

**Minutes of NPU-B regular monthly meeting
Tuesday, May 4, 2021**

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

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

Present: 15

Proxies: Ben Howard to Rebecca King

*12 members joined the meeting after establishing a quorum.

1. OPENING REMARKS / CHAIRPERSON’S COMMENTS

Welcome, mission of NPU-B, and introductory remarks. Dr. Bliwise.

No press was in attendance.

2. APPROVAL OF MINUTES

NPU-B Action: A motion to approve the minutes as corrected from the previous regular monthly meeting (April) of the NPU-B passed by vote of 14-0-0.

3. APPROVAL OF AGENDA

NPU-B Action: A motion to approve the agenda of the NPU-B passed by vote of 15-0-0.

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 is aware of the relationship between the owner of bars in NPU B and the proposed business in NPU F. Major Senzer noted that this owner is affiliated with several problematic establishments.

Major Senzer is pleased to hear about the Governor’s additional support to address the street racing.

Major Senzer shared that businesses that fail to comply with their licenses are also more likely to attract crime. APD has visited each establishment on Pharr Road to perform compliance checks. The establishments are worried about the additional attention.

Crime statistics are on the City’s website. Major Senzer shared that the good news is that crime over the last consecutive 28-day period is down compared to the prior consecutive 28-day period, even though the year-to-date (YTD) crime may be higher.

- Part 1 crimes are down 5% over the last 28 days (YTD is up 10%).

- Auto thefts are down 20% over the last 28 days (YTD is up 31%)
- Car break ins are down 50% over the last 28 days (YTD is up 18%)

For auto thefts, most of these vehicles were either running or had the keys in the car. Don't leave guns in the car because criminals are targeting cars with guns.

Over the past 7 weeks, the Zone has been under the reported incidents per week mark. The special auto larceny team has made some key arrests and some key individuals are in jail.

There has been a group stealing lawn equipment from landscaping trucks in the Zone. The persons have been identified and are being actively tracked. Zone 2 expects to arrest these individuals shortly.

The Zone is working hard to address the perception of lawlessness.

A board member commented that the last 28-day statistics are a better indicator because last year this time, everyone was sheltering. The board member sees this as a positive trend.

A board member asked if incarceration rates are still lower than historical? If so, is this a court issue or due to lack of enforcement. Major Senzer noted that overall arrests are lower, but this is not due to a lack of enforcement.

A board member asked about plans to address the kids selling water and Gatorade, who are back on the street and creating a dangerous situation. Major Senzer emphasized that what these kids are doing is illegal. Zone 2 will respond when called. Typically, the kids run when they see the officers coming. If Officers can detain the sellers, sometimes they can stop operations and/or arrest them. Juveniles who are taken into custody must be watched until parents or guardians can pick them up. Parents can be charged to contributing to the delinquency of a minor. The board member noted that the weekends when weather is nice are worse than weekdays now.

A board member asked if there were any leads on the gang who broke into several cars in several neighborhoods on Sunday afternoon. Major Senzer was not aware of any leads, but is glad residents were vigilant and called 911.

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

Battalion Chief Mitchell informed everyone that today is National Firefighters Day. There are 21 recruits starting the academy following the 13 new recruits that just joined the force. The recruitment process is still opened.

Fire stations 21, 26, and 29 are on schedule for renovation or major repair. Fire station 27 was recently renovated. The station appreciates all donations, which go directly to the Atlanta Fire Foundation (Atlfrf.org).

The annual Breakfast with the Bravest will be held September 10, 2021. The hope is that the event will be in person.

The Buckhead fire stations responded to 712 incidents last month. Most of them were emergency response related, about a quarter were alarm responses, and one HAZMAT response. The weather has kept the fire station busy as they assist with downed trees and downed power lines.

Vaccinations of fire fighters is ongoing. Recommend following safety guidelines.

Safety Tip: Install smoke detectors on every level of your home, especially near your sleeping areas. You can install these in bedrooms, but it is preferable to install them in the hallway just outside of your bedroom. Press the test button on the smoke detectors on monthly. Change the batteries at least twice a year when you reset your clocks for daylight savings time. Develop and practice an escape route for your home.

A board member asked if there were any needs at the local fire station, such as cable service. Chief Mitchell noted that cable service is paid for through dues but there is a wish list maintained by the Atlanta Fire Foundation. There is also an adopt-a-station program too through the Atlanta Fire Foundation. Shirley Ann Smith is the point of contact with the Atlanta Fire Foundation.

A board member thanked the fire department for quick actions that saved the life of a toddler recently and for preventing a fire from spreading into her backyard.

A board member asked if the infant car seat safety checks are still ongoing. Chief Mitchell noted that stations are closed to the public; however, the fire fighters can come out to inspect the car seat.

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 shared that the Prince's Club is on the docket and set for a plea (they do not want a trial) on May 26th at 9am in Court 5A in Chief Justice Portis's court room. The club received two citations: selling alcohol without a license and storing alcohol without a license. Ms. Carey is unsure if a plea deal has been negotiated. She will check with Deputy Erika Smith on whether it is a negotiated plea or not. The judge does not have to follow the negotiated plea. Ms. Carey is going to find out about the community impact statements and how those can be submitted.

Governor Kemp signed a bill into law that increases the penalties for street racing. There have been issues about whether a license can be suspended for someone convicted who has not yet been tried. Ms. Carey noted that overall, things seem to be moving in the correct direction.

There was a discussion about a new license in NPU-F for the Goat Club, which has the same owner as Blue. NPU B has shared information with NPU F.

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

DWM is celebrating older American month, infrastructure week, and safe drinking water week during the month of May.

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

J Walker DPW S.W.E.E.T OFFICER - 4706989673 - jawwalker@atlantaga.gov

Officer Ferguson from the SWEET team reminded everyone that the City will be alternating weeks of trash and yard trimmings this week. These changes are in response to COVID-19 challenges and to keep everyone safe. Residents can put out extra recyclables during the recycling week if it is in a marked container. The alternating schedule may be extended but that has not been determined.

Additional recycling can be marked in a reusable container, preferably marked.

Residents may drop off yard waste at the City's Facility, located at: 2175 James Jackson Parkway from 7:30am – 4pm.

Contact 311 to schedule bulk pickups for more than 20 yard bags, large lawn debris, furniture, or other bulky items.

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 Everett noted that there is a new officer assigned to NPU-B, Officer Grayer 404-387-4688. Please call 311 to alert the City of issues and Officer Grayer will be assigned to respond. Calling 311 keeps the records accurate in the computer system.

Nancy forwarded the written report via email. There was a lot of activity in the area.

ATL311

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

Joy noted that there is a new web portal.

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

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

No Report.

A board member shared that Livable Buckhead has an event at Mountain Way for the arrival of the beehives: <https://livablebuckhead.com/event/north-buckhead-bee-arrival-celebration/>

For Mother’s Day send a flower sign and make Path 400 beautiful.

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

Buckhead Walk competition is ongoing. Get your shoes laced up, the competition is stiff!

5. COMMENTS FROM ELECTED OFFICIALS

Tamra Edward with Mayor Bottoms office noted that you can either make an appointment or can walk up to get a vaccine at Mercedes Benz stadium. There is a strong emphasis on the black and brown communities because there is a great deal of disinformation. The City is looking for ambassadors to let the community know that there is free transportation to get the free vaccine at Mercedes Benz stadium with free parking. Ms. Edward noted that the process is efficient and painless.

There was a question about reaching out to elderly patients who are not computer-savvy or are not mobile. The City has had some mobile units that have gone to apartments and other locations that would reach this population. There are mobile units going to some parks, churches, and other locations they hope are convenient. There are new efforts to address truly home bound persons. MARTA mobility will also provide transportation by calling 311.

To become an ambassador, reach out to Tamra - Tamra Edwards 770.639.6403. <https://gtavras.powerappsportals.us/en-US/>

6. COMMITTEE REPORTS

APAB report was distributed via email.

A. PUBLIC SAFETY COMMITTEE

Bryan Steed, Chair

Elon's Bakery Restaurant / Phipps Plaza / New Business / 7-0-0

Elon's Bakery Specialty Food Shop/ Phipps Plaza / New Business / 7-0-0

NPU-B action: A motion to approve the consent agenda passed by vote of 14-0-0.

B. DEVELOPMENT, TRANSPORTATION and SPECIAL PROJECTS COMMITTEE

Jason Kendall, Chair

No new report. The Committee is following the Accessory Dwelling Unit and Tree Ordinance. The comments on the Tree Ordinance were circulated so that there was an opportunity for people to provide additional comment prior to submitting to the City. The comments will be shared with the elected officials that cover NPU-B.

C. ZONING COMMITTEE

Bill Murray, Chair

V-21-75 3243 Andrews Court, NW Approved with Conditions

Applicant seeks a variance to reduce the south side yard setback from 10 feet to 7 feet 6 inches and rear yard setback from 20 feet to 17 feet for an addition to an existing single-family dwelling.

CONDITIONS: No kitchen will be installed in the new space.

V-21-96 507 Chateaugay Lane NE DENIED

Applicant seeks a variance to reduce the rear yard setback from 20 feet to 10 feet and to increase the maximum lot coverage from 40 percent to 41 percent for the construction of a swimming pool.

V-21-97 3758 North Stratford Road NE Approved

Applicant seeks a special exception to allow active recreation (swimming pool) in a yard adjacent to a street.

V-21-60

4152 Club Drive NE

Approved

Applicant seeks a variance to reduce the front yard setback from 50 feet to 24 feet and to reduce the north side yard setback from 10 feet to 8 feet for an addition to an existing single-family dwelling.

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

DEFERRED/WITHDRAWN CASES

V-20-175 Winslow Drive NE - Withdrawn

There was a discussion about the denial of the swimming pool variance that had been approved by the neighborhood. Several committee members explained that it was a large variance request and would set a bad precedent for other variances in other neighborhoods. The decision was based on consideration of the full NPU. The owner was advised to consider reconfiguring the pool so that it wasn't encroaching so significantly into the setbacks. The owners chose to move forward with the application.

7. PLANNERS REPORT

Jessica stated that the draft CDP will be available this month to view and to comment. There will be virtual public meetings on June 10, 17, 19th.

NPU University will have 3 classes in May. Zoning Fundamentals, Civic Participation for Seniors, and Parliamentary Procedures. You can register at NPUAtlanta.org/

NPU University is also working on a virtual Code Enforcement Academy that will include presentations from various departments. There is a deadline to register of May 14th.

Urban Design Commission Design of Excellence Awards on May 19th and will be held virtually.

Other Reports:

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

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/2021-cdp
NPU's and the public can submit questions and comments to their NPU planner or to cdp2021@AtlantaGa.Gov.

The City will present at the June 28th CD/HS Quarterly Public Hearing and then submit the 2021 CDP update to DCA and ARC for their review.

Planning anticipates the City Council adopting the 2021 CDP at their October 4th Council Meeting.

To register for the design awards visit udcdesignawards.eventbrite.com

For more information on the Code Enforcement Virtual Training Academy, visit npuatlanta.org/codeenforcementacademy

To stay informed, follow us on social media @npuatlanta

Urban Farm Stand voting matter. The legislation allows farmers to sell their produce onsite. This would create a special administrative permit for these farms. The permit would be a three-year permit.

A board member asked whether the special administrative permit would be solely decided by staff or whether the NPU would have an opportunity to comment. Specific concerns are related to parking and similar location-specific issues.

A board member asked why a permit was required and why these farm stands would be limited from selling produce from another farm stand. Jessica responded that there are different levels of farms. Most of these farms are in residential areas. There are farmers markets that are permitted differently. Because these are in residential areas, previously you could not have a garden as a primary use. Now that it is a primary use in a residential area, the zoning would allow for the sale.

A board member asked if a church community garden would be allowed to sell their produce. Jessica responded that they could with the special administrative permit.

8. MATTERS FOR VOTING (above)

Ordinance Z-21-41: An Ordinance by Zoning Committee to amend the 1982 Atlanta Zoning Ordinance, as amended, by amending the definition of urban gardens to permit on-site sales; by amending the special administrative permit requirement for urban gardens; so as to expand the use of urban gardens in residential areas; and to increase the availability of locally grown food and to stimulate neighborhood economic activity; and for other purposes.

NPU-B action: A motion to pass Ordinance Z-21-41 passed by vote of 20-0-0.

Ordinance Z-20-43: An Ordinance by Councilmember Amir R. Farokhi to authorize the removal of five privately owned billboard faces and their supporting structures, permitted under Part 16, Chapter 28A of the 1982 Zoning Ordinance of the City of Atlanta, as amended, in exchange for the right given to their owners to upgrade and/or relocate five billboards where the upgrade and exchange may allow for the creation of the 14th Street Linear Park and the Peachtree Creek at Cheshire Bridge Road environmental project after the five privately owned sets of

billboard faces and the supporting structures of relocated billboards are removed; and for other purposes.

Billboard Ordinance Discussion

Lem Ward gave a presentation related to the Ordinance. There are 2 billboards in NPU-E that will be removed and there will be a linear park installed. There will be 2 upgraded billboards in NPU M, 1 billboard GA 400 billboard at Miami Circle, and 1 at Mercedes Benz Stadium. The Miami Circle billboard is seen from GA 400, and the new height will be 75 feet versus the existing 67 feet. Signs must still comply with the City's Ordinances. They will be LED billboards which are measurable and controllable.

A citizen from NPU-F questioned that there was no obligation or funding within the Ordinance for the environmental park with a Bandalong. The group is hoping that by NPU-F meeting, there will be a notice of intent for someone to maintain the Bandalong. The citizen noted that the Bandalong is not exactly an environmental center. There is a request to get the agreement with the South Fork Conservancy in writing.

There are benefits to the City of Atlanta with the removal of two billboards and the linear park and the potential trash removal device. This is a Citywide benefit versus an NPU-B benefit.

There are concerns about the one condominium complex and a desire for confirmation that they are notified of the billboard change and will not be negatively impacted.

The billboard will be most visible from GA400. Mr. Ward indicated that the sign is designed so as not to constitute a traffic hazard. A board member noted that there are studies that show that these billboards lead to distracted driving. There are concerns about directionality and the location of the billboard. Mr. Ward responded that the Billboard will be at a higher elevation than the directional signs.

NPU-M is opposed to this as 2 of the billboards will be placed in an area where there are a number of accidents. There are 2 other organizations that oppose, one of the signs is proposed for a historic district and the other has issues regarding the guarantees (or lack thereof) for some of the public benefits (linear park and environmental center).

There was a motion to delay the discussion until the next month to gather additional information. Specifically, members were most interested in (1) the opinion of the other impacted NPUs and (2) there is some sort of guarantee that the funds to make improvements will be expended, and (3) impacted condominium complex is notified of the change with discussion of impact.

NPU-B action: A motion to delay voting on Ordinance Z-20-43 passed by vote of 20-0-0.

9. PRESENTATIONS

10. OLD BUSINESS

Remember to pay dues.

Nancy is still waiting to hear back from the church about returning to in-person meetings.

11. NEW BUSINESS

12. ANNOUNCEMENTS

The next NPU-B meeting will be June 1, 2021.

The next BZA meetings are posted on their website and are May 6 and May 13 at noon.

The next ZRB meetings are posted on their website and are May 6 and May 13 at 6pm.

13. ADJOURNMENT

NPU-B action: A motion to adjourn passed by vote of 20-0-0.

The meeting was adjourned at 8:57 PM