

**Minutes of NPU-B regular monthly meeting  
Tuesday, January 2, 2018**

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

Present: 15

Proxies: 4

Stephen Lam to Kim Shorter  
Ryan Steed to Cory Tibbs  
Jim Cosgrove to Kim Shorter  
Jason Kendall to Bob Stasiowski

**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 minutes, as amended, from the previous regular monthly meeting of the NPU-B passed by vote of 19-0-0.**

**3. REPORTS FROM CITY DEPARTMENTAL REPRESENTATIVES, ELECTED OFFICIALS, AND OTHERS IN AUDIENCE**

Atlanta Police Department (APD) Zone 2

Major Barry Shaw, Precinct Commander Zone 2, [JBShaw@atlantaga.gov](mailto:JBShaw@atlantaga.gov) ; 404-391-0081.

Sargant Schimmel noted that car thefts are still a problem. As the cold weather has arrived, people are warming their cars and then criminals are stealing these cars. Similarly, cars parked in garages with keys are being stolen too. Text your neighbors if you see that they have left their garage door open.

The College Championship game and activities will be downtown this weekend through Monday. Everyone will be on 12-hour shifts. Please pay attention if you do come downtown. It will be PACKED and cold.

There was a question about tips for protecting your car when using valet parking. Do not leave guns and cash in your car if you are valeting. Anyone can steal the valet keys and get these items from your car. Don't leave anything in your car that you aren't willing to lose. There have been issues where customers were getting ready to get into the car after the valet attendance left, and thieves slide in and steal the car. There have been a few problems at valet stations over the years with valet keys. Know the limitations of your key fob.

Atlanta Fire Rescue Department (AFRD)

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

Al Richardson is new to the precinct but grew up in Garden Hills. He thanked everyone for the support that the neighborhood has shown over the holiday season. He reported that last month about 1/3 of the calls were fire, about 1/3 were EMS needs, and there were several calls related

to down power lines with the recent bad weather. Please be careful when driving around fire department personnel who are working – do not hit them!

If your fire alarm goes off for burnt food, note that this is NOT a false alarm. You will get charged for a false alarm if you say this when you call. Report that you burnt food and avoid the charge.

The fire department is available to help with smoke detectors, child safety seats, and senior care. Call 404-547-2000 for more information on the senior program.

He reminded everyone to be careful with the potential ice on the streets and then possibility for downed power lines.

There was a question about a possible fire at the Pinnacle building. This was not a fire. The trucks have been out all day responding to issues, but no fires on the north side.

Fulton County District Attorney Community Prosecutor's Office  
Brenden Dougherty, Zone 2 Community Prosecutor ([Brenden.Dougherty@fultoncountyga.gov](mailto:Brenden.Dougherty@fultoncountyga.gov))

No report.

City of Atlanta Office of the Solicitor: main office 404-658-6618  
Alan Coleman [acoleman@atlantaGA.gov](mailto:acoleman@atlantaGA.gov)  
404-658-6658 office; 404-902-0934 mobile  
L'Erin Barnes, Senior Assistant Solicitor, [LFBarnes@AtlantaGA.gov](mailto:LFBarnes@AtlantaGA.gov) (404-680-6498)

No Report.

MARTA Police Department (MPD) North Precinct (404-848-3902) [www.itsmarta.com](http://www.itsmarta.com)

No Report.

Department of Watershed Management (DWM) (404-982-1480) [www.atlantawatershed.org](http://www.atlantawatershed.org)  
Denita Burton, Office of Safety, Security, & Emergency Management (404-546-3374) or  
[dburton@atlantaga.gov](mailto:dburton@atlantaga.gov); 404-798-8103 (cell)

Denita noted that if we need information on a specific work order, we can provide that information to Denita and she will tailor the reports to our requests.

On Sheridan very close to Peachtree, there is a report about water bubbling up on the road and also there may be an issue on Alpine Road too. There is a plate on Terrace Road that needs to be re-set. There is a ticket that has been submitted.

There was a question regarding the Christmas tree removal program, which is a question for public works.

Department of Parks and Recreation (DPR) (404-546-6813)  
[www.atlantaGA.gov/iparcs](http://www.atlantaGA.gov/iparcs)  
Jose Salazar, Manager, Peachtree Hills Recreation Center (PHRC), 308 Peachtree Hills Ave.  
[Jsalazar@AtlantaGA.gov](mailto:Jsalazar@AtlantaGA.gov) or 404-295-3874.

Laura James the development coordinator at Peachtree Rec Center reported that they are half way through the after-school program and also half way through basketball season. She noted that the new MLK rec center is open and worth the trip as it has some interesting features.

Department of Public Works

Marcus McGaw (404-865-8743) [mlmcgaw@atlantaga.gov](mailto:mlmcgaw@atlantaga.gov)

Verna Singleton, [VSingleton@AtlantaGA.gov](mailto:VSingleton@AtlantaGA.gov)

Officer O (404-807-2610)

Sama 404-865-8621 [samakoi@atlantaga.gov](mailto:samakoi@atlantaga.gov)

No Report.

Code Enforcement Section, APD Community Services Division

[CodesRequests@AtlantaGA.gov](mailto:CodesRequests@AtlantaGA.gov) 404-546-3868

[jhbrown@atlantaga.gov](mailto:jhbrown@atlantaga.gov); 404-546-3846 office; 404-557-2748 cell

A representative from code enforcement offered to take information and concerns back to Officer Brown. There was a question regarding the status of 127 W Paces Ferry Rd.

Mayor's Office of Resiliency

Megan O'Neil, [moneil@atlantaga.gov](mailto:moneil@atlantaga.gov)

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](http://www.livablebuckhead.org)

Buckhead Community Improvement District (CID)

[www.buckheadcid.com](http://www.buckheadcid.com)

Buckhead Area Transportation Management Association (BATMA)

[www.batma.org](http://www.batma.org)

Darion Dunn, 404-842-2693, [ddunn@buckheadcid.com](mailto:ddunn@buckheadcid.com)

Denise Starling attended to talk about the next phase of the Path 400 which is a joint project between the City of Atlanta and the City of Sandy Springs. The public outreach is starting now in the City of Atlanta. The current phase is north of Loridans up to the Glenn Ridge Connector. They are stopping at the Glen Ridge Connector because there is a section of trail that will be constructed by GDOT as part of the planned GA400 and I-285 interchange project.

Denise introduced Carlos Perez who explained that this phase is being funded by GDOT which means there will be a longer timeframe for design and construction. Phase I concept development through mid-2018. Preliminary trail plan phase will be through mid-2019. Phase III is the final trail plan from to mid-2020 with construction happening in mid-2020 to mid-2021. All of these timeframes assume funding is available. The first phase includes developing base

data (mostly complete), and holding public meetings and street-focused meetings. The Sandy Springs meetings have been held but the meetings in Buckhead will be starting soon. Next Wednesday there will be a meeting with the Glen Airy area and the input from these meetings will shape the trail design. The team will come back to the public for a second round of meetings and develop a concept report. The team hopes to be back at the NPU meeting on Tuesday, March 6<sup>th</sup> to share concepts.

Abbie Shepherd asked about the timing of the south center that goes down to Miami Circle to the back of Lenox Square. This phase construction will be started in the next few weeks. Denise noted that the final legislation is getting pushed through the City and weather may present some challenges. The projection is mid-fall to the end of the year for completion. Construction is starting at the Peachtree Park end and they are hoping to get out of the residential area as quickly as possible. The trail will be striped and marked all at once.

There was a question about whether the plans were available for review on a website. Denise replied that the City will likely have the plans on their website at some point and that she publishes a newsletter called, The Dirt, that has a lot of this information included. Denise noted that anyone who is interested can also email her for more information, [denise@livablebuckhead.org](mailto:denise@livablebuckhead.org)

When is GDOT going to provide the connection at GA400 and I-285? This intersection will be completed first until this extension meets the trail. The big change is the federal funding source, which slows the project down significantly. Federal level environmental work is required, which is extending the timeframe.

There was a request that the link to the website be sent to the NPU to disseminate when available. There was a request to make sure that some of the public meetings are at night and they aren't all during the day. Denise noted that all of the meetings will be in the evening.

#### **JP Matzigkeit – Council District 8**

Jim Elgar spoke on behalf of Councilman Matzigkeit. Councilman Matzigkeit and Jim look forward to working with NPU B. The inauguration just occurred and JP will chair City Utilities. Jim commented that Buckhead is well represented and Councilman Shook will chair Finance/ Executive committee.

Jim will provide a new phone number shortly, but can still be reached at: [jqelgar@atlantaga.gov](mailto:jqelgar@atlantaga.gov).

#### **4. PRESENTATIONS**

##### **Atlanta Office of Design**

Doug Young, Assistant Director in the Office of Design – combined historic preservation and design program

404-330-6702

[dyoung@atlantaga.gov](mailto:dyoung@atlantaga.gov)

Doug attended the meeting to introduce the Office of Design, which includes the urban design studio on Cascade Road since last year. This is a pop up studio that will be moving around the City and was previously at Ponce City Market. It is staffed by City of Atlanta staff and generally have business hours on Tuesday to Friday from 10am to 5pm. They work on urban and physical

design solutions to City issues and also host events that might be helpful to the public. Currently, they are focused on projects in the Cascade Road area but they also help City wide.

Doug runs the historic preservation department which has been in place since 1975. The program consists of the review/approval of the City/landmark districts and buildings. The 41<sup>st</sup> annual awards of excellence recognize outstanding design and historic protection. The public can recommend projects for this award. The 2<sup>nd</sup> annual community design award, the NPU identifies great changes or designs within the NPU. There will be more information on these awards in February at the NPU meeting.

Launching of the City's historic revitalization strategy will look at the current historic preservation structure. There will be a yearlong process and an RFP in the spring. The idea is to figure out if we can do all we can to protect our historic resources. Are there efforts beyond regulations that can better the understanding of the history of the City and the value of historic preservation.

The application process will be online shortly.

There was a question about the effort in the zoning re-write to look at "historic light" category and whether that was still being evaluated. That effort would involve zoning & development as well as Doug's team. They are evaluating whether there are other tools for a different level of historic protection. One of the tasks for the consultant team that the City will hire is to look at this and what is done in other communities. Wes noted that there is interest in his neighborhood if the requirements weren't so onerous.

There was a question regarding the overlap between the local designation and the National Register of Historic Places. The terminology and criteria are similar but the programs are different. The National Register is recognition and the City's program is regulation.

Is there a website to look up whether a specific address is regulated or not? Doug responded that anyone can look at the National Park Service site that lists the areas on the National List of Historic Places. The City of Atlanta historic designation are in Zoning in GIS and can be viewed in the online viewer.

There was a question regarding their relationship with Easements Atlanta. They are related; easements are not controlled by the City but the two groups work closely together.

## **5. PLANNER'S REPORT**

Jessica noted that the NPU held the vote on the quick fixes in December while Carter was at the meeting. This will be on the BZA agenda in February. Jessica does not know the resolution of the comments made by NPU B but knows that they have been received.

The transportation plan is wrapping up as well as a housing strategy. Jessica is trying to get some fact sheets to distribute.

In December, Ben Howard contacted GDOT regarding the Brand Property on Peachtree Street. The response was that the City punted on deciding on the curb cut on Peachtree. Then GDOT noted because the City approved it, GDOT approved it. Ben would like to know who at the City will be responsible when this curb cut causes problems.

Jessica responded that the Office of Mobility reviews all of the curb cuts. Janet Yancey is the person to call. Nancy added that it would be helpful to better understand the City's stance on curb cuts and the NPU has had a great deal of confusion on this topic. Changing the process to make it more collaborative, would be helpful and important for the NPU to know.

## **6. INTERNAL REPORTS**

### Atlanta Planning Advisory Board (APAB)

Richard Rauh, NPU-B APAB delegate; Cathy Muzzy, alternate delegate.

Email Report.

## **7. STANDING COMMITTEE REPORTS**

### A. PUBLIC SAFETY COMMITTEE

Randall Kent, Chair

Nobu Sushi Bar / 3500 Peachtree Road NE / new business / APPROVED IN COMMITTEE

Neighborhood Market / 360 Pharr Road NE / new business / APPROVED IN COMMITTEE

**NPU-B action: A motion to adopt committee recommendations on the above-listed consent agenda passed by vote of 19-0-0.**

### B. DEVELOPMENT AND TRANSPORTATION COMMITTEE

No Report.

### C. ZONING COMMITTEE

Bill Murray, Chair

V-17-340 293 Eureka Drive NE

APPROVED

Applicant seeks a variance from the zoning regulation: (1) to reduce the required front yard setback from 35 feet to 34 feet, (2) to reduce the required side yard setback from 7 feet to 3 feet in order to add a second floor addition to an existing single family home. The applicant seeks no other variances at this time.

V-17-337 3959 Wieuca Road NE

APPROVED WITH CONDITIONS

Applicant seeks a variance from the zoning regulation to increase accessory structure from 30% to 48.1% whereas accessory structures are not allowed to exceed 30% of the floor area of the main house. Applicant seeks no other variances at this time.

\*Conditioned on no living space.

**NPU-B action: A motion to adopt committee recommendations on the above-listed consent agenda passed by vote of 19-0-0.**

Applicant seeks to redevelop the property with a mixed use development.

Conditions for Z-17-54:

1. A site plan entitled "Zoning Site Plan 99 West Paces Ferry" dated December 7, 2017 by Summit Engineering Consultants, Inc. and marked received by the Office of Zoning and Development on December 18, 2017.
2. The maximum number of parking spaces provided in the development shall be 750 parking spaces.
3. At least one level of the parking deck shall be van pool accessible.
4. Developer shall provide the maximum of either (a) 25 bicycle parking spaces or (b) the number of bicycle parking spaces required by the City of Atlanta, whichever is greater. These spaces shall be located as close as practicable to the building while, in the developer's sole discretion, maintaining the architectural integrity of the building and its landscaping and hardscaping schemes.
5. Permanent stormwater detention shall be located below grade or will not be visible from the public right-of-way. The project, upon completion, shall release stormwater runoff at a rate equal to sixty percent (60%) or less of the predevelopment stormwater runoff rate.
6. All dumpsters shall be screened from public rights-of-way.
7. Any public commercial dry cleaning facilities shall be a collection facility only and shall not contain dry cleaning equipment except for laundry/dry cleaning facilities within the hotel and/or residential portions of the development and solely serving the hotel and/or residential uses in the development.
8. Prior to the beginning of demolition, a demolition management plan for demolition traffic will be prepared and will be delivered to the Development and Transportation Chair of NPU-B and to the Director of the Office of Zoning and Development for review. Likewise, prior to the beginning of construction, a construction management plan for construction traffic will be prepared and will be delivered to the Development and Transportation Chair of NPU-B and to the Director of the Office of Zoning and Development for review. Evidence of compliance with this condition shall be provided in writing to the Office of Zoning and Development prior to issuance of a Special Administrative Permit.
9. These conditions of zoning shall be binding upon all successors and assigns of the developer. The subdivision, sale, or partition of all or any part of this property shall not alter the obligation of all owners of the property to comply with these conditions of zoning. Developer will not request any administrative amendment without providing evidence that notice of such request has been given to the Chair of the Zoning Committee of NPU-B which seeks to:
  - (a) increase the square footage of any building or the number and/or location of parking spaces;
  - (b) change any of the uses or location of said uses specified;
  - (c) decrease any required exterior setback or the amount of landscaped area;
  - (d) materially reduce public access or public spaces; or
  - (e) otherwise materially alter these conditions.Developer will have the right to request administrative changes without such notifications so long as such changes are required to comply with technical permitting requirements of the City of Atlanta or to address site conditions.
10. Prior to issuance of a special administrative permit for construction of the improvements, developer shall provide the Chair of the Zoning Committee of NPU-B a copy of the shared parking analysis for the development.

11. Exterior lighting on the building and the parking deck shall be designed, shielded and constructed so as to minimize light spill into the single family homes in the South Tuxedo Park and Peachtree Heights West neighborhoods.

12. Prior to the recording of a final plat for the development with Fulton County the final plat shall be reviewed and approved by the appropriate City Departments. The applicant will submit the final plat to the Office of Zoning and Development first and the Bureau will advise the applicant of the process.

Jessica Hill and JLB Partners Representatives described the project planned at 99 West Paces Ferry Road. The project was zoned in 2010 and that zoning was site plan specific. The project is in SPI-9 district. They described the 2 options for the site plan. The conditions include the same conditions from 2010 with the substitution of the new site plan and adding a cap to 750 parking spaces. There was a question about retail with the hotel and mixed living with the hotel. JLB is still uncertain and is still talking to hotel partners.

There were questions about the construction traffic and staging. There was a question about whether there was demand for this style of development in Buckhead. JLB thinks that there is demand for this. They bought the property over a year ago and have been trying to get the right project. They hope to build the highest end apartments, similar to “The Brady” property in Texas. Camden also has higher end rentals and have done well.

There was a question regarding extending Irby through to East Andrews. Jessica noted that the extension idea doesn’t account for the topography and this is really not a practical connection. There was a brief discussion about concerns regarding traffic but the 2010 development was approved with 750 parking spots. The two most adjacent neighborhoods felt the developer had been very responsive in working to limit the impact of the development and offered several local improvements.

**NPU-B action: A motion to approve the above-listed application passed by vote of 19-0-0.**

## **8. OLD BUSINESS**

Ben noted that he was very frustrated regarding the City not taking responsibility for making an opinion on the curb cut and then GDOT taking that “approval” from the City as justification for their approval. The concern is the total lack of analysis and consideration of the issue. Ben hopes that we have the information we need to do a more thorough evaluation next time.

## **9. NEW BUSINESS**

Dues are due. Dues are \$60 for residential representative, \$60 for businesses representatives - unless a sole proprietor, which is \$35.

We will adjourn and then go into executive session.

## **10. ANNOUNCEMENTS**

Then next NPU meeting will be February 6, 2018.



The next BZA meetings will be held on January 4<sup>th</sup> and January 11<sup>th</sup> on the 2<sup>nd</sup> floor of the City Hall Annex at noon.

The next ZRB meeting will be held on January 11<sup>th</sup> on the 2<sup>nd</sup> floor of the City Hall Annex at 6 PM.

## **11. ADJOURNMENT**

The meeting was adjourned at 8:17 p.m. The NPU B took a brief intermission and went into Executive Session to discuss committee leadership.

### **Executive Session**

Vice Chair – Randall Kent was nominated and seconded

**NPU-B action: A motion to approve Randall Kent as vice-chair passed by vote of 19-0-0.**

Residential Representative – Susan Campbell

**NPU-B action: A motion to approve Susan Campbell as the residential representative passed by vote of 19-0-0.**

Business Representative – Mark Tiller

**NPU-B action: A motion to approve Mark Tiller as the business representative passed by vote of 19-0-0.**

Public Safety Committee Chair – Bob Stasiowski  
Public Safety Committee Co-Chair – Cory Tibbs

Zoning Committee Chair – Bill Murray  
Zoning Committee Co-Chair – Susan Campbell

D&T Committee Chair - TBD  
D&T Committee Co-Chair - TBD