

#7

13-0-0634

13-0-0634

1921

(Do Not Write Above This Line)

AN ORDINANCE
BY COUNCILMEMBER
YOLANDA ADREAN

AN ORDINANCE
AUTHORIZING THE
INSTALLATION OF PUBLIC
ART (MURAL AT THE
COLLIER ROAD BRIDGE
OVER TANYARD CREEK);
ADJACENT TO 471 COLLIER
ROAD AT TANYARD CREEK,
AS PURSUANT TO CODE
SECTION 16-28.025 OF THE
1982 ZONING ORDINANCE OF
THE CITY OF ATLANTA; AND
FOR OTHER PURPOSES.

ADOPTED BY

MAY 6 2013

COUNCIL

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred

4/15/13

Referred To:

Zoning

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
 Date _____
 Chair _____
 Referred To _____

Zoning Committee ~~112~~
 Date 5/1/13
 Chair *[Signature]*
 Action Fav, Adv, Hold (see rev. side)
 Other
 Members
Carla Smith
Joyce M. Shepherd
[Signature]
Hand Shy
[Signature]
 Refer To

Committee _____
 Date _____
 Chair _____
 Action Fav, Adv, Hold (see rev. side)
 Other
 Members
 Refer To

Committee _____
 Date _____
 Chair _____
 Action Fav, Adv, Hold (see rev. side)
 Other
 Members
 Refer To

Committee _____
 Date _____
 Chair _____
 Action Fav, Adv, Hold (see rev. side)
 Other
 Members
 Refer To

FINAL COUNCIL ACTION

- 2nd
- 1st & 2nd
- 3rd
- Readings
- Consent
- V Vote
- RC Vote

CERTIFIED
 MAY 06 2013
 ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
 MAY 6 2013
 Rhonda Daughlin Johnson
 MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

MAY 15 2013

WITHOUT SIGNATURE
BY OPERATION OF LAW

**AN ORDINANCE
BY COUNCILMEMBER YOLANDA ADREAN**

AN ORDINANCE AUTHORIZING THE INSTALLATION OF PUBLIC ART (MURAL AT THE COLLIER ROAD BRIDGE OVER TANYARD CREEK); ADJACENT TO 471 COLLIER ROAD AT TANYARD CREEK, AS PURSUANT TO CODE SECTION 16-28.025 OF THE 1982 ZONING ORDINANCE OF THE CITY OF ATLANTA; AND FOR OTHER PURPOSES.

WHEREAS, The Mayor and the City Council of the City of Atlanta are committed to maintaining an attractive City for residents and visitors through the regulation of signs, and

WHEREAS, the City Council of the City of Atlanta and the Mayor must authorize Public Art under Chapter 16 of the 1982 Zoning Ordinance of the City of Atlanta (16-28.025 Public Art); and

WHEREAS, the artist, Peter Ferrari, and the sponsor, the Collier Hills Civic Association, have obtained the appropriate preliminary certification from the Director of the Office of Traffic and Transportation, affirming the work will not constitute a traffic hazard or an undue and dangerous distraction to motorists or pedestrians; and

WHEREAS, the artist, Peter Ferrari, and the sponsor, the Collier Hills Civic Association, have obtained the appropriate preliminary certification from the Urban Design Commission, establishing the work does not contain nor is intended to convey a commercial message primarily, provided that the name of a sponsor may be displayed on an adjacent plaque or similar display that is not more than two square feet in area; and

WHEREAS, the artist, Peter Ferrari, and the sponsor, the Collier Hills Civic Association, have obtained the appropriate preliminary certification from the Director of the Bureau of Cultural Affairs, which affirms that the work is not inconsistent with the City of Atlanta's Public Art Program; and

WHEREAS, the artist, Peter Ferrari, and the sponsor, the Collier Hills Civic Association, need final approval from the City Council and the Mayor, as pursuant to the 1982 Zoning Ordinance of the City of Atlanta and hereby respectfully submit their request for approval of Public Art at the Collier Road Bridge over Tanyard Creek that sits between Tanyard Creek Park and the Louise A. Howard Park; and

WHEREAS, the Council finds that the value to the general public in viewing the work is not outweighed by any existing negative public interests related to aesthetics, additional sign clutter, or the public safety.

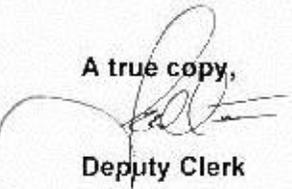
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:



SECTION 1: This ordinance shall authorize the placement of artwork (mural on the Collier Road Bridge over Tanyard Creek) adjacent to 471 Collier Road/Collier Road at Tanyard Creek pursuant to the Public Art Section of Chapter 16 of the 1982 Zoning Ordinance of the City of Atlanta (16-28.025 Public Art).

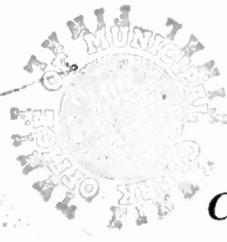
SECTION 2: That all ordinances and parts of ordinances in conflict herewith are hereby waived in this only.

A true copy,


Deputy Clerk

ADOPTED by the Atlanta City Council
APPROVED as per City Charter Section 2-403

MAY 06, 2013
MAY 15, 2013



CERTIFICATION FOR THE INSTALLATION OF PUBLIC ART
PURSUANT TO CHAPTER 28, "GENERAL AND SUPPLEMENTARY REGULATIONS",
OF THE CITY OF ATLANTA 1982 ZONING ORDINANCE

NAME OF SPONSOR Collier Hills Civic Association contacts Katharine Montgomery
ADDRESS 2083 Evergreen Lane NW Atlanta GA 30318
TELEPHONE NUMBER 404-603-5445 FAX NUMBER _____
E-MAIL caesark@mindspring.com
NAME OF ARTWORK "DISTINCTION"
MEDIUM OF ARTWORK paint on concrete bridge
DIMENSIONS (HIGHLY VARIABLE DUE TO LOCATION) APPROX. ~~1000~~ 600 - 800 FT²
PROPOSED LOCATION Collier Rd. bridge over Tanyard Creek
NAME OF ARTIST Peter Ferrari

ATTACHMENTS

- DRAWING OR PHOTO OF WORK
 DRAWING OR REPRESENTATION OF WORK IN CONTEXT TO ITS LOCATION
 ARTIST'S RESUME
 ARTIST STATEMENT REGARDING WORK

1. THE OFFICE OF TRANSPORTATION

CONTACT PERSON: CUSTOMER SERVICE
TELEPHONE & ADDRESS: 404-330-6501, SUITE 4900, 55 TRINITY AVE., SW

THE OFFICE OF TRANSPORTATION HEREBY CERTIFIES THAT THIS APPLICATION MEETS THE CRITERIA APPLICABLE TO THIS OFFICE SPECIFIED IN SECTION 16-28.025 OF THE SIGN ORDINANCE OF THE CITY OF ATLANTA.

DATE 4/5/2013 SIGNATURE D. Muma for Michele

2. EXECUTIVE DIRECTOR OF THE URBAN DESIGN COMMISSION (OR DESIGNEE)

CONTACT PERSON: DOUG YOUNG
TELEPHONE & ADDRESS: 404-330-6145, SUITE 3350, 55 TRINITY AVE., SW

THE URBAN DESIGN COMMISSION HEREBY CERTIFIES THAT THIS APPLICATION MEETS THE CRITERIA APPLICABLE TO THIS COMMISSION SPECIFIED IN SECTION 16-28.025 OF THE SIGN ORDINANCE OF THE CITY OF ATLANTA.

DATE 4/5/13 SIGNATURE [Signature] pc-RC-13-052

3. DIRECTOR OF THE OFFICE OF CULTURAL AFFAIRS (OR DESIGNEE)

CONTACT PERSON: EDDIE GRANDERSON
TELEPHONE & ADDRESS: 404 546-6819 233 PEACHTREE STREET N.E. STE 1700 ATLANTA, GA 30303

THE OFFICE OF CULTURAL AFFAIRS HEREBY CERTIFIES THAT THIS APPLICATION MEETS THE CRITERIA APPLICABLE TO THIS BUREAU SPECIFIED IN SECTION 16-28.025 OF THE SIGN ORDINANCE OF THE CITY OF ATLANTA.

DATE 4/8/13 SIGNATURE [Signature]



ALTHOUGH IT IS NOT REQUIRED BY ORDINANCE, IT IS RECOMMENDED THAT YOU MAKE A PRESENTATION TO THE NEIGHBORHOOD PLANNING UNIT (NPU) IN WHICH THE PUBLIC ART WILL BE LOCATED. IN ORDER TO BE PLACED ON THE NEXT NPU AGENDA, PLEASE CONTACT THE NPU COORDINATOR IN BUREAU OF PLANNING, 330-6145, SUITE 3050, 55 TRINITY AVE., SW, ATLANTA, GA 30335.

IN ADDITION TO THESE CERTIFICATIONS, THE ATLANTA SIGN ORDINANCE ALSO REQUIRES THAT AN ORDINANCE APPROVING THIS PUBLIC ART APPLICATION BE PASSED BY THE ATLANTA CITY COUNCIL. WE WOULD RECOMMEND THAT YOU CONTACT THE COUNCIL MEMBER FOR THE DISTRICT IN WHICH THE PUBLIC ART WILL BE LOCATED TO REQUEST THE SUPPORT OF THAT COUNCIL MEMBER AND ASSISTANCE IN SUBMITTING THE NECESSARY LEGISLATION FOR FINAL COUNCIL ACTION.

CHAPTER 28. GENERAL AND SUPPLEMENTARY REGULATIONS

Sec. 16-28.025. Public Art.

Public art is a visual, wholly noncommercial artistic expression intended and able to be viewed from a public way that meets the criteria specified herein. Public art meeting the following criteria may be conditionally located in any district. Consistent with the purpose and intent of this section, the Atlanta city council may, by ordinance, approve a work of public art. Said approval shall not be granted unless said ordinance contains the following three preliminary certifications:

- (1) A certification from the director of the bureau of traffic and transportation or designee that the work will not constitute a traffic hazard or undue and dangerous distraction to motorists or pedestrians;*
- (2) A certification from the executive director of the urban design commission or designee that the work does not contain and is not intended to convey a commercial message primarily, provided that the name of a sponsor for said work may be displayed on an adjacent plaque or similar display that is no more than two square feet in area; and*
- (3) A certification from the director of the bureau of cultural affairs or designee that the work is not inconsistent with the City of Atlanta's public art program. The council, if provided with these certifications, shall approve, conditionally or otherwise, a work of public art upon finding that it does not negatively affect the public interest related to aesthetics, additional sign clutter, and public safety. In making this finding, the council shall consider the required certifications; the spatial relationship of the proposed art to the building or premises upon which it is located as well as the surrounding area; vehicular and pedestrian traffic safety; the existence of nearby signs; and the size, dimensions and other physical characteristics of the proposed work. In applying these criteria, the council shall in no way restrict the content or message of the proposed work.*

(Ord. No. 2003-97, § 6, 10-14-03)



OFFICE OF PLANNING
 ATLANTA URBAN DESIGN COMMISSION
 55 Trinity Avenue S.W., Suite 3350
 Atlanta, Georgia 30303
 (404) 330-6145

Application# RL-1352
 Date Accepted MAR 5 2013



Review and Comment Application

Applicant's Name Tony Casadonte
 Applicant's Address 399 Golfview Rd NW City Atlanta State GA Zip 30309
 Phone # 404-234-4364 Fax # 404-264-0101 E-Mail tony.c@lumieregallery.net

DESCRIPTION OF PROPERTY:

Property Address adjacent to 471 Collier Rd. - Collier Rd @ Tanyard Creek
 The proposed public art project will be done on a city of Atlanta maintained bridge on Collier Rd. between Tanyard Creek Park and the Louise Howard Park. This location is also between Redland Road and Overbrook Drive.

DESCRIPTION OF PROJECT:

Describe clearly and in detail ALL new construction, alterations, repairs or other changes to the exterior appearance or site proposed for property under consideration. (Use additional pages as necessary).

The proposed public art mural will be done on the abutments and spans of the Collier Road bridge over Tanyard Creek. Please see attached page for a description of the project and background information.



ATLANTA URBAN DESIGN COMMISSION

ADDITIONAL MATERIALS REQUIRED:

Any relevant materials to support your project must accompany this application. This may include a site plan, elevations, photographs or specifications including materials and any other graphic information appropriate for the application.

Materials Submitted: (please check only the ones that apply)

- Site plan including relevant dimensions, all existing improvements, and all proposed work.
- Relevant photographs of existing conditions.
- Elevations including existing and proposed materials, scaled sketches, accurate grade lines, and existing and proposed dimensions.
- Sketches of the proposed artwork.

- APPROVED
- APPROVED WITH CONDITIONS
- REVIEWED & COMMENTED
- NO REVIEW REQUIRED

4/5/13 DATE REVIEWED BY [Signature]

I HEREBY AUTHORIZE THE STAFF AND MEMBERS OF THE ATLANTA URBAN DESIGN COMMISSION TO INSPECT THE PREMISES OF THE ABOVE DESCRIBED PROPERTY. I HEREBY DEPOSE AND SAY THAT ALL STATEMENTS HEREIN AND ATTACHED STATEMENTS SUBMITTED ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

[Signature]
 APPLICANT OR AGENT FOR APPLICANT

MAY 13/8/13
 DOUG YOUNG, EXECUTIVE DIRECTOR



Application for Review & Comment on Proposed Public Art Collier Rd bridge over Tanyard Creek

This review and comment application is for a proposed public art mural that is planned for the Collier Road bridge over Tanyard Creek. This location is at the boundary of two City of Atlanta public parks (Tanyard Creek Park and the Louise G. Howard Park). The Northside Beltline Trail runs alongside Tanyard Creek and under the bridge. This area is generally wooded and serves as a public access corridor to the parks and a haven for wildlife. The bridge is owned and maintained by the City of Atlanta.

The bridge abutments and spans have been subject to illegal graffiti for a number of years. However, prior to the construction of the Beltline Trail, there was no safe access under the bridge and the adjacent property that is now the Louise Howard Park was privately owned, therefore limiting public access under the bridge.

Since the construction of the Beltline Trail in 2010 access to the area under the bridge has increased. Illegal graffiti has also increased astronomically resulting in a trashy and oftentimes vulgar sight for adults and children using the trail. Both neighbors and city workers have painted over the graffiti on a number of occasions, but the illegal graffiti taggers keep coming back.

The proposed project is a legal, public art mural to cover the current graffiti on the bridge and deter future illegal graffiti. We are hopeful the artistic mural will not be tampered with for a period of at least 18 months. This graffiti-free length of time for public art murals has been anecdotally reported by Fred Yaloris, the Beltline Director of Design and the mural artist Peter Ferrari.

The Collier Hills neighborhood is seeking to improve the appearance of the bridge and has connected with Atlanta artist Peter Ferrari to paint a mural that would cover both the bridge abutments and the bridge spans. His vision for the mural is to complement the natural surroundings by depicting dozens of flowers, feathers, leaves and other natural elements that appear to be blowing in the wind. Example drawings of these natural elements are attached. The viewer can imagine the elements being pieced together across the bridge structures.

Neighborhood representatives are assisting the artist by securing funding and the appropriate government approval for the mural. This project will be supported through public and private funding including:

1. An artists' grant from the Office of Cultural Affairs
2. Love Your Block grant from the Office of the Mayor
3. Anonymous contribution from a neighborhood resident
4. Additional private funding

Letters of support for the mural were provided by the following organizations during the early grant application process:

1. Collier Hills Civic Association
2. NPU-C
3. Atlanta Beltline Inc.
4. City of Atlanta, Department of Public Works



**ATLANTA URBAN
DESIGN COMMISSION**

- APPROVED
- APPROVED WITH CONDITIONS
- REVIEWED & COMMENTED
- NO REVIEW REQUIRED

4/5/13 _____
DATE REVIEWED BY

AC-13-652



Collier Rd bridge on the SW side showing graffiti and attempts to paint over it.



ATLANTIC URBAN DESIGN COMMISSION

- APPROVED
- APPROVED WITH CONDITIONS
- REVIEWED & COMMENTED
- NO REVIEW REQUIRED

RC-13-052

DATE: 4/5/88 REVIEWED BY: [Signature]



Collier Rd bridge from the NE. The Beltline Trail goes under the bridge on the right. Tanyard Creek on the left



- APPROVED
- APPROVED WITH COMMENTS
- REVIEWED & COMMENTED
- NO REVIEW REQUIRED



ATLANTA AREA DESIGN COMMISSION

- APPROVED
- APPROVED WITH COMMENTS
- REVIEWED & COMMENTED
- NO REVIEW REQUIRED



4/3/13 _____
 DATE REVIEWED BY
 RL-13-052

RCS# 2669
5/06/13
3:28 PM

Atlanta City Council

13-O-0634

AUTHORIZING INSTALLATION OF PUBLIC ART
MURAL AT THE COLLIER ROAD BRIDGE
ADOPT

YEAS: 15
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Bond
Y Hall	Y Wan	Y Martin	Y Watson
Y Young	Y Shook	Y Bottoms	Y Willis
Y Winslow	Y Adrean	Y Sheperd	NV Mitchell

13-O-0634