

**Minutes of NPU-B regular monthly meeting
Tuesday, February 4, 2020**

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

Present: 18

Proxies: Mandy Gibson to Jefferson McConkey
Bill Murray to Jefferson McConkey
Jim Cosgrove to Kim Shorter
Bryan Steed to Kim Shorter
Abbie Shephard to Jason Kendall
Mark Tiller to Jason Kendall

No members of the press were in attendance.

Arnaud Michel and Thomas Griffin-Johnson were welcomed to the NPU board.

*1 member joined following the approval of the minutes

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 the revised minutes from the previous regular monthly meeting of the NPU-B as revised passed by vote of 22-0-0.

3. APPROVAL OF AGENDA

An addition to the addenda in new business was requested to approve the fees.

NPU-B Action: A motion to approve the agenda with an addition passed by a vote of 22-0-0.

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

Atlanta Police Department (APD) Zone 2

Major Senzer, Commander Zone 2, asenzer@atlantaga.gov ; 404-624-0674.

Major Senzer noted that the zone is averaging 270 Part 1 crimes per month. Of these Part 1 crimes, 95% are property related. Of the total Part 1 crimes, 50% are vehicle related. Major Senzer is working on trying to solve more of these Part 1 crimes through collaborative meetings with other zones to look for patterns. Only 15% of the break-ins from this past month were solved with fingerprints. Buckhead is most affected by property crimes and the Zone is re-focusing the investigators to pay more attention to these crimes.

There was a question from the Board about the recent carjacking at the BP. Major Senzer noted that there appears to be a group operating out of zone 4, mainly targeting Range Rovers. There is one person of interest who has several warrants out for his arrest. Major Senzer reminded everyone not to leave your keys in your car. With Range Rovers, the side mirror fold in when the car is locked. Criminals know that a Range Rover can be taken if the mirrors are unfolded.

There was a question from the Board as to whether those who were caught were being properly prosecuted. Major Senzer noted that Chief Shields is putting a lot of pressure on the prosecutors to get tougher penalties and no bonds, especially for repeat offenders.

Major Senzer commented that he is focusing Zone 2's efforts on the "discretionary time", or the time between 911 calls. The officers are doing tactical drills and engaging with the public in the higher crime areas. This past week, the officers made 786 traffic stops, which is a large number.

There was a question from the Board about whether there was an engagement campaign to notify the public not to leave personal items in vehicles. Officers have been pushing out a consistent message at NPU meetings, civic association meetings, and other sources. Major Senzer agreed that we need to reduce the crimes of opportunity.

Many of the NPU B neighborhoods are investing in cameras and a Board member asked if this was helpful. Major Senzer noted that the LPRs are very helpful, especially on the major corridors. Major Senzer would like to see the LPRs on major roadways throughout the City. Major Senzer added that cameras at each service station would be helpful too.

There was a follow-up question from the Board regarding the timeliness of the IPR data. The 911 operator dispatches an officer to the scene of any incident. Once the officer confirms that a vehicle was stolen, the video integration center is notified, and an alert put into the system. After the alarm is placed in the system, the City is notified anytime a vehicle passes by an LPR and the officers can respond. An NPU-B Board member noted that it would be helpful to get better statistics on the usefulness of the cameras to share back with the neighborhoods who have invested in these systems.

A Board member asked about the recent issues at the 3511 Roxboro property, which includes the Container Store and KEFI. On the weekends there have been noise complaints and other complaints associated with a party house. A Board member shared that on a Friday or Saturday night, there should not be any cars parked in that parking lot as the owner has not approved any parking in their lot. Major Senzer noted that the representative for the house has been cited a number of times. Another Board Member mentioned that Detective Burke has been very helpful with this and related issues in NPU-B.

There was a question from the audience regarding the 3 recent fires near the Cosmopolitan and whether the City was able to arrest or remove the homeless people starting the fires on GDOT property. Major Senzer noted that they can enter GDOT property, but they cannot cite for criminal trespass without GDOT being present. The City and GDOT are working on an MOU that would allow the City to charge anyone on their land for criminal trespass without their presence. Nancy commented that NPU-B has been working on issues in this area for a number of years. She added that there is a coalition of about 11 neighborhoods who are trying to work with the private property owners to develop these MOUs and the group is looking for facilities who offer services that might be beneficial to these individuals. Major Senzer noted that the City offers services, but they are typically declined because the services have restrictions such as remaining drug-free.

Nancy suggested that the City should patrol the bus stops in the morning. There was a drug sale at 7:30am right by a high school bus stop near Buford Highway. Major Senzer noted that he would have his officers patrol this area.

There was a question from a Board member about the shooting between two cars on Peachtree near the intersection of Shadowlawn. Major Senzer heard about this incident on NextDoor, but there is no record of anyone calling 911. The Vehicle Integration Center (VIC) has no camera record of this incident. There is no record of the incident at all.

Atlanta Fire Rescue Department (AFRD)

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

Michelle Middlebrooks, Battalion Chief presented. Fire Station 26 will host an open house on February 27th (Howell Mill and Moores Mill intersection). More information on the open house will be posted on the fire department website. Station #3 (Phipps Plaza) has been upgraded to an Advanced Life Support Unit, improving the level emergency response. Fire Station 26 and 29 got new engines.

Construction of the new burn building, which is a training facility, will begin soon.

Each fire station offers free infant car seat installation and free fire detectors. She also reminded everyone about the Close the Door Campaign.

A board member noted that he was stood up 3 times by the representative to check his smoke detectors. Chief Middlebrooks noted that this should not happen.

The department was complimented about how quickly they resolved the fire under the bridges on the GDOT property. Chief Middlebrooks noted that the fires are the result of the homeless population fighting over territory.

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

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

Nemonie Nooks provided an update on some ongoing cases.

- Jermaine Wood – This defendant is accused of committing armed robberies by motorcycle. He has been indicted on a new case in which the defendant was shot. Because the new case involved a shooting, it has a higher penalty (life without parole). The City is pursuing the new case first because of the higher penalty.
- Lenox Mall Shooting (December 21st) – As of Friday, both defendants have been arrested and charged with armed robbery and aggravated assault. Both are in jail with no bond. They will see a judge on Feb. 11th at 9am. Nemonie asked everyone to send in a victim impact statement, if you have one. He will be tried as an adult.

- Velvet Taco armed robbery – One defendant has been charged but officers are looking for more. There are no dates yet and there are no prior offenses.

A victim impact statement expresses how the defendant impacted you. Anyone can write a victim impact statement including residents noting how the crime impacted the community. Nemonie Nooks noted that she could send out examples of these statements. There was a question from the Board about how residents can follow cases that are in the system. The Fulton County Superior Court website will note where the case is but Nemonie is happy to help as well.

Nemonie passed around copies of a community concern survey. She plans to meet with APD at the Fulton County Prosecutors Zone 2 Office off Grandview at Pharr Road. She would like to know what people are concerned about in preparation for that meeting.

There was a question about the Peachtree Avenue shooting in which an 11 year old and an 18 year old were shot. The Board member added that it was apparently a dispute between N Atlanta high school students. Nemonie did not have information on this case.

A Board member commented that the Fulton County Superior Court open house at the Zone 2 Grandview office is appreciated. There have been recent issues with nearby tenants and the community thinks it is beneficial for them to know that they are neighbors with the Prosecutor.

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

Sgt Johnson commented that he and MARTA monitor social media. As a result, they were able to quickly apprehend an individual who posted that they were going to do harm at a MARTA station. Sgt Johnson noted that MARTA experienced an increase in juvenile offenses, so they created an undercover team and as a result the number of issues have dropped to zero.

There was a board member question about jurisdiction when crimes transition onto and off of MARTA property. MARTA police have full capacity within the three counties and cities within these counties. MARTA tends to stay on their property, but they could make arrests anywhere in these three properties.

There was a question about juveniles perpetrating crimes in Peachtree Park and then jumping onto MARTA and getting away. Sgt Johnson noted that 2 additional officers were added to the Lenox Area to patrol by foot.

There was an additional board member comment about addressing juveniles selling water. MARTA and APD are working together to address these issues.

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)

No Report.

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).

Afterschool registration is still open at Peachtree Hills with limited availability. Summer camp registration will start March 1st. Spring sport registration will be opening soon. Camp Gladiator is holding a 1-hour a day boot camp from 12 – 1pm and then 5:45 – 6:45pm. These boot camps are free.

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

The SWEET team Officer reminded everyone that the SWEET team is not the liaisons between the collections team and the resident and that these issues should be routed through 311. He distributed flyers on the City's recycling requirements. He also reminded everyone of the City's new bulk policy and asked that when scheduling a bulky pickup through 311 it is important to be specific about the items to be collected and clarify that it is not a missed pickup. He noted that with a bulky pickup, trash bags should not be placed on the bulky item, as it confuses the pickup. The trash bags should be placed in the green bin.

The officer also clarified that 20 bags of yard waste or less are considered normal yard waste, and any more than 20 bags is considered a bulky pickup and must be scheduled using 311.

There was a comment that the collections team was placing the bins in front of the mailbox which is inhibiting the delivery of mail. He suggested calling 311 every time this happens so that they can educate the staff.

There was a discussion about glass recycling. A board member shared that glass is not cost effective to recycle unless it is pre-sorted and clean. The City is separating glass at the recycling facility and then paying additional fees to have it hauled and disposed at the landfill.

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

Tony Peters introduced himself and wanted to give some quick updates on “the year of construction” for the BCID. The ongoing construction projects include:

Sidewalk repairs and improvement:

1. Maple drive sidewalks to Pharr Road – first of the 4 main corridors to be improved
2. Piedmont from Peachtree
3. Roswell to East Andrews
4. Peachtree from Peach Center to Piedmont

West Village Streetscaping: ASTRA is the likely contractor for the West Village Streetscaping. BCID has coordinated the streetscaping with all the projects under construction to leverage their planned improvements. Tony shared that the next step is permitting and the improvements will be completed by Thanksgiving 2020.

Peachtree Phase 3: GDOT has approved the advertisement for Peachtree Phase 3 (Maple to Shadowlawn). This project is similar to Peachtree Road improvements in Phases 1 and 2. Bids will be opened March 2nd. Hope to be under contract in May with a 15- month project, with the first part being burying of lines by Georgia Power and others.

Quick Win Projects:

1. Stratford and Peachtree – BCID is finishing paving the road and putting permanent striping from Peachtree to the Post property.
2. GDOT paving on Piedmont – BCID partnered with GDOT to create a pedestrian friendly crossing that will be striped shortly.
3. Phipps Boulevard toward Lenox Road – Currently, there is only one lane from Lenox to turn onto GA400. The BCID and others are working through permitting to create a dedicated right turn and a shared right and turn lane. One new post light is needed to complete this project.
4. Peachtree, Wieuca, and Lenox Road paving will be done by CW Matthews. These should be paved in early summer. Smaller roads are being done now and these major roads are being done in summer when traffic volumes are lighter. There is an interest in paving Peachtree at night only. BCID will facilitate communications.

Tony noted that when BCID wants to implement a project, in the past it involved coordination with four different departments. The City has recently reorganized, creating the new Atlanta Department of Transportation, which pulls all of these departments together. Josh Rowan has been hired to serve as the Commissioner. Tony suggested inviting him to attend an NPU-B meeting.

Jefferson shared with BCID and the Board that he is serving on a City-requested working group to create guidance for developers coming into Atlanta. For example, figuring out how to implement sidewalk requirements.

A board member asked Tony if he could help bring the 4th of July fireworks back to Lenox Mall. Tony noted that this was outside of BCID’s purview, but he would pass along this request.

Buckhead Area Transportation Management Association (BATMA)

www.batma.org

No Report.

Buckhead Business Association

Garth Peters

No Report.

5. PLANNER'S REPORT

6. COMMITTEE REPORTS

APAB report was distributed via email.

A. PUBLIC SAFETY COMMITTEE

Jefferson McConkey

Fado Buckhead St. Patrick's Day Festival

273 – 311 Buckhead Avenue

March 14, 2020

The event will remain in the parking lot where it was held last year. The event is just one day. They have coordinated with the adjacent business owners.

Bartaco / 3802 Roswell Road / Change of Agent / Approved 10-0-0

The Cheesecake Factory / 3393 Peachtree Road NE / Change of Agent / Approved 10-0-0

Grand Lux Cafe / 3500 Peachtree Road / Approved 10-0-0

CVS Pharmacy #5731 / 3321 Peachtree Road NE / Change of Agent / Approved 10-0-0

Yebo / 56 East Andrews Drive NW / Transfer of Location / Approved 10-0-0

NPU-B Action: A motion to adopt the above consent agenda passed by a vote of 24-0-0.

There was a comment from the community related to the number of new establishments coming into the NPU that bring alcohol sales. There was a question as to whether the City could provide a report of the number of open liquor licenses on an annual basis. There was confirmation that the NPU cannot deny a liquor license for a compliant and appropriate use but they cannot be denied on basis of "capacity". Most of the new applications are not night clubs but hotels and restaurants and change of agents. Most of the issues boil down to enforcement.

B. DEVELOPMENT, TRANSPORTATION and SPECIAL PROJECTS COMMITTEE

Jason Kendall noted that the committee met and evaluated the merits of three different concepts for a special project.

C. ZONING COMMITTEE

Jefferson McConkey, Vice-Chair

Consent agenda

Applicant seeks a special exception from the zoning regulation to erect a 5-foot 7-inch gate/column in the required front yard where only a 4 foot high fence is allowed.

NPU-B action: A motion to approve the consent agenda passed by vote of 24-0-0.

7. PLANNERS REPORT

Krishanna Marie Newton with the City attended the meeting. Knewton@atlantaga.gov

Nancy led a discussion regarding Z-18-119, a case heard by NPU-B in November 2019 on W Wieuca. The case was approved, conditioned on the site plan, by NPU-B as a result of great discussions and compromise with the neighborhood. The City did not respect the NPU-B conditions which allowed for 32 units, and has approved the project for 80 units.

Krishanna noted that this project was zoned MRC-3 and because this is a specialty zoning district it must go through a Special Administrative Plan (SAP) review process. She believes that this project was reviewed by Christian Olteneau and she noted that she did not review this project personally. Krishanna noted that SAPs look at nine specific criteria, some of which are quality of life and development controls. Krishanna was surprised that the NPU-B condition was not considered through the SAP process.

A Board member asked if a stop work order could be issued. Krishanna noted that it could if there was a violation.

A Board member noted that the Land Disturbance Permit (LDP) is in place and demolition is underway. The developer has a permit.

Krishana commented that the Design Awards for 2020 are open for nominations.

Nancy noted that there was an amendment to the NPU Code of Ordinance for the NPU to discuss which requires a vote.

20-O-1003: An Ordinance by Councilmembers Antonio Brown, Joyce M. Sheperd, Amir R. Farokhi and Marci Collier Overstreet as substituted by Community Development/ Human Services Committee to amend Part III (“Land Development Code”), Part 6 (“Budget and Planning”), Chapter 3 (“Planning”), Article B (“Neighborhood Planning”), Section 6-3011 Et Seq. for the purposes of improving processes that will increase community engagement in the Neighborhood Planning Unit System; and for other purposes.

Krishana suggested that NPU-B look at the facts and findings, or lack thereof, when commenting on the Ordinance. She noted that Nancy should send a letter on NPU-B letterhead via email to Leah and copy Krishana with any comments.

Nancy noted that if the ordinance passes, it would decimate the NPU-B format. NPU-B area includes a significant portion of multi-family and business uses. She added that for NPU-B, the representation and diversity of thought would be eliminated by this ordinance. The diversity is important to the NPU-B decision making process.

A Board member noted that there have been “off the record” comments from City officials that there are several NPUs that do not function well. The CCI was studying the NPU system but they have not completed their recommendations. There was a comment from a Board member that the ordinance seems premature, given that the CCI study is incomplete. A Board Member offered to invite some of the Councilmembers endorsing the legislation to attend an NPU-B meeting, so see how well the NPU system can function.

Nancy reiterated that NPU-B will comment on the areas where we have major concerns and that any specific concerns or recommendations should be emailed to her for compilation.

A board member commented that this seems to be a solely political move.

NPU-B action: A motion to STRONGLY deny the proposed ordinance passed by vote of 24-0-0.

8. MATTERS FOR VOTING (above)

The results of votes are presented in the section above.

9. PRESENTATIONS

William a freshman at Westminster who lives in Garden Hills and is working on his Boy Scouts Eagle Scout badge. William would like to build a GaGa ball field in Garden Hills. He explained that GaGa ball is a safer version of dodge ball that is played in a square pit. Participants spike the ball and “get people out” by hitting them below the waist. GaGa ball is a popular summer camp activity.

William is raising funds to build the GaGa ball pit. It will be located on a corner of the open field near the pool so that the field can still be used for soccer. He hopes the project encourages kids to go outside and play more, instead of playing video games. William explained that the next step is get approval from the City and he has a meeting with the planning department scheduled later in the month. He hopes to finish the construction within a year.

NPU-B asked if he had approval from the Garden Hills Civic Association. William responded that he is working on approval of the neighborhood association. NPU-B members asked about any fencing and the project cost. He plans to fence it with wooden fencing and anticipates the project to cost \$600 - \$800.

George Heery, the Garden Hills neighborhood representative, explained that the Garden Hills Pool and Playground Association leases the land from the City, so representatives from this group need to be included in the meeting with the Civic Association. George provided a business card for later coordination. Another Board member provided a business card for a donation toward construction.

NPU-B action: A motion to approve the consent agenda passed by vote of 24-0-0.

10. OLD BUSINESS

There is no new business.

11. NEW BUSINESS

12. ANNOUNCEMENTS

The next NPU meeting will be March 3, 2019.

The next BZA meetings will be held on February 6th and February 13th on the 2nd floor of the City Hall Annex at noon.

The next ZRB meeting will be held on February 6th and February 13th on the 2nd floor of the City Hall Annex at 6 PM.

13. ADJOURNMENT

The meeting was adjourned at 9:06 PM