

**Minutes of NPU-B regular monthly meeting
Tuesday, March 6, 2018**

The meeting was called to order at 7:03 p.m. by Dr. Nancy Bliwise, NPU-B Chairperson.

Present: 18

Proxies: 2

Frank Toye to Bill Murray
Jim Cosgrove to Kim Shorter

* 1 NPU B Member arrived following the approval of minutes

1. OPENING REMARKS / CHAIRPERSON'S COMMENTS

Welcome, mission of NPU-B, and introductory remarks

New members introduced themselves, including

Ben Howard

David Stevenson

Mandi Gibson

Gordon Certain

Martha Church

Nancy attended an NPU leadership meeting and the City will be holding training meetings in the future.

Dues are due. Be sure to pay Bob if you haven't already done so. Nancy noted that the church will start charging for the room, so the NPU does need the dues in order to pay the church for the use of the facility.

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 20-0-0.

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@atlanta.ga.gov ; 404-391-0081.

Sergeant Schimmel reminded everyone that daylight savings time is coming up and reminder to reset clocks as well as any alarms or security devices.

He noticed that entering autos on property is still a problem. Please eliminate anything visible from your car to deter your car from being broken into and items being stolen.

Sergeant Schimmel also noted that starting cars and leaving them running is resulting in stolen cars. Also, don't leave them running at the gas station. The distance on the key fob can allow people to steal your car while you are inside paying for the gas.

Georgia Public Broadcasting does have a license to solicit door to door and with the weather improving they will be out on the streets. The City has a list on the website with those who are approved to solicit door to door.

There was a question regarding reassigning police officers to other zones and do some officers stay in our zone. He responded that the Zone always remains staffed although on a rare occasion, there are some officers sent to other zones, but it will never be all of the officers.

There was a question about noisy motorcycles and the noise ordinance. The noise ordinance is currently suspended. There is a new one that will provide more discretion to the officers but this is in progress. Municode still has the old ordinance. Sergeant Schimmel will get with Major Shaw to see if the ordinance has been revised.

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

Captain Jackson announced that Chief Slaughter is the new chief for Fire Station 21. Remember to replace your smoke detection with daylight savings time coming up.

The City will be checking fire hydrants now that the weather is improving.

The City is actively recruiting fire fighters.

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

Brenden has been temporarily reassigned to a task force. Bailey Rodgers will be the new community prosecutor.

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
E.J. Inyang, Assistant Solicitor, ieinyang@atlantaga.gov (404-658-6702)

E.J. Inyang handles primarily code enforcement issues.

3296 Madison Drive had a court date in February and they were rescheduled to April 4th for the property to be demolished.

Fight against Flight symposium will be held on April 14th.

MARTA Police Department (MPD) North Precinct (404-848-3902) www.itsmarta.com
Major Matthew Carrier; mcarrier@itsmarta.com, 404-848-4813

Major Matthew Carrier is now the Commander for the North Precinct. Please be sure to secure belongings in your cars if you park at MARTA parking lots. Please download the See-Say App if you ride MARTA so that you can safely report suspicious behavior.

There was one issue at the Buckhead Station, it was an aggravated assault in an afternoon. Two arrests have been made. There were also 2 breakins and 1 stolen phone. This is relatively low for this area.

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

Denita noted that 311 is now available until 8pm. There are rain barrel workshops coming up and Watershed will also have an internship program this summer.

There was a question about construction occurring within the stream buffer. Denita noted that she could help find the right person.

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

Jose Salazar, Manager, Peachtree Hills Recreation Center (PHRC), 308 Peachtree Hills Ave.
Jsalazar@AtlantaGA.gov or 404-295-3874.

Jose announced that there is still after school registration open for ages 5 to 12 at Peachtree Hills. Most of the centers have a teen program for ages 13 to 18. Summer camp registration opened on Thursday from June 4 to July 20. Peachtree Hills summer program is for kids ages 5 to 12. More information is available on the City's website.

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 McLendon and Officer Limbscomb noted that there were some questions about Pharr Road construction. The City Field Engineer is going to provide more information. Call Amclendon@atlantaga.gov to provide more specifics on the issues. There had been questions about widening the street and the project only included paving. Please email the specifics to Officer McLendon and he will get attention.

In response to the glass recycling questions, officer McLendon noted that Kingwood & Englewood School takes glass and a 2nd Ponce de Leon church also takes glass the 2nd Saturday of the month. The City will take glass bottles if there is no lid per Officer McLendon. The City may be incurring the expense while they are looking for vendors.

Nancy thanked Officer McLendon for fixing Ferncliff.

Transportation: Sunil Jeboo, Traffic Engineer; sjeboo@atlantaga.gov, 404-546-1683

Samil is new to the City. Please be cautious when driving in the rain and remember to have your lights on. NPU ride alongs are coming up. Samantha Terry is the contact person. The transportation staff will hear about your issues and concerns you would like addressed.

Nancy got an email about the ride along program. The department of public works will schedule meetings in each neighborhood to discuss the neighborhood's top 5 problems. This is for the office of transportation.

Senior citizens that are eligible can get a discount on solid waste services. Information on these programs are available through Fulton County Tax Services.

Samia was promoted and Samil has filled that vacant position.

There is an issue at Shady Valley Road and Buford Highway and a traffic calming measure that was installed. There have been a few broken axles. There are concerns whether it is City or DOT responsibility.

He commented that there are several safety concerns on Buford Highway.

Code Enforcement Section, APD Community Services Division
CodesRequests@AtlantaGA.gov 404-546-3800
jhbrown@atlantaga.gov; 404-546-3846 office; 404-557-2748 cell

Officer Glaze filling in for Officer Brown.

THANK YOU for taking care of 127 W Paces Ferry Rd and 2 issues on Roxboro. There is a house on Slaton under construction with silt fence issues.

Mayor's Office of Resiliency
Megan O'Neil, 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

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

Buckhead Area Transportation Management Association (BATMA)
www.batma.org

4. PRESENTATIONS

Atlanta Beltline

Chris Langley is the Arts & Culture Programs Coordinator. The request for proposals for all artists is open. There are more grant funds this year, so the Beltline can handle bigger projects. There is a document on the goals for the future and future programming is available. The Beltline is in the process of developing a Master Plan on March 8th and March 19th there will be

opportunities to hear more and provide input. The Beltline website has more information available.

Livable Buckhead

Denise Starling and Carlos Perez presented information on the PATH 400 extension from Loridans to Sandy Springs. Denise presented to the NPU and then worked with the neighborhoods and then is circling back to the NPU.

Carlos Perez passed out a sheet that showed existing conditions and planned conditions. The team will be working with Sandy Springs over the next few months. The extension is federally funded, so the timeline is a lot longer. Construction will likely start in 2020. The design is funded and the construction is not. The original 5.2 miles of PATH 400 is fully funded now and there were recent media regarding that milestone being reached.

Denise is working to make the timeline go faster, but the federal funding is tricky and on this section the request for construction funding needs to be made. Sandy Springs has the construction funded in Phase II of their TSPLOST, but there are questions whether these funds will be available. Federal funding is Plan B, there is a hope that private funding might be made available, but so far it has not been found. One hope is that the design is ready so if there are "left over" funds, the project may be able to be constructed earlier.

There is a *DIRT* newsletter and anyone can sign up for that on the website.

The Beltline is still working with the railroad on one section of the original but the hope is that construction will start in May and take about a year to complete.

There is a perception that trails are publicly funded projects and not privately funded. Also, the charitable organizations are less likely to fund projects in Buckhead.

5. PLANNER'S REPORT

Jessica noted that the City is now working on the Quick Fixes. The Quick Fixes Phase I will be going to the City in May. There are 13 items to review in the Quick Fixes 2. There are 2 public meetings March 22nd from 6 – 8 pm at Trinity Presbyterian is the closest. There will be Open Houses on April 11th and April 18th from 4:30pm to 7pm at Trinity Presbyterian. Some of the items to be discussed will include:

- Accessory dwelling units in R1 through R4
- Updating definitions section
- Changes to the historic lot patterns
- Industrial zoning classifications
- Loading requirements
- MRC2 District – creating more distinction between MRC1 and MRC2
- Missing middle zoning districts
- Adjusting parking requirements
- Neighborhood design control without having a historic preservation
- Height plane changes

Nancy asked if there would be something to present in advance but Jessica did not know the answer.

NPU B voted for the Phase I changes but with some amendments. Other neighborhoods had amendments too. Nancy asked Jessica to provide the NPU with copies of the final version of Phase I with changes.

Ordinance Z-18-17 was to change the definition of Shelter as to allow limited and conditional expansion of an existing shelter without a special use permit.

Nominations are still open for Urban Design Awards. The applications are due March 23 for the Community Awards. There is also the Urban Design Commission Awards with several different categories which is due March 29th.

March 12 at 6pm at the City Council Chamber is the quarterly public hearing with Shady Valley and Linbrook land use changes will be discussed.

Z-18-17: Shelter Ordinance

An Ordinance to amend Zoning Ordinance Section 16-29.001(71) to change the definition of Shelter so as to allow limited and conditional expansion of an existing Shelter without the requirement of the special use permit; and for other purposes.

NPU-B action: A motion to adopt committee recommendations on the above-listed consent agenda passed by vote of 20-0-1.

The NPU felt like there was insufficient information on the shelter and the expansion. There were significant concerns that the shelter was going to bypass the NPU public and input processes, which would set a bad precedent. There were also concerns about such a limited use ordinance.

7. STANDING COMMITTEE REPORTS

A. PUBLIC SAFETY COMMITTEE

Randall Kent, Chair

BP / 3639 Peachtree Road NE / new business / APPROVED IN COMMITTEE

Flower Child / 3400 Around Lenox Drive NE, Suite 207 / new business / APPROVED IN COMMITTEE

Tamsung / 3226 Roswell Road NW / new business / APPROVED IN COMMITTEE

W Atlanta Buckhead / 3377 Peachtree Road NE / change of agent / APPROVED IN COMMITTEE

Whole Foods Market / 77 West Paces Ferry Road NE / change of agent / APPROVED IN COMMITTEE

Whole Foods Market Restaurant / 77 West Paces Ferry Road NE, Suite B / change of agent / APPROVED IN COMMITTEE

NPU-B action: A motion to adopt committee recommendations on the above-listed consent agenda passed by vote of 21-0-0.

The Dinner Event was a “no show”.

B. DEVELOPMENT AND TRANSPORTATION COMMITTEE

CDP 18-04

COMMITTEE DENIED 9-1-1

An ordinance to amend the Land Use element of the 2016 Atlanta Comprehensive Development Plan (CDP) so as to re-designate property located at **2621 Shady Valley Drive NE** from the Single-Family Residential Land Use Designation to the Low Density Residential (Land Use Designation for other purposes (Z-17-103).

The applicant provided a presentation on the project and the justification for the project.

There was a question as to when the property was purchased. The applicant answered that the property was purchased in October 2017. There was a question whether anything had changed since October 2017. The answer was that no, nothing had changed. The committee feels that there is no hardship as all of the existing constraints were present when the lot was purchased and have not changed.

The neighborhood provided a presentation including a summary of the discussions with the applicants. Greater details on the negotiations with the property owner were explained as well as the similarity and differences between nearby lots and this lot in question.

The property is on Shady Valley which is all R-3 zoning. Shady Valley neighborhood will accept a change but it has to protect the integrity and add value to the neighborhood.

The development as proposed will require significant riparian variances. CDP changes should not result in additional variances being required. There are substantial water issues. In addition to encroaching in the 75’ buffer, they also would like to build a wall in the floodplain. There are properties upstream and downstream that flood already and the new retaining wall will impact the stream integrity. Flooding issues have happened 3 times in the past year. The neighborhood has seen options for the lot that does not require additional variances and does add value to the neighborhood.

NPU-B action: A motion to adopt committee recommendations and deny the above-listed application passed by vote of 20-0-1.

The zoning issues associated with the CDP were not discussed at the NPU meeting because the CDP was denied. Later an email vote was taken to confirm that the zoning matters were denied by the NPU.

NPU-B action: A motion to adopt committee recommendations and deny Z-17-103 for 2621 Shady Valley Road passed by vote of 22-0-0.

C. ZONING COMMITTEE

Bill Murray, Chair

V-18-034 2616 Forrest Way NE

APPROVED

Applicant seeks a variance from the zoning regulations to (1) reduce the required south side yard setback from 7 feet to 6.3 feet, (2) reduce the required rear yard setback from 15 feet to 13.3 feet. 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 21-0-0.

Z-17-05 2195 Virginia Place APPROVED WITH CONDITIONS
Rezone from R-4 to R-4A followed by subdivision of lot for 2 new single-family homes.

*Conditioned on a cap of 4,500 square foot cap on the homes and to work with Howard Shook's office to determine the best location for the sidewalk.

There are some reservations within the NPU about allowing R-4A within R-4 subdivisions.

NPU-B action: A motion to adopt committee recommendations on the above-listed consent agenda passed by vote of 19-1-1.

8. OLD BUSINESS

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

A list is being passed around with the NPU and neighborhood contact information.

9. NEW BUSINESS

10. ANNOUNCEMENTS

Then next NPU meeting will be April 3, 2018.

The next BZA meetings will be held on March 8th on the 2nd floor of the City Hall Annex at noon.

The next ZRB meeting will be held on March 8th on the 2nd floor of the City Hall Annex at 6 PM.

Nancy Bliwise has been nominated to serve as the representative to SPI-9 to replace Andrea, now that she has left the NPU. This expands the representation on SPI-9.

There will be a training for new members and the City will have some formal training opportunities for NPU members.

11. ADJOURNMENT

The meeting was adjourned at 8:45 PM.