

**Minutes of NPU-B regular monthly meeting  
Tuesday, March 3, 2020**

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

Present: 15

Proxies: Bill Murray to Jefferson McConkey  
Jim Cosgrove to Kim Shorter  
Bryan Steed to Mandi Gibson  
Rebecca King to Ben Howard

No members of the press were in attendance.

\*3 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 16-0-0.**

**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 of Park Pride presentation in the presentation section passed by a vote of 16-0-0.**

**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](mailto:asenzer@atlantaga.gov) ; 404-624-0674.

Major Senzer noted that City wide crime is up 7-percent, but the violent crime is down. Within NPU-B, 96% of crimes were property crimes. Property crime are up 3% and the auto related crimes are up 8% from last year. In mid-January, the valet stands were hit very hard. There is a now a downward trend, with only 1 theft from a valet stand in the last 30 days (down 28%). The valet stands have added manpower and are doing a great job. The department is having ongoing meetings. From cars stolen, criminals have obtained 20 guns and 40 of the 100 autos stolen had key fobs in them. Also, 31 of the 100 vehicles stolen were left running when they were stolen. Please don't leave your keys in the car and the car running.

There have been three violent incidents recently at Lenox Mall. Suspects have been arrested and/or identified for all three crimes. One of the crimes was a drug deal gone bad. Two suspects

have been arrested; the third suspect has been identified but not yet secured. There is enhanced manpower at Lenox Mall. Lenox Mall replaced their security director. Major Senzer is working very closely with the new security director. The City doesn't want another incident at the Mall and are all working hard to prevent another incident.

There is still a moratorium on pursuits as the result of 2 deaths from chases. There needs to be reform on repeat offenders, as these are repeated criminals. The City is doing a study on best practices to come up with a good and safe policy for pursuits that is safe for officers and citizens.

A member noted she shared with their neighborhood that range rovers were popular to steal. This was of great interest to her neighborhood and she asked about preventative measures.

There was a question about how the cars that didn't have keys in them were stolen. Major Senzer noted that often it is when the key fob is near enough to the car that it can still be started.

There was a question about the MOU with GDOT related to the homeless encampment. Major Senzer said that the City is planning on doing a check on Friday, weather pending.

There was a question about the reports of hot rodding at the "On the Border" parking lot near Lenox. Is there feedback on what that was? Major Senzer explained that the trend started in Smyrna and they were in the Northside Drive area and then went to Zone 5 because Zone 2 police presence was very strong. There have been some arrests. The group tries to take over an intersection and then do donuts in the intersection and other dangerous maneuvers. There was a comment that this happens at the DUMP parking lot too.

#### Atlanta Fire Rescue Department (AFRD)

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

Lieutenant Wycoff works at Station 16. The spring hydrant season will start the first week in April. If you see any leaking hydrants, please let the City know. When the water department tests, they often flow water... but there is someone present while water is flowing.

The Station 16 opening was a big success. The City has an ISO Class I rating, which is the highest rating available. The time change is this weekend and you should change the batteries in your smoke detector. If you need a detector, the fire department can help.

Close your Door Campaign ([closeyourdoor.org/](http://closeyourdoor.org/)). The survival increase is 50% if you close your doors when you sleep at night. Modern homes burn very quickly. Have more than one fire plan and make sure children know what to do in case of a fire. Include a meeting place for the family after everyone has evacuated.

#### Atlanta Office of the Solicitors

Judge Sylvia J Lee; 404-932-5566, [sjlee@atlantaga.gov](mailto:sjlee@atlantaga.gov)

Hala Carey, Senior Assistant Solicitor, 404-658-6003, [hcarey@atlantaga.gov](mailto:hcarey@atlantaga.gov)

Hala explained that the Atlanta Office of the Solicitor prosecutes cases related to the zoning ordinance, code enforcement, and traffic enforcement. There were 2 specific properties that were submitted for follow up.

There was a request to get an example community impact statement. The impact statement would be given in person. There was a discussion that a written impact statement would be better than no impact statement.

There was a question about a case involving violation of a stop work order and the neighborhood is showing up and the case keeps getting delayed. This was very frustrating for the neighborhood because the neighbors keep taking off work to attend the case. The case is on Shady Valley. Hala explained that it is the judge's right to delay cases. Calling the Solicitors Office ahead of schedule may help, as they may have a sense of schedule.

Hala also noted that her office can work with APD to address areas where speeding is a problem.

Fulton County District Attorney Community Prosecutor's Office

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

Lydia Toomer participated on behalf of Nemonie Nooks.

Randall Clifton Brown – He is charged with multiple burglaries and used a fraudulent ID to open a storage facility. Once inside the facility, he would steal things including motorcycles from the storage area. He broke into a home and used the fraudulent ID to get access to and damage property. This was in Fall 2018. He has over 30 arrests. They are going forward to trial. Judge Dunaway at 9:30am on Thursday, March 5 in Courtroom 4F. It is helpful to have community impact statements and/or to have people attend. The judges like to hear from the impacts to the community.

Lydia can be reached at 404-599-8111.

There is a Junior DA program, which is a free summer program where kids go through a bunch of activities and learn about the criminal justice system. More information will be available in the next few weeks.

Project Level Up program which is the juvenile arrest program for kids who have been arrested for non-violent crimes three times or more. They are looking for volunteers to serve as mentors to help these kids get back on track.

Mr. Fleetwood, Mr. Reeds, Mr. Lovejoy – They are accused of a shooting in Atlanta near Brookhaven. This case was supposed to be heard by Judge Carnsdale at 9:30am yesterday. The community was curious to the outcome.

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).

Jose Salazar noted that summer camp registration is open and there are 17 sites for ages 5 to 12. CT Martin is offering camp for ages 13 to 18 years old. Peachtree Hills camps fill up quickly. After school registrations are still being accepted for kids from 5 to 12 years old. For teenagers, the after-school registration is free.

Track season will start soon as well as Girls on the Run for grades 3<sup>rd</sup> through 5<sup>th</sup> with the 5k scheduled for the last Saturday in April. There was a question about accepting kids toys and equipment. Money cannot be dropped off but supplies and toys and sporting equipment is accepted.

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

The SWEET team Officer shared the solid waste holiday schedule for 2020. There will be a one-day delay at Memorial Day. There is also a flyer on recycling on the table. There is a flyer on bulk pickups too. One issue has been once the bulk trash is scheduled the bulky waste is only supposed to be placed one day prior to the scheduled pickup. You will be subject to a courtesy warning if you place it out too far in advance.

There was a question about the lead times on bulk pickups. Currently, it is roughly three weeks out.

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 Bird is representing Officer Brown who has moved on to be a police officer in South Fulton. This NPU has the lowest stats in the City with only 30 active cases and 1 citation for highly hazardous. Property maintenance is the biggest category, with 25 cases.

Code enforcement has a number of tools that they use to find owners. There was an ordinance enacted in July 2019 that helps code enforcement serve LLC owners. The ordinance allows the City to post the certified letter on the property. The case will proceed without the owner if they don't show up. The City can abate and take over the property. The City is updating the ordinance as there was an issue. The City has gone through a process to look at 2,000+ old cases that were left open; if the issue was addressed, then the ticket is closed. If the issue is still present, the City is opening a new case and following the process of citation. If a violation is found on a property, the City is citing the person for failing to register the property as vacant. If a property is vacant for one year, they must register.

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)

No Report.

Buckhead Community Improvement District (CID)  
[www.buckheadcid.com](http://www.buckheadcid.com)

Tony Peters gave some highlights on ongoing construction projects.

Sidewalk repairs and improvement:

1. Maple Drive sidewalks from Peachtree Road to Pharr Road
2. Pharr Road and Piedmont Road
3. Roswell Road to East Andrews
4. Peachtree Road from Peach Center to Piedmont Road

The contractor is doing a good job and the Buckhead CID wants to make this an annual program.

West Village Streetscaping: The contract has been signed with ASTRA who has done several projects for the BCID. They are very knowledgeable and motorist/pedestrian/business savvy. That project will be segmented with Paces Ferry Place being completed first and then they will move to the other roads. Within this project, they are fixing a drainage issue on Roswell Road. The City's stormwater contractor is repairing the pipes. There was a question about the drainage project. Tony will share stormwater improvement plans.

A member noted that there is a stormwater intake that is causing a real backup. Tony will add that problem to the list.

The BCID was expanded in 2015 for the implementation of these improvements and so Tony is excited that it is being completed. The goal is to complete this project by Thanksgiving 2020.

Peachtree Phase 3: The City is opening bids on March 9<sup>th</sup> for contractors. The City and BCID will review and recommend. GDOT has approved the advertisement for Peachtree Phase 3 (Maple to Shadowlawn). Hope to be under contract in May with a 15- month project, with the first part being burying the lines by Georgia Power and others. Traffic arm mast arms have a long lead time but quick to install.

CW Matthews will be repaving Peachtree and BCID is helping coordinate with the City, GDOT. There are some pedestrian improvements that BCID is going to try to integrate into the repaving projects.

Tony suggested that the NPU read the City's Plan that was circulated prior to inviting the new City DOT commissioner to attend an NPU B meeting.

Wieuca Roundabout – preliminary design should be completed in about a month and then there will be a land acquisition phase. The plan is to look for construction in 2021. A member noted that there is a good contractor that is working on another roundabout, CMES is the contractor and they do a lot of work in Alpharetta and Milton. Tony is working to make sure that good contractors are pre-qualified.

Peachtree Boulevard Phase I, Peachtree Dunwoody, the power pole. The foundation of the light has moved, so it is in queue to get the foundation moved and get the pole replaced.

Everyone is excited about the repaving. A member asked about the Buckhead Redefine vision for having more boulevards and would this be integrated. GDOT paving is curb to curb. Even small changes in striping or crosswalks are difficult to get accomplished. Anything outside of a curb is a non-starter. BCID is in the design phase to look at the Lenox complete street boardwalk in front of the mall. That would go to construction in early 2022. They are focusing on the Mall side because the other side of the road is prime for redevelopment. Nancy noted that there are questions with the Sales Force office.

There is a cover for a telephone; Mark noted that there is a safety hazard in the sidewalk near the bucket shop. Tony said that he would take care of it.

When the West Village schedule is finalized, Juan offered to coordinate with the business owners. Tony noted that yes there will be coordination with the property owners.

Buckhead Area Transportation Management Association (BATMA)  
[www.batma.org](http://www.batma.org)

No Report.

Buckhead Business Association  
Garth Peters

No Report.

Elected Officials – Nancy forwarded an email message from Sally Silver with Howard Shook’s office.

## **5. PLANNER’S REPORT**

## **6. COMMITTEE REPORTS**

APAB report was distributed via email.

### **A. PUBLIC SAFETY COMMITTEE** Mandi Gibson

Iron Hill Brewery / 3535 Peachtree Street / New Business / Approved 9-0-0

Del Frisco’s Grille / 3376 Peachtree Road NE / Change of Agent / Approved 9-0-0

Jalisco Mexican Restaurant / 2337 Peachtree Road NW / Change of Ownership/ Approved 9-0-0

Waldorf Astoria Atlanta Buckhead / 3376 Peachtree Road NE / Change of Agent / Approved 9-0-0

**NPU-B Action: A motion to adopt the above consent agenda passed by a vote of 19-0-0.**

**B. DEVELOPMENT, TRANSPORTATION and SPECIAL PROJECTS COMMITTEE**

No Report.

**C. ZONING COMMITTEE**

Bill Murray, Chair

Consent agenda

Z-20-1            2960 Piedmont Road NE                            Approved 6-0-0 with conditions

Applicant seeks to rezone the 4.11 acre property from the C-1-C (community business conditional) zoning designation to the C-1 (Community business) zoning designation to convert the hotel use into 136 multi-family residential apartments.

Conditions for Z-20-001

1. The site shall be developed in accordance with the site plan by Kimley-Horn titled Zoning Site Plan, dated December 30, 2019, and stamped received by the Office of Zoning and Development on January 6, 2020. Minor changes to the approved site plan may be authorized by the Director of the Office of Zoning and Development in accordance with Section 16-02.003(7).
2. Upon conversion of the hotel use to multifamily residential use, on site parking shall be controlled through issuance of parking passes for residents and their guests or similar measures to mitigate overflow parking occurring off site. Upon request by the Office of Zoning and Development, the owner shall provide written documentation evidencing compliance with this condition on an annual basis.
3. Upon conversion of the hotel use to multifamily residential use, the parking area shall be restriped or reconfigured to provide at least one parking space per dwelling unit and eight guest parking spaces.
4. To encourage first responders such as police officers and firefighters to live on the property, upon conversion of the hotel use to multifamily residential use, first responders shall be given a discount on rent, provided such discount shall not be required for more than five dwelling units in the project. Upon request by the Office of Zoning and Development, the owner shall provide written documentation evidencing compliance with this condition on an annual basis.
5. Upon conversion of the hotel use to residential use, the project will add landscaping improvements, including an updated Piedmont Road streetscape as shown on the site plan and landscaping around the buildings for aesthetic appeal.
6. Upon conversion of the hotel use to residential use, excluding renewals (a) no more than 10 percent of dwelling units may be leased for a term less than three months and (b) at least 75 percent of the dwelling units shall be leased for a term of a least six months.
7. Upon request by the Office of Zoning and Development, the owner shall provide written documentation evidencing compliance with this condition on an annual basis.
8. No exterior lighting shall be placed on the south or west property lines.
9. Upon conversion of the hotel use to residential use and subject to approval by the Georgia Department of Transportation and City of Atlanta Department of Public Works,

a raised concrete island shall be installed at the entrance to the property to limit vehicular ingress and egress to a right in, right out condition.

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

If the NPU approves a zoning with conditions, then the planner typically adds these to the approval. If things are difficult to enforce, then the City will not be able to honor the conditions. There was a long discussion about stormwater and the City Planner noted that they will not honor stormwater conditions because the zoning ordinance cannot enforce these conditions. Some conditions are too detailed.

**7. PLANNERS REPORT**

Community Impact Grant is due in three days.

Design awards submission deadlines are March 18<sup>th</sup> for Awards of Excellence and March 31<sup>st</sup> for Community Design Awards.

NPU University course catalogs were distributed.

**8. MATTERS FOR VOTING (above)**

Additional results of votes are presented in the section above.

Z-20-24: An Ordinance to amend the Atlanta Zoning Ordinance by creating a new chapter entitled Chapter 18X, SEPI-24, to be entitled “Garden Hills Neighborhood District Regulations” and to amend the official zoning map by changing the designation of properties within the Garden Hills Neighborhood District so as to add SPI-24 to the district designation; and for other purposes. EXHIBIT B, FACT SHEET.

**NPU-B action: A motion to approve the consent agenda passed by vote of 18-0-1.**

**9. PRESENTATIONS**

Mina with Park Pride noted that the City is working on a 10 year master park plan and Mina has been tasked with doing community involvement for Park Pride to make sure that the 10 year capital plan has a robust engagement program. Mina left some business cards. GAI consultants based out of Orlando with Perez Planning (Carlos Perez) locally. Looking at issues of equity and align with the vision of One Atlanta. They want all residents within a 10-minute walk of a quality park. There is a big focus on recreational programming and listening to community interests. Attending NPU meetings and neighborhood meetings is part of that effort, as is hosting public workshops. The closest workshop to NPU-B is March 24<sup>th</sup> from 7 to 9pm at Peachtree Hills Recreation Center. Meeting will include interactive stations and activities to collect input. There will be a mailed and online survey. There will be a teen development program to distribute information and youth surveys at playgrounds.

**10. OLD BUSINESS**

Ben reminded everyone that dues are \$60 for neighborhood and business reps (non sole proprietorship) and \$30 for sole proprietorship.



We have \$11,000 in our bank account. We have not made donations as we intended to do that.

Motion to approve the dues structure of \$60 for neighborhood and business representatives (except non-pro

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

Motion to make a donation of \$1,000 to each the Atlanta Police Foundation, Atlanta Fire Foundation, and the church.

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

There was a question as whether the NPU could hire a consultant or an intern to help us advance a project. One suggestion was to compare the City Planning Map with the Zoning Map and look for disconnects. There are a number of initiatives that the NPU could consider funding. It was noted that Georgia Tech Planning Students are required to complete an internship to graduate.

There was additional discussion about the Wieuca Road issue. Jefferson noted that the NPU could write up a case study and he can present that to the TAC for review.

Sally noted that it is really important to get someone to attend the meetings when there are conditions. Sally also suggested that the conditions be written onto the site plan.

Aston Woods – similar situation and Peachtree Park challenged the case. The conditions only apply to a neighborhood association agreement and cannot go into the zoning ordinance. If the conditions are in a neighborhood agreement, they can only be enforced by lawsuit.

## **11. NEW BUSINESS**

## **12. ANNOUNCEMENTS**

The next NPU meeting will be April 7, 2020.

The next BZA meetings will be held on March 5<sup>th</sup> and March 12<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 March 5<sup>th</sup> and March 12<sup>th</sup> on the 2<sup>nd</sup> floor of the City Hall Annex at 6 PM.

March 5<sup>th</sup> Open House for Beltline

## **13. ADJOURNMENT**

The meeting was adjourned at 9:11 PM