

**Minutes of NPU-B regular monthly meeting  
Tuesday, June 4, 2019**

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

Present: 16

Proxies: Martha Church to Kim Shorter  
George Heery to Jefferson McConkey  
Rebecca King to Kim Shorter  
Jim Cosgrove to Ben Howard

\* 4 members joined after the approval of the minutes.

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

Welcome, mission of NPU-B, and introductory remarks

Nancy introduced Shawn Perez who will be the new representative for Garden Hills.

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 16-0-0.**

**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](mailto:JBShaw@atlanta.ga.gov) ; 404-391-0081.

Major Shaw noted that he was missing the academy graduation tonight to be with NPU B. The crime has been down the past few months but there are still issues with car break ins and auto thefts. Pharr Road has been troublesome. Someone left their keys and \$500 cash at Franky Allen Park and guns are still being left in cars. Many of the condos on Pharr Road have been complaining about businesses and night clubs. One of them hired private off-duty officers which has helped.

New hires are coming but it will be next year until we start to see the gains in the force. It takes 6-months for new hires to get through the academy.

With the beat realignment, Zone 6 has been getting hit hard. Some of the southside zones are having trouble with violent crimes. It is likely that the "extra" help that we have been getting will be diverted to the south side to handle the violent crimes.

Nancy noted that there have been a few key arrests and efforts to address signature bonds and other issues related to repeat offenders. She asked if things have improved. Major Shaw noted that for the first few weeks, things improved but recently, several suspects have been released on

signature bonds who shouldn't have been released. This is a long-term battle and paying attention to the judges is important.

Atlanta Fire Rescue Department (AFRD)  
404-546-4400 (or dial 404-546-4421 to reach station 21)

Battalion Chief David Rhodes at Station 29. There was a fire fighter injured on the expressway attending to an interstate accident and has lost his left leg. He is in room 523 at the Shephard Center for rehab and he can receive visitors after 4pm. He is in good spirits considering. Reminder to slow down and get over one lane when there are emergency vehicles.

During September, engine 26 will run out of station 21, while the station 26 on Howell Mill Road is being renovated.

There are still a number of vacancies in the fire department and everyone is working overtime in order to fill the vacancies.

Water is off on River Forest, which affects 14 houses, for some repair work.

Close before you Doze Campaign. Everyone should sleep with their doors closed. In 1985, you had 18 minutes to get out of your home before fire inundation. Without the door closed, you have 3 minutes to get out of your home. With a 5-minute response time and your door closed, you give the officers time to save your life.

CJ asked how to support recruitment efforts. The Fire Department website has applications and information on how to apply. It is a lengthy process to do background checks and there is 6 months of EMT school and additional fire school.

City of Atlanta Office of the Solicitor  
Judge Sylvia J Lee; 404-932-5566, [sjlee@atlantaga.gov](mailto:sjlee@atlantaga.gov)

No Report.

Fulton County District Attorney Community Prosecutor's Office  
Nemoine Nooks, Zone 2 Community Prosecutor ([Nemonie.Nooks@FultonCountyGA.gov](mailto:Nemonie.Nooks@FultonCountyGA.gov), 404-964-5663)

No Report.

MARTA Police Department (MPD) North Precinct (404-848-3902) [www.itsmarta.com](http://www.itsmarta.com)  
Major Matthew Carrier; [mcarrier@itsmarta.com](mailto:mcarrier@itsmarta.com), 404-848-4813

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)

No Report.

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 (cell).

George Johnson is the operations at Peachtree Hills Recreation Center. Summer camp is in full swing. After school program from 2:30pm to 6:30pm registration should open in July. The center will accept equipment; athletic or school supplies.

#### 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)

Officer McLendon, [amclendon@atlantaga.gov](mailto:amclendon@atlantaga.gov), 404-273-0865

Sama McKoi noted that at Morosgo & Lindberg there is an active request for pedestrian signs. A traffic study has been requested through Kathy Zohul with GDOT at 770-216-3810.

Lenox Road and Crane Road didn't warrant a light but additional senior zone signs will be installed. Part of the request was to address the public park issue. It can be studied in 6 months if traffic changes.

Additional signs at Lookout Place for no parking are planned.

N Fulton and Pharr Road did not meet the needs for a light. When all of the developments are completed, the traffic volumes may warrant a light.

Ride-alongs for summer will occur on Tuesday & Thursday. Email Sama to register.

Acorn & E Wesley a traffic work order request has been made to address the overgrown trees. Larger trees are addressed by Public Works and smaller trees are addressed by Public Works. There was a question as to whether someone would assess the existing signage for location and suitability.

The W Paces Ferry pedestrian refuge island at Valley Road has not been cleaned despite numerous requests. The debris makes the island invisible at night. It has not been cleaned in over a year.

#### Code Enforcement Section, APD Community Services Division

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

[jhbrown@atlantaga.gov](mailto:jhbrown@atlantaga.gov); 404-546-3846 office; 404-557-2748 cell

Officer Brown presented an update on existing complaints:

2983 W Roxboro Road – citation set for unsanitary standing water in retention pond

3958 N Stratford Road – citation issued and court date will be this month.

Nancy asked if an owner addresses the issue, do they still have to show up to court. Officer Brown noted that they still have to appear and if they fail to appear the judge will issue a bench warrant.

2540 Piedmont Road – Big John Christmas Tree lot building needs to be assessed.

2520 Piedmont Road – abandoned lot with loitering

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)

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

Tony emailed that the lights on the Gordon Bynam Pedestrian bridge have been fixed and are on.

Buckhead Business Association

Garth Brooks

No Report.

#### **4. PRESENTATIONS**

Ben Howard gave a presentation on the City's Multi-Family Solid Waste Fee Schedule. Multi-Family fees have gone to \$400 per unit flat fee instead of \$400 per building flat fee per year. Ben has talked to City Council to alert them that there is an error in the rate and that the rate is not justifiable and offering to work with the City. The new billing rate was intended to address the \$34M shortfall in revenues. Ben has dug into the numbers and found several errors in their spreadsheet, analysis, and justification. There was an attempt to offer that multi-family be considered as a commercial property with bulk pickup and CHARM fee added. The legislation is getting revised; hopefully to create a fairer ordinance with a fairer rate.

The City Council Public Works Committee has brought forward resolutions in order to do a rate study and a cost of service study. They also wanted to work with the Fulton County in order to attempt to move the solid waste fees to the tax bill.

The NPU B members agreed that Ben should draft a letter to Public Works requesting that the Solid Waste bills be put on hold until a proper and accurate rate study is completed and that a citizen task force work with the City on this rate structure with representatives from the different communities served (SFR, MF, commercial, institutional, etc.). Nancy is authorized to sign this letter.

Center for Civic Innovation – NPU process may not be working across the City equitably and consistently. The Center for Civic Innovation is studying the process and they are trying to create a design thinking approach to come up with community recommendations. This is part of their 5-year plan. CJ is participating in this process. Nancy has invited them to attend our meeting.

The City approved the consolidation and development of two isolated properties that would use an easement through a third property for access. The lawyer for the adjacent owner has

determined that the City did not receive or demand all of the property transactions and that this consolidation should not be allowed. The City should follow its ordinances and the applicant should work with the neighborhood and NPU to identify options for these isolated parcels. NPU agreed 19-0-1 to write and send a letter of support for the appeal.

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

Nate was in attendance in lieu of Jessica. Nate announced that the tree ordinance/ Urban Ecology Framework meeting dates/times are on the website. The meeting closest to NPU B is at Trinity Presbyterian Church on Howell Mill Road on Thursday from 6:30 - 8:00pm. The presentation will include a high-level overview of the planned ordinance.

There was a question about the status of an ordinance to address the irregular lot definition in the ordinance and dealing with historic layout of neighborhoods. There was no update on this.

## **6. STANDING COMMITTEE REPORTS**

APAB report was distributed via email.

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

Mandi Gipson, Chair

Flying Crust / 3186 Peachtree Road NE Crust (Upstairs & Downstairs) / Change of Ownership / APPROVED 6-0-0

Buckhead Grand (Main Facility 36<sup>th</sup> Floor and Additional Facility (Patio) / 3338 Peachtree Road NE / Change of Agent / APPROVED 6-0-0

Peachtree Hills Place (Clubhouse, Wellness Bar, Roof Patio & Courtyard Patio) / 229 Peachtree Hills Avenue / New Business / APPROVED 6-0-0

**NPU-B action: A motion to adopt committee recommendations on the above-listed consent agenda passed by vote of 19-0-0.**

**Dancing in the Streets:** Evan Rosenberg presented on Dancing in the Streets at Big Sky Buckhead on June 22-23. It is limited to the parking lot and nothing will be on the street. There was a question about the sidewalk disruptions and whether surrounding businesses were consulted. The neighboring businesses have been notified. Big Sky Buckhead has hired bike officers to patrol the neighborhood and will have 4 bike officers for the event.

**NPU-B action: A motion to Dancing in the Streets passed by vote of 19-0-0.**

### **B. DEVELOPMENT AND TRANSPORTATION COMMITTEE**

No Report.

### **C. ZONING COMMITTEE**

Jefferson McConkey, Vice-Chair

**NPU-B action: A motion to remove SD-19-17 from the consent agenda for discussion passed by a vote of 19-0-0.**

V-19-116 657 East Paces Ferry Road NE

APPROVED

Applicant seeks a variance from the zoning regulation to reduce the east side yard setback from 7 feet to 4 feet.

V-19-095 545 Pine Tree Drive NE

APPROVED

Applicant seeks a variance from the zoning regulation to reduce the required south side yard setback from 10 feet to 4 feet for an addition to a single-family home.

U-19-013 3872 Roswell Road NE

APPROVED with Conditions

Applicant seeks a Special Use Permit to construct a new outdoor dining patio adjacent to the building.

\*\*Conditioned on no outside music or speakers.

**NPU-B action: A motion to approve the consent agenda passed by vote of 19-0-0.**

SD-19-17 2829 W Roxboro Road

Applicant seeks to subdivide the property into 3 lots.

The applicant presented the project which includes preserving the existing home and allowing the family to live in the house during construction. Two new homes would be built on either side of the existing home. The existing home would remain in place.

The Pine Hills Zoning Committee supports the subdivision as long as there are three confirming lots and the street frontage from the new homes are compliant and the houses face W Roxboro Road. The Pine Hills Zoning Committee felt like allowing the family to live in the home would be inconsistent with past actions. There were previous attempts for similar arrangements that were denied and the committee wanted to be consistent and avoid setting a precedent.

Conditions to the subdivision:

1. All three lots are fully conforming R-3 lots and the project complies fully with the City's tree ordinance at the time of permitting
2. No variances to the front, side, or rear setbacks are issued with the exception for maintaining the existing home which encroaches in the front setback.
3. All houses face W Roxboro Road and respect the historic development pattern of the neighborhood
4. No new retaining walls greater than 8 feet to be constructed anywhere on the property
5. The property is treated as a "common development" for stormwater management purposes. Stormwater maintenance agreements and indemnification agreements must be filed with the City for all stormwater management facilities on any of the three parcels.

**NPU-B action: A motion to approve SD-19-17 passed by vote of 18-1-1.**

**NPU-B action: A motion to deny the request for partial demolition and occupation during construction passed by a vote of 20-0-0.**

## **7. OLD BUSINESS**

## **8. NEW BUSINESS**

## **9. ANNOUNCEMENTS**

Sarah Barnes a landscape architect attended to get guidance on a variance request she will be completing for a client for a pool on a pie shaped lot. The committee suggested that the application should clearly articulate the hardship and include a detailed site plan. The NPU could not weigh in officially until an application is filed for the variance with the City.

Then next NPU meeting will be July 2, 2019.

The next BZA meetings will be held on June 6<sup>th</sup>, 2019 and June 13<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 June 6<sup>th</sup>, 2019 and June 13<sup>th</sup> on the 2<sup>nd</sup> floor of the City Hall Annex at 6 PM.

## **10. ADJOURNMENT**

The meeting was adjourned at 8:51 PM

Following adjournment, a gentleman discussed an ongoing construction project at 795 Lovette Lane who appears to have cleared trees in a stream buffer without getting a proper stream buffer variance from the City or State. Kim Shorter offered to help track down some answers.