

**Minutes of NPU-B regular monthly meeting
Tuesday, May 7, 2013**

The meeting was called to order at 7:00 p.m. by Andrea Bennett, NPU-B Chairperson.

Present: 23
Absent 2
Proxies: 1
Bob Stasiowski to Jason Kendall

1. CHAIRPERSON'S COMMENTS

- Welcome and mission of NPU-B.
- Welcome two new NPU-B members, Russ Pennington and Cory Tibbs

2. AUDIENCE RECOGNITION

Livable Buckhead, Inc.

www.livablebuckhead.org

Buckhead Community Improvement District (CID)

www.buckheadcid.com

Buckhead Area Transportation Management Association

www.batma.org

Tony Peters

- Regarding the Peachtree Road corridor improvements, seasonal color (annuals) installed in the median by the contractor is being removed and replaced by Livable Buckhead with summer seasonal color. Tree plantings will be completed by July 4. Traffic signal synchronization is adjusted for major events such as Braves games, etc. No date or final plans have been made for Phase II of the Peachtree Road corridor improvements.
- GA400 Trail: Lenox to Old Ivy will be first segment to be completed. The design phase for the other four segments will be completed before end of summer, and those segments will be constructed as funds become available. The name and logo for trail to be rolled out soon.
- sign up online for Livable Buckhead newsletter: www.livablebuckhead.org

Atlanta Police Department (APD) Zone 2

Major Van H. Hobbs, Jr., VHobbs@AtlantaGA.gov

Reported crime in Zone 2 is down 14 percent over past month, but robberies in Zone 2 are up significantly. Subway suspect has been arrested. Two of five suspects in ATM/kidnap robberies have been arrested and are in custody. To avoid "bump-jacking" do not get out of car if bumped. Instead, keep moving to safe location.

Atlanta Police Department (APD), Community Oriented Policing Section (COPS)

AtlantaCops@atlantaGA.gov (404-546-5650)

No report.

Atlanta Fire Department (AFD)

Chief Richard Heard

Sergeant Randolph Council

No report.

Buckhead Coalition

Garth Peters GPetersj@thebuckheadcoalition.org

No report.

MARTA Police Department (MPD) North Precinct (404-848-3902) www.itsmarta.com

No report.

Department of Watershed Management (DWM) (404-982-1480) www.atlantawatershed.org

Verna Bair (404-330-6040 office, 404-259-0023 cell) VABair@AtlantaGA.gov

Ms. Bair gave a report and also distributed the Project Points monthly newsletter. Water system leaks should be reported to DWM customer service at 404-658-6500.

APD Community Service Division, Code Enforcement Section

CodesRequests@AtlantaGA.gov; 404-330-6190 / 404-330-6735; fax: 404-658-7084

Officer S. Clair, Code Enforcement Officer (404-416-8092 mobile); ssclair@AtlantaGA.gov

No report.

City of Atlanta Office of the Solicitor: main office 404-658-6618

No report.

Department of Parks, Recreation and Cultural Affairs (DPRCA) (404-546-6813)

Angela Hill reporting (404-237-2756) AHill@atlantaGA.gov

Citizens may register for DPRCA-sponsored recreation programs by visiting the DPRCA section at www.atlantaGA.gov . For graffiti removal within City parks call 404-546-6813

Department of Public Works

Johnny Moore III, Solid Waste Manager, JMooreIII@atlantaGA.gov (cell 404-558-5151)

Mr. Decius Aaron, Collections Chief, Solid Waste Services

(404-330-6333) DAaron@atlantaGA.gov

Cheryl Hedgmon (404-330-6303) cbHedgmon@atlantaGA.gov

Please try to spread out yard waste disposal over time rather than filling the curb all at once.

Fulton County District Attorney Community Prosecutor's Office

Tiffany Harlow, Zone 2 Community Prosecutor

404-612-4506 (office), 404-931-5567 (cell), tiffany.harlow@FultonCountyGA.gov

The Community Prosecutor's Office is aiding law enforcement with crime investigations in the area. There have been a total of seven reported armed robbery/kidnapping/ATM incidents.

3. PRESENTATIONS / ANNOUNCEMENTS:

a. Atlanta Public Schools (APS)

APS was on the agenda but did not appear/report.

b. Alcohol Technical Advisory Group (ATAG)

Richard Rauh (NPU-B APAB delegate) and Rashid Mohammed (Public Safety Chair for APAB and Chair, NPU-M) presented highlights of the ATAG II Alcohol Code draft recommendations.

ATAG's final vote on its recommendations for amendments to alcohol ordinances will take place

at its next meeting this Wednesday, May 8 at 6:30 p.m. in Council Meeting Room 2. A summary of the proposed changes was distributed. Mr. Mohammed highlighted three major areas:

- grandfathering provisions
- future role of NPUs in process (historically NPU denial recommendations have had little impact downtown at LRB)
- “hybrid establishments” (restaurant by day but acting as nightclubs after hours, not subject to noise restriction because regulated as a restaurant, not a club): There will be a recommendation to create a new hybrid license to ensure proper regulation and accountability.

c. Draft Ordinance 13-O-0637 (proposed amendments to municipal alcohol code)

At the April 2013 NPU-B meeting, and with reference to the Selig space at intersection of Peachtree and Piedmont Roads formerly occupied by The Container Store, Scott Selig and his counsel, Kevin Leff, reported regarding a conceptual proposal to permit sales of wine and beer (but no distilled spirits) in certain areas along the Peachtree Street and Peachtree Road corridor, which would currently be prohibited by the distance requirements from a residential use. No written draft was presented, cited or discussed.

At some time between at April NPU-B meeting and this May NPU-B meeting, draft Ordinance 13-O-0637 was introduced to City Council. The ordinance would amend Part II, Section 10-88.1(b)(1), City of Atlanta Code of Ordinances, which currently provides that no package store may be located within 600 feet of a structure in residential use, so as to add the following proviso:

Provided however, that a package store selling malt beverages and/or wine but not distilled spirits may be located within 600 feet of structures in residential use if the package store is located within a shopping center that contains a minimum of 75,000 square feet of gross leasable area and which has an address on Peachtree Road or Peachtree Street and which is located north of Interstate I-85.

NPU-B Action: By vote of 24-0-2 a motion was passed that the Chair shall address a letter to councilperson Howard Shook stating that the the NPU-B is opposed to draft ordinance 13-O-0637.

Further NPU-B Action: It was agreed without vote that the Chair would appoint an ad hoc committee of the NPU-B to explore various possibilities and make a recommendation to the full NPU-B regarding whether and to what extent the NPU-B might support relaxing the distance requirements from a residential use.

4. ADOPTION OF MINUTES

NPU-B Action: Minutes of the most recent regular monthly meeting were approved by vote of 24-0-0.

5. PLANNER’S REPORT

Jessica Lavandier

Land use change in Buckhead at intersection of Piedmont and Lenox Road from will be on agenda for May NPU-B meeting.

6. INTERNAL REPORTS

Atlanta Planning Advisory Board (APAB)

Richard Rauh, NPU-B APAB delegate; Cathy Muzzy, alternate delegate
Richard Rauh gave a brief report and also submitted a written report.

7. STANDING COMMITTEE REPORTS

A. PUBLIC SAFETY COMMITTEE

Bob Stasiowski, Chair
Brian Arnold reporting:

Festival Applications:

Lenox July Fourth festival will have extra security in view of recent Boston Marathon bombing incident. Fireworks show is scheduled for 9:40 pm with live entertainment prior to show.

Liquor License Applications on Consent Agenda:

- Atlanta History Center / change of agent / approved in committee 6-0-0

NPU-B action: A motion to recommend approval of the consent agenda passed by vote of 24-0-0.

Other Applications: None.

B. DEVELOPMENT AND TRANSPORTATION COMMITTEE

Abbie Shepherd, Chair
No report.

C. ZONING COMMITTEE

Bill Murray, Chair

Applications on Consent Agenda:

V-13-044 / 3620 Kingsboro Road:

Applicant seeks a variance from the zoning regulations to reduce the north side yard setback from 10' (required) to 6' and to reduce the south side yard setback from 10' (required) to 5' for a rear addition to a two-story garage. Applicant also seeks a variance for a detached garage to exceed 30 percent FAR of the main structure. Applicant seeks no other variances at this time. Approved in committee 8-0-0 with conditions that no stove or cooking appliance may be located in space above the garage.

V-13-049 / 661 Darlington Road:

Applicant seeks a variance from the zoning regulations to reduce the North side yard from 7' (required) to 4' to demo existing one-story house and build a new two-story house. Applicant seeks no other variances at this time. Approved in committee 8-0-0.

V-13-056 / 842 Martina Drive:

Applicant seeks a variance from the zoning regulations to reduce the side yard setback from 7' (required) to 4' for a bathroom addition. Applicant did not provide a complete set of plans. Applicant seeks no other variances at this time. Approved in committee 8-0-0.

SD-13-010 / 4496-4500 Wieuca Road:

Applicant seeks to build four R-4 homes where two existing SFDs currently exist. Applicant seeks no other variances at this time. Verified in committee 8-0-0.

U-13-005 / 155 West Paces Ferry Road:

Applicant seeks expansion and additional parking for an existing Special Use Permit (country club). Applicant seeks no additional variances at this time. Approved in committee 8-0-0.

NPU-B action: A motion to recommend approval of the consent agenda passed by vote of 24-0-0.

Other applications:

None.

8. OLD BUSINESS

None.

9. NEW BUSINESS

None.

10. ADJOURNMENT

The meeting was adjourned at 8:35 p.m.