

**Minutes of NPU-B regular monthly meeting
Tuesday, June 2, 2020**

The meeting was called to order at 7:06 p.m. by Nancy Bliwise, NPU-B Chairperson.

****This meeting was held by Zoom****

Present: 19

Proxies: Robert Patterson to George Heery

No members of the press were in attendance.

*1 member joined following the approval of the minutes

1. OPENING REMARKS / CHAIRPERSON'S COMMENTS

Welcome, mission of NPU-B, and introductory remarks

Nancy noted that the meeting started a few minutes late due to the delay on the Public Safety meeting.

John Rousch with Buckhead Reporter attended the meeting.

2. APPROVAL OF MINUTES

NPU-B Action: A motion to approve the revised minutes from the previous regular monthly meeting (May) of the NPU-B passed by vote of 20-0-0.

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 passed by a vote of 20-0-0.

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.

No report.

Atlanta Fire Rescue Department (AFRD)

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

Lieutenant John Carter with Fire Station 21. The department is still dealing with Covid-19 and the other ongoing issues, the station has kept very busy.

A board member asked if the fire department had re-started the checks on infant car seat installations. The fire station is not currently encouraging folks to visit the fire station. If it is an emergency, he suggested calling the fire station directly.

Dr. Bliwise thanked the fire department as well as all first responders for keeping our community safe.

Atlanta Office of the Solicitors

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

Hala Carey, Senior Assistant Solicitor, 404-658-6003, hcarey@atlantaga.gov

Ms. Carey noted that the City has been handling most of the arrests from the protests, most of which are curfew violations. Ms. Carey noted that things are settling down and there appears to be a reduction in fires, thefts, and property damage. Once arrested, the solicitor handling the first appearance calendar are upgrading cases from curfew violations if a person was possibly involved in theft and/or arson crimes so they are handled appropriately. The bonds are increased for those with no ties to the community. Ms. Carey expects the courts to reopen June 15th.

The traffic violations are still being reviewed for diversion opportunities. ptit@atlantaga.gov or call 404-658-6163.

A board member asked if “tent city” violations are a code enforcement issue. Dr. Bliwise noted that there are issues around the Gold Room property and that an amazing group of volunteers is working to address these issues. Ms. Carey noted that code enforcement typically handles housing violation, theft of utilities, and other property-owner crimes. Urban camping or quality of life crimes are handled by APD. Issues that weren’t resolved would end up at the solicitors office. Code enforcement and APD do meet periodically to work on issues together.

There was a board member that had a question about progress toward an agreement between GDOT and the City that would allow the City to issue citations for tent cities on GDOT property. Ms. Carey was not aware of that agreement.

Fulton County District Attorney Community Prosecutor’s Office

Megan McCulloch, Zone 2 Community Prosecutor (megan.mcculloch@fultoncountyga.gov, 678-362-1855)

Megan McCulloch introduced herself as our new Community Prosecutor. She noted that the courthouse is scheduled to open on June 15th. The County is cleaning to prepare for opening to keep everyone safe.

A Board member noted that there were issues in the Grandview area near the Community Prosecutor’s office. The Garden Hills community is really concerned about recent shootings and other shocking activities that have taken place, some of which is rumored to be gang related. The suggestion was that the Fulton County Community Prosecutor coordinate with Major Senzer, Zone 2 to discuss the issues.

Dr. Bliwise welcomed Megan and noted that NPU-B has tried to work with Major Senzer on being proactive to reduce crimes in our neighborhoods. The increase in severity of the issues in Garden Hills is very serious and the NPU wants to be effective advocates. Examples such as model letters in terms of statement of impact have been provided in the past, but we are hoping

for a stronger plan of action moving forward. Ms. McCulloch noted that the court system is more reactive by nature, but she will speak to her supervisor and work on recommendations.

A board member asked how the Fulton County Community Prosecutor planned to address the riots and others who caused damage. Ms. McCulloch noted that she was told the individuals will be prosecuted as long as there is sufficient evidence and they can be located.

A board member asked about a status update on the West Club Drive shooting. Ms. McCulloch noted that there are no dates for upcoming hearings. The board member noted that there was frustration because no trials have been set yet. Ms. McCulloch noted that they are trying to move crimes along faster as some violent cases take 4.5 years to prosecute. APD reported about 300 arrests over the weekend but the majority are City violations. The Fulton County DA is still trying to get a handle on

A board member asked about the Peachtree Battle shooting. Ms. McCulloch noted that she was waiting for more information.

There was a question regarding activity to address the tent city in Lindburgh/ Morosgo area – along the Beltway. Ms. McCulloch did not have information on this area.

A board member asked whether persons accused of violent crimes were in jail while their trials were deferred or whether they were released. Ms. McCulloch noted that most of the time those accused of violent crimes remained in jail until trial.

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
Vacant, Office of Safety, Security, & Emergency Management (404-546-3374)

No report.

Department of Parks and Recreation (DPR) (404-546-6813)
www.atlantaGA.gov/iparcs
Vacant, Manager, Peachtree Hills Recreation Center (PHRC), 308 Peachtree Hills Ave.

No report.

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

No report.

Department of Transportation – Josh Rowan -

Code Enforcement Section, APD Community Services Division
CodesRequests@AtlantaGA.gov 404-546-3800 (call to report an issue)

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

Denise noted that Path 400 was on the list for construction funding from Loridans to the City's northern boundary. Being on the list is very significant.

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

Buckhead CID has off-duty traffic officers posted at some of the major intersections to address the afternoon traffic congestion. They are proud of their strong relationship. Buckhead CID has decided to:

1. Approve the purchase and installation of 3 more license plate readers and 7 more pan/tilt/zoom cameras to be part of the Operation Shield camera program.
2. Contributed to the lease of 6 movable cameras that can be moved and placed at Major Senzer's discretion. One was located near Maggianos and one was near Wieuca and Peachtree. These increase the eyes and ears for the APD and help deter and solve crimes.
3. Will purchase a police cruiser and hire an off-duty officer to provide supplemental patrols (based on a West End model) Tuesday through Sunday from 6pm to 2am. The cruiser is an APD vehicle but remain in the Buckhead CID boundary.

Tony noted that he would like to coordinate with the NPU's Public Safety committee. The goal is for the officer to be visible and watch over the 5 known "hot spots" within the BCID zone.

The off-duty officer will likely start in mid-June to late-June, once the vehicle is ready. The BCID is working on getting the right officers assigned to the shifts.

A board member asked for confirmation of the boundary of the CID. There was a question whether all of the businesses that are causing problems paying into the CID? Tony clarified that the property owners pay the BCID fees, so the tenants do not pay directly. The board member asked whether there would be a phone number for residents in and around the BCID to contact the off-duty officer. Tony noted that the answer to that question was not available at this time.

A board member commented that this was great news. The Garden Hills Civic Association has a private security officer and looks forward to collaborating. The Headmaster of the International School is very concerned about the crime issues and sees these issues as an economic development issue.

Tony ended by sharing a document showing the West Village Streetscape. The West Village was added in 2016 and they promised that they would see value when added. Tony is pleased that the project is under construction and progressing. Sever before and after photos were shown.

Buckhead Area Transportation Management Association (BATMA)

www.batma.org

No Report.

Buckhead Business Association

Garth Peters

Council President Felicia Moore

Council is still meeting remotely and has been since March. The meetings are available through a number of social media venues. The City is still taking public comment, via a message is left at least an hour prior to the meeting start time. Council is currently holding budget hearings. The current budget proposes no property tax increases and no employee layoffs. Many of the budget holes due to Covid-19 are being filled by using reserve funds. She reminded everyone about the curfew tonight and that the curfew will likely continue as long as the protests continue.

A board member asked if Councilwoman Moore knew how many more days the protests would last. She noted that the protests will likely continue for a while.

Councilman JP Matzigkeit, District 8

Jim Elgar and Katie Howard were listening to the meeting while also participating in budget hearings.

5. PLANNER'S REPORT

See below.

6. COMMITTEE REPORTS

APAB report was distributed via email.

A. PUBLIC SAFETY COMMITTEE

Mandi Gibson, Chair

Stagecoach / 34 Irby Avenue NE / Change of Ownership / 10-0-0

Sovereign Sweets / 3210 Roswell Road / New Business / 11-0-0

NPU-B action: A motion to approve the consent agenda passed by vote of 20-0-0.

B. DEVELOPMENT, TRANSPORTATION and SPECIAL PROJECTS COMMITTEE

Jason Kendall, Chair

D&T met to discuss two items; (1) City's proposal to reduce the speed limit to 25mph on all City streets, (2) the closure of some streets to automobile traffic during Covid-19.

Jason summarized the committee meetings discussion on the speed limit reduction. Generally, reducing speed limits is a good idea coupled with proper enforcement. This Ordinance was initiated, in part, after a pedestrian accident near the Beltline area. The sub-committee meeting attendees felt that a broad-brush speed limit reduction may not be the right approach and may aggravate congestion in some areas.

Jason summarized the subcommittee's discussion on the repurposing of City Streets as generally a good concept but there was large concerns with providing too much authority to the ADOT chairman, who is a mayoral appointment. A lack of a clear role for participation by the NPU or others was noted as a concern.

A board member asked whether or not the cost of purchasing the new signs would be offset by an increase in traffic enforcement. Jason noted that the issue of cost and enforcement was discussed. The consensus appeared to be that it was a good idea but that too broad of a brush.

Josh Rowan was invited to participate but he was participating in the Budget Hearings this evening. Jim Elgar mentioned that the process for determining how these programs are implemented is still being determined.

A board member suggested that the requests should come from the neighborhoods who get approved by the ADOT chairman versus being determined by the ADOT chairman with input from the neighborhood.

C. ZONING COMMITTEE

Bill Murray, Chair

Consent agenda

V-20-059 3713 Mayfair Road NE Approved 9-0-0
Applicant seeks a special exception and variance from the zoning regulations to 1) reduce the required front yard setback fronting Ivy Road from 50 feet to 20 feet to construct a new swimming pool and deck in a yard adjacent to a street (special exception), 2) reduce the required front yard setback fronting Mayfair Road from 50 feet to 30 feet and reduce the required southside yard setback from 10 feet to 9 feet 7 inches to construct a second story to an existing single-family residence (variance) and 3) increase the maximum lot coverage allowed from 40 percent to 50 percent (variance).

NPU-B action: A motion to approve the consent agenda passed by vote of 20-0-0.

V-20-018 2965 Habersham Court NW Approved 7-2-0

Applicant seeks a variance from the zoning regulation to 1) reduce the required half depth front yard setback from 30 feet to 16 feet and 2) reduce the required rear yard setback from 30 feet to 17 feet.

Zoning committee members noted that they tried very hard over 3 sub-committee meetings to get the neighbors to try to achieve consensus with the adjacent owners and the PUD's HOA. The property zoning category had been changed and had unusual topography, which were the hardships presented. The owner was reducing the lot coverage although the lot extended into the side and rear yard setbacks. Some committee members felt the threshold for a hardship were not met and that the owner wanted more than the existing lot allowed with the expansion.

NPU-B action: A motion to approve the variance passed by vote of 12-8-0.

7. PLANNERS REPORT

Jessica shared the Vision Zero program, which is a nationwide effort to reduce pedestrian fatalities. This is tied to the speed limit reduction push. Josh sent a power point presentation that will be distributed to NPU B.

Jessica noted that an Impact Fee ordinance update is in progress, which is supported by both Councilman Shook and Councilman Matzigkeit. The impact fees for development have not increased since 1992, so the City is not collecting sufficient revenues to cover for the added cost of police and fire among other services to serve this development. The funds are also currently limited to certain roads and capacity projects. The fees can be used to purchase land for parks but not for other parks improvements. There is a summary and survey on the website <https://www.atlantaga.gov/government/departments/city-planning/2020-impact-fee-update>. There is a quarterly public hearing meeting on June 22nd remotely. You can leave a message before 5pm on the report that will be heard during the meeting.

Z-20-7 This ordinance was introduced by JP Matzigkeit to address land locked parcels with no street frontage. The development would require a special use permit that would allow for public input to resolve issues for R1 through R3.

Z-20-36 – This ordinance retracts provisions of the “quick fixes”. One of the quick fixes created design standards to address concerns about new development not fitting in with the character of existing neighborhoods. Design standards related to how the house faces the street, porches, garages, etc. were adopted by the quick fixes. Some councilmembers think these design standards make houses unaffordable and there is legislation to remove these standards.

Z-20-37 – Amends SPI-12, creating a new sub-area 4 for Piedmont Center in NPU B. A board member noted that a presentation is planned for next month on this Ordinance.

The NPU decided to delay the vote on Z-20-37 until the presentation next month and on Z-20-36 to allow for more time to review the ordinance.

8. MATTERS FOR VOTING (above)

Additional results of votes are presented in the section above.

Z-20-7: An Ordinance by Councilmember J.P. Matzigkeit to amend the City of Atlanta Code of Ordinances Part 16 Zoning, Chapters 3, 4, and 5 Single-family Residential District Regulations for R-1 (Single family residential), R-2 (Single family residential), and R-3 (Single family residential) by requiring the development of new single-family detached dwellings on land-locked lots to obtain a special use permit; and for other purposes.

NPU-B action: A motion to approve the consent agenda passed by vote of 20-0-0.

A board member noted that there was a case just in NPU-A on Blackland Road that led to the development of this ordinance. The Ordinance allows a thoughtful process for public input through the NPUs to ensure that, if these unusual lots are developed, they are done so in keeping with the neighborhood context.

9. PRESENTATIONS

Ms. Williams Walker – Department of Behavioral Health and Developmental Disabilities
No Report.

10. OLD BUSINESS

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

11. NEW BUSINESS

12. ANNOUNCEMENTS

The next NPU meeting will be July 7, 2020.

The next BZA meetings have not been scheduled.

The next ZRB meetings have not been scheduled.

13. ADJOURNMENT

The meeting was adjourned at 8:58 PM