

**Minutes of NPU-B regular monthly meeting
Tuesday, February 5, 2019**

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

Present: 19

Proxies: Mandi Gibson to Bryan Steed
Bill Murray to Frank Toye

1. OPENING REMARKS / CHAIRPERSON'S COMMENTS

Welcome, mission of NPU-B, and introductory remarks

No press were in attendance.

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 21-0-0.

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@atlanta.ga.gov ; 404-391-0081.

Mr. Singh introduced himself and that he will be working closely with Major Shaw in Zone 2. From a crime perspective, the City feels they managed the Super Bowl well. There were property crime issues. There were a number of visiting police officers for the Super Bowl and the officers from other locations shared that they have similar property crime issues. There are a lot of guns that are stolen from cars in Buckhead, so we need to all do better to protect ourselves.

Property crime is up everywhere but some of this is a personal responsibility issue. We are making it too easy for them.

George asked about the Grandview Avenue shooting of the Atlanta Fire Captain. He asked if the two suspects were caught or whether they were apprehended. Mr. Singh cannot comment on the crime because the suspects are still on the street. There is an ongoing case and the City has good leads. George also added that there are some businesses on that block that seem to have some unseemly activities that are likely in violation of their business license. Several seem to be party homes. He asked that APD investigate this area.

Nancy commented that the updates that Major Shaw sent to the NPU were circulated through the neighborhoods and was greatly appreciated.

Atlanta Fire Rescue Department (AFRD)

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

Mr. Jackson noted that there were no major fire incidents associated with the Super Bowl. Reminded everyone to sleep with your doors shut. There is good information online that shows that closing your bedroom door will save your life. www.CloseYourDoor.org/

Phipps Fire Station is operational and the old station has been torn down.

City of Atlanta Municipal Court

Judge JaDawnya C. Baker; 404-588-5970, jcbaker@atlantaga.gov

No Report.

Fulton County District Attorney Community Prosecutor's Office

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

Bailey Rogers, Zone 2 Community Prosecutor

No Report. Nancy noted that she called to find out if Brenden was still our community prosecutor as we believe he has taken a private sector job. Nancy has not heard back.

Nancy made contact with Court Watch regarding the quick release of criminals with long rap sheets with very low bond amounts. Court Watch said that they were tracking these cases and that they understand how important these are to the community. They will let us know when community input is needed. We can always send letters to Court Watch if we can't participate in their training program.

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

E.J. Inyang, Assistant Solicitor, ieinyang@atlantaga.gov (404-658-6702)

No Report.

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

Major Matthew Carrier; mcarrier@itsmarta.com, 404-848-4813

Sargent Alford noted that the Super Bowl was very busy with a number of different entities coming in to help and support MARTA police. There were no major part 1 crimes during the 10-days. Eight of the juveniles that had been harassing the community were arrested. He doesn't know the outcome, but they are being held accountable and moving through the system. MARTA is back to normal operations. There are some officer shortages, however there are 20 new officers going to the Academy soon.

There were several comments to support the 24 hour operations. Shift workers at Emory healthcare and others felt safer and enjoyed using the services.

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)

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 (cell).

Jose noted that summer camp registration will start March 1st. The max capacity is 120 for kids ages 5 to 12. Registration is on a first come, first serve basis. Basketball is ongoing. There is still after school registration for teenagers at the PHRC. There are no winter break camps at PHRC.

There was a question about paving the parking lot. There is an agreement with the developer and they were supposed to pave in December, but they got postponed due to weather. They are waiting for the notice.

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

Officer McLendon, amclendon@atlantaga.gov, 404-273-0865

Sama MaKoi mentioned that NotifyATL, if you send a text #888777, then you will be registered to receive the City of Atlanta alerts. You can also register online and build a profile that is targeted to your needs.

Peach portal just launched for public works. If you type in your address, it will show projects ongoing in a radius near you.

Mathison Drive at W Shadowlawn, there is a cul-de-sac with significant on-street parking issues. The City will be installing no parking signs so that the trash trucks and others can get through. Jefferson commented that the City should work with the local businesses so that they can notify their customers. Sama mentioned that the City has sent notifications to the businesses. There were questions regarding the notification, this notification was distributed because of the volume and type of no parking sign.

There was a question regarding the Phipps traffic circle and whether it was a project. This project is still in planning phases but is not imminent.

Pedestrian refuge island on West Paces Ferry Road in front of the history center is in disrepair. The leaves and debris are covering the island so that drivers cannot see it. It has been hit so many times the paint has chipped off the median, making the visibility worse. The City needs to clean and re-paint the median.

Code Enforcement Section, APD Community Services Division

CodesRequests@AtlantaGA.gov 404-546-3800 (call to report an issue)

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

Officer Deter attended for Officer Brown. Nancy commented that there were huge for sale signs that had been placed on residential lots. Nancy asked whether code enforcement was the right department to handle these violations. Yes, code enforcement handles violations of the sign ordinance.

Jefferson commented that the City needs to look at 765 Stovall Boulevard. It is a lot that was cleared and there have been a number of issues with trees and stream buffers but there is a significant amount of debris being dropped on the property.

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.

Buckhead Business Association
Garth Brooks

No Report.

Elected Officials – Nancy noted that she has been forwarding emails regarding the Powers Ferry Bridge and she would continue.

4. PRESENTATIONS

Atlanta Ballet – The Atlanta Ballet will hold their annual fundraiser at the St. Regis on March 2nd from 10am to 2pm. This is the ballet's biggest fundraiser and the 39th annual fundraiser. The NPU wished them well with the event.

5. PLANNER'S REPORT

Jessica noted that there is an ordinance to raise business license fees due to an increase in costs.

The City's Design Studio did an oral history project for the Cascade Heights neighborhood. They are interested in doing others. This will be released Feb. 25 at Clark Atlanta University. Ben Howard noted that there is a discrepancy in the business license fee, there was a question as to why there was a fee on top of a fee. It was unusual because there is an administration fee on top of the business license fee, but doesn't the business license fee just cover the administration of the licensing. Also the information presented shows that the City will still have a deficit after raising the fee and why wouldn't the City raise the fee enough to break even.

The Design Award Applications are available and will be due March 8, 2019. The NPU can nominate a project for an award category.

6. STANDING COMMITTEE REPORTS

A. PUBLIC SAFETY COMMITTEE

Mandi Gibson, Chair

AMC Theaters Buckhead Backlot / 3340 Peachtree Road NE / Change of Agent / APPROVED 14-0-0

Chili's Grill & Bar / 2440 Piedmont Road NE / Change of Agent / APPROVED 14-0-0

InterContinental Buckhead (Main Lobby & Bar) / 3315 Peachtree Road NE / Change of Agent / APPROVED 14-0-0

Pasha Restaurant and Bar / 631 Miami Circle / New Business / APPROVED 14-0-0

Publix Supermarkets / 3535 Peachtree Road NE / Change of Agent / APPROVED 14-0-0

The Iberian Pig (w/ Patio) / 3150 Roswell Road / New Business / APPROVED 14-0-0

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

B. DEVELOPMENT AND TRANSPORTATION COMMITTEE

No Report.

C. ZONING COMMITTEE

Bill Murray, Chair

V-18-378 219 Springdale Drive NE Approved

Variance to build out attic space. Home is non-conforming. Extend 3 feet. Adjacent houses are

V-18-388 2898 Habersham Road NW Approved with Conditions
Applicant seeks a variance from the zoning regulation to (1) allow a parking bay in the required front yard and (2) increase the maximum width of a driveway from 20 feet to 53 feet in the required front yard. Applicant also seeks a special exception to increase the height of a retaining wall from 3 feet to 6.5 feet in the required front yard.

*Conditioned on site plan and planting a minimum of 6 trees of 3" caliper understory trees.

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

V-18-374 107 Roanoake Avenue NE Approved
Applicant seeks a special exception from the zoning regulation to allow a 6-foot high wall in the required half-depth front yard where it is prohibited.

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

7. OLD BUSINESS

Z-18-128: Adult Day Care

An Ordinance to amend the 1982 Atlanta Zoning Ordinance, as amended, by adding a definition for Adult Day Care Facility and by adding Adult Day Care Facility as a permitted use by special use permit in the R-1 (Single-Family Residential), R-2 (Single-Family Residential), R-2A (Single-Family Residential), R2B (Single-Family Residential), R-3 (Single-Family Residential), R-3A (Single-Family Residential), R-4 (Single-Family Residential), R-4A (Single-Family Residential), R-4B (Single-Family Residential), R-5 (Two-Family Residential), R-G (Residential General), and R-L-C (Residential Limited Commercial) zoning districts; and for other purposes.

After voting on the above ordinance last month, there were several concerns raised about this ordinance and therefore merited more discussion. There was different information given to different NPUs that caused some concern. Nancy read portions of an email from Kineta Holmes responding to questions.

Kim proposed that there be (1) a homestead exemption provision or something to ensure it was an owner-operator, (2) the facility has to have the appropriate state permits or licenses to protect the vulnerable, and (3) there is a “renewal” process of some sort for the SUP so that if a facility is not acting neighborly, the adjacent SFR properties have an option to revoke the SUP. There was a discussion regarding how these restrictions would be implemented.

Nolan Leake from Peachtree Heights West noted that their neighbors were very concerned with allowing a commercial business into residential areas. He also noted that there was a lack of trust with ZBA and the City due to recent experiences.

Jefferson noted that ADA issues and accessibility would need to be addressed. If private businesses have to meet these criteria, so would these home-based commercial businesses.

NPU-B action: A motion to rescind the January Vote on Z-18-128 passed 13-8-0.

NPU-B action: A motion to deny Z-18-128 passed by vote of 13-8-0. Comments will be sent to the City.

Nancy Bliwise will summarize the concerns expressed by the NPU and share these with the City and the elected officials that cover NPU-B. Generally, the consensus from the NPU was to work with the City to improve the ordinance so that it can be properly implemented.

8. NEW BUSINESS

18-O-1299: A substitute Ordinance by Finance/Executive Committee amending Chapter 30, Article III, Division 1, Section 30-62 Administrative Fee Amounts – Tax Rate Structure of the City of Atlanta Code of Ordinances to increase certain fees related to occupational and business licensing; and to direct that the revenue from the fees be deposited into the accounts set forth herein; and for other purposes.

NPU-B action: A motion to deny 18-O-1299 passed by vote of 16-3-2. Comments will be sent to the City.

9. ANNOUNCEMENTS

Then next NPU meeting will be March 5, 2019.

The next BZA meetings will be held on February 7th, 2019 and February 14, 2009 on the 2nd floor of the City Hall Annex at noon.

The next ZRB meeting will be held on February 7th and February 7th on the 2nd floor of the City Hall Annex at 6 PM.

10. ADJOURNMENT

The meeting was adjourned at 8:54 PM.