** set of elevations.
 - b. **Other information:** Copies of applicable Rezoning Legislation, Special Use Permit and any letters for Variance or Special Exception. Note: additional plans or documents may be required at the discretion of the Office of Zoning and Development.
- Property Owner Authorization:** Submit required notarized owner consent per attached form (page 4).
- Notice to Applicant:** Submit attached form with signature and date (page 10).
- Development Controls Specification Form:** Provide the applicable information (pages 7 - 9).

Fees (non-refundable): Payable to the "City of Atlanta" in the form of cash, credit card, personal or cashier check, or money order.

- Exterior demo, outdoor dining new/expansion, or non-expansion: \$250.
- Developments < 50,000 sq.ft. of floor area: \$500.
- Developments 50,000 to 250,000 sq.ft. of floor area: \$1,000.
- Developments ≥ 250,000 sq.ft. of floor area: \$1,500.

I HEREBY AUTHORIZE CITY STAFF TO INSPECT PREMISES OF ABOVE DESCRIBED PROPERTY. I HEREBY DEPOSE THAT ALL STATEMENTS HEREIN ATTACHED & SUBMITTED ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Date _____ Signature of Applicant James Siefert

Additional Submittal Requirements (as applicable):

- **Inclusionary Zoning:** All new or conversion multifamily residential rental projects with 10 or more units in the Beltline Overlay District OR Westside neighborhoods of English Avenue, Vine City, Ashview Heights, or AUC must complete and submit the Inclusionary Zoning Certification Form with their application. Review and complete pages 11-12 of this SAP for certification forms.
- **Beltline, NC-2, NC-6, NC-10, NC-11, NC-12, & NC-14 Districts:** Applicant must send a copy of the filed SAP application to the NPU contact. Afterwards, complete the Notarized Affidavit of NPU Notification form (page 6), and provide a copy of U.S. Postal Service Certificate of Mailing. The NPU has up to 21 days to review the SAP and forward comments to the City.
- **Pre-application Conference with Zoning and Development Staff (prior to SAP submittal):** Required only for SPIs: 1, 9, 12, 15, 17, 18, 20, 21, 22 and *recommendeã* for all other districts. To request this meeting, contact Christian Olteanu at 404-330-6961 or colteanu@atlantaga.gov.
- **Development Review Committee (DRC):** Projects in the Beltline & SPIs 1, 9, 12, 15, 16, 17 districts may require DRC review (See page 3).
- **Development of Regional Impact (DRI) Study:** Mixed-use developments with at least 700,000 s.f. or residential with at least 700 residential units may require a DRI approval by GRTA and ARC. For full thresholds and rules contact GRTA and/or ARC.
 - **Initial submission:** DRI Form 1 with the SAP application. Zoning and Development staff will then submit information to GRTA and ARC.
- **Watershed Management (DWM) Requirements (Section 74-504(a)):** Consultation meeting with DWM is **REQUIRED** for any site disturbance to determine applicable storm water work. Call 404-330-6249 or visit: www.atlantawatershed.org/greeninfrastructure
- **Unified Development Plans:** Applicable to all zoning districts except R-1 to R-5, RLC, PD, & historic bldgs/districts (Section 16-28.030)

The City Code provides that Zoning and Development Director shall review each request for an SAP within 30 days of a filing of a **completed*** application. (Atlanta Code Chapter 16, Section 16-25). * **Note: NPU/DRC notification and review, as applicable, are required to complete the SAP application.**

(FOR OFFICE OF ZONING AND DEVELOPMENT OFFICE USE ONLY)

The above request for a Special Administrative Permit (SAP) was **approved** or **denied** on 5/28/2021

See attached **Special Administrative Permit Approval Form(s)** for detailed approval information.

Amy Canales

Amy Canales

Signed for Director, Office of Zoning & Development

Staff Reviewer - Print Name



City of Atlanta Office of Zoning & Development
SPECIAL ADMINISTRATIVE PERMIT (SAP)
Approval Form
SAP-21-045

Address(es): 3198 Cains Hill Place NW
Zoning District: SPI-9, Subarea 3

Approval Date: 5/28/2021

Staff Signature: *Amy Canales*

Project Summary: Exterior and interior renovations to an existing office building with site work. Project will include:

- Facade improvements with new windows, doors and awnings;
- Reduction of parking spaces with new landscaping and a new striped pedestrian walkway;
- Interior renovation to allow for ground floor retail with office above;
- New patio space in front of building with bicycle racks; and
- New enclosed dumpster.

Approval: Improvements at the above address are hereby authorized to apply for a building permit in accordance with Sections 16-18.007 and 16-25.002(3) of the City of Atlanta Zoning Ordinance. Improvements are granted as indicated on the attached site plan and building elevations with:

No variations are granted.

Variations are granted with Section 16-18.007, 16-33.006, 16-34.003A, 16-35.004A, and 16-36.005 (as applicable) as indicated in the attached Written Findings and Conditions of Approval.

Approval is subject to the written Conditions of Approval noted below.

Approval is subject to red-line comments on the plans.

Administrative Variations: In accordance with Sections 16-18.007, the following variations are granted from the code sections referenced:

1. **Section 16-18.019(5):** The dumpster shall be located between the building and the street

Findings of staff, which support the relief granted: The plan as proposed by the applicant while not strictly in accord with regulations applying generally within the district, meets public purposes and provides public protection to an equivalent or greater degree; and in the particular circumstances of this case, strict application of a particular regulation or regulations is not necessary for the accomplishment of public purposes or the provision of public protection, at this time or in the future due to the following particular circumstances:

Variation #1: The existing building is located to the rear of the property, along the western property line and occupies the entire width of the site. Due to this orientation, the only feasible location for the dumpster is at the eastern edge of the property, proximate to Cains Hill Place, because there is not enough space on the sides of the building. The proposed dumpster will be screened with a 6' tall brick enclosure with wooden doors and surrounded by landscaping. Due to the particular circumstances of this case, strict application of a particular regulation is not necessary for the accomplishment of public purposes or provision of public protection.

Approval Conditions: None.

Additional Office of Zoning & Development staff comments: None.

Nonconformities: In accordance with Section 16-24.001 all other non-conforming characteristics are considered permissible in that improvements result in the same or a lesser degree of nonconformity.

MT STUDIO

ARCHITECTURE

182 ELIZABETH STREET NE
ATLANTA GEORGIA 30307
404 274 5900 tarver@mts-architecture.com

April 30, 2020

Office of Zoning and Development
City of Atlanta
55 Trinity Ave SW
Atlanta GA 30303

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The building served as the offices for Harrison Design Associates for the last decade or more and had no publicly accessible areas. Per the Buckhead SPI-9 Graphic Appendix and Standards published in February 2010, Cains Hill Place is a Type 4 street.

The architectural work is to provide a visible retail presence to the façade by adding more windows and a steel awning with signage at the entry; removing the shingle “crenelations,” replacing them with brick; painting the building; adding landscape buffers at the entry and the existing sidewalk; and adding a dumpster enclosure . The building square footage will not change with the proposed renovation.

The streetscape at the sidewalk and curb-cuts, will remain untouched. We are proposing new planting areas, that consist of trees and boxwoods, to be placed between the existing sidewalk and the surface lot. The new landscaped area is 8.3% of the surface lot. The existing parking capacity is reduced by a total of 4 spaces to accommodate the required landscaping strip, an 11% reduction in parking capacity. Per sec. 158-30.(14) - existing parking lots shall not be required to reduce the number of parking spaces by more than 3% as a result of implementing these landscaped regulations. The proposed site plan maximizes the landscaped area and attempts to meet the 10% threshold, as required per sec. 158-30.(4), while also minimizing the reduction in parking. We are proposing 5 new trees placed around the lot, per Sec.158-30(5) only 4 are required.

The parking lot will be resurfaced and re-stripped, handicap accessible parking added, a designated pedestrian walkway will be striped, and the overall number of parking spaces reduced from 42 to 33. The existing utility poles and overhead utility wires are planned to remain unchanged.

The number of parking spaces, 42, is an existing legal nonconformity per Section 16-38.003. We are proposing to reduce this nonconformity to 33 spaces. The Buckhead Parking Overlay district allows 23 parking spaces for the current office use. The proposed renovation will not change the maximum number of parking spaces allowed. Given the scope of the renovations and adaptive reuse of the building, to require the applicant to further reduce the parking would cause an undue hardship.

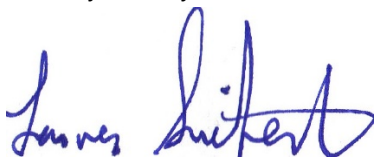
Variations Requested

We have identified one variation to request: for the addition of the dumpster enclosure near the street.

The variation request is for the dumpster enclosure to be at the front of the property. Section 16-181.019.5 requires trash enclosures to be at the rear of the building. However, the existing building is very nearly the entire width of the property. The building is within about four feet of the north (side) property line and within about 3 feet of the south (side) property line. The building is on the west (rear) property line. The front of the building is only place there is room on the property for an enclosure. We would like to place a brick trash enclosure, over 6 feet tall, with decorative wooden doors, near the street for ease of access for trucks to remove the trash, and to keep it away from the building. The doors would face into the property, perpendicular to the street and would remain closed when the enclosure is not in use.

Thank you for your consideration of this variation. We are available to answer any questions about the project and look forward to talking with you about it in the coming weeks.

Thank you for your consideration,



M. Tarver Siebert, RA

Enclosure: SAP Application & associated drawings



City of Atlanta Office of Zoning & Development
SPECIAL ADMINISTRATIVE PERMIT (SAP) APPLICATION
Notarized Authorization by Property Land Owner

File # **SAP-21-045**

(Required only if applicant is not the owner of the property subject to the application)

TYPE OF APPLICATION: Special Administrative Permit

I, Cains Place, Inc. SWEAR THAT I AM THE LANDOWNER
owner(s) name

OF THE PROPERTY LOCATED AT: 3198 Cains Hill PL NW, Atlanta, GA 30305

AS SHOWN IN THE RECORDS OF Fulton COUNTY, GEORGIA WHICH IS
 THE SUBJECT MATTER OF THE ATTACHED APPLICATION. I AUTHORIZE THE PERSON NAMED
 BELOW TO ACT AS THE APPLICANT IN THE PURSUIT OF THIS APPLICATION.

NAME OF APPLICANT (PRINT CLEARLY):
Tarver Siebert

ADDRESS: 182 Elizabeth St, Atlanta, GA 30307

TELEPHONE: 404-274-5900 EMAIL: tarver@mts-architecture.com

James H. Harrison
 Signature of Property Landowner

James Henry Harrison, Auth. Signatory
 Print Name of Property Landowner

Personally Appeared
 Before Me
James Henry Harrison

Who Swears That The
 Information Contained
 In this Authorization
 Is True and Correct
 To The Best of His or Her
 Knowledge and Belief.

Charles Hale Van Horn
 Signature of Notary Public
4-1-2021

Date





City of Atlanta Office of Zoning & Development
SPECIAL ADMINISTRATIVE PERMIT (SAP) APPLICATION
Development Controls Specifications (Required)

File # SAP-21-045

*Developmental Controls forms are required to be completed by the applicant, and all applicable specifications should be shown on the site plan in chart form. Items omitted will delay the plan review process. Refer to City of Atlanta Zoning Code (Chapters 8, 19, and 28) for clarification.

Definitions and Methods of Calculation						
<ul style="list-style-type: none"> <u>Net Lot Area (NLA)</u> = length of property line X width of property line <u>GLA for corner lots</u> = (NLA) + [(street "A" right-of-way width ÷2) X (street "A" length of property line)] + [(street "B" right-of-way width ÷2) X (street "B" length of property line)] + [(street "A" right-of-way width ÷2) X (street "B" right-of-way width ÷2)] <u>GLA (with only one front yard adjacent to street)</u> = (NLA) + [(street right-of-way width ÷2) X (length of front property line)] GLA may include half of the right-of-way (including streets, parks, lakes and cemeteries) up to 50 feet in width. GLA shall not be used for calculating FAR for properties within single-family or two-family-zoned subareas of SPI districts. <u>Building Lot Coverage provided</u> = (net lot area minus area of building footprint) ÷ (net lot area) 						
Lot Size (in square footage)						
Gross Land Area (GLA)						
Net Lot Area (NLA)						
Floor Area Ratio (FAR) – as applicable. Check which used for residential: <input type="checkbox"/> GLA, or <input type="checkbox"/> NLA						
	Residential FAR Ratio	Residential Square Footage	Non-Residential FAR Ratio	Non-Residential Square Footage		
Base Allowed						
Base Provided						
Bonus Allowed						
Bonus Provided						
Bonus FAR Program (check bonus utilized if applicable)						
Transit Station <input type="checkbox"/>	Ground Floor Retail <input type="checkbox"/>	Open Space and New Streets <input type="checkbox"/>	Community Center Facilities <input type="checkbox"/>	Workforce Housing <input type="checkbox"/>		
Residential Units			Total Provided: _____			
Number of Units Provided (without bonus)						
Number of Bonus Units Provided (without workforce housing)						
Number of Bonus Workforce Housing Units Provided (20% required)						
Total Number of Units per Acre						
Building Coverage <input type="checkbox"/> or Lot Coverage <input type="checkbox"/> (check applicable as required per zoning district)						
	Percentage (%)			Square Footage		
Max. Permitted						
Provided						
Fenestration (% of each street-fronting facade calculated separately, per district regulations)						
	Residential Façade Percentage (%)			Non-residential Façade Percentage (%)		
	Local Street	Arterial/Collector	Beltline Corridor	Local Street	Arterial/Collector	Beltline Corridor
Min. Required						
Provided (specify for each street)						



City of Atlanta Office of Zoning & Development
SPECIAL ADMINISTRATIVE PERMIT (SAP) APPLICATION
Development Controls Specifications (Required)

File # SAP-21-045

Residential Open Space Requirements (refer to Chapter 28 for clarification)

Definitions and Methods of Calculation		
<ul style="list-style-type: none"> • LUI = Land Use Intensity Ratios Table (per Section 16-08 R-G District Regulations) • TOSR are calculated only for residential developments. TOSR includes the total horizontal area of uncovered open space plus ½ of the total horizontal area of covered open space subject to the limitations in Section 16-28.010 (4). Covered total open space is the open space closed to the sky but having two clear unobstructed open or partially open (50% or more) sides. <ul style="list-style-type: none"> ○ TOSR required = (LUI table) X (GLA). ○ TOSR provided = (GLA) – (area of building footprint) + (combined area of balconies and rooftop terraces). • UOSR requirements are calculated using the residential FAR (of the <u>corresponding net lot or GLA lot sized used</u> to calculate FAR) for both residential and mixed-use developments. It does not include areas for vehicles. However, newly created on-street parking (outside of existing travel lanes) and new streets may be counted towards the UOSR calculations as specified in the district regulations. <ul style="list-style-type: none"> ○ UOSR required = (LUI table) X (the corresponding lot size used to calculate FAR). ○ If GLA is used for USOR, then the amount provided shall be = (NLA) – (area of building footprint + surface area of parking lots, and driveways) + (balconies, rooftop terraces, and landscaped areas on sidewalks within the adjacent right-of-way). 		
TOSR: Total Open Space Requirements for Residential Only Projects		
<i>(Not required in SPI-9, SPI-16, SPI-17, SPI-18, SPI-20, SPI-21, MRC, MR, or LW districts, or in mixed-use developments.)</i>		
	Ratio	Total Square Footage
Minimum Required		
Provided		
Square Footage breakout of UNCOVERED TOSR amount provided by the following:		
	GLA minus building square footage	
	Open exterior balconies (per Section 16-28 or district regs)	
	Roof area improved as recreation space	
Square Footage breakout of COVERED TOSR amount provided by the following:		
	Areas closed to the sky (roof) but having two sides with a minimum of 50% open	
UOSR: Usable Open Space Requirements for Residential and or Mixed-use Developments		
<i>(These are areas not counted towards Public Space Requirements)</i>		
	Ratio	Total Square Footage
Minimum Required		
Provided		
Square Footage Breakdown of UOSR amounts provided by the following:		
	Balconies	
	Rooftop Terraces	
	Landscaped Areas and Plazas	
	Portions of Sidewalks on Private Property	
	Portions of Landscaped Areas in Right-of-way adjacent to Property	



City of Atlanta Office of Zoning & Development
SPECIAL ADMINISTRATIVE PERMIT (SAP) APPLICATION
Development Controls Specifications (Required)

File # _____

Non-Residential Public Space Requirements (refer to Chapter 28 for clarification)

PSR: Public Space Requirements for Non-residential & Mixed-use Developments		
<i>(These are areas not counted towards UOSR)</i>		
Public Space provided = (square footage area of exterior space) + (square footage area of interior space)		
	Percentage (%)	Total Square Footage
Minimum Required	N/A	N/A
Provided	N/A	N/A
Square Footage Breakdown of PSR amounts provided by the following:		
EXTERIOR (accessible to general public such as landscaped areas, plazas, terraces, patios, observation decks, fountains, sidewalks, common areas, open recreational spaces, etc.)	N/A	
INTERIOR (ground-level area accessible to the general public during normal business hours such as malls, galleries, atria, lobbies, concourses, plaza, walkways, fountains, landscape areas for public recreation, pedestrian seating, or eating and similar public amenities)	N/A	

Parking and Loading Requirements (refer to district regulations and Chapter 28 for clarification)

Residential Unit Breakout				
Number of Studios	Number of 1 BR	Number of 2 BR	Number of 3 BR	Number of 4 BR
NA	NA	NA	NA	NA
On-site Parking Spaces	Residential		Non-residential Uses	
Minimum Required	N/A		None	
Provided	N/A		33	
Maximum Allowed	N/A		23	
Bicycle Parking Spaces	Residential		Non-residential Uses	
Minimum Required	N/A		3	
Provided	N/A		3	
On-site Loading Spaces (see applicable zoning district requirements or Section 16-028.015)				
	Residential/Hotel		Non-residential Uses (break out by use)	
Minimum Required (specify for each use)	N/A		none	
Provided (specify for each use)	N/A		none	



City of Atlanta Office of Zoning & Development
SPECIAL ADMINISTRATIVE PERMIT (SAP) APPLICATION
Notice to Applicant

File # SAP-21-045

The applicant hereby acknowledges notification that in the process of design review in connection with the issuance of a **Special Administrative Permit (SAP)**, the City of Atlanta Office of Zoning & Development (OZD) will only review such documents as are deemed necessary for the approval of a project concept in compliance with the district regulations set forth in the City of Atlanta Zoning Code. Such documents may include, without limitation, the elevations of the structures proposed and site plans specifying the arrangement of such structures and other features of the project, but generally will not include a full set of construction drawings. This level of review is for the purpose of determining compliance with those sections of the Zoning Code applying to the district where the project is located or to be located and to allow the applicant the flexibility to receive approval for a project concept without the requirement that a full set of construction drawings, that would otherwise be necessary to obtain a building permit, be prepared, presented and reviewed.

It is the applicant's duty to ensure that all drawings or plans, that may be required for further permitting of the actual construction of the project, will result in a finished project that complies with the elevations, site plan and other plans on which the SAP was granted. The applicant is further notified that neither the Office of Buildings nor any of the other City of Atlanta agencies that review any other part of the overall project plans for compliance to building codes, zoning codes, the tree preservation, the riparian buffers ordinance, land disturbance regulations, drainage and sewer capacity or any other regulations in effect at the time of plan review have the authority to approve any changes to the exterior appearance of structures or site plans in a SAP.

It is the responsibility of the applicant to ensure that any changes required, requested, or allowed by any other City agency or any other agency reviewing the plans during any part of the building permit process will not alter the exterior appearance of any structure or cause the relocation, rearrangement and/or reorientation of any feature of the site plan. Therefore, it is important for the applicant to be aware that even changes which may be in compliance with other codes, including without limitation, an increase to the height of the structure, whether resulting from changes to the foundation plan or the grading plan of the site, alterations to the interior layout of the structure that affect the location or size of exterior doors or windows, or changes to the method of construction for any floor of a structure or the roof of any structure, may affect the exterior appearance in a manner which could cause the finished structure to be out of compliance with the elevations approved by the OZD.

The applicant is further put on notice that the location of any feature specified on the site plan is not to be changed from that location which is specified on the site plan approved by the OZD. This includes, without limitation, any such changes that might affect the setbacks of any structure, the orientation of structures or features on the lot, including, without limitation, accessory buildings, the location and size of driveways, walkways, fences, parking pads, parking spaces, loading zones and service areas. It shall be the responsibility of the applicant to ensure that any changes required by any agency reviewing plans for the project remain consistent with the site plan and elevations approved by the OZD.

It shall be the responsibility of the applicant, not the OZD, to monitor any plan changes during the permitting of the project to be sure that such changes do not affect the elevations and site plan approved by the OZD at the time of issuance of the SAP.

It is also the responsibility of the applicant to ensure that any changes made on site during the construction of the project, regardless of whether such changes are approved by a City building inspector, or representative of another City agency as being in compliance with the building codes or other applicable codes, do not result in a change to the exterior appearance of a structure or in a change to the site plan. The City of Atlanta Zoning Ordinance provides a process under which changes to the elevations and site plan in a SAP may be approved, however such approval is not guaranteed and the applicant is hereby notified that such changes are based on the application of the district regulations and not on the fact that a hardship, financial or otherwise may result if such permission is not given. The duty to adequately monitor the construction of the project to ensure compliance to the approved SAP and or any other City permit shall at all times be on the applicant, who assumes all risk of loss, financial or otherwise, from enforcement actions that result from the failure to comply with the SAP or any other City permit.

The applicant acknowledges that relief from any stop work order or other enforcement action, whether resulting from action taken by the OZD staff, the Office of Buildings staff or by the staff of any other City agency, must be appealed within the time and in the manner provided by the City Code. The applicant further acknowledges that the decision to apply to the OZD for permission to alter the approved plans is not an appeal of a stop work order or other enforcement action. The applicant acknowledges that it is solely within their own discretion to choose a process to resolve any dispute arising from the interpretation of any ordinance, the issuance of a stop work order or any other enforcement action and that the resolution of any such matter shall be made in compliance with the City Code and other applicable laws. The applicant further acknowledges that no written or oral representation of any City officer, employee, agent or elected official can waive or modify the City Code.

_____  _____
 Applicant Printed Name Applicant Signature Date

