

Unified Government of Athens-Clarke County, Georgia  
Special Called Session  
Tuesday, May 16, 2017  
9:00 p.m.  
City Hall

As provided for in the Charter Section 2-104(e) five Commissioners (Link, Wright, Bailey, NeSmith, and Girtz) called a special meeting of the Mayor and Commission for the purpose of considering a demolition moratorium on certain properties within the West Hancock National Register Historic District to pursue appropriate surveys and studies deemed necessary to address appropriate zoning, design guidelines, and policies or programs to preserve the historic character, culture, and affordability of this neighborhood.

Present: Mayor Denson; Commissioners Dickerson, Sims, Link, Wright, Bailey, NeSmith, Bell, Herod, Girtz and Hamby. No one was absent.

Attorney Berryman entered into the record:

1. Notice of special called meeting
2. Waiver of formal notice of special called meeting
3. Certificate of delivery of notice

#### Citizen input

The following input was received.

1. Alvin Sheats, P O Box 542 – need tax freeze for senior citizens
2. Adam Hebbard, 260 Providence Road, Athens-Clarke Heritage Foundation – supported
3. Joan Wakefield , 250 Rhodes Drive, Ebenezer Church West – opposed
4. Ed Morgan, for Ebenezer West Pastor Hope – opposed
5. Julia Stephens, 298 North Rocksprings Street – supported
6. Kimberly Davis, for Linda Davis, 167 Peach Street – supported
7. Scott Reed, 420 South Milledge Avenue – supported
8. Joel Siebentritt, 264 Nantahala Avenue – supported
9. Amy Andrews, 282 King Avenue – supported
10. Kathy Steinerg, 460 North Billups – supported
11. Robert Foster, 380 Pine Forest Drive – supported
12. Chris Suguah – 267 Franklin Street- supported
13. Amy Kissane, 526 Highland Avenue, Athens-Clarke Heritage Foundation – supported
14. Broderick Flanagan, 215 Gresham Street – supported
15. Kim Scuba, UGA School of Social Work – supported
16. Sarah Clarke, Reese Street – supported
17. Michael Songster, 1450 West Hancock – supported
18. Steve Williams, 310 Lakeland Drive – supported
19. Margaret Williams, 480 West Lake Drive – supported
20. Michael Smith, 147 First Street – supported
21. Mary Alice Fowler, 450 Milledge Circle - supported
22. Adam Lassila, 260 North Chase Street – supported
23. Julia Rutledge, 1365 West Hancock – supported
24. John Brown, 2928 Ridgewood Drive, representing Varsity – no development plans for property
25. Mike Morris, 598 Fortson Road, representing Gordy family- supported table
26. Jess Cross, 232 Glenhaven – supported
27. Andy Rusk, 1185 West Hancock – supported
28. Donna Thurmond, 145 Leann Drive - supported

A motion was made by Commissioner Link, seconded by Commissioner NeSmith, to adopt a resolution establishing a temporary moratorium on the acceptance of applications for certain demolition permits on certain parcels of land within the area described as the West Hancock Avenue National Register District.

Commissioner Dickerson offered an amendment to exempt the Ebenezer Church properties.

The amendment was not accepted.

The original motion passed by roll call vote with Commissioners Dickerson, Sims, Link, Wright, Bailey, NeSmith, Herod, Girtz, and Hamby voting YES; and Commissioner Bell voting NO. (9 YES; 1 NO)

**RESOLUTION ESTABLISHING A TEMPORARY MORATORIUM ON THE ACCEPTANCE OF APPLICATIONS FOR CERTAIN DEMOLITION PERMITS ON CERTAIN PARCELS OF LAND WITHIN THE AREA DESCRIBED AS THE WEST HANCOCK AVENUE NATIONAL REGISTER DISTRICT**

**Whereas**, an area within the former City of Athens known as the West Hancock Avenue Historic District was included in the National Register of Historic Places by the United States Department of the Interior, National Park Service, on March 30, 1988 (the "West Hancock Avenue National Register Historic District"); and

**Whereas**, the map of the West Hancock Avenue National Register Historic District that was included in the West Hancock Avenue Historic District designation application, entitled "Boundary/Sketch Map, West Hancock Avenue Historic District, Athens, Clarke Co., Georgia," is attached hereto as Exhibit A and incorporated herein by reference (the "National Register District Map"); and

**Whereas**, the Unified Government of Athens-Clarke County, Clarke County School District, Athens Housing Authority and Athens Land Trust, Inc. have engaged Lord, Aeck & Sargent, Inc. to conduct a feasibility study regarding the potential redevelopment and reuse of an area within Athens-Clarke County known as the West Broad Community area, including development of a neighborhood framework for such area (the "Feasibility Study"). The area that is the subject of the Feasibility Study includes as a part thereof the West Hancock Avenue National Register Historic District.

**Whereas**, the Feasibility Study may include recommendations regarding possible changes in land use designations and zoning classifications for some portions of the Study Area, including the West Hancock Avenue National Register Historic District in order to promote and protect the public health, safety and welfare of the citizens of Athens-Clarke County, to protect the sustainability, livability and affordability of the entire neighborhood into the future, and to provide for the orderly and proper development within areas that may be identified in the Feasibility Study to achieve such goals; and

**Whereas**, the Commission is aware of the need to allow time for completion of the Feasibility Study and for the Athens-Clarke County Planning Department, the Commission, and others as deemed appropriate to review and react to the final Feasibility Study and to conduct all appropriate surveys and studies deemed necessary to address appropriate zoning, design guidelines, and policies or programs to preserve the historic character, culture, and affordability of this traditional working-class neighborhood, and possibly to develop and propose amendments to the Official Future Development Map, the Zoning Ordinance of Athens-Clarke County or the Historic Preservation Ordinance of Athens-Clarke County; and

**Whereas**, to allow time for completion of the Feasibility Study and responses thereto, a moratorium on the acceptance of new applications for demolition permits proposing complete demolition of any residential structure within the Moratorium Area or any structure within the Moratorium Area situate on a parcel designated as a "contributing property" as shown on the District Map, subject to certain limitations, is necessary in order to protect the status quo by prohibiting the actions described hereinabove;

**Now, therefore, the Commission of Athens-Clarke County, Georgia hereby resolves as follows:**

1. The Commission hereby declares that the boundaries of the area for the purposes of protecting the status quo within said area during the period of this moratorium (the "Moratorium Area") shall be the National Register District Map, which is attached hereto as Exhibit A and incorporated herein by reference, less and except, however, any parcel within such area that has the zoning designation of "Commercial-General" according to the zoning ordinance of Athens-Clarke County, Georgia, Title 9 of the Code of Athens-Clarke County, Georgia.

2. The Commission further declares and establishes for the twelve-month period beginning with the date hereof, a moratorium on the acceptance of new applications for or issuance of demolition permits proposing complete demolition of any residential structure within the Moratorium Area or of any structure within the Moratorium Area situate on a parcel designated as a "contributing property" as shown on the District Map. Provided, however, that applications for partial demolitions of any of the above-described structures necessary to construct rear additions to such structures having a footprint of less than 800

square feet shall not be subject to the moratorium. Partial demolitions of front facades and rooflines for the purposes of adding additional full stories to the original structure shall be prohibited.

3. The provisions of this Resolution are severable, and should any part of this Resolution be deemed by a court of competent jurisdiction to be invalid, such invalidity shall not affect the validity of the Resolution as a whole, or any part thereof other than the part declared to be invalid.

4. If after inspection the Chief Building Official finds that a building subject to this moratorium poses an immediate threat to public health or safety due to its deteriorated condition and that there is no reasonable alternative to the immediate demolition of the building or structure, then the Chief Building Official may issue an emergency demolition permit to the owner of said building or structure. The Chief Building Official shall then prepare a report explaining the condition of the building and the basis for the decision, which report shall be forwarded to the Mayor and Commission.

The meeting adjourned at 10:20 p.m.

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Clerk of Commission