

**Minutes of NPU-B regular monthly meeting
Tuesday, May 3, 2016**

The meeting was called to order at 7:02 p.m. by Andrea Bennett, NPU-B Chairperson.

Present: 19
Proxies: 4
Brian Ward to Jason Kendall
Simon Foster to Jason Kendall
Michael Graff to Bob Connelly
Anne Culverson to Cathy Boston

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 from the previous regular monthly meeting of the NPU-B passed by vote of 23-0-0.

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

Atlanta Police Department (APD) Zone 2

Lieutenant Steve Zygaj, Zone 2, reported for Major Van H. Hobbs, Precinct Commander Zone 2, VHobbs@AtlantaGA.gov

Major Hobbs reported that crime rates are up slightly for the zone for the year, but most of the issues are car breakins. Recently the City caught a group of 8 people that have been hitting several zones. One individual who was caught is 15 years old and been arrested multiple times for burglary. People are leaving items in cars and leaving keys in the car. The supposed carjacking in Buckhead was actually just a theft. The individual left her keys in the car – the person got in the passenger seat and slid over and drove away. The criminal went to Fulton County, ran out of gas and was arrested. A small group of people are committing a lot of crimes.

Tactical field officers are fully trained and back on traffic duty. There are several events this week, Cinco de Mayo events on Thursday and some that will be held over the weekend. Race for the Cure this weekend and a smaller 5K, both with rolling road closures. There is also a Chastain Park festival this weekend and Bernie Sanders will be at Woodward Park this weekend.

There was a discussion about crime issues being heavily tied to development. The City is looking at the zones and everyone should call 911 if there are issues.

Abbie asked about the Gold Room activity last weekend. Major Hobbs stated that it was a permitted event. Abbie noted that at 10:05pm, there was enough noise to shake her car on Piedmont. There is ability to get a variance for noise. The permit did not come through the NPU. Permits come through the Mayor's Office.

Atlanta Fire Rescue Department (AFRD)

404-546-4400 (or dial 404-546-4421 to reach station 21) Battalion Chief Andre Owens, 404-217-8180, aowens@atlantaga.gov (station 21, battalion 6)

Battalion Chief Dobson (404-425-3972 or 404-807-6424) noted that they are finishing up hydrant inspections. Cameras have been installed on all of the vehicles and drivers are now driving to the cameras.

Andrea noted that people are not getting out of the way. Don't stop in the middle of the road, but get out of the way.

Abbie noted that there were 2 fires on railroad tracks recently. Rumor is that there are people living on the tracks. Sometimes it is difficult to identify the specific location. If there are vagrants, the police will handle that after the Fire Department reports the issue. Norfolk Southern has their own police and may be able to respond.

Fire headquarters. 404-546-7000 is the number to call for fire reports.

Chief Dobson reported that the City now has a Type 1 water rescue team in addition to swift water, flood, and dive teams.

Fulton County District Attorney Community Prosecutor's Office

Elizabeth Morrow Emanuel, Zone 2 Community Prosecutor (404-613-8407) or

ElizabethMorrow@FultonCountyGA.gov

No Report. Elizabeth has been promoted and currently, Major Hobbs is working with other

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

Sergeant Edwards handed out "See Something, Say Something" apps. New campaign to not lend your phone to other riders.

Department of Watershed Management (DWM) (404-982-1480) www.atlantawatershed.org

Katie Vorel, Office of Safety, Security, & Emergency Management (404-546-3374) or

kvorel@atlantaga.gov cell: 404-481-7964

Ms. Vorel reminded everyone that the City is offering rain barrel workshops. The DWM will continue to offer rain barrel workshops throughout the summer: June 24, July 22, August 19 and September 23. Each workshop will be held from 11 a.m. to 1 p.m. at the Water Works Lodge, located at 655 Green Street NW. The workshop fee is \$40 (includes rain barrel and installation kit) which can be paid on site by cash, check or money order. To register for a workshop, contact Danita Ogandaga at dogandaga@atlantaga.gov or 404-546-3217.

Water saver kits are at the fire stations. Some fire stations are currently out but there is an emergency order in to replenish supplies. There are several conservation items that can help you save money on your water bill.

Department of Parks and Recreation (DPR) (404-546-6813)

www.atlantaGA.gov/iparcs

Stanton German, Manager, Peachtree Hills Recreation Center (PHRC), 308 Peachtree Hills Ave.

SMGerman@AtlantaGA.gov or 404-237-2756.

Camp Best Friend registration is open. This year it is only 7 weeks. Camps are held from June 6 – July 26 (7:30 am – 6:00 pm). The Play Mobile will be out and about this summer encouraging

kids to come out and play. There is also a senior citizens play mobile. Last day of school is May 25th. For additional information and registration, visit www.AtlantaGA.gov/iparcs.

Department of Public Works

Marcus McGaw (404-865-8743) mlmcgaw@atlantaga.gov

Verna Singleton, VSingleton@AtlantaGA.gov

Officer O (404-807-2610)

Officer O provided responses on the two complaints that were received. The pool is now been removed from the West Paces Ferry Road. There are concerns with leaving trash cans in the road, especially in bends in the road.

Officer O reported that he was able to contact the owners of the property with the abandoned and full swimming pool behind the bank on Paces Ferry Rd. The pool will be drained and secured. Vacant property on Lakeside Drive and east of Oak Valley and the grass needs to get cut – Wells Fargo property.

Code Enforcement Section, APD Community Services Division

CodesRequests@AtlantaGA.gov 404-546-3868

Officer Wimberly is supporting NPU B. 1 highly hazardous and 14 property maintenance issues that were reported in the last month.

Leaves and other yard waste should be placed in yard waste bags or containers to prevent them from clogging sewers. Construction and landscape workers are required to remove yard and other waste and not leave this at the curb.

If people let their landscaping grow into the street, then is that a code enforcement issue? If the grass is too tall, there is an issue. There was a question as to whether poison ivy was in the right of way, whether that was a violation. Parks Department handles right of way issues.

Buckhead Business Association

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

No report.

Howard Shook, Councilmember, District 7

(404) 330-6050; hshook@atlantaga.gov; www.HowardShook.com

SLSilver@atlantaGA.gov

Sally was in attendance to answer questions or to take information back to Howard. Sally Silver can be reached at SLSilver@atlantaga.gov, 404-330-6050.

Caesar Mitchell, Council President

Jim Alger spoke representing the City Council's office. He noted that today was the first day of budget hearings for the City. There is a \$621 M general fund budget but when the enterprise funds are added (airport and watershed) it raises to \$1.56 B. Councilmember Wan is chairing the committee. About 49% of the budget is for public safety, 6% public works, and 6% for parks. The police is the biggest component of public safety. There is approximately \$153M in surplus.

He will send the dates for the hearings. He noted that the Parks Advocates always do a really good job advocating for themselves. They have specific asks and they also come well prepared –

wearing the same color shirts. He suggested that if there is an issue of interest, to have specific talking points and a specific ask.

jqelgar@atlantaga.gov; 404-330-6052 – general office number

Buckhead Coalition

Garth Peters GPetersj@thebuckheadcoalition.org

No report.

City of Atlanta Office of the Solicitor: main office 404-658-6618

Alan Coleman acoleman@atlantaGA.gov

404-658-6658 office; 404-902-0934 mobile

L'Erin Barnes, Senior Assistant Solicitor, LFBarnes@AtlantaGA.gov (404-680-6498)

No report.

Livable Buckhead, Inc (LBI) - Denise Starling, Executive Director

www.livablebuckhead.org

Buckhead Community Improvement District (CID)

www.buckheadcid.com

Buckhead Area Transportation Management Association (BATMA)

www.batma.org

Livable Buckhead

No report.

4. PRESENTATIONS

4th of July Events – schedule has not changed. Beginning on July 2nd, the tents will go up in the 2 front parking lots. July 3rd will be when production goes in. Sound checks will start on July 4th around 1pm. There are 2 bands that will play. Fireworks will start at 9:40pm and be completed by 10pm. The aerial display is bigger at Lenox and the soundtrack and firework show is coordinated.

Peachtree Road Race – there is a question as to whether the event is on the 4th or the 7th. There was a misprint; the event is on the 4th.

There was a concern expressed about the round-about in front of the Mall. Traffic is not clearing and backing up on Peachtree.

NPU-B action: A motion to support the event passed by vote of 23-0-0.

5. PLANNER'S REPORT

Jessica Lavendier, NPU Planner JLavandier@atlantaGA.gov 404-865-8522

Jessica shared that there will be public meetings coming up on Wednesday May 18th from 7pm to 8:30pm to discuss the recommended updates to the zoning ordinance. It will be held at Passion City Church (515 Garson Drive). This will be a preview of what is to come with some more immediate short-term changes. She does not believe that there will be information in advance of

the meetings. The zoning ordinance re-write will likely take 3 to 5 year, per Sally Silver.
www.zoningatl.com

Jessica is also working on the 2016 Comprehensive Development. The last Comprehensive Plan was adopted in 2011 and this is an update from the 2011 Plan. There will be 2 rounds of meetings. The first will be on needs and opportunities and the second will be on character areas. Each NPU will be asked to review their policies and revise, as needed. The revised policies are needed by the end of July. The ARC gave a grant to update the Connect Atlanta Plan, starting in the Fall. The Comprehensive Plan update will not really cover transportation issues, which will be more deeply held in the Connect Atlanta Plan. Sally Silver noted that the D&T committee has spearheaded the effort in the past.

Jessica briefly summarized the ordinances with input from others in attendance. There was a question regarding ordinance Z-16-28 and whether it would prohibit a live-in caregiver. This was not the intent of this ordinance.

There was a question about how it was determined whether the ordinances required a vote or not. It was determined that while a vote was not required, one would be taken.

NPU-B action: A motion to support the ordinances passed by vote of 23-0-0.

6. INTERNAL REPORTS

Atlanta Planning Advisory Board (APAB)

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

Mr. Rauh submitted a written report.

7. STANDING COMMITTEE REPORTS

A. PUBLIC SAFETY COMMITTEE

Randall Kent, Chair

AC Hotel by Marriott Buckhead; 3600 Wieuca Road aka 3586 Peachtree Road / new business/
APPROVED IN COMMITTEE

Cabo Cantina; 264 Pharr Road / change of ownership / APPROVED IN COMMITTEE

NPU-B action: A motion to adopt committee recommendations on the above-listed consent agenda passed by vote of 23-0-0.

One application was heard for the full committee.

26LLC (Thai restaurant); 541 Main Street #F-170 / New Business / APPROVED IN
COMMITTEE

NPU-B action: A motion to approve passed by vote of 23-0-0.

B. DEVELOPMENT AND TRANSPORTATION COMMITTEE

Jason Kendall, Chair

CDP-16-14; 2742 and 2748 Alpine Rd NE; This was heard in committee and voted against 0-8. There was discussion as to why this was the case. The committee was generally against an erosion of single-family residential land uses. Michael Isaacs expressed concerns as several in his neighborhood wanted to see the development progress.

NPU-B action: A motion to deny the CDP passed by vote of 22-1-0.

C. ZONING COMMITTEE

Bill Murray, Chair

Applications on Zoning Committee Consent Agenda:

V-16-057 119 Terrace Drive.

Applicant seeks a variance from the zoning regulations to reduce the east side yard setback from 7' (required) to 1'10in the rear yard of a SFR due to tree damage. Applicant seeks no other variances at this time.

V-16-091 1006 Stovall Blvd.

Applicant seeks a variance from the zoning regulations to reduce the north side yard setback from 10' (required) to 3' to construct an addition to an existing carport. Applicant seeks no other variances at this time.

V-16-087 2592 Habersham Road NW.

Applicant seeks a variance from the zoning regulations to reduce the south side yard setback from 15' (required) to 6' to allow for an addition to a SFD. Applicant seeks no other variances at this time.

V-16-092 3209 Habersham Road NW.

Applicant seeks a variance from the zoning regulations to reduce the north side yard setback from 15' (required) to 11'6" to allow for an addition to a SFD Applicant seeks no other variances at this time.

Z-16-021 4362 Wieuca Road.

Applicant seeks to rezone from R-3 to PD-H to develop 5 SFR lots. Applicant seeks no other variances at this time.

NPU-B action: A motion to adopt committee recommendations on the above-listed consent agenda passed by vote of 23-0-0.

Applications on Zoning Committee Non-Consent Agenda:

Z-16-014 3150 East Shadowlawn Avenue. DENIED

Applicant seeks to rezone the property from SPI-9-SA3 to SPI-9 SA3 for the purpose of removing the conditions currently applicable to 3150 East Shadowlawn Avenue pursuant to Ordinance 06-O-2303. This ordinance PROHIBITS THE EXPANSION OF THE SIZE OF THE EXISTING USES WITHOUT APPROVAL THROUGH THE SITE PLAN AMENDMENT PROCESS. Applicant seeks no other variances at this time.

Z-16-013 2748 Alpine Road.

Applicant seeks to rezone the property from R-4 to MR-3 to build a 6 townhome development. Townhomes will be about 2500 sf with a 2 car garage. Applicant seeks no other variances at this time.

V-16-029 514 Brentwood Drive.

Applicant seeks a variance from the zoning regulations to reduce the east side yard setback from 7' to 2.5' and to reduce the rear yard setback from 15' to 2.5' to construct a detached garage in the rear yard. Applicant seeks no other variances at this time.

NPU-B action: A motion to adopt committee recommendations on the above-listed agenda passed by vote of 23-0-0.

8. OLD BUSINESS

None.

9. NEW BUSINESS

None.

10. ANNOUNCEMENTS

The next BZA meetings will be held May 5th and 12th on the 2nd floor of the City Hall Annex at noon.

The next ZRB meeting will be held May 5th and 12th on the 2nd floor of the City Hall Annex at 6 PM.

The next meeting will be June 7, 2016.

11. ADJOURNMENT

The meeting was adjourned at 8:45 p.m.