

**Minutes of NPU-B regular monthly meeting
Tuesday, August 5, 2014**

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

Present: 21
Absent: 4
Proxies: 2
ET Laird to Bill Murray
Michael Graff to Bob Connelly

1. OPENING REMARKS / CHAIRPERSON’S COMMENTS

Welcome and mission of NPU-B.

2. APPROVAL OF MINUTES

NPU-B action: A motion to recommend approval of minutes from the previous regular monthly meeting passed by vote of 23-0-0.

3. REPORTS FROM CITY DEPARTMENTAL REPRESENTATIVES, COMMENTS FROM ELECTED OFFICIALS, AND OTHER AUDIENCE RECOGNITION

Atlanta Police Department (APD) Zone 2

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

Officer Adam Lee Alee@AtlantaGA.gov

- Reported violent/major crime is down 6 percent overall. The only category of major reported crime to increase is aggravated assaults, and most of those have been domestic or otherwise not “stranger-on-stranger” assaults. The other frequently-reported violent crime is robbery -- most robberies occur late evening/early morning and could be avoided if victims were more aware of their surroundings. Auto larceny is down 6 percent but is still the most frequently-reported crime in Zone 2.

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

Tiffany Harlow reported briefly and distributed copies of the Spring, 2014 edition of Community Connection, a publication of the DA’s office. The “Silver Thief” is being prosecuted first in Georgia and will then be extradited for prosecution in North Carolina. Citizens’ CourtWatch Spring Training will be held on Wednesday, August 13 from 1:00 to 3:00 pm – contact Reiko Ward, Citizens’ CourtWatch Coordinator, for further information.

Atlanta Fire and Rescue Department (AFRD)

No report.

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

Major Easterling from MPD North Precinct reported. Ride with respect program 1037 citations issued through end of June. 201 issued thus far during current fiscal year, which began July 1. Major Easterling recommends that patrons download the “SeeSay” app.

Livable Buckhead, Inc (LBI) - Denise Starling, Executive Director

www.livablebuckhead.org

Buckhead Community Improvement District (CID)

www.buckheadcid.com

Buckhead Area Transportation Management Association (BATMA)

www.batma.org

Mr. Tony Peters, reporting for LBI, CID and BATMA:

No report.

Buckhead Coalition

Garth Peters GPetersj@thebuckheadcoalition.org

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 distributed the DWM monthly Project Points newsletter and the DWM monthly NPU Talking Points and gave a presentation highlighting matters of particular interest to NPU-B.

- DWM will perform manhole lining maintenance on Habersham Way near Habersham Road.

- Water restrictions remain in effect. Landscape irrigation is permitted only on the even/odd schedule (excluding Fridays) between 4:00pm and 10:00am.

- Water-line insurance is available at www.utilitylineprotection.com or 866-922-9006.

- Online payments and e-billing enrollment are available at www.payATLwateronline.com

- Please report water system leaks to DWM customer service at 404-658-6500.

- 14 watershed issues were reported within NPUb in May. Three are pending and all others are resolved.

Department of Public Works

Cheryl Hedgemon (404-330-6303) cbHedgemon@atlantaGA.gov

Verna Singleton at VSingleton@AtlantaGA.gov

No report.

APD Community Service Division, Code Enforcement Section

CodesRequests@AtlantaGA.gov

No report.

Department of Parks and Recreation (DPR) (404-546-6813)

Angela Hill (404-237-2756) AHill@atlantaGA.gov (manager of Peachtree Hills Recreation Center)

Ms. Deneen Jordan reported regarding various programs available at the Peachtree Hills Recreation Center including an after-school program which runs as late as 7:00 pm, a toddler program, and a teen program. For further information contact DYJordan@AtlantaGA.gov

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

Alan Coleman acoleman@atlantaGA.gov

404-658-6658 office; 404-902-0934 mobile

No report.

Howard Shook, Councilmember, District 7

(404) 330-6050; hshook@atlantaga.gov; www.HowardShook.com

No report.

Cheyenne Woodyard (404-330-6741) Cwoodyard@atlantaGA.gov

Ms. Woodyard spoke briefly regarding the procedure for outdoor festival permitting.

Lairen Barns, solicitor's office LFBairns@AtlantaGA.gov 404-680-6498

Ms. Barns gave a brief report regarding nature of matters prosecuted by the Solicitor's office. Code violation matters are among those prosecuted by the Solicitor's office.

4. PRESENTATIONS

None.

5. PLANNER'S REPORT

Jessica Lavendier, NPU Planner JLavandier@atlantaGA.gov 404-865-8522

Z-14-26 and 14-O-1278 (electric vehicle charging stations)

NPU-B action: A motion to support this legislation passed by vote of 23-0-0.

Z-14-44 and 14-O-1342 (relating to interior building signs)

NPU-B action: A motion to support this legislation passed by vote of 23-0-0.

Z-14-45 (market gardens and urban gardens)

NPU-B action: A motion to support this legislation passed by vote of 23-0-0.

SPI-15 (Lindbergh MARTA area, site of 2012 Walmart proposal)

Fuqua Development LLC and/or Jeff Fuqua (formerly of The Sembler Company) plans to present another proposal for the site with frontage on Piedmont Road between Lindbergh Drive and Morosgo Drive, directly across from the Lindbergh MARTA station, within Special Public Interest District 15 (SPI-15). This is the site at which a Walmart was proposed in 2012. The proposed zoning ordinance would require a land-use (CDP) amendment. A public hearing is scheduled for Monday, September 8 at 6:00 pm in City Council Chamber. Following that, votes will occur first at ZRB and shortly thereafter at BZA, then full council will consider and vote. However, as indicated below in the standing committee reports, the applicant did not appear at the August, 2014 NPUb meeting and also did not appear at the preceding joint D&T and Zoning Committee meeting, so the matter is not currently before the NPUb and no vote was taken.

6. INTERNAL REPORTS

Atlanta Planning Advisory Board (APAB)

Richard Rauh, NPU-B APAB delegate; Cathy Muzzy, alternate delegate.

Mr. Rauh submitted a written report.

7. STANDING COMMITTEE REPORTS

A. PUBLIC SAFETY COMMITTEE

Bob Stasiowski, Chair

Festival Applications (no NPU vote):

Fado Fall Festival, Saturday, September 27, noon to 11pm

Liquor License Applications on Consent Agenda:

- Bantam & Bidy / new business / approved in committee 6-0-0
- Zoe's / change of agent / approved in committee 6-0-0
- Lovie's BBQ / new business / approved in committee 6-0-0
- Havana Club / change of ownership / approved in committee 6-0-0
- Chastain Tavern / (former Twisted Taco) / new business / approved in committee 6-0-0
- Cherokee Town & Country Club / add'l facility (tennis club) / approved in committee 6-0-0
- Nifty Neighbor / new business / approved in committee 6-0-0

NPU-B action: A motion to recommend approval of the consent agenda passed by vote of 23-0-0.

Other Applications:

None.

B. DEVELOPMENT AND TRANSPORTATION COMMITTEE

Jason Kendall, Chair

D&T met but to consider SPI-15 applications (see Planner's report above and Zoning report below) but applicant did not show. The applicant is expected to present plans at a future regularly-scheduled joint monthly meeting of the NPUb D&T and Zoning Committees. The applicant is also expected to present plans at the August meeting of the Buckhead Council of Neighborhoods (BCN), the Garden Hills Recreation Center, and other adjoining neighborhoods.

C. ZONING COMMITTEE

Bill Murray, Chair

SPI-15 (Lindbergh MARTA area, site of 2012 Walmart proposal)

Fuqua Development LLC and/or Jeff Fuqua (formerly of The Sembler Company) plans to present another proposal for the site with frontage on Piedmont Road between Lindbergh Drive and Morosgo Drive, directly across from the Lindbergh MARTA station, within Special Public Interest District 15 (SPI-15). This is the site at which a Walmart was proposed in 2012. The proposed zoning ordinance would require land-use amendments to both SPI-15 and the Comprehensive Development Plan (CDP). The matter is not currently before the NPUb and no vote was taken.

Applications on Consent Agenda:

V-14-121: 225 Lakemoore Drive

Applicant seeks a variance from the zoning regulations to reduce the front yard setback from 40' (required) to 30' to build wooden decks at the garage entry drive at townhome units 1-6.

Applicant seeks no other variances at this time. Approved in committee 13-0-0 with Roswell Road streetscape conditions

V-14-133: 2621 Acorn Avenue

Applicant seeks a variance from the zoning regulations to reduce the rear yard setback from 15' (required) to 4' to enclose an existing carport. Applicant seeks no other variances at this time.

Approved in committee 14-0-0

V-14-135: 716 Darlington Circle

Applicant seeks a variance from the zoning regulations to reduce the east side yard setback from 7' (required) to 4'8" for an addition to a storage shed. Applicant seeks no other variances at this time. Approved in committee 14-0-0

V-14-144: 4167 Roswell Road

Applicant seeks a variance from the zoning regulations to reduce both side yard setbacks from 20' (required) to 7' to allow for a new office building. Applicant seeks no other variances at this time. Approved in committee 14-0-0 with Roswell Road street scape conditions.

NPU-B action: A motion to recommend approval of the consent agenda passed by vote of 23-0-0.

Other Applications on Zoning Committee Agenda:

V-14-130: 2761 Alpine Road

Applicant seeks a variance from the zoning regulations to reduce both front yard setbacks from 35' (required) to 15' for a new SFR. Applicant seeks no other variances at this time.

- Committee recommended further review at full NPU-B meeting. Since that time applicant has met with neighborhood and agreed to condition that the fence along Piedmont road frontage shall be limited to the type and height (4 feet) set forth in the ordinance and that no variance shall be sought or other action taken to construct or seek approval to construct a different size or type of fence along the Piedmont Road frontage.

NPU-B action: A motion to recommend approval of was passed by vote of 23-0-0, subject to the condition that the fence along the Piedmont Road frontage shall be limited to the type and height (4 feet) set forth in the ordinance and that no variance shall be sought or other action taken to construct or seek approval to construct a different size or type of fence.

V-14-136: 1036 Eulalia Road. Applicant seeks a variance from the zoning regulations to reduce the west side yard setback from 10" (required) to 3' for a garage. Applicant did not provide complete information for review (lot coverage list was incomplete). Applicant seeks no other variances at this time. (approved in committee 12-1-1)

NPU-B action: A motion to recommend approval of was passed by vote of 21-2-0.

V-14-073: 667 Darlington Circle

Applicant seeks a variance from the zoning regulations to reduce both side yard setbacks from 7' (required) to 4' for a new SFR. Applicant did not provide a complete set of plans for review (possible FAR issue). Applicant seeks no other variances at this time.

- Applicant must resubmit for new request

NPU-B action: This application is deferred at request of applicant and will be considered by the NPU-B Zoning Committee at its next regular monthly meeting.

V-14-131: 136 West Wesley Road

This is a third-party appeal of administrative issuance of two building permits. Administrative appeals require no NPU vote, but NPUs are invited to comment. The committee recommendation was that the Chair address a letter along the lines described below.

NPU-B action: By vote of 22-1-0 a motion passed empowering the Chair to transmit her previously-circulated draft letter which essentially states that the NPU-B Zoning Committee conducted a public hearing at which extensive public comment both pro and con was considered, and that the consensus of the NPU-B is that the use in question (a rectory for up to six priests) constitutes a single-family residential use within the meaning of the City Code.

8. OLD BUSINESS

None.

9. NEW BUSINESS

None.

10. ANNOUNCEMENTS

None.

11. ADJOURNMENT

The meeting was adjourned at 8:55 p.m.