

**Minutes of NPU-B regular monthly meeting
Tuesday, October 6, 2015**

The meeting was called to order at 7:01 p.m. by Andrea Bennett, NPU-B Chairperson.

Present: 13
Proxies: 9
Anne Culberson to Cathy Boston
Bill Bozarth to Michael Isaacs
Bob Connelly to Cathy Boston
Michael Graff to Bill Murray
Bob Stasiowski to Jason Kendall
Brian Ward to Jason Kendall
Mark Tiller to Nancy Bliwise
Amy Hillman to Jim Cosgrove
Corey Tibbs to Randall Kent

1. OPENING REMARKS / CHAIRPERSON'S COMMENTS

Welcome, mission of NPU-B, and introductory remarks

Acknowledged Beth Beskin, House District 54.

2. APPROVAL OF MINUTES

NPU-B Action: A motion to approve minutes from the previous regular monthly meeting of the NPU-B passed by vote of 22-0-0.

3. REPORTS FROM CITY DEPARTMENTAL REPRESENTATIVES, ELECTED OFFICIALS, AND OTHERS IN AUDIENCE

Atlanta Police Department (APD) Zone 2

Major Van H. Hobbs, Jr., Precinct Commander, Zone 2, VHobbs@AtlantaGA.gov

Major Hobbs reported. Up a little in property crime for the year. Have done so well that even one crime translates into a big percentage jump. Still about 30% of stolen cars left with keys in the car. Biggest concern is that guns are being stolen from cars (11 last week, AR15, glock, tactical vest, 12 gage shot gun). A lot of development and apartments and new businesses – need to be proactive to prevent shoplifting, etc. On 9/11 there was a memorial service at Christ the King with tremendous participation from first responders. Smash and grabs are on the rise – Major Hobbs noted that there are leads on these crimes through the gang unit and the cars have been recovered. Working with the business community to install smash proof windows.

Code Enforcement Section, APD Community Services Division

CodesRequests@AtlantaGA.gov

Jacob D. Mach, 404-326-0705 mobile, JDMach@AtlantaGA.gov

For the month of September, there were 16 cases in NPU B. One has complied, 5 had no violations, 8 notices have been mailed, and 2 cases were assigned for further inspections. The most efficient way to report a complaint – 404-546-3800 from 8am to 5pm.

Atlanta Fire Rescue Department (AFRD)

James McLemore, 404-546-4400 (or dial 404-546-4421 to reach station 21)

October is fire protection month and most fires happen while people are sleeping. Having working smoke detectors near sleeping spaces prevents chance of dying in half. Hard wire smoke alarms and sprinkler systems are the best.

Fulton County District Attorney Community Prosecutor's Office
Elizabeth Morrow, Zone 2 Community Prosecutor (404-613-8407) or
ElizabethMorrow@FultonCountyGA.gov

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
Kurlis Jones, Manager, Ambassador Program (404-546-3216) or krjones@atlantaGA.gov
James Mitchell (678-414-2166) Talking Points and Project Points, was distributed. Still some restoration happening at Rockhaven Circle near Roxboro (Pine Hills). Leak at 103 West, work order has been generated. Situation at the Residents on Peachtree where water was disconnected – speculated that it was an emergency action.

Department of Public Works

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

Verna Singleton, VSingleton@AtlantaGA.gov

Officer "O" with Public Works Code Enforcement about issues in the right-of-way. Larger bulk piles – should call 311 first to make sure items get picked up and you are not cited. 404-807-2610. If there are large yard waste piles, call ahead for a pickup date.

Department of Parks and Recreation (DPR) (404-546-6813)
www.atlantaGA.gov/iparcs

Stanton German, Manager, Peachtree Hills Recreation Center (PHRC), 308 Peachtree Hills Ave.
SMGerman@AtlantaGA.gov or 404-237-2756.

November 2nd will begin the winter catalogue and registration – many opportunities at atlanta.gov/. Mr. German reported that after school registration at PHRC is now at capacity. Fees for ages 5-13 are \$35.00 per week for Atlanta residents, subject to availability. The cost for teens is only \$5 per semester. For additional information and registration, visit www.AtlantaGA.gov/iparcs. Looking at increasing adult recreation opportunities at the park as well – such as open basketball court and leagues.

Buckhead Business Association

No report.

Howard Shook, Councilmember, District 7

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

SLSilver@atlantaGA.gov

No report.

Buckhead Coalition

Garth Peters GPetersj@thebuckheadcoalition.org

No report.

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

L'Erin Barnes, Senior Assistant Solicitor, LFBarnes@AtlantaGA.gov (404-680-6498)

No report.

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

Tony Peters announced that Path 400 Phase 2 from Wieuca to Old Ivy (1/2 mile stretch to form 1 mile) completed in September 2016. Charlie Loudermilk Park is seeing interest for event space: yoga to soccer to family gatherings. Investing \$30k to install more surveillance to mitigate minor park damage, as these have worked well in other Buckhead locations. The nine trees will be replaced by mid-November; they do have irrigation. Three vendors serve the park to keep it neat, clean, and welcoming. Public information open house October 29th from 5 – 7pm at Shephard Center for the DOT Peachtree Road Corridor (Deering to East Shadowlawn). DOT will present in story boards the preferred alternatives which reach to Pharr Road. The CID covers from Pharr to East Shadowlawn and will be presented by the CID's consultant. The CID is waiting for approved right-of-way plans and then will start on land acquisition. Park over GA400 project between Peachtree and Lenox Road, possibly a 9 acre park. Completed a small feasibility analysis and now looking at moving forward on a more detailed design effort. An RFP will be issued this month to look at layout, concepts, and finance strategies for this park concept. The CIDs in Atlanta are all part of the LCI group from ARC and often get funds to implement projects. Will be putting out an RFP this month for a LCI study for the greater Buckhead area – as the current study is 15 years old. The 2 major components will be how well they structure community engagement and how to develop a 10-year transportation master plan for the area.

Question about parking for PATH 400. For the current section, parking is available at the Prominence Building (across the Street from On the Boarder).

Is the developer from the Highline in NY going to be one of the firms bidding? Tony assumes so as they have had discussions with the firm. This will be a few month RFP to provide sufficient time to get the best ideas.

Shadowlawn to Maple, when there is no turning – East Shadowlawn will not be able to handle additional traffic with parking on both sides. Tony will share the concern about the bottleneck.

The CID has led a study about traffic at Weiuca and a round-about has been proposed to address these issues.

4. PRESENTATIONS

None.

5. PLANNER'S REPORT

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

Proposed municipal code amendments

There were several ordinances to review:

Z-15-45 is a text amendment to define the recovered material processing facilities. There are none of these facilities in Buckhead. This would allow these facilities with a special use permit.

NPU-B action: A motion to approve the code amendments passed by vote of 22-0-0.

Z-15-48 – Text amendment to allow secured storage facilities and mixed use storage facilities (require a different first floor use) facilities in O-I district. All climate controlled and internal access. There are architectural, parking, and other requirements.

Corner of Lenox and Buford, with stream and cell tower – want to put a mixed use facility with office and storage. Pine Hills supports the project based on what has been proposed in the past. Matching the look of the neighborhood.

NPU-B action: A motion to approve the code amendments passed by vote of 14-0-8.

Z-15-51 – Ordinance to amend a section of the sign ordinance to be consistent with a recent US Supreme Court decision. The City cannot discriminate based on the information presented on the sign. There will be a special hearing on this change.

NPU-B action: A motion to approve the code amendments passed by vote of 22-0-0.

Z-15-26 – Text amendment to modify the distance separation requirement for rehabilitation centers located in a facility containing another medically related use including assisted living facilities and nursing homes. Previously there was a 2,000 foot buffer and this change allows these facilities to be co-located. There will no longer be a distance requirement. The intent of the distance was to separate these facilities. This ordinance applies to many services, so the rules still apply to these other services. Rehabilitation services could also include drug and alcohol facilities.

NPU-B action: A motion to approve the code amendments passed by vote of 21-0-1.

15-O-1352 – Ordinance to add a permit fee structure for right-of-way permits for intercity bus service.

This is informational only. For example, Mega Bus that operates a business on the City streets.

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

Randall Kent, Chair

Andrea Bennett reported

Festival Applications on Consent Agenda:

The Lighting of Macy's Great Tree at Lenox Square Mall. Sunday, November 22nd at 7pm and aired on WSB TV. Not held on Thanksgiving. Jordan Sparks is the headline singer "O Holy

Night” and Mercy Me will also be performing. Community groups including Sarah Smith Elementary School will be singing Let there be Peace on Earth. There is an audition adult choir that has 57 members this year, biggest even. Thursday, November 19th will begin preparations. There is a pre-show at 6:30pm with both Jordan Sparks and Mercy Me singing songs that won’t be aired. Will end with a fireworks display. The show is free.

There will not be a live tree this year. Same tree as last year up on the rooftop. Noted the change was for environmental reasons.

The fireworks at the 4th were not as loud. Neighbors appreciated this.

NPU-B action: A motion to adopt committee recommendations on the above-listed consent agenda passed by vote of 20-0-2.

Liquor License Applications on Consent Agenda:

Cacao, 3035 Peachtree Rd, NE A150 / new business / APPROVED IN COMMITTEE

The Palm, 3391 Peachtree Rd / change of agent / APPROVED IN COMMITTEE

Tin Lizzy, 3639 Piedmont Rd / change of agent / APPROVED IN COMMITTEE

Superica Buckhead, 3850 Roswell Rd / new business / APPROVED IN COMMITTEE

NPU-B action: A motion to adopt committee recommendations on the above-listed consent agenda passed by vote of 22-0-0.

Other Applications:

The Piedmont at Buckhead, 650 Phipps Blvd / addition of liquor sales

NPU-B action: A motion to approve the application passed by vote of 22-0-0.

BP Gas Station, 3004 Piedmont Ave / change of ownership

NPU-B action: A motion to approve the application passed by vote of 22-0-0.

B. DEVELOPMENT AND TRANSPORTATION COMMITTEE

Jason Kendall, Chair

No report.

C. ZONING COMMITTEE

Bill Murray, Chair

Applications on Zoning Committee Consent Agenda:

U-15-011 3714 Roswell Road. Approved 9-0-0
Applicant seeks a Special Use Permit for outdoor dining within 1,000’ of R and RG districts.
Applicant seek no other variances at this time.

V-15-193 3905 Peachtree Dunwoody Road. Approved 9-0-0

Applicant seeks a variance from the zoning regulations to reduce the north side yard setback from 10' (required) to 1.5' to allow for an addition to an existing detached garage. Applicant also seeks a variance to exceed the maximum floor area of a detached garage. Applicant seeks no other variances at this time.

SD-15-023 2985 West Roxboro Road. Approved 9-0-0

Applicant seeks to create 2 lots where 1 lot exists. Applicant seeks no other variances at this time.

V-15-214 3548 Kingsboro Road. Approved 9-0-0

Applicant seeks a variance from the zoning regulations to reduce the east side yard setback from 10' (required) to 4' to allow for a 2nd story addition to a SFR. Applicant seeks no other variances at this time.

V-15-221 2772 Alpine Road. Approved 9-0-0

Applicant seeks a variance from the zoning regulations to reduce the front yard setback from 35' (required) to 25' to allow for an addition to a SFR (dormer out of roof and porch addition). Applicant seeks no other variances at this time.

V-15-203 115 East Wesley Road. Approved 9-0-0

Applicant seeks a variance from the zoning regulations to exceed the maximum height of 35' in order to construct/alter an existing rooftop pavilion. Applicant seeks no other variances at this time.

V-15-224 926 Crane Road. Approved 9-0-0

Applicant seeks a variance from the zoning regulations to reduce the west side yard setback from 10' (required) to 4'6" to allow for the construction of an addition to a SFR. Applicant seeks no other variances at this time.

V-15-219 50 Lakeland Drive. Approved 9-0-0, amended with conditions

Applicant seeks a variance from the zoning regulations to reduce the front yard setback from 40' (required) to 20'.2. To reduce the rear yard setback of the O-I zoned property from 25' (required) to 20' to allow for a multifamily development. Applicant seeks no other variances at this time.

SD-15-022 4009 Wieuca Road. Approved 9-0-0

Applicant seeks to develop 2 lots where 1 lot exists. Applicant seeks no other variances at this time.

NPU-B action: A motion to adopt committee recommendations on the above-listed consent agenda passed by vote of 22-0-0.

8. OLD BUSINESS

Business elections to the NPU are coming up. An announcement requesting nominations is forthcoming. Let Mark Tiller know if you are interested.

Residential representatives need to check with Nancy Bliwise to confirm contact information. Nancy read the list of representatives for each neighborhood per the bylaws.

9. NEW BUSINESS

None.

10. ANNOUNCEMENTS

The next BZA meetings will be held October 8th on the 2nd floor of the City Hall Annex at noon.

The next ZRB meeting will be held October 22nd floor of the City Hall Annex at noon.

11. ADJOURNMENT

The meeting was adjourned at 8:20 p.m.