

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

The meeting was called to order at 7:03 p.m. by Nancy Bliwise, NPU-B Chairperson.

Present: 24

Proxies: Cathy Boston to Bill Murray
Abbie Shepherd to Mandi Gibson *arrived late
Kim Shorter to Mandi Gibson * arrived late

* 4 people arrived after the approval of the minutes.

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 as revised 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@atlantaga.gov ; 404-391-0081.

Major Shaw noted that while crime is down, that doesn't mean there isn't still crime. Major Shaw asked residents to be mindful of posting stats online that you may hear in the meetings as other neighborhoods still have issues and the police are still dealing with their issues. We don't want people to get complacent (or begin arguments online about crime stats).

A man impersonating Pizza Hut employees was pretending to deliver a pizza while stealing packages from porches. He was held up on the southside of town while actually delivering pizzas. When the police were called to the crime, they determined that there was a warrant out for his arrest and he was also arrested.

Major Shaw is retiring next Friday from APD. He is unsure who will replace him.

Garden Hills expressed concern about crime at local businesses. Neighbors are not comfortable walking at night. Major Shaw said that arguments that begin inside of the recording studio in the middle of the neighborhood are spilling outside. The area has had more gunshot incidents because of the private business and their clientele. The police are working with them but this is a challenge with the City's commitment to growing the entertainment industry. Major Shaw would like to have extra officers parked at certain spots in Zone 2 to try to curb gun use, but they are understaffed and there has been pushback from the City when they make suggestions.

The relationship with courts and APD has not improved. APD is still seeing issues with people who have been arrested being able to leave jail quickly and then get caught repeating the same or similar crimes.

Atlanta Fire Rescue Department (AFRD)

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

Battalion Chief Kendale Mitchell, 404-546-4466. Hosting a Breakfast for our Bravest at Flourish Atlanta (3143 Maple Drive) on November 12th. Station 26 is closed for renovations. The renovations are ahead of schedule and the station should re-open in mid-December. Station 26 will be receiving a new frontline straight ladder truck before Thanksgiving. All members are currently going through health and wellness physicals. Grant re-awarded to purchase more equipment and supplies, as well as continue training for their Car Seat Program.

New burn building for training will begin construction; look to open and have in use by the summer.

97 recruits are in the academy with 30 set to graduate on December 10th. Applications are still being accepted by the City for anyone interested in applying to the academy.

Boot drive campaign will be held through December. Proceeds go to the Georgia Firefighters Burn Foundation (both for fire fighters and victims), muscular dystrophy, and Gold Shield Foundation.

Check your furnace before turning on the heat and have your fireplace professionally cleaned before using. Make sure you use space heaters safely; do not cover them with anything, ensure there is plenty of space around, and do not leave them unattended. Always unplug space heaters when not in use.

Close before you doze campaign – close the bedroom doors at night and increase your chance of surviving fire by 40%.

Lovie's BBQ restaurant had a small kitchen fire over the weekend but AFRD responded and contained the fire quickly without any major damage.

Atlanta Office of the Solicitors

Judge Sylvia J Lee; 404-932-5566, sjlee@atlantaga.gov

No Report.

Fulton County District Attorney Community Prosecutor's Office

Nemone Nooks, Zone 2 Community Prosecutor (Nemone.Nooks@FultonCountyGA.gov, 404-964-5663)

Nemone provided an update on a few recent cases:

- Person associated with the recent Icebox jewelry store theft entered a plea of guilty and received 10 years. Co-defendants cases are upcoming.
- State vs Eddie Price. He was charged with 6 counts of burglary in E Paces Ferry area. Surveillance video was available. Sentenced 8 years and served 5.

- Jermain Hewitt, who was targeting elderly individuals in Buckhead. The prosecutor was able to bundle cases to develop a pattern. He will go to trial in January. Got a second indictment because he shot a victim in the leg as they fled. He is facing life without the ability of parole.

A neighborhood is working on getting people to come to trials. Anyone can come, but it is best to go through the Court Watch coordinator. Krystallunsford@fultoncountyga.gov She will share information specific to the court and judge.

There is a Fulton County Community Office off of Grandview Avenue. There is some recent crime there recently at the recording studio and the Fulton County Community office is next to the studio. Nemone will be addressing that issue with her supervisor and it is a concern.

George noted that any support to increase safety was appreciated.

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

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)

The City is in a Level 1 drought and restrictions are in place.

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).

After school numbers are lower than desired because of issues with APS bus availability. The center is looking for volunteer basketball coaches as soon as possible. Practices start soon, games in January. You can visit the website, call or email for more information.

The issue with APS is mainly the availability of bus drivers.

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

Officer Givens stated that he was glad to be back. They are working on educating property owners on the issues related solid waste. There was a comment regarding scooters. There are some shifts to cover after 9pm scooters that are in violation of the City's ordinance.

There was a question regarding missed yard waste and the proper protocols. Calling 311 and call Officer Givens if there are problems.

There was a question about whether the scooters were being picked up by the City after they are confiscated. The scooter companies come by several times a week to pick up the illegally parked scooters.

Shawn asked about the Peachtree Park triangle and the design proposal for curbs. Officer Givens will follow up.

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

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

No Report.

Buckhead Community Improvement District (CID)
www.buckheadcid.com

Buckhead Area Transportation Management Association (BATMA)
www.batma.org

No Report.

Buckhead Business Association
Garth Peters

No Report.

4. PRESENTATIONS

Planning Department, Samantha Terry

NPU University – There are 25 NPUs throughout the City, A – Z but no NPU U. NPU University has a diverse educational mission. NPU U holds annual NPU Chairs training for the designee from each of the 25 NPUs. There are classes to educate the citizens on the role of the NPU. There is also a youth development component. The online enrollment will be December 19th for anyone who lives or owns a business in the NPU.

NPU Community Grant program, applications available on Jan. 6th and due March 6th – community centered programs. Organizations should submit a list of projects to the NPU. Samantha shared examples of some of the previously awarded grants. Creativity and collaboration are encouraged. NPUsail@atlantaga.gov

Nancy asked Samantha to share what her priorities were to help NPUs advocate for their communities. Samantha noted that educating the public on the role of the NPU and advocating community involvement is important.

Nancy commented that the NPUs will be sending information out on NextDoor. More of the information will be general, unless requested to do a push by NextDoor.

Trees Atlanta – Judy Yi

Trees Atlanta plants about 7,000 trees per year and does a lot of forest restoration as well. Removing invasive understory (ivy, privet, kudzu, etc.) is a threat to trees. The City's tree canopy is about 47%. Trees Atlanta will host a canopy conversation within the neighborhood because each neighborhood has a different profile. NPU B has 53% canopy cover. District 7 is 49% and District 8 is at 66%. As a community, it is important to maintain that tree cover. As more development comes, there is threats to the canopy. There are 2 upcoming community meetings on the City's Tree Ordinance Rewrite. The closest meeting will be Thursday, November 7 from 6:30 – 8pm at Trinity Presbyterian Church (3003 Howell Mill Rd, NW).

Trees Atlanta educates approximately 22,000 people annually. They are in 60 metro Atlanta schools. There is a high school jobs training program.

If there are questions regarding trees, contact Judy Yi – judy@treesatlanta.org 404-609-3373.

There is a lot of frustration with the variances that weaken a strong ordinance. The City recently permitted a variance to the stream buffer in an area of very sensitive stream. Trees are really important to the health of the stream. The neighborhood is frustrated. Judy Yi would like to use it as an example. NPU B works very hard to compromise with developers and when we make a stand on a principle that is important to us, we can't get the support that we need. Sally shared that the arborist still has an opportunity to get engaged on this.

Trees Atlanta doesn't think the ordinance is strong enough and that it is not enforced correctly. Call the Mayor, she needs to care more.

There was a discussion about a graduated fine based on property value. The more expensive lots don't care about the fine. Judy suggested that the comment needs to be given to the City of Atlanta.

Every City of Atlanta resident can request up to 3 trees in your front yard for free that will be planted by Trees Atlanta. The recompense funds go to a tree trust fund. The City wants to make sure that it is in a visual easement that canopy's the street. Abby shared that Brookwood Hills has a tree committee.

5. PLANNER'S REPORT

Jessica noted that November 25th is the quarterly public hearing for land use amendments at 6pm at Council Chambers. The discount store legislation needs to be voted upon tonight. The tree preservation ordinance meeting is on Thursday, November 7th from 6:30 – 8pm. The City is looking at a different manner of looking at the value of the tree. Jessica noted in the discussion that the value of the land as well as the value of the tree should be considered.

An Ordinance by Councilmember Marci Collier Overstreet to amend the 1982 Atlanta Zoning Ordinance, as amended, to add section 16-29-001(87) to add the definition of small discount variety store; to amend the C-1 (Community business), C-2 (Commercial service), C-3 (Commercial residential), C-4 (Central area commercial residential), C-5 (Central business support), I-Mix (Industrial mixed use district), I-2 (Heavy industrial district), SPI-1 (Downtown special public interest district), SPI-2 (Fort McPherson special public interest district), SPI-9 (Buckhead Village district), SPI-12 (Buckhead/Lenox Stations special public interest district), SPI-15 (Lindbergh Transit Station special public interest district), SPI-16 (Midtown special public interest district), SPI-17 (Piedmont Avenue special public interest district), SPI-18 (Mechanicsville Neighborhood special public interest district), SPI-20 (Greenbriar special public interest district), SPI-21 (Historic West End/ Adair Park special public interest district), SPI-22 (Memorial Drive/ Oakland Cemetery special public interest district), PD-MU (Planned development – mixed use district), PD-OC (planned development – office-commercial district), Cabbagetown landmark district, Martin Luther King Jr. landmark district, Inman Park historic district, Pratt-Pullman landmark district, NC (Neighborhood commercial), LW (Live work district), and MRC (Mixed residential commercial) zoning districts so as to allow small discount variety stores as a use; to require a 1,500 foot distance between small discount variety stores as defined by this ordinance; and for other purposes.

Discussion

There was a comment that the ordinance was insulting and that citizens could make their own buying decisions without government oversight. There was another comment that crime was an issue. Jessica shared that a lot of these are large chains that tend to dominate lower income areas. The presence of these saturate the market so other businesses can't locate in these areas. The goal is to leave space for other businesses to enter the market. Council is responding to neighborhood concerns. There is an issue with these stores popping up next to one another. There was a question about incentivizing stores to come into a community if that is the goal. There are examples of City incentives, such as Invest Atlanta is supporting improvements to local groceries to improve their capacity for fresh food storage. The ordinance would be better if the incentives and the restrictions were coupled. The general consensus is that this is an over-reach but that NPU-B wanted to support the areas that are trying to solve problems in hopes that they will support ordinances that help address our issues in the future.

NPU-B Action: A motion to approve Ordinance Z-19-96 with the amendment that the ordinance include incentives passed by a vote of 13-9-1.

6. STANDING COMMITTEE REPORTS

APAB report was distributed via email.

A. PUBLIC SAFETY COMMITTEE

Mandi Gibson, Chair

Santacon Event at Big Sky Buckhead on December 21, 2019

ALDI #1 / 3221 Peachtree Road NE / Change of Agent / Approved 8-0-0

The Whitley (Coffee Bar, Trade Root Bar, Club Room, and Suite Hotel) / 3434 Peachtree Road NE / Change of Agent / Approved 8-0-0

Zinburger Wine and Burger Bar / 3393 Peachtree Road NE / Change of Agent / Approved 8-0-0

Kula Coffee Company (with Patio) / 3423 Piedmont Road NE / New Business / Approved 8-0-0

Silom Thai Sushi & Bar / 3345 Lenox Road NE / Change of Ownership / Approved 8-0-0

Tamago Ramen & Bar / 2900 Peachtree Road / New Business / Approved 8-0-0

NPU-B Action: A motion to adopt the above consent agenda passed by a vote of 23-0-0.

B. DEVELOPMENT AND TRANSPORTATION COMMITTEE

No Report.

C. ZONING COMMITTEE

Bill Murray, Chair

Consent agenda

V-19-222 3747 Peachtree Road NE

Applicant seeks a variance from the zoning regulations to exceed the maximum height for a fence from 4 feet to 6 feet 6 inches for a 6 foot high fence with 6 feet 6 inch high support piers in order to construct a fence in the required front yard.

NPU-B action: A motion to approve the consent agenda passed by vote of 23-0-0.

7. OLD BUSINESS

8. NEW BUSINESS

The Business Elections were today and once the votes are certified, they will be noticed. There were 12 people on the ballot and one write in candidate, for a total of 13 candidates.

9. ANNOUNCEMENTS

The next NPU meeting will be December 3, 2019.

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

The next ZRB meeting will be held on November 7th and November 14th on the 2nd floor of the City Hall Annex at 6 PM.

10. ADJOURNMENT

The meeting was adjourned at 8:53 PM