

#33

2445

~~13-0-1134~~
(Do Not Write Above This Line)

13-0-1170

AN ORDINANCE
BY COUNCILMEMBER CARLA
SMITH

Carla Smith Zoning

AN ORDINANCE AUTHORIZING
THE INSTALLATION OF PUBLIC
ART BY ELIAN AT 39 GEORGIA
AVENUE SE, ATLANTA, GA 30312,
PURSUANT TO CODE SECTION 16-
28.025 OF THE 1982 ZONING
ORDINANCE OF THE CITY OF
ATLANTA; AND FOR OTHER
PURPOSES.

ADOPTED BY
JUL 15 2013
COUNCIL

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1ST ADOPT 2ND READ & REFER
- PERSONAL PAPER REFER

Date Referred 7/1/13

Referred To: Zoning

Date Referred _____

Referred To: _____

Date Referred _____

Referred To: _____

Date Referred _____

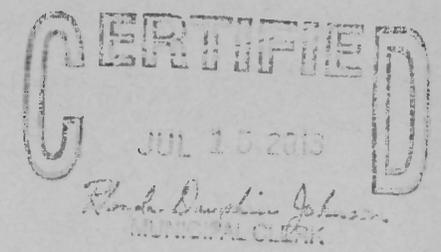
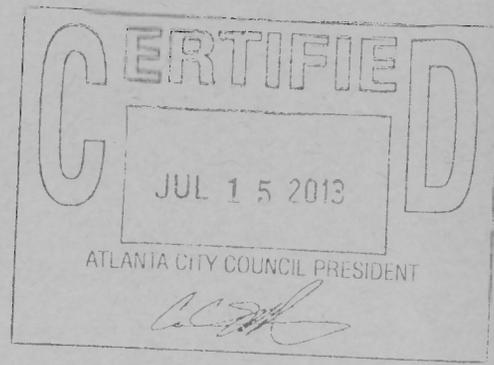
Referred To: _____

First Reading

Committee _____		Committee _____	
Date _____		Date _____	
Chair _____		Chair _____	
Referred To _____		Referred To _____	
Committee _____	Date <u>7/1/13</u>	Committee _____	Date _____
Chair _____	_____	Chair _____	_____
Action Fav, Adv, Hold (See rev.side) Other _____	_____	Action Fav, Adv, Hold (See rev.side) Other _____	_____
Members <u>Carla Smith</u> <u>Hal Spil</u> <u>Alvin</u> <u>dy</u>	_____	Members _____	_____
Refer To _____	_____	Refer To _____	_____
Committee _____	Date _____	Committee _____	Date _____
Chair _____	_____	Chair _____	_____
Action Fav, Adv, Hold (See rev.side) Other _____	_____	Action Fav, Adv, Hold (See rev.side) Other _____	_____
Members _____	_____	Members _____	_____
Refer To _____	_____	Refer To _____	_____

FINAL COUNCIL ACTION
 2ND 1ST & 2ND 3RD
 Readings
 Consent V Vote RC Vote

CERTIFIED



MAYOR'S ACTION
 APPROVED
 JUL 24 2013
 WITHOUT SIGNATURE
 BY OPERATION OF LAW



**AN ORDINANCE
BY COUNCILMEMBER CARLA SMITH**

Carla Smith

13- -1170

AN ORDINANCE AUTHORIZING THE INSTALLATION OF PUBLIC ART BY ELIAN AT 39 GEORGIA AVENUE SE, ATLANTA, GA 30312, 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

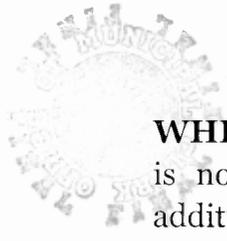
WHEREAS, the sponsor, Living Walls, and the Artist, Elian, ("Applicants") submitted an application for installation of Public Art consisting of latex and spray paint mural to be installed at 39 Georgia Avenue SE, Atlanta, GA 30312; and

WHEREAS, the Applicants have obtained the appropriate preliminary certification from the Director of the Office of Traffic and Transportation, affirming that the work will not constitute a traffic hazard or undue and dangerous distraction to motorists or pedestrians; and

WHEREAS, the Applicants 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 Applicants 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 Applicants' proposed installation of Public Art requires final approval from the City Council and the Mayor, pursuant to the 1982 Zoning Ordinance of the City of Atlanta; and



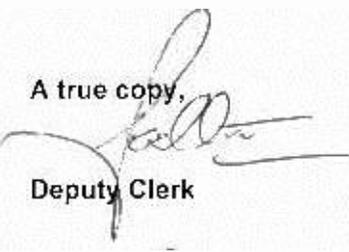
WHEREAS, the Council finds that the value to the general public in viewing the work is not outweighed by any existing negative public interests related to aesthetics, additional sign clutter, or the public safety.

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 consisting of latex and spray paint mural to be installed at 39 Georgia Avenue SE, Atlanta, GA 30312 pursuant to Section 16-28.025 (Public Art) of the Zoning Ordinance of the City of Atlanta.

SECTION 2: All ordinances or parts of ordinances in conflict with this ordinance 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

JUL 15, 2013
JUL 24, 2013



CERTIFICATION FOR THE INSTALLATION OF PUBLIC ART

PURSUANT TO CHAPTER 28A, THE SIGN ORDINANCE
OF THE CITY OF ATLANTA 1982 ZONING ORDINANCE

NAME OF SPONSOR Living Walls

ADDRESS 881 Memorial Dr. Atlanta, GA 30312

TELEPHONE NUMBER 321.262.6888 FAX NUMBER _____

E-MAIL info@livingwallsatl.com

NAME OF ARTWORK untitled

MEDIUM OF ARTWORK latex & spray paint

DIMENSIONS _____

PROPOSED LOCATION 39 Georgia Ave, Atlanta, GA 30312

NAME OF ARTIST Elian - Argentina

ATTACHMENTS

DRAWING OR PHOTO OF WORK

DRAWING OR REPRESENTATION OF WORK IN CONTEXT TO ITS LOCATION

ARTIST'S RESUME

ARTIST STATEMENT REGARDING WORK



ATLANTA URBAN
DESIGN COMMISSION

APPROVED

APPROVED WITH CONDITIONS

REVIEWED & COMMENTED

1. THE OFFICE OF TRANSPORTATION

CONTACT PERSON: CUSTOMER SERVICE

TELEPHONE & ADDRESS: 330-6699, SUITE 4900, 55 TRINITY AVE., SW 6/26/13

[Signature]
REVIEWED BY

THE OFFICE OF TRANSPORTATION HEREBY CERTIFIES THAT THIS APPLICATION MEETS THE CRITERIA APPLICABLE TO THIS OFFICE SPECIFIED IN SECTION 16-28A.007(q) OF THE SIGN ORDINANCE OF THE CITY OF ATLANTA.

DATE 06/24/2013

SIGNATURE *[Signature]*

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 16-28A.007(q) OF THE SIGN ORDINANCE OF THE CITY OF ATLANTA.

DATE 6/26/13

SIGNATURE *[Signature]*

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 16-28A.007(q) OF THE SIGN ORDINANCE OF THE CITY OF ATLANTA.

DATE 6/24/13

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 28A. SIGN ORDINANCE
Sec. 1 6-28A.007. General regulations.

- (q) **Public Art:** *Public art* meeting the following criteria may be conditionally located in any district. Consistent with the purpose and intent of this chapter, the Atlanta City Council may, by ordinance, approve a work of *public art*. Said approval shall not be granted unless said ordinance contains three (3) 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 (2) 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, may approve, conditionally or otherwise, a work of *public art* upon a finding 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, and the public's safety. In making this finding, the council shall consider the required certifications; the qualifications and experience of the artist; 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 and dimensions of the proposed work. Any work of *public art* approved by council under this paragraph shall be exempt from further regulation under this chapter 28A except as to maintenance and enforcement.

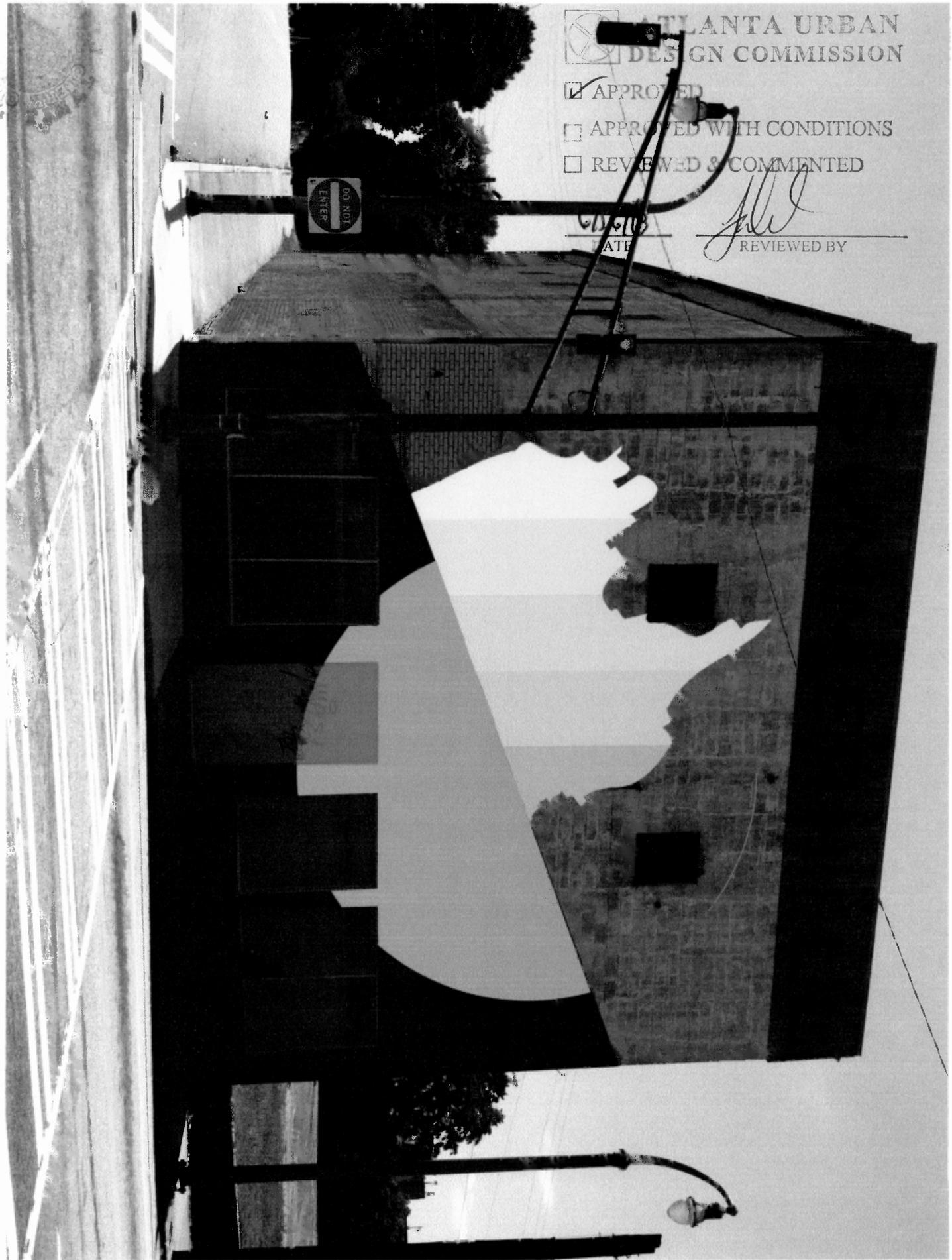
ATLANTA URBAN
DESIGN COMMISSION

- APPROVED
- APPROVED WITH CONDITIONS
- REVIEWED & COMMENTED

01/10/10
DATE

[Signature]
REVIEWED BY

DO NOT
ENTER





Elian- Sketch

El concepto de la obra se basa en el contraste y el poder del color. Se plantea la importancia de la presencia de las variaciones cromáticas en lo gestual, contrarrestando el vacío del pleno representado por una figura no-gestual como el medio círculo. Se utilizan variaciones de los colores primarios y esta exenta de todo figurativísimo, llevando el ensayo a un punto abstracto.

La relación figura-fondo ayuda a la resolución de la composición; se resalta la mancha amorfa dejando a la vista el deterioro propio de la pared con la intención de que se unifiquen los lenguajes y se contraponen con la ausencia de luz total (negro pleno) discriminando cualquier tipo de señal relacionada a la gestualidad.

Nombre de la obra : Dualidad

The concept of the work is based on the power of contrast and color. Discusses the importance of the presence of chromatic variations on the gestural, offsetting the full vacuum represented by a figure as non-semi-circle gesture. Variations are used primary colors and is exempt from all figurativísimo, taking the test at an abstract point.

The figure-ground relationship helps the resolution of the composition; highlights the amorphous blob exposing himself deterioration of the wall with the intention to unify languages and contrasts with the complete absence of light (black full) discriminating any signal related to the gestures.

Name: Duality



ATLANTA URBAN
DESIGN COMMISSION

APPROVED

APPROVED WITH CONDITIONS

REVIEWED & COMMENTED

6/26/13

DATE

REVIEWED BY



Elian

Elian, 1988. Born and lives in Córdoba, Argentina.

Autodidact artist and CoDirector of Kosovo Gallery, Contemporary Art & Street Culture.

Solo Exhibitions.

- Sangre Gris @ Fuencarral - Córdoba, Argentina (2010)
- Desarraigo @ Un Globo Rojo Gallery - Córdoba, Argentina (2012)
- Objeto @ Hollywood In Cambodia - Buenos Aires, Argentina (2012)

Group Exhibitions.

- Verso Blanco @ NMAM - Córdoba, Argentina. (2010)
- AVALADOS VANDALOS @ Genaro Perez Museum - Córdoba, Argentina (2010)
- AFUERA! international expo of public space @ C.C.E.C - Córdoba, Argentina (2010)
- Wood Bye @ Fuencarral - Córdoba, Argentina (2011)
- Elegia Oscilante @ C.C.E.C - Córdoba, Argentina. (2011)
- Numeros @ Kosovo Gallery - Córdoba, Argentina. (2012)
- Pop Up " Lo Desconocido " - Buenos Aires, Argentina. (2013)
- Chatarra @ Buen Pastor - Córdoba, Argentina. (2013)

Festivals.

- Tratado de Integración - Neuquén, Argentina. (2009)
- DE ACA! - Córdoba, Argentina. (2009)
- Pixelations - Córdoba, Argentina. (2009)
- Unconvention @ MICA - Buenos Aires, Argentina. (2011)
- TECNOPOLIS - Buenos Aires Argentina. (2011)
- Meeting Of Styles - Buenos Aires, Argentina. (2011)
- Latir Latino - Lima, Peru. (2012)
- Fountain Art Fair @ Wynwood - Miami, USA. (2012)
- PUENTE. Public Art Festival - Córdoba, Argentina. (2013)
- Ruta de Murales. - Gobernador Crespo, Santa Fe, Argentina. (2013)

Conferences.

- Conferences about new artistic manifestations in TDI @ MNBA - Nequén, Argentina. (2009)
- PechaKucha @ C.C.E.C - Córdoba, Argentina. (2011)
- Pixelations - Córdoba, Argentina. (2011)

RCS# 2915
7/15/13
4:40 PM

Atlanta City Council

MULTIPLE

13-O-1140 THRU 13-O-1145; 13-O-1147;
13-O-1168 THRU 13-O-1175

ADOPT

YEAS: 10
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 2
ABSENT 2

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

MULTIPLE