

**Minutes of NPU-B regular monthly meeting  
Wednesday, July 5, 2017**

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

Present: 14

Proxies: 6  
Jim Cosgrove to Kim Shorter  
Anne Culberson to Bob Connelly  
Steve Lam to Bill Murray  
Jason Kendall to Bob Stasiowski  
Abby Shepherd to Bob Stasiowski  
Bryan Steed to Cory Tibbs

**1. OPENING REMARKS / CHAIRPERSON'S COMMENTS**

Welcome, mission of NPU-B, and introductory remarks

**2. APPROVAL OF MINUTES**

**NPU-B Action: A motion to approve minutes, as amended, from the previous regular monthly meeting of the NPU-B passed by vote of 20-0-0.**

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

Atlanta Police Department (APD) Zone 2

Major Barry Shaw, Precinct Commander Zone 2, [JBShaw@atlantaga.gov](mailto:JBShaw@atlantaga.gov) ; 404-391-0081.

Captain Shaw noted that car break ins are happening in groups with multiple cars trailing each other, and there has been a small increase in car break ins. The thieves are finding a lot of cash and guns. Typically the cars are dumped in Zone 1 and Zone 4. The City is looking more closely at individuals who live near the places where the cars are being recovered.

In early June, there was a car stolen with the criminal doing a "slip in" at the gas station. There was one arrest based on footage from the cameras. There was another case where 2 females were posing as UBER drivers in the Buckhead bar district and assaulted a male. These perpetrators were caught last night with a notebook full of color coded and organized credit cards.

Aggravated assaults are up this year, and these are mostly bar fights and domestic fights.

There was a compliment on how the APD handled the Susan B Komen race. Four of the five intersections were very well controlled. The last of the intersections appeared to have problems. Kudos to the officers that were involved with the race this year. Captain Shaw noted that there is an art form to managing these type of events.

Atlanta Fire Rescue Department (AFRD)

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

Chief Jenkins noted that there isn't any major news. He introduced Captain Bohatch who may attend future NPU meetings. Everything has been quiet after the I-85 bridge was repaired. He reminded everyone that they can go to the fire station to get blood pressure checks and other services.

There was a question about the large number of apartments that are going in near Phipps. How does the increasing density affect the coverage? The big problem is that the property is very expensive to build a new station. There have been discussions regarding adding additional equipment and personnel to the existing stations.

Fulton County District Attorney Community Prosecutor's Office

Brenden Dougherty, Zone 2 Community Prosecutor ([Brenden.Dougherty@fultoncountyga.gov](mailto:Brenden.Dougherty@fultoncountyga.gov))

Brenden noted that they were going to trial for four armed robberies (three in Zone 2 and one in Zone 5). These cases included a vehicle with 2 females and 1 male robbed a walker at gun point and drove off. Luckily nobody was harmed. There was a police chase to Union City where they crashed into a tree and all 3 individuals were caught with stolen cell phones. Two of the defendants took a plea to serve 15 years in custody with 5 years on probation. The last defendant has not taken the plea yet, but hope to get them all in jail. They all had a number of priors.

Continuing to work with Major Shaw and prosecute the repeat offenders.

On August 19th there is a Court Watch training that takes everyone through the process and how residents can get involved.

There was a question regarding the robberies and when they would be eligible for parole. They will at a minimum serve 10 years but they may become parole eligible at that time.

There was a question regarding the name of the judge who ruled to put them away. Brendon added that it was Judge Campbell.

There was a question as to whether people travelled from outside of the City limits into the City and conduct crimes. Captain Shaw noted that almost never are the Zone 2 crimes perpetrated by Zone 2 residents.

There was a question regarding the process and how difficult it is. If you are the victim of a crime, Brenden can help. There is also a court advocate who can help you navigate the process.

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

Alan Coleman [acoleman@atlantaGA.gov](mailto:acoleman@atlantaGA.gov)

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

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

MARTA Police Department (MPD) North Precinct (404-848-3902) [www.itsmarta.com](http://www.itsmarta.com)

No Report.

Department of Watershed Management (DWM) (404-982-1480) [www.atlantawatershed.org](http://www.atlantawatershed.org)

Denita Burton, Office of Safety, Security, & Emergency Management (404-546-3374) or [dburton@atlantaga.gov](mailto:dburton@atlantaga.gov); 404-798-8103 (cell)

Denita had additional information on level 2 drought and stormwater management.

There was a question regarding bad flooding issues in the region and who should be contacted. Denita noted that she could help but it is best to call 311 so they can track complaints.

There was a question regarding the level 2 drought and how long that would last. The response was that Lake Lanier levels are still low and the region is likely to be in drought levels for a long time.

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

[www.atlantaGA.gov/iparcs](http://www.atlantaGA.gov/iparcs)

Jose Salazar, Manager, Peachtree Hills Recreation Center (PHRC), 308 Peachtree Hills Ave. [Jsalazar@AtlantaGA.gov](mailto:Jsalazar@AtlantaGA.gov) or 404-295-3874.

No report.

Department of Public Works

Marcus McGaw (404-865-8743) [mlmcgaw@atlantaga.gov](mailto:mlmcgaw@atlantaga.gov)

Verna Singleton, [VSingleton@AtlantaGA.gov](mailto:VSingleton@AtlantaGA.gov)

Officer O (404-807-2610)

Sama 404-865-8621 [samakoi@atlantaga.gov](mailto:samakoi@atlantaga.gov)

No Report.

Code Enforcement Section, APD Community Services Division

[CodesRequests@AtlantaGA.gov](mailto:CodesRequests@AtlantaGA.gov) 404-546-3868

[jhbrown@atlantaga.gov](mailto:jhbrown@atlantaga.gov); 404-546-3800 office; 404-557-2748 cell

Officer Brown noted that there is a second hearing 532 Louridans Drive, NE. The hearing date July 12, 2017.

He also added that for 127 W Paces Ferry, there is a new owner and research is looking for the contact information.

Buckhead Business Association

Bob Gibeling, VP, Community Alliance, BBA office: 404-467-7607

No Report.

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

[www.livablebuckhead.org](http://www.livablebuckhead.org)

Buckhead Community Improvement District (CID)

[www.buckheadcid.com](http://www.buckheadcid.com)

Buckhead Area Transportation Management Association (BATMA)

No report.

#### Bill Bozarth - Atlanta Citizen Review Board

The Atlanta Citizen Review Board receives any complaints from the public regarding police action. It is a recommending body. Most of the issues are pretty minor. Bill has served on this committee for 5 years. Mediation is an option if there isn't a crime but there is a confrontation between the public and an officer. The board has recently expanded. There are folks who volunteer to serve a region within the City with some political appointments. There is a nominal stipend for attending meetings. Bill is nearing the end of his term and hopes that someone will offer to serve. Bill offered to help anyone interested in this opportunity. Bill noted that body cameras have finally been deployed and he feels that they will improve the behavior of officers and citizens.

#### Bill Bozarth - Invest Atlanta Board

Bill noted that Invest Atlanta works to bring good companies with good jobs into Atlanta. There is a lot of cooperation between the Mayor and the state. The Mayor leads the Board. Bill serves on the Board and has several years left on that term but it has been very interesting. The second focus is how to create affordable housing in the face of gentrification. Two things being forwarded - Sale of Underground Atlanta where the plan that was approved was VERY general and required a great deal of trust. Bill was concerned about the high number of parking spaces they were going to add so close to the MARTA station. There were many local neighborhoods, NPUs, concerned groups that could not support the sale. The sale happened and there is optimism that the sale will help. At 161 Peachtree Street there is a small parking garage and the developer will add 20-ish story living space. There has not been any non-student housing added in downtown Atlanta in a long time. The hope is that this will help create some affordable and new housing (guaranteed for 15 years) that will help maintain vibrancy in this area after business hours.

There was a question about the timeframe for the old Underground area. Bill noted that they proposed a rolling start in July 2017 through June 2022. It is a mixed use project.

#### **4. PRESENTATIONS**

There were no special presentations.

#### **5. PLANNER'S REPORT**

Jessica provided an update on the department's reorganization. Jessica provided an update on the ordinance question that was asked at the last NPU meeting. She is still waiting for a clarification. Andrea added that after reading the ordinance, it is addressing a problem that exists based on case law.

Z-17-45: An Ordinance to amend city code section 16-28A.010(19) regulating signs within the SPI-9 Buckhead Village District by adding a definition for historic iconic sign; by adding historic iconic sign as a type of sign permitted in said district; and by adding rules governing the relocation of historic iconic sign within the district occasioned by redevelopment; and for other purposes.

**NPU-B action: The ordinance was approved 20-0-0.**

Z-17-46: An Ordinance to amend Section 16-36.013(4) of the 1982 Atlanta Zoning Ordinance for the purpose of changing the allowable fence height for properties zoned R-1 through R-5 and RG when properties are immediately adjacent to the Beltline Corridor and to provide for specific fence typologies for properties zoned R-1 through R-5 and RG when properties are immediately adjacent to the Beltline Corridor; and for other purposes.

**NPU-B action: The ordinance was denied 20-0-0.**

Comment: The NPU felt that this was an unfair burden for the existing property owners along this area.

Z-17-26: An Ordinance by Zoning Committee to amend City Code Sec. 16-26.007 of the Atlanta Zoning Ordinance to provide that appeals from decision of the Board of Zoning Adjustment are by Writ of Certiorari and may only be brought by those with standing; and for other purposes.

**NPU-B action: The ordinance was denied 7-9-4.**

Comment: NPU B supported addressing the shortcoming of the ordinance but felt like a better explanation of the process might improve the ordinance.

## **6. INTERNAL REPORTS**

### Atlanta Planning Advisory Board (APAB)

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

## **7. STANDING COMMITTEE REPORTS**

### **A. PUBLIC SAFETY COMMITTEE**

Randall Kent, Chair

Publix Super Market #0718 / 4279 Roswell Road NE - Suite 300/ change of licensee /  
APPROVED IN COMMITTEE

Publix Super Market # 0664 / 3535 Peachtree Road NE / change of licensee / APPROVED IN  
COMMITTEE

Publix Super Market #0282 / 2900 Peachtree Road NW / change of licensee / APPROVED IN  
COMMITTEE

Publix Super Market #0719 / 2365 Peachtree Road NE / change of licensee / APPROVED IN  
COMMITTEE

Westin Buckhead Atlanta / 3391 Peachtree Road NE / change of ownership / APPROVED IN  
COMMITTEE

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

Style South Event for the Shops of Buckhead (Sept. 16, 2017) / Special Event / APPROVED IN COMMITTEE

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

Dancing in the Streets Event (July 8, 2017) / Special Event / DENIED IN COMMITTEE

Comments on the Dancing in the Streets Events at Big Sky Buckhead. Saturday, July 8th. Expect lower attendance and only closing half of the street. APD will be present, 4 total from 7pm to midnight. Operations will still remain opened until 2:30am. Stage is pointed at the building in order to mitigate sound.

Several members from the community were in attendance. Property/business across the street. No notice to the neighborhood. Last year the street closure was a significant impact. Music is at concert level and rattles the neighboring building. Crowds result in the impact to local businesses.

**NPU-B action: A motion to adopt committee recommendations on the above-listed event (deny the event) passed by vote of 20-0-0.**

Comment: NPU B encouraged the event coordinator to work closely with the adjacent businesses and be a good neighbor. There are few negative comments following events in the NPU and the number of negative comments was concerning.

**B. DEVELOPMENT AND TRANSPORTATION COMMITTEE**

No Report.

**C. ZONING COMMITTEE**

Bill Murray, Chair

SD-17-010 3616 Old Ivy Lane NE APPROVED  
Applicant seeks to create/ subdivide one lot into two conforming lots. No variances will be required to build on these lots.

V-17-138 2254 Stephen Long Drive NE APPROVED  
Applicant seeks a variance from the zoning regulations to reduce the required front yard setback from 35 feet to 28 feet and the applicant seek a variance to reduce the required north side yard setback from 7 feet to 6 feet to construct a 2nd story addition, screen porch and deck.

V-17-153 2492 Habersham Road NW APPROVED  
Applicant seeks a variance from the zoning regulation to reduce: (1) the required south side yard setback from 15 feet to 2 feet and 9 inches. (2) Reduce the required rear yard setback from 30 feet to 11 feet in order to construct an accessory structure (carport). Applicant seeks no other variances at this time. NOTE: Approved conditioned on site plan.

V-17-159 4185 West Oaks Court NE

APPROVED

Applicant seeks a variance from the zoning regulation to reduce the required front yard setback from 50 feet to 21 feet to construct a single family dwelling. NOTE: Approved conditioned on site plan.

V-17-157 61 Highland Drive NE

APPROVED WITH CONDITIONS

Applicant seeks a variance from the zoning regulations to reduce the required east side yard setback from 7 feet to 3 feet 6 inches for a detached accessory structure (art studio). NOTE: Approved with condition that the encroachment is only on the NW corner of the lot and there is no kitchen.

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

## **8. OLD BUSINESS**

## **9. NEW BUSINESS**

## **10. ANNOUNCEMENTS**

Please pay dues.

The next BZA meetings will be held on August 3<sup>rd</sup> and August 10<sup>th</sup> on the 2<sup>nd</sup> floor of the City Hall Annex at noon.

The next ZRB meeting will be held on August 3<sup>rd</sup> and August 10<sup>th</sup> on the 2<sup>nd</sup> floor of the City Hall Annex at 6 PM.

## **11. ADJOURNMENT**

The meeting was adjourned at 8:19 p.m.