

**Minutes of NPU-B regular monthly meeting
Tuesday, May 5, 2020**

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

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

Present: 20

Proxies: Ben Howard to Rebecca King

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 (March) of the NPU-B passed by vote of 14-0-1.

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 ; 404-624-0674.

Major Senzer noted that he hopes everyone is healthy and well. Zone 2 has had strong attendance numbers and Major Senzer is proud of his officers who are working hard every day. Major Senzer noted that last week, Zone 2 officers (all three shifts combined) made over 600 investigative traffic stops. While this number is lower than historical average, due to closed businesses reducing opportunity, this number is almost 6 times more than other zones.

Zone 2 crime rates were slightly higher than historical average (about 6 or 7%) before Covid but the Zone has seen a drop in crime of 11% year-to-date. Looking at last month, the Zone 2 crimes are 40% lower than historical norms.

Zone 2 typically sees a high percentage of property crimes. Major Senzer shared that there was a significant arrest of Joshua Taylor. Joshua Taylor is accused of multiple auto thefts in Smyrna to Buckhead. He was involved in the recent attempted carjacking at the service station on Roswell

Road and Powers Ferry. In this incident, a citizen intervention resulted in the death of one of the suspects. Josh Taylor escaped but has now been caught. APD hopes that he will be in jail for a long time and hopes that his absence will reduce the number of auto thefts in the Zone.

Major Senzer gave an update on the Camilla homicide that happened last week. The circumstances involve a pre-arranged meeting between two men that knew each other from serving time in Florida prison together. One man killed the other man. APD has video and good leads and are tracking the suspect.

Major Senzer shared that street racers have been a problem for Zone 2. There are four places in town these groups like to congregate. Officers are patrolling these four areas, especially on the weekends, when racing activities are most prolific. The City is using different methods to address this issue. The auto crimes team manager is proposing a City ordinance that prohibits the gathering of people for purposes of drag racing. The process of approval of the ordinance will be slow. The City has a difficult time making arrests because they must have probable cause to search the vehicles. Officers were able to demonstrate probable cause and arrested and pressed charges against one of the racers from the group on Plasters by Armour Drive.

A board member asked how Zone 2 was handling the young men selling water outside of the mall and specifically how fast the officers can arrive on site. The board member noted that she saw a kid slide down the fence into the mall property to avoid police. She asked if the officers were dispatched and how quickly they responded when someone called 911. Major Senzer noted that there was a call today and that he responded. APD can only return the kids to their parents or guardians. They can't put people into jail for petty crimes and since these are young juveniles, there are limitations. The goal is to get the kids off the street so that they do not create a hazard. When they can arrest, they do. They are not able to put suspects in jail currently. The board member also mentioned that they also stand on the off/on ramps of GA400.

There was a board member who asked if APD was requesting access to neighborhood cameras. Major Senzer clarified that they hope to integrate local cameras with the VIC. Major Senzer noted that he had heard folks discuss this effort, but that it wasn't an effort that he was leading.

A board member wanted to confirm that there were no charges against the good Samaritan who shot the suspect trying to steal a car on Roswell Road and Powers Ferry. Major Senzer confirmed that there were no charges.

Atlanta Fire Rescue Department (AFRD)

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

No report.

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 explained that the Atlanta Office of the Solicitor prosecutes cases related to the zoning ordinance, code enforcement, and traffic enforcement at the City of Atlanta municipal court. The courts have been closed to the public by Harold Melton's order through May 13 but has been extended through June 12. The solicitor's office is working remotely but are not open to

the public. The non-serious traffic cases are being screened and may be placed in a diversion program which allows those to pay a fee and possibly take a driver safety course in return for the case being dropped (no insurance premium increases or points on your license). It is call pre-trial traffic intervention (PTIT) at ptit@atlantaga.gov 404-658-6163. They are continuing to manage their daily workload and operations but doing so remotely as much as possible. Solicitors are being rotated to handle new arrests and they are doing some community outreach.

Fulton County District Attorney Community Prosecutor's Office

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

MARTA Police Department (MPD) North Precinct (404-848-3902) www.itsmarta.com

Major Matthew Carrier; mcarrier@itsmarta.com, 404-848-4813

Lieutenant Graham noted that there are limited rail and bus routes running. There is a 78% decrease in ridership. All MARTA workers are required to wear masks while on property. MARTA buses must be entered from the rear and there are strict protocols to increase rider safety.

There was a question from the Board about advanced sanitation. Lt Graham answered that within the stations and on buses and trains, they are being cleaned continually.

A board member asked if the trains and buses were being fumigated. The stations are being fumigated weekly, but she didn't know about other assets.

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)

Denise Stewart noted that May is senior citizen month and qualifying seniors are eligible for up to a 30% reduction in their bills. The Mayor also has a program for assisting seniors with needs during this time. You can find more information on both at 404-546-0311. The Watershed department is implementing protocols to remain safe. MOST (Municipal Options Sales Tax) ballot question will remain on the ballot, which is a 1% sales tax that funds water infrastructure projects. There is information online about the projects funded by MOST.

A board member asked if Denise was our new ambassador. Denise responded that she is not the permanent ambassador but is filling in based on request. Denita is no longer the ambassador for NPU-B but a replacement has not been identified.

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).

No report. Jose Salazar was promoted and will no longer be at PHRC.

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.

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.

Atlanta Fulton County Public Library

Elizabeth Puckett with the Atlanta-Fulton County Public Library shared some of the library ebooks and online offerings that are available while the libraries are closed. All of the offerings are posted on Facebook. Later this month there will be information on getting a virtual library card and one on finding ebooks easier. A board member noted that the Libby app for library books was popular; but new releases can be difficult to secure because it is heavily licensed. The board member asked whether the publishers were easing up on these restrictions. Elizabeth responded that they were not.

Elizabeth noted that there are many resources for children on the website and on online tutoring options as well. A board member asked if there were additional resources available with children taking classes from home. There are services like “ask a librarian” that are more readily manned and story times.

There was a question regarding the libraries opening for summer. The library is reviewing programming, but the goal is to have everything done remotely.

There was a question about online books and about the date for the libraries to re-open. All updates will be on the main library page. Elizabeth didn't have a status update about the upgrades to the Buckhead library.

5. PLANNER'S REPORT

6. COMMITTEE REPORTS

APAB report was distributed via email.

A. PUBLIC SAFETY COMMITTEE

Mandi Gibson, Chair

Both agenda items were deferred.

B. DEVELOPMENT, TRANSPORTATION and SPECIAL PROJECTS COMMITTEE

Abby Shepherd, Vice Chair

No Report.

C. ZONING COMMITTEE

Bill Murray, Chair

Consent agenda

V-20-29 3311 Grant Valley Road NW Approved 9-0-0 with conditions

Applicant seeks a variance from the zoning regulation to reduce the required south side yard setback from 10 feet to 2 feet in order to construct an addition to an existing garage.

Conditions for V-20-29

1. No living space or second story will be built above the garage, where there is no such space currently.
2. The variance will be conditioned on the site plan by Greg Burch Architects, AIA dated September 20, 2019.
3. 6 trees at least 10 feet tall will be planted between 3311 Grant Valley Road and 3304 Valley Road NW and 6 trees at least 10 feet tall will be planted between 3311 Grant Valley Road and 3321 Grant Valley Road. At least 4 of the 6 new trees in each case shall be evergreen. These trees will be located to replace the trees removed from the property.
4. The owners of 3311 Grant Valley Road will contribute \$4,000 toward the removal of the White Oak tree near the retaining wall between 3311 Grant Valley Road and 3304 Valley Road if it is permitted by the City for removal.

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

7. PLANNERS REPORT

IMIX legislation was on the agenda and Jessica didn't know if it needed a vote. It allows industrial and residential in the same mixed-use category. There would need to be 30% industrial. This amendment clarifies two methods on how you could calculate the blend between uses.

All public hearings are cancelled through May and there are rumors that they may have public hearings weekly to catch up once they are reinstated. By state enabling legislation, zoning meetings must be in person so virtual meetings are not allowed.

A Board member had a recommendation that all active construction sites require employees to wear masks and practice social distancing.

A Board member asked about a potentially illegal structure built without a permit on a creek. The permit had been sent to building enforcement, but it appears that nothing has been done and there has been no response to the 311 requests. Watershed was also notified because it was in the creek. Jessica suggested calling Troy with building enforcement. Another board member suggested calling Georgia EPD since this is a violation of the state's 25-foot stream buffer.

8. MATTERS FOR VOTING (above)

Additional results of votes are presented in the section above.

Z-19-125: An Ordinance to amend the 1982 Atlanta Zoning Ordinance, as amended, by amending Chapter 16A_16.004(1)(A) Industrial Uses Required to as to reduce the mandatory percentage of industrial floor area per development; and for other purposes.

NPU-B action: A motion to approve the consent agenda passed by vote of 15-4-1.

There were several comments and concerns from the Board that we were reducing the very important industrial land. Another board member noted that the focus of the legislation appears to be "making winners and losers" instead of doing forward planning and this type of ordinance is dangerous. There was a comment that we are now seeing the benefit of our industrial space, as the supply chain is currently disrupted. There was a question as to whether this was supporting affordable housing, but the City did not state that was a goal. There are some areas along the Beltline where the City would like more flexibility to allow density. There is an interest to preserve industrial spaces for biomedical manufacturing as Atlanta is ripe for the future opportunities. Jessica noted that these are generally smaller footprint industrial areas that are more boutique, such as small breweries or small distribution warehouses. Jessica explained that the IMIX came from some of the Beltline Area Plans. There is a big push on Chattahoochee Industrial to convert industrial to multi-family as the land is cheaper. There was a spirited discussion regarding the taxes that were raised and cost burden by industrial versus multi-family properties. There was a discussion about development incentives that can be more useful to incent people than zoning changes. There were board members that questioned whether developers would push a rezoning because it was too challenging to use IMix and Jessica said that this was new to the development community and the City was having trouble getting buy in from developers.

A board member asked Jessica if she had heard the concerns raised at the last NPU-B meeting about conditions on re-zonings being removed. Jessica noted that she did hear that there were concerns. Board members added that there appears to be inconsistent condition removal where

some projects had conditions removed and some projects honored the NPU conditions. Another Board member felt that it was hard to understand why the City would remove conditions negotiated in good faith. A Board member suggested having a class on how to write conditions that would be acceptable would be a good NPU University class. Nancy noted that she would suggest that to Leah LaRue.

9. PRESENTATIONS

No presentations.

10. OLD BUSINESS

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

There was a question about where to send these dues and how folks could find out if they have paid.

11. NEW BUSINESS

Nancy mentioned that there are needs for more discussions and she will pull together the Executive Committee. There was a suggestion to have Tim Keane attend an NPU meeting and have a conversation with the NPU. Nancy noted that we want a strong partnership with the City and don't want to lose the linkages.

12. ANNOUNCEMENTS

The next NPU meeting will be June 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 8:37 PM