

**Minutes of NPU-B regular monthly meeting
Tuesday, October 6, 2020**

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

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

Present: 18

Proxies: Juan Calle to Ben Howard
Kim Wachtel to Ben Howard
Anne Culberson to Bill Murray

* 1 member joined after the minutes were approved.

John Ruch from the Buckhead Reporter was in attendance.

1. OPENING REMARKS / CHAIRPERSON’S COMMENTS

Welcome, mission of NPU-B, and introductory remarks

Nancy welcomed new members, Ashley Battleson who is taking Frank Toye’s position representing Chastain Park. Kristy Favalli is a new business representative and works for La Grotta restaurant in Buckhead. John Bagwell is a business representative now.

2. APPROVAL OF MINUTES

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

3. APPROVAL OF AGENDA

Nancy recommended moving the presentations up in the agenda so that they are discussed after the comments from the elected officials.

NPU-B Action: A motion to approve the modified agenda of the NPU-B passed by 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.

Captain Singh noted that Zone 2 is currently deploying all beat cars and increasing enforcement. There is a plan in place for the drag racers that includes getting help from outside of the Zone. This weekend there will be a specialized crew focused on drag racers. The drag racers are a problem across the City and not just in Zone 2.

Captain Singh knows that night clubs and loud music is a problem. Staff from licenses and permits partnered with Zone 2 and participated in a raid last weekend. Some clubs were found in non-compliance, but some were compliant.

Crime is down over 21% citywide. There has been a small increase in auto thefts in Zone 2. Gas stations continue to be a problem within the Zone. Of the stolen vehicles, 65% have keys in the car when stolen.

A Board Member asked if there had been an increase in packages being stolen from doorsteps. Captain Singh noted that during the holiday season, there is typically an increase. There has been a small spike recently, but it is a consistent problem. He noted that if a neighbor has multiple packages stolen, then they are getting targeted and should consider delivery via another mechanism. Another board member noted that recently all mailboxes on a street were emptied. A board member asked how these incidences should be reported. Captain Singh noted that for a package larceny, it can be reported on the City's website.

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 noted that the Solicitor's Office has been working closely with Zone 2. Zone 2 has been issuing many citations (more citations than other Zones). The Solicitor's office is working collaboratively with Zone 2 to make sure that citations are enforceable. Recently efforts have increased related to party homes and businesses operating outside of licenses.

She noted that there was new legislation passed regarding street racing and illegal racing exhibitions that became effective August 4, 2020. The minimum fine is \$1,000, which is a very high amount. Additionally, the vehicle is impounded for 30 days at a minimum.

Ms. Carey noted that the court is still closed to the public as COVID-19 measures are being installed. Nothing official has been stated regarding reopening. If you have a traffic ticket at this time, the City is making a diversion program available. You can inquire by email to PTIT@atlantaga.gov.

Fulton County District Attorney Community Prosecutor's Office
Megan McCulloch, Zone 2 Community Prosecutor (megan.mcculloch@fultoncountyga.gov, 678-362-1855)

No Report.

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
Denise Stewart, (404-546-1410) denstewart@atlantaga.gov

No Report.

A board member shared that there was a public comment opportunity on the proposed stormwater management ordinance this Wednesday evening. The board member will circulate the link to the Ordinance as well as thoughts. Watershed will appreciate the public support.

Department of Parks and Recreation (DPR) (404-546-6813)
www.atlantaGA.gov/iparcs

Erica Collins, Manager, Peachtree Hills Recreation Center (PHRC), 308 Peachtree Hills Ave.
eknox@atlantaga.gov

Erica Collins noted that Peachtree Hills launched a small learning pod for students from 7:15am to 2:30pm to oversee online learning. The ratio is 1 adult to 5 participants with 15 children maximum allowed. Breakfast and lunch are provided. PPE and COVID-19 precautions are being followed to keep everyone safe. The program is Monday – Thursday.

The golf course and tennis courts are also open.

A board member asked whether Peachtree Hills would be a voting location. There is a voting bus that will be available for early voting (7am to 7pm) and the voting is on November 3rd at Peachtree Hills.

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 Ferguson is providing information about removing illegal signs around the City as well as to remove the bulk pickups that are scheduled.

A board member noted that yard waste pickup had been a problem and wondered if there was a schedule for pickup of yard waste. Officer Ferguson noted that additional crews have been hired to pick up yard waste and bulk waste. Officer Ferguson said that yard waste would be picked up now.

A board member asked about the lead time for a bulk pickup. Officer Ferguson said that it was 1.5 months but after hiring additional crews, that might have decreased.

Atlanta Department of Transportation

Josh Rowan, jrowan@atlantaga.gov

Written report was circulated.

Code Enforcement Section, APD Community Services Division

CodesRequests@AtlantaGA.gov 404-546-3800 (call to report an issue)
Officer Bowden, labowden@atlantaga.gov, (404) 387-4688

Written report was circulated.

A board member asked about the code enforcement report and if there was a way to determine if the issues are located in a specific neighborhood. Dr. Bliwise explained that the numbers are the Council locations and the spreadsheet shows the ongoing action. Dr. Bliwise noted that there had been an increase in code enforcement citations.

Buckhead Business Association

Bob Gibeling, VP, Community Alliance, BBA office: 404-467-7607

No report.

Buckhead Coalition

Jim Durrett

Livable Buckhead, Inc (LBI) - Denise Starling, Executive Director
www.livablebuckhead.org

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

Jim Durrett noted that the supplementary patrol with the BCID police cruiser is going very well. The officers download information regarding activities during their shifts that is shared by Zone 2, the Police Foundation, and the BCID. The program is funded through December and the data will drive future program decisions and funding. The BCID also funds LPRs and cameras as well as off-duty officers to direct traffic at high volume intersections.

Mr. Durrett provided an update on the \$800,000 construction project in partnership with the City to make ADA upgrades within the BCID. The City is pleased with how that project was delivered and it was successful in making needed accessibility upgrades.

The BCID is re-doing the streetscapes in the West Village. That project is going well and should be completed by the end of the calendar year. The BCID is fixing a major flooding issue to convey an area that is currently flooding.

A big focus of the Buckhead Coalition is public safety. Buckhead Blue was discussed and there are ongoing discussions regarding the needs for Buckhead that aren't being addressed by Zone 2 and if there are actions that can be taken to increase security. There was also a discussion about leveraging the individual neighborhood investments in private security services.

A board member asked if there could be a list of the CIP projects that are ongoing and their status. Jim Durrett noted that all of these should be listed on their website.

A board member asked about Buckhead Blue. Jim Durrett noted that Buckhead Blue started from looking at the Midtown Blue program and tailoring it to Buckhead needs.

There was a question regarding the BCID car. Jim Durrett noted that they are helping with the issues on Pharr Road and they noted that the Copper Cove front porch was not permitted and they are now not able to gather there.

Anna Sharp with Livable Buckhead, Community Engagement Coordinator

Anna noted that during non-COVID years, Livable Buckhead held an annual Park Day and converted parking spaces into mini-parks to draw attention to the need for more parks. This year, Livable Buckhead has partnered with Tiny Doors ATL who creates miniature doors, to create mini parks on Path 400. There are several groups who are building mini parks that will be placed along Path 400 on October 16 through 18. Livable Buckhead recommends following CDC protocols while visiting the displays. There will be a DJ creating audio sounds for each park. There will be a tiny disco at each park. Bring your headphones for the total immersion experience.

Similar to video games, you also will be able to walk Path 400 and visit the tiny parks virtually. You can logon with friends and chat with them in a virtual space while viewing the park. There will be an opportunity to vote on your favorite park. The tiny parks will be available for viewing between Lenox Road and Old Ivy. There will be some parking options available.

https://livablebuckhead-my.sharepoint.com/:b:/g/personal/anna_livablebuckhead_org/Ear6NMKNc6lMI3NE6mLzs4QB YVlz1ADsp949qNG2o1IvtA?e=WOFC6E

A board member noted that there is a very similar experience in New York City. There was a question about whether the section of the Path 400 in Peachtree Park is opened to the public, because it is being used. This section of the park is NOT opened but the community keeps breaking down the gates. There are a few more issues to resolve before it is opened that are related to security and safety. Everyone is working to get these issues resolved. Community patience is requested.

<https://livablebuckhead.com/programs/mobility/biketober/>

5. COMMENTS FROM ELECTED OFFICIALS

Felicia Moore noted that if there are any issues, she is available fmoore@atlantaga.gov or 404-330-6052. She noted that City Council did pass an ordinance related to street safety to address attendees and participants in street racing. She noted that they call it “take over Buckhead” as it is important to understand the rationale behind the racers. Councilwoman Moore is also looking at other more severe penalties with the State Legislature including points on licenses and other ideas. The street racers are intending to disrupt peoples’ lives and the problems are all over the City. The State Legislature is aware of the issues as many are disrupted personally and have heard from their constituents.

She invited everyone to join her tomorrow for Conversations with the Council President live at 1 pm on Facebook, Twitter and YouTube. Topics will be COVID and the flu season.

A board member asked about the incredible noise that comes from the mufflers, which is illegal. The question was whether there was an ability to trace the modified muffler back to the shop that made the modification and cite them. Councilwoman Moore noted that impounding the modified vehicles was really important as the modification violated state law.

A board member commented that making them cleanup Buckhead as part of their community service requirements might be a good strategy after being cited.

6. COMMITTEE REPORTS

APAB report was distributed via email.

A. PUBLIC SAFETY COMMITTEE

Mandi Gibson, Chair

Alma Cocina Buckhead / 3280 Peachtree Road / Open Air Café / 11-0-0

Gusto! / 4365 Roswell Road / New Business / 11-0-0

NPU-B action: A motion to approve the consent agenda passed by vote of 22-0-0.

B. DEVELOPMENT, TRANSPORTATION and SPECIAL PROJECTS COMMITTEE

Jason Kendall, Chair

D&T and special project committee met to discuss Short Term Rental (STR). A member from ATL Neighbors participated and shared this group's vision for STRs. Councilman Shook has proposed Zoning changes (Z-20-69).

The ATL Neighbors were concerned about the ability of the City to enforce the Ordinance. The ATL Neighbors suggested an alternative ordinance that makes STRs legal but provides constraints under which they would have to operate legally. The ATL Neighbors representative gave a presentation. Jason has requested a copy of this presentation to distribute but has not yet received this.

This will be discussed further in the planner's report. There are likely meeting attendees who will want to comment on this subject.

C. ZONING COMMITTEE

Bill Murray, Chair

V-20-089 3084 West Roxboro Road NE Approved

Applicant seeks a variance from the zoning regulations to exceed the maximum height of a fence in the required half-depth front yard (Roxboro Drive) from 4 feet to 5 feet and a special exception to allow active recreation in a yard adjacent to a street (Roxboro Drive) in order to install a pool.

V-20-120 617 Loridans Drive NE Approved

Applicant seeks a special exception from the zoning regulation to allow active recreation in a yard adjacent to a street (McClatchey Drive) in order to install a swimming pool.

NPU-B action: A motion to approve the consent agenda passed by vote of 19-0-1.

The City has a book club on Thursdays at noon, reading the *Color of Law* that describes shaping of Atlanta and the suburbs.

The Office of Design is starting to work on the Comprehensive Development Plan. This complies with the Georgia Planning Act. The Plan must be adopted by October 31, 2021. Community engagement through a website will begin in November.

Z-20-69

An Ordinance by Councilmember Howard Shook, Joyce Sheperd, JP Matzigkeit, Michael Julian Bond and Dustin Hillis to amend the 1982 Atlanta Zoning Ordinance, as amended, by adding a definition for Short-Term Rental (“STR”) and to prohibit short-term rentals as a use in the R-1 (Single-family residential), R-2 (Single-family residential), R-2A (Single-family residential), R-2B (Single-family residential), R-3 (Single-family residential), R-3A (Single-family residential), R-4 (Single-family residential), R-4A (Single-family residential), R-4B (Single-family residential), R-5 (Two-family residential), and PD-H (Planned development housing) zoning districts; and for other purposes.

There was an interview link that was sent by Leah LaRue that will be forwarded.

Dr. Bliwise received a number of comments on the ordinance. The majority of the comments were against the ordinance. They note that short-term rentals are an important option, they provide affordable housing, and they have the same problems as long-term rentals.

The majority of comments in favor of the ordinance focused on the volume of complaints related to parking, community access, and disrespectful behavior. The biggest problem has been the lack of enforcement by the City as short-term rentals are not an allowable use in the current code. The concern about the proposed ordinance is that there is a lack of enforcement mechanism and the lack of enforcement should be addressed.

A board member noted that the alternative proposal is more regulatory versus a prohibition. The creation of revenue and greater specificity of enforcement are positive aspects. Regulation versus prohibition.

A board member asked Jessica what Councilman Shook’s ordinance is expected to address. The concern is operating a commercial use in a single-family area and the associated noise, traffic, etc. The number of complaints from neighbors has been significant. A lease that is greater than 31 day is allowed but rentals shorter than this are not allowed in the draft ordinance. Councilman Shook is open to ordinance revisions. The board member also asked why multi-family was not included in the Ordinance. Jessica didn’t know except that the impetus was party houses. The comment was that an Ordinance was recently passed to prohibit party houses.

One board member noted that they had a great experience using AirBNB in other cities and isn’t sure why we would like to eliminate this.

One board member asked about the feasibility of having a licensing ordinance so that we could control the problematic uses. If you allow them, you have to establish parameters under which these rentals are allowed. There would need to be a system with staff dedicated to managing and enforcing the rentals.

One board member shared that there were several short-term rentals in Peachtree Park and it was a big problem for the neighbors and neighborhoods. There were drugs, nudity, and other safety issues. There are a lot of long-term renters, but typically there is a relationship with the neighborhood.

One board member noted that the problems sound like noise and items not related to the duration of the rentals. They noted that many of the condos do restrict short term rentals.

One board member noted that we should think carefully about who is charged with enforcement and make sure that it is a body that can work with the NPU as a partner to enforce issues.

One participant living in a condo supports the legislation. The legislation should be inclusive and have teeth.

One participant representing the short-term rental association was curious whether there were specific houses or units causing problems. Often the short-term rentals are blamed for parties on the street that aren't related to the STR. A board member noted that there was a specific house that did create a problem in a small cul-de-sac. There was an elderly person who had a medical emergency in the cul-de-sac and the ambulance was unable to get to their house due to improperly parked vehicles. Several specific examples were shared. The same board member shared that there are some STRs that do not create problems in their neighborhood. Being a good neighbor is important to most STRs. The host needs to be responsible for their guests. The member noted that the association is open to reasonable regulations.

There will be another D&T meeting to discuss this issue further. There needs to be a program that allows good hosts to operate while terminating the use for bad hosts. We do need to find an important licensing vehicle where enforcement happens.

8. MATTERS FOR VOTING (above)

Z-20-07 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 17-0-1.

9. PRESENTATIONS

Lindbergh/ Armour Master Plan, Jason Morgan

The City has been evaluating how to have effective public outreach during COVID times which led to the delay in the planning process. There will be several virtual interactions that will replace the planned on-site meetings. The planning effort is a joint effort with MARTA, City Planning, and the Atlanta Department of Transportation.

The primary purpose of the Lindbergh/ Armour Master Plan is to look at how housing and commercial development can be more cohesive with the transportation infrastructure. The transportation infrastructure includes all forms of transportation (rail, bus, light rail, trails, streets, etc.). The connectivity between all transportation methods is an important focus of the study. The City wants to work with the community to craft a sense of identity and community. There is a four-pronged approach to public engagement: (1) partner groups with technical experts, (2) multi-modal transportation group, (3) transit-oriented development, and (4) Community Voices Working Group. The NPU will be engaged with neighborhood associations through the Community Voices Working Group and will be asked to shape the goals and prioritize the types of improvements that are needed. More details on these opportunities will be coming soon. The goal is to present the plan to Council in June/July 2021.

A fact sheet was distributed by email. Members were encouraged to participate.

CORE Response Atlanta, Travis Amsterdam

CORE is based in LA and Atlanta is their second location to open. They have been working in Atlanta since late April to provide COVID testing. They partner with community groups for space and promotions and they provide testing and the materials for testing. Bathroom access and power is preferred when looking for testing locations. Mr. Amsterdam noted that CORE works with a lot of churches. Mr. Amsterdam is reaching out to different organizations looking for potential partnerships. Testing is typically Monday through Saturday, from 10am to 4pm. They are considering expanding to offer flu shot services. The tests are self-administered with support of staff and the test results are returned in about a day.

Travis Amsterdam
CORE Community Organized Relief Effort
Site Developer & Program Scheduler
Site Development Team
DeKalb & Fulton counties
M: (678) 906-6870
E: travis.amsterdam@coreresponse.org
W: www.COREresponse.org

10. OLD BUSINESS

CCI, the group evaluating the NPU system. They are interviewing each NPU and Nancy and Kim participated in a recent interview. The CCI's NPU evaluation process is being funded by two foundations: the Annie E Casey Foundation and the Kendida Fund. They asked very good questions during the interview. NPU-B was the first NPU to be interviewed.

11. NEW BUSINESS

A nominations committee is being formed and will be led by the Business Representative and the Residential Representative. Please let them know if there is interest in running for any of these positions.

12. ANNOUNCEMENTS

The next NPU-B meeting will be November 3, 2020. Election Day.

The next BZA meetings are posted on their website.

The next ZRB meetings are posted on their website.

13. ADJOURNMENT

NPU-B action: A motion to adjourn passed by vote of 19-0-0.

The meeting was adjourned at 9:25 PM