

**Minutes of NPU-B regular monthly meeting
Tuesday, October 3, 2017**

The meeting was called to order at 7:04 p.m. by Andrea Bennett, NPU-B Chairperson.

Present: 16 *

Proxies: 3
Jason Kendall to Wes Lyle
Jim Cosgrove to Kim Shorter
Anne Culberson to Bob Connelly

Evan LaPointe participated with Bob Connelly

*Bill Murray arrived after the minutes were approved

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 19-0-0.

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 ; 404-391-0081.

Lieutenant Singh attended on behalf of Captain Butler. He noted that they are still seeing part 1 crimes (car breakins) and a few burglaries. When Fall comes, burglaries tend to increase. The license plate readers (LPRs) have been very helpful in addressing crimes and finding stolen cars.

There was a car jacking a few weeks ago and they were able to pickup the car off of Bolton Road and at a safe spot. They were able to stop the car while the thief was driving.

Lieutenant Singh reminded everyone to call 911 if you see something. You are not "bothering" the police.

Lieutenant Singh noted there is a new trend of criminals "popping" the locks on the trunks. The doors are typically still locked but they are able to get items out of the trunk.

The license plate readers are helpful in addressing car thefts but also in other crimes because the City is able to track the movement.

There was a question to confirm that the ping from the LPR goes to a dispatch center and then to the police in the area. The communications center radios the cops on the street and the cops report information to the communications center.

Andrea thanked Lieutenant Singh for helping her a long time ago.

Atlanta Fire Rescue Department (AFRD)

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

Captain Kelly (Station 40 at Phipps Plaza) reminded everyone that October is fire prevention month. Change the battery in your smoke detector as they save lives. You need one on each floor of the house and outside of each bedroom. The department is currently checking fire hydrants. The work orders are completed (as needed) by the Watershed Department. In the spring the fire department will both check and paint the hydrants.

Call the Watershed Department if you see any issues with fire hydrants.

Fulton County District Attorney Community Prosecutor's Office

Brenden Dougherty, Zone 2 Community Prosecutor (Brenden.Dougherty@fultoncountyga.gov)

No report. Brendon had emailed that they had gotten a life sentence on serious criminal.

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.

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

Denita Burton, Office of Safety, Security, & Emergency Management (404-546-3374) or

dburton@atlantaga.gov; 404-798-8103 (cell)

Denita has two updates. The Department of Watershed is no longer charging convenience fees for paying water bills online after October 1st. The City is no longer in a Level 2 drought, but we are still in a Level 1 drought.

There was a question about the water work on Roswell Road and Powers Ferry. Denita was going to look into the project and get back with Andrea.

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

www.atlantaGA.gov/iparcs

Jose Salazar, Manager, Peachtree Hills Recreation Center (PHRC), 308 Peachtree Hills Ave.

Jsalazar@AtlantaGA.gov or 404-295-3874.

Lauren James, the Youth Development Director at Peachtree Hills noted that they are in the second month of the after school program and in the middle of the soccer season. Senior programming has started at a number of recreation centers throughout the City. Aquatics programs are doing learn to swim and developmental swim as well as competitive swimming. The City just partnered with Google Fiber and they are redoing some of the computer labs. Peachtree Hills is waiting for their turn to get a computer lab upgrade.

There are several neighbors who have extra sports equipment. Lauren noted that the Center will accept donated sports equipment, but they cannot ask for donations.

Department of Public Works

Marcus McGaw (404-865-8743) mlmcgaw@atlantaga.gov

Verna Singleton, VSingleton@AtlantaGA.gov

Officer O (404-807-2610)

Sama 404-865-8621 samakoi@atlantaga.gov

No Report.

Code Enforcement Section, APD Community Services Division

CodesRequests@AtlantaGA.gov 404-546-3868

jhbrown@atlantaga.gov; 404-546-3846 office; 404-557-2748 cell

No Report

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

Buckhead Community Improvement District (CID)

www.buckheadcid.com

Buckhead Area Transportation Management Association (BATMA)

www.batma.org

No report.

Yolanda Adrean

City Council District 8

Yolanda reminded everyone that early voting will happen from October 16 to November 3 from 8:30am to 7pm at one of the 8 selected locations. The closest locations are the Pharr Road Library and the Northside Parkway Library. There are some weekend hours as well.

October 10th is the last day to register to vote. Election is Tuesday, November 7th.

The City renewed the Cry Wolf contract and was able to get legislation that cut fees in half for failure to renew. There are also now two free false alarms. The goal is to encourage people to use their alarms. Police may also use their judgment and the company to waive fees in specific cases. The City has asked Cry Wolf to do a better job making sure people know they have to register annually and have a better website.

The Council passed an ordinance yesterday that changed minor marijuana possession from \$1000 to \$75 in order to empty out the jail and make room for the really bad guys.

Congestion is a real issue in and around Buckhead. Councilman Shook and Councilwoman Adrean passed several ordinances to address traffic congestion. They limited work permits during the day. Police officers need to arrest people on side streets. Any development on Peachtree Road corridor is under a 120 day moratorium to develop parking standards that are more appropriate for Buckhead.

There was a suggestion to develop better traffic numbers for different land use types that are specific to Buckhead. Traffic studies for current developments use national numbers that don't accurately portray Buckhead patterns. It is difficult to make decisions regarding land use alternatives without good traffic impact numbers. It was suggested that the City develop traffic numbers to be used by new developments in Buckhead.

There was a question about when the policy about closing lanes will go into effect. Yolanda responded that the policy is in place now and lanes should not be closed during peak traffic.

There was a question regarding the moratorium on development. Yolanda clarified that if a development complies with the downtown parking requirements then they are exempt from the moratorium.

4. PRESENTATIONS

There were no special presentations.

5. PLANNER'S REPORT

Valerie Bernardo, Director of Housing and Community Development, was there to discuss two zoning ordinances that the NPU will be asked to vote on tonight.

1. Westside Affordable Workforce Housing District - All developers in the Beltline overlay would have to meet specific affordable housing requirements. Valerie presented the options.
2. Affordable Workforce Housing (Beltline Overlay District) - allows the Transfer of Development Rights for Unused Density Bonus

There were questions regarding how affordable housing is defined? Valerie responded that it is defined by HUD which sets rates for the Atlanta market area. The developers will be required to rent at those rates.

The incentives with Atlanta Housing Authority and the HomeFlex program were clarified and the Housing Authority would pay the gap.

There was a question as to whether an affordable housing needs survey was available. There was a 2014 study that talked about the strategy and there was a 10,000 unit gap. The number is Citywide and not on a neighborhood by neighborhood scale.

City is looking at how to accommodate 1.2 million people, which is the projected future population.

Andrea noted the Buckhead ReDefine project noted that 70% of the people who work in Buckhead cannot afford to live in Buckhead. There is an affordable housing issue. This aggravates traffic as well.

NPU-B action: A motion to approve the 2 affordable housing Ordinances passed by vote of 12-8-0.

Jessica noted that there are two proposed fee increases...

1. Professional Occupation Tax - fee increase
2. Annual licensing fee for certain classifications of Alcohol Licenses - fee increase

There was a question whether these fees were associated with a study that shows the programs cost more money than they recoup in fees. Jessica was not aware of any such study.

17-R-4272 - Commissioned Works of Art to be installed in their Annual Art on the Beltline Project - defines a process so that neighborhoods know what art is coming and when to the NPUs beforehand.

Several of the NPU members noted that the ordinance appears to be censorship. The NPU felt that the ordinance needed work.

Jessica reported that there was an open house last week about the Quick Fixes to the zoning ordinances. There will be some open houses in October and November. More information will be coming about the meetings.

Andrea noted that there was a file on the City's Zoning Ordinances that was VERY large. Reach out to Andrea and she will help make it available.

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

Buckhead Theater / 3110 Roswell Road NE / change of ownership / APPROVED IN COMMITTEE

Peachtree Paint/ Atlanta Craft Elixers / 3110 Roswell Road / change of agent / 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.

Dinner Event was a no show.

B. DEVELOPMENT AND TRANSPORTATION COMMITTEE

No Report.

C. ZONING COMMITTEE

Bill Murray, Chair

Z-17-071 3459 Roxboro Drive NE APPROVED WITH CONDITIONS
Rezoning from R-3 to RG-3 to develop 7 townhomes. No additional variances requested at this time. **Conditioned on the site plan.

V-17-240 2187 Virginia Place NE APPROVED WITH CONDITIONS
Applicant seeks a variance from the zoning regulations to reduce the required front yard setback from 35 feet to 18 feet to construct a front porch. Applicant seeks no additional variances at this time. **Conditioned on the site plan, proposed set of conditions, and securing the letters of support.

NPU-B action: A motion to approve the above-listed application passed by vote of 20-0-0.

U-17-021 155 West Paces Ferry Road NW
Applicant seeks to amend the special use permit allowing the private club to relocate the existing surface parking areas on the West Paces Ferry Road frontage into proposed structured parking, relocation of the entry drive to align with Andrews Court and reconfiguration of existing tennis and paddle ball facilities in conjunction with a new underground stormwater detention facility.
*Conditioned on the Site Plan and the proposed set of conditions:

1. Development will be conditioned on the site plan dated September 26, 2017 by HGOR.
2. Trees will be maintained as indicated on the site plan and any tree removal will be mitigated in accordance with the City's Tree Protection Ordinance.
3. There will be an evergreen screen along the property's frontage with West Paces Ferry Road to screen all areas other than the view of the front of the clubhouse.
4. Storm-water detention on the property will reduce the rate of flow by an additional 5% above City of Atlanta requirements.
5. The applicant will provide a sidewalk to City standards along the frontage of their property along West Paces Ferry Road and will request that the city extend the existing sidewalk on the north side of the road from the east to connect with this sidewalk.
6. The applicant will work with the city and representatives of Grant Valley Estates with regard to the location of the cross-walk required for the sidewalk and will attempt to ensure that the cross-walk does not contain a pedestrian island.
7. Any new lights installed on or within the parking deck proposed by this application will have as low a wattage as is practical and will be screened as possible from adjacent property owners.
8. The top level of the proposed parking deck will be below the existing grade of West Paces Ferry Road adjacent to the area of the deck.
9. The access road from the proposed new drive on the applicant's property is to intersect with West Paces Ferry Road will be graded so that automobile headlights are lowered as they approach the intersection.
10. The applicant opposes the installation of any traffic signal at the intersection of West Paces Ferry Road and Andrews Court, and will not request one in the future.
11. The proposed guard post will not have an arm and/or serve as a check-in point in a manner that might cause traffic to queue on West Paces Ferry Road.

12. The applicant will not submit additional rezoning or Special Use Permit applications to the City until they have first presented a twenty year master plan for the entire property owned by the applicant.

Cherokee presented. Carl Westmorland and Bob Hughes spoke about the project design and modifications made to address concerns from the adjacent neighborhoods.

Mr. Labowitz, representing Dr. Fowler, who owns the property adjacent to the Club. Dr. Fowler is in support of the project but would like to purchase 0.2 acres of land from the Club and/or have a long-term lease agreement in order to put a playground for his family.

Buff Quillian spoke on behalf of the Peachtree Heights West neighborhood would prefer to see the offset from the proposed Cherokee driveway and Andrews Court. She showed several pictures of the existing conditions.

Edward Daugherty spoke about the protection of trees at the Cherokee Club entrance. With a grand amount of street frontage, it is important to maintain the solid canopy of trees. He would like to see the trees preserved and a grander view of the 1910 house than will be allowed by the planned plantings.

Tom Watson is on the Peachtree Heights board on Chatham Drive. On Chatham Road, if both cars don't have their blinkers on - then it is difficult to make sure everyone is driving in the correct direction and it is prone to accidents. He believes that accidents will result in a light being added and then additional lights will be added in additional intersections and further congest traffic.

Mary Pearson on West Paces Ferry at Chatham Road noted that there are 8 to 12 accidents at this intersection, typically during rush hour. Further down West Paces, West Andrews is offset and the traffic and accidents are better at this location. She believes that an offset intersection is safer.

Dan Burnes, Andrews Court, is concerned that Cherokee has not significantly addressed the neighborhood concerns. He believes that the alignment of the two roads will create an unsafe condition. He suggested them changing the direction of the current entrance and exit. He noted that the current configuration will create light issues at his house. Concerned about the traffic construction.

In response to the tree questions, Cherokee noted that there will be 35 total trees removed but that double that number will be planted. Relocating the entrance as suggested would result in the removal of over 50 trees.

NPU-B action: A motion to approve the above-listed application passed by vote of 16-2-2.

8. OLD BUSINESS

There was no old business.

9. NEW BUSINESS

Elections are coming up in November for Business Representatives.

10. ANNOUNCEMENTS

The next BZA meetings will be held on October 5th and October 12th on the 2nd floor of the City Hall Annex at noon.

The next ZRB meeting will be held on October 5th and October 12th on the 2nd floor of the City Hall Annex at 6 PM.

Next meeting will be November 7, 2017.

Zoning meeting will be on Monday, October 30th (versus on Halloween).

11. ADJOURNMENT

The meeting was adjourned at 8:32 p.m.