

**Minutes of NPU-B regular monthly meeting
Tuesday, February 2, 2021**

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

****This meeting was held via Zoom****

Present: 25

Proxies: John Bagwell to Kim Shorter
Rob Haskins to Kim Shorter

1. OPENING REMARKS / CHAIRPERSON’S COMMENTS

Welcome, mission of NPU-B, and introductory remarks. Dr. Bliwise thanked everyone for their patience as we got a slow start to the meeting, allowing the Public Safety committee to finish their subcommittee meeting.

John Ruch with the Buckhead Reporter was in attendance.

2. APPROVAL OF MINUTES

NPU-B Action: A motion to approve the minutes from the previous regular monthly meeting (January) of the NPU-B passed by vote of 18-0-0.

3. APPROVAL OF AGENDA

NPU-B Action: A motion to approve the agenda of the NPU-B passed by vote of 12-0-0.

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 Williams attended on behalf of Zone 2 as a new member to the Zone replacing Captain Singh.

There have been 376 crimes this year. These crimes include: larceny from auto (295), auto thefts (47) – with most of these thefts being running vehicles or vehicles with key fobs left in the car, aggravated assault (11), battery (11), homicide (1) – a person was shot while driving.

There was an arrest of a local auto thief. An off-duty officer caught the perpetrator in a parking lot. He has been convicted of several additional crimes.

Everyone needs to be mindful when we are leaving vehicles, starting them up in the morning, or fueling cars.

There was a briefing on the 262 Pharr Road incident. A gun was shot into a crowd at the Luca Lounge. One person has been arrested for this incident. The Zone has increased patrols in the area. The patrols include officers on foot along Pharr Road.

A board member asked whether the car thief was still incarcerated. Captain Williams noted that he was still in jail.

A board member asked if the crimes are generally being committed by locals or criminals coming from out-of-town. Captain Williams said that there have been several out-of-town criminals recently caught.

Deputy Chief, Timothy Peek introduced himself and is looking forward to working closely with everyone. There are several initiatives to target current undesirable crime trends.

APD Deputy Chief Timothy Peek, Field Operations Division, TPeek@AtlantaGa.gov, 404-831-0824.

A board member noted that the increase in crime has been very startling and NPU-B is looking to partner with APD and others in order to create a family-friendly and safe Buckhead.

Atlanta Fire Rescue Department (AFRD)
404-546-4400 (or dial 404-546-4421 to reach station 21)

Captain Jason McClain with Station 26 announced that Fire Chief Randall Slaughter will retire in mid-February. Dep Chief Rod Smith will replace him in February. He reported that there are 36 recruits going through training.

Station 21 responded to 422 incidences since the last NPU meeting. The majority of calls were for EMS reasons. He urged everyone to remain vigilant and safe and follow best practices to slow COVID-19 spread.

Captain McClain noted that with storms common this time of year, to watch for downed power lines and report these to 911. He reminded everyone to treat ALL downed lines as live and call 911.

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 thanked NPU-B for the support for training. The program is looking for additional zones to participate and working with the APD training academy. The courts are open. They are handling the racing cases that aren't getting deferred to other courts.

If you get stopped for a traffic citation, you can take advantage of the diversion program. 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
Louis Sheppard, 404-546-1181, cell (770) 624-0793, lsheppard@atlantaga.gov

Louis Sheppard noted that everyone is encouraged to stay healthy and drink plenty of water. Water service is not being terminated due to non-payment at this time as part of the COVID-19 response. Everyone is encouraged to think about meter irrigation dwmapps@atlantaga.gov; this is for a second meter to exclusively serve irrigation needs.

Protect pipes during the winter season as cold weather can lead to cracked or broken pipelines.

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

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

Officer J. Walker – 470-698-6976 or jawwalker@atlantaga.gov

No report. Dr. Bliwise noted that she did communicate information to Public Works regarding missed yard waste pickups. There appeared to be inconsistent service throughout NPU-B.

Atlanta Department of Transportation

Josh Rowan, jrowan@atlantaga.gov

No report.

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

McCala participated on behalf of Officer Parks who can be reached at 404-387-2969 or lbparks@atlantaga.gov. There are six cases for this month. There was a complaint for a very large pothole near a Chevron on Roswell Road, but it was not located in the field when

investigated. No interior inspections are occurring due to COVID-19 precautions, and only a handful of inspectors are in the field.

A board member provided a complaint about people squatting on the property and wondered how to report that given the COVID-19 requirements. APD can arrest anyone on the property if it has been reported as vacant.

A board member asked about boards with nails sticking out and whether this was hazardous because it is near a bus stop and a neighbor's pet got injured. Officer McCala agreed that it could be considered hazardous and the address was taken down and added to the system.

There was a question about another address from another board member to be handled offline.

ATL311

Barbara Dougherty, Community Affairs Coordinator. 470-698-5171. bdougherty@atlantaga.gov

ATL311 is the Non-Emergency Call Center for City of Atlanta services and we are open Monday-Friday from 7am--7pm.

You can contact us by Dialing 3-1-1 inside city limits or (404)5461 inside city limits or (404)546-0311.

1. Visiting us online at www.ATL311.com
2. Emailing us at ATL311@atlantaga.gov
3. Downloading & reporting issues via our app by searching "ATL311" in your app store.
4. Sending us a message on Social Media. Just search "ATL311" on Twitter, Facebook, Instagram, Reddit, NextDoor, , SnapChat, and YouTube.

Additional Information: Sign up for COVID--related emergency notifications related emergency notifications by texting "ATLSTRONG" to 888777.

Buckhead Coalition

Jim Durrett

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

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

Jim provided a report that the Buckhead Safety Plan is being rolled out and they are raising funds.

<https://livablebuckhead.com/events/>

Livable Buckhead has continued the movie series throughout the weekends in February.

5. COMMENTS FROM ELECTED OFFICIALS

Dr. Bliwise reported that JP Matzigkeit will not be running for District 8 Council.

Councilman Julian Bonds informed everyone that yesterday the Committee of the City passed legislation to further review the most recent report of the Alcohol Technical Advisory Group (ATAG 2) and to suggest revisions to the alcohol code. Council hopes for significant participation by community members.

Michael J Bond Post 1 at Large 404-274-8111 cell mbond@atlantaga.gov

Dr. Bliwise thanked Councilman Bonds for his leadership on this issue.

A board member suggested giving new facilities a temporary permit that would receive higher scrutiny during a probationary period. Councilman Bonds noted that when Atlanta provides an alcohol license, a state license is also issued so the City needs to ensure state law is followed. Councilman Bonds thinks the suggestion may keep businesses on the straight and narrow from the beginning.

Each “at large” Council member can appoint 4 individuals to the new technical group that will be formed (ATAG III). Make recommendations to Matt Westmoreland for people to serve on this important committee.

6. COMMITTEE REPORTS

APAB report was distributed via email.

A. PUBLIC SAFETY COMMITTEE

Bryan Steed, Chair

Storico Vino / 3065 Peachtree Road / Change of Ownership / 6-0-0

AMC Theatres Phipps Plaza 14 / 3500 Peachtree Road / Change of Agent / 6-0-0

AMC Theatres Back Lot / 3340 Peachtree Road / Change of Agent / 6-0-0

Del Frisco’s Grille / 3076 Peachtree Road / Change of Agent / 6-0-0

Maggiano’s Little Italy (Main and Upstairs Bar) / 3368 Peachtree Road / Change of Agent / 6-0-0

Buckhead Grand (Main Facility (36th Floor) and Additional Facility (Patio)) / 3338 Peachtree Road / Change of Agent / 6-0-0

Buckhead Theatre (1st and 2nd floor) / 3110 Roswell Road / Change of Agent / 6-0-0

Intown Golf Club / 3050 Peachtree Road NW / New Business / 6-0-0

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

Given the concerns with existing alcohol licenses over the last few months, Mandi and Bryan have created a more rigorous procedure to question these applicants in an effort to limit future

issues. The group is open to suggestions from NPU-B members and neighbors on how to better review these applications carefully.

B. DEVELOPMENT, TRANSPORTATION and SPECIAL PROJECTS COMMITTEE

Jason Kendall, Chair

Three items:

1. Tree Ordinance was just published. Several people volunteered to review and seek comments from external experts.
2. Atlanta City Design-Housing – There was a letter sent that articulates some of the concerns related with proposed changes to single-family zoning. The biggest concern is the ADU provisions which is a major change for single-family zoning.
3. Short-Term Rental ordinance

Jason sent several links and resources via email.

Jason would like each neighborhood to send a letter to the City regarding the proposed changes to single-family residential zoning. He suggested gathering 2 people from each neighborhood (possibly neighborhood association president and NPU-B residential representative) on zoom to coordinate these responses.

The revised Short-Term Rental (STR) Ordinance is also on the agenda tonight for comment. The proposed Ordinance creates a permitting system and allows for agents for STRs. The City's motel/hotel taxes will apply to STRs. The Ordinance does NOT include a cap on rentals per neighborhood or area and there is no penalty for violations.

The D&T/Special Projects Committee expressed concerns related to the City collecting the hotel/motel taxes from small businesses. The committee felt that web-based documentation would be better, especially if neighbors could see which properties are being rented.

The Ordinance does not include provisions for the real estate market so that the seller can rent from the buyer for a short-term transitional period. There are no provisions that prohibit claiming homestead exception for homes that are entirely rented out.

A board member noted concerns that this fee is not revenue neutral. The proposed fee was cut from previous drafts to this draft and the justification was that people are struggling due to COVID-19 shut-downs. While this may be true, the reduction shifts the financial burden from the for-profit enterprise to the rest of the City tax base. The City did not conduct analysis to determine the fee needed to have a revenue neutral program, but rather did a comparative analysis of fees in other communities.

Several board members felt that the Ordinance should include limits to the number of rental properties that someone could own and manage. There was a discussion of the density of STRs and in any area and that too many STRs could be very harmful. A board member commented that if the density increases, then the neighborhood is commercial and no longer residential. There was a discussion about limiting the number of licenses that an individual could own within a given area. The example given was one owner who owns 10 units in a condo complex. If that owner goes bankrupt, there could be serious harm to other owners in that building. Another board member noted that the Ordinance fails to articulate that if a condo was to be a STR, the

condo complex would have to provide a letter from the Condo Association noting that the rental is allowed.

C. ZONING COMMITTEE

Bill Murray, Chair

V-21-003 3280 West Roxboro Road NE Approved

Applicant seeks a variance from the zoning regulations to: reduce the required east side yard setback from 10 feet to 4.7 feet to construct a rear addition to an existing single-family detached dwelling.

V-20-169 / 4061 Club Drive NE Approved

Applicant seeks a variance from the zoning regulation to 1). reduce the required front yard setback from 50 feet to 12.9 feet, to 2). reduce the required north side yard setback from 10 feet to 9.2 feet, and to 3). to reduce the required rear yard setback from 20 feet to 0.9 feet, and 4). and to increase the maximum lot coverage from 40% to 46.8% in order to construct an addition to an existing single-family residence and an accessory structure (garage).

U-20-018 / 3714 Roswell Road Approved with Conditions

Applicant seeks a special use permit for outdoor dining within 1000 feet of residential zoning.

Conditions:

1. No outdoor public address sound system.
2. The applicant agrees to restrict tenant prohibiting nightclubs, bars and lounges. The applicant agrees to apply for a license only for a restaurant which may include a bar inside of the restaurant.

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

Non-Consent Agenda:

V-20-154 820 Haven Oaks Court NE
V-20-175 2063 Winslow Drive NE
Z-20-83 1 Emma Lane NE

7. PLANNERS REPORT

Jessica noted that NPU University is back and the 2021 catalogue will be announced soon. NPU.Atlanta.org/ to register for classes.

Report illegal construction or property violations by calling 404-546-0158 or email codebusterscp@atlantaga.gov.

Design Awards 2021 nominations are being accepted and applications are due on March 10, 2021.

The planning department is working on a new tree protection ordinance. It is available on the website.

Jessica clarified that the Comprehensive Development Plan is a policy document that must be revised every 3 to 5 years following the Department of Community Affairs' schedule (current revision to be completed by October 2021). A board member asked whether NPUs typically vote on or comment on the CDP before Council votes to adopt. Jessica responded that in the past, the NPUs did not vote but that there will be public engagement throughout the process. Jessica added that there is a new website that outlines the stakeholder engagement process. A board member asked whether the land use map will be updated as part of this process. It was unclear whether the map will change or not. It was noted that there are several parcels neighborhoods watch to ensure they remain residential.

Atlanta City Design Housing Initiative was discussed. A board member asked about the four ordinances that are supposed to be coming to NPU-B, one of which is the Accessory Dwelling Unit (ADU) ordinance. There are many questions regarding the schedule for releasing these Ordinances. Clarification would be very helpful. Jessica shared that Josh Humphries is leading this effort. Dr. Bliwise noted that the lack of information has created some challenges and issues. Clarity on the schedule would be very helpful.

For more information about NPU University courses, visit www.npuatlanta.org/npuucatalog or call 404.546.0158.

To report unpermitted construction activity, email CodeBustersDCP@atlantaga.gov or call 404.865.8550. For more information

<https://www.atlantaga.gov/Home/Components/News/News/13482/1338>

For information on the 2021 design awards bit.ly/UDCawards

For public hearings or other departmental information visit

<https://www.atlantaga.gov/government/departments/city-planning>

Follow NPU voting activity on the NPU Dashboard: <https://www.npuatlanta.org/npu-dashboard>

For info on the CDP, visit www.atlcitydesign.com/comprehensive-development-plan

For information on the tree ordinance visit Tree Protection Ordinance

To stay informed, follow us on social media @npuatlanta

8. MATTERS FOR VOTING (above)

20-O-1656 An Ordinance by Councilmembers Andre Dickens, Matt Westmoreland, Jennifer N. Ide, Amir R. Farokhi, Antonio Brown, Michael Julian Bond and Joyce M. Sheperd as substituted and amended by Community Development/Human Services Committee to provide for the regulation and taxation of short-term rentals within the City of Atlanta; and for other purposes.

Comments will be consolidated and distributed by Jason Kendall and Dr. Bliwise as described in committee reports.

9. PRESENTATIONS

None.

10. OLD BUSINESS

The chairs and vice-chairs for the committees are as follows:

Zoning

Bill Murray – Chair

Jefferson McConkey – Vice-Chair

Public Safety

Bryan Steed – Chair

TBD – Vice-Chair

D&T

TBD – Chair

TBD – Vice-Chair

11. NEW BUSINESS

Community Leaders for Enforcement, Accountability, and Responsibility in Alcohol Licensing (CLEAR) organization put together a proposal asking for a review of the alcohol licensing ordinance. Councilman Julian Bond proposed that the Atlanta City Council establish a review group (to be known as ATAG 3) to make recommendations on revisions. CLEAR very appreciative to Councilman Bond. We can share with our neighborhoods that City Council is responding to our neighborhoods' concerns about alcohol licensing and enforcement. A board member also suggested that we should recommend representatives through Matt Westmoreland.

There have been many discussions following the Housing presentation at the last meeting. There was a recommendation that we send a letter to Commissioner Keene. Due to the short timeframe, a letter was drafted and reviewed by the Executive Committee and sent to Commissioner Keene. There have been several responses thanking us for our input. Dr. Bliwise has talked to several elected officials and there are interests in engaging neighborhoods further. The letter that was sent was sent to each member via email.

12. ANNOUNCEMENTS

The next NPU-B meeting will be March 2, 2021.

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 16-0-0.

The meeting was adjourned at 8:52 PM