

Minutes of NPU-B regular monthly meeting
Tuesday, May 1, 2018

The meeting was called to order at 7:01 p.m. by Dr. Nancy Bliwise, NPU-B Chairperson.

Present: 18*

Proxies: 4*

Anne Culberson to Bill Murray
Jim Cosgrove to Ben Howard
Randall Kent to Mandi Gibson (Randall arrived late)
Jason Kendall to Bob Stasiowski (Jason left early)
Cathy Boston to Bill Murray

*Five NPU Member joined after the minutes were approved.

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 17-0-0.

NPU-B Action: A motion to approve the corrected February minutes, as amended, from the previous regular monthly meeting of the NPU-B passed by vote of 17-0-0.

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 ; 404-391-0081.

Major Shaw noted that there was a small uptick in crime in the Peachtree/Piedmont corridor and around the Mall. The crime in other parts of the Zone are down, so more discretionary staff have been assigned to the Mall area.

There was a concern from the condos that they were not getting the same level of attention as single-family residential properties. This is getting looked into. Ben thanked Major Shaw for the meeting and he felt like the take home message was that the residents need to give a specific list of issues to the Zone and they will try to prioritize and help address these issues.

Car thefts are increasing across the City. The Citywide pattern is crews going around and checking for keys in nice cars. They want the money and guns and electronics in the car. But more importantly, they want the Instagram post with the nicest cars. The cameras and undercover work are helping to catch these criminals. Sometimes the kids get off MARTA, so they are watching the stations in partnership with MARTA police.

Near Piedmont Road in Peachtree Park, there was an incident where an individual was followed from a club and hid out in Bob's backyard. The police responded. Bob asked if this was common or not. Major Shaw noted that it was not a common occurrence for criminals to follow patrons leaving bars.

Atlanta Fire Rescue Department (AFRD)

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

Captain Kelly provided a cyber-attack update. The 911 system was not impacted and all calls have been and are being responded to. There is a new station, station 3 being built at Phipps Plaza. The station was moved as part of some other improvements they are making at the Mall. They are hoping to upgrade the station to fit a ladder truck, but Captain Kelly didn't know the outcome of these discussions.

The Atlanta SMART 911 system. They are trying to get people to register at www.smart911.com and include as much or as little information as you would like. It will also include information on pets and other information like gate codes, emergency contact persons, etc. Nancy said that it was very helpful with a recent incident in her neighborhood.

You can now text 911 with the message "help 911" and the dispatcher can type back to you.

The system can also provide emergency response personnel with a very specific latitude and longitude.

Remember to check that your smoke detectors are working with fresh batteries.

The fire department is checking fire hydrants. Frank asked what happens when a red tag is placed on the hydrant that it is out of service. The work order to repair the hydrant goes to Watershed Management. Watershed prioritizes the hydrants and gets them repaired as quickly as possible. The City does not repair hydrants on private property or for condo associations.

Captain Kelly reported that they had responded to 476 emergency calls and 276 fire related calls this month for the Buckhead area.

City of Atlanta Municipal Court

Judge JaDawnya C. Baker; 404-588-5970, jcbaker@atlantaga.gov

City has been attacked by ransomware and most computer systems, including all of the court systems were compromised. They have formulated a manual process that is allowing them to move forward. They have a really low turn out for court. She is trying to pass the word around that court is open. There are a number of people who are trying to address matters, these matters can be addressed now in person. If you missed court, there is a walk-in court every day. You can pick any date, starting at 7am first come, first serve.

There is information regarding texting to get information about your case. 404-975-1115.

Fulton County District Attorney Community Prosecutor's Office

Brenden Dougherty, Zone 2 Community Prosecutor (Brenden.Dougherty@fultoncountyga.gov)

Bailey Rogers, Zone 2 Community Prosecutor

Bailey was covering for the NPU while Brenden was reassigned to help with a complicated case. Brenden will be back shortly.

Baily reported on a program “Legal Lives” that works with 5th graders across the City. They are working with two schools in the Zone; Morris Brandon and Bolton Academy. The prosecutors go in weekly to the 5th grade classes and teach them about what they do for a living. The 5th graders will come down to the courthouse at the end of the school year and compete in a mock trial.

There is an online application for the Junior DA that runs through July and involves a time commitment of 2 days a week. Junior DA is for rising 6th through rising 9th graders. The accepted students shadow the DAs through their daily lives. Applications are online for this program now.

Everyone should get out and vote. Great judges are really important, especially with the high crime rates and heavy caseloads in Atlanta.

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)

No Report.

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

Major Matthew Carrier; mcarrier@itsmarta.com, 404-848-4813

Sergeant Ray with the North Precinct presented on behalf of Major Carrier. Crime rates are low, following spring break. He reminded everyone to secure your property in your cars and on your person. Use the See-Say App to help the MARTA police keep the system safe for everyone.

MARTA police continue to work with the Atlanta Police to share trends and capture criminals. The partnership recently assisted with catching a perpetrator.

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 Burton noted that due to the cyber security attack, there may be some bill irregularities. Watershed will not charge late fees until they return to sending bills in regular order.

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.

Peachtree Hills summer camp is full but there is still open registration at other City recreation centers. Nancy asked if the construction was impacting the center. There are minor issues with parking but the center is dealing with it.

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

Nancy reported on the drive through program. Nancy said that this was a very good program. She thinks that everyone should participate. Several neighborhoods were not invited and there was some confusion about the location, etc.

Code Enforcement Section, APD Community Services Division
CodesRequests@AtlantaGA.gov 404-546-3800 (call to report an issue)
jhbrown@atlantaga.gov; 404-546-3846 office; 404-557-2748 cell

Officer Culbreath noted that the system is still down and so they could not run the monthly report.

Mayor's Office of Cultural Affairs
Kia Jackson-Rogers; 404-546-6895; krogers@atlantaga.gov
www.ocaatlanta.com/ contracts for arts services

The Office of Cultural Affairs provides grants for art and culture within neighborhoods. She distributed the guidelines and some applications for applying.

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

Bob invited everyone to the Buckhead Business Association annual luncheon at the Grand Hyatt Buckhead on Thursday, May 31st. The C.O.O. of Children's Healthcare is the speaker. For more information and to register buckheadbusiness.org/

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

No Report

4. PRESENTATIONS

No presentations.

5. PLANNER'S REPORT

Jessica noted that the update of the Zoning Ordinance is in progress. There was a kickoff meeting and there is a series of open houses. There will be a meeting Monday, May 7th from 4:30pm to 7pm at Trinity Presbyterian Church in the Old Fellowship Hall, Room B110. There are 13 Quick Fixes that will be discussed. There will be boards and you can walk around and talk to staff. They will take comments.

www.zoningatl.com is the website where you can send comments. Mary Darby is the staff person in charge of the updates.

There was a question whether the vote would be an all or nothing vote. Jessica was unsure how this would work.

There was a comment that these “quick fixes” don’t seem very quick. Jessica noted that these weren’t quick fixes. These may be ready for a vote in August. It was noted that the document is calling them quick fixes and if that is not the intent, the City should reword their documents.

There was a question whether these related to some of the parking changes at MARTA stations. Jessica was unsure how this was related.

The Planning Commissioners Office is kicking off a big Greenspace Plan that would include updating the tree ordinance and other actions to make nature more accessible.

Nancy heard that Accela was the source of the problem. She asked if the City was going to announce fixes to the system at some point. Jessica noted that there is a link to information. She thinks that the impact was from the City Admin portion of Accela.

Abbie asked for clarification on the quick fixes and the ordinance rewrite process and how these are related. The quick fixes are happening now and it will be a few years before the ordinance rewrite happens. Jessica said that the current fixes will be included into the zoning ordinance rewrite that will happen in the future.

An Ordinance correcting Ordinance 18-O-1029 (Z-17-88) which was adopted by the City Council on February 19, 2018 and approved as per the City Charter 2-403 on February 26, 2018 by signature of the Mayor to set forth the boundaries of the Buckhead Parking Overlay District and to set forth the development requirements within said district.

NPU-B action: A motion to support the correction to Z-17-88 passed by vote of 22-0-0.

7. STANDING COMMITTEE REPORTS

A. PUBLIC SAFETY COMMITTEE

Randall Kent, Chair

ALDI / 3221 Peachtree Road, NE; Suite 101 / New Business / APPROVED IN COMMITTEE

Genuine Pizza / 3500 Peachtree Road, NE; Room No. 1096B / Change of Agent / APPROVED IN COMMITTEE

Hampton Inn & Suites / 3312 Piedmont Road NE / New Business / APPROVED IN COMMITTEE

Il Bacio / 2571 Piedmont Road, NE; Suite 120 / Change of Ownership / APPROVED IN COMMITTEE

Sage Buckhead / 3379 Peachtree Road, NE; Suite 125 / Change of Ownership / APPROVED IN COMMITTEE

Tuxedo Wines & Spirits / 3906 Roswell Road NE / Transfer of Location / APPROVED IN COMMITTEE

Blue Martini / 3402 Piedmont 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 22-0-0.

Hush Dinner Club presented on the Dinner Event at the Charlie Loudermilk Park. There will be a 4-course dinner on this coming Sunday. There will be about 50 to 60 people. The event will start at 5:45pm and be over by 9:30pm.

Abby noted that there are some pedestrian access issues with the park. Most of the diners take Uber to and from the events. There is a 30% discount for taking Uber with the event. It was added that there is no parking. Hanover Buckhead will allow people park. There will be a City of Atlanta Police Officer there.

There may be quiet music, the purpose is to converse and it isn't really a dancing event. Mostly people are talking and meeting new people.

For this event, 20% of the revenues will be donated to a non-profit that rehabs low income housing in the City.

B. DEVELOPMENT AND TRANSPORTATION COMMITTEE

No Report.

C. ZONING COMMITTEE

Bill Murray, Chair

V-18-078 2589 Acorn Avenue NE

APPROVED

Applicant seeks a variance from the zoning regulation: (1) to reduce the required front yard setback from 35 ft to 27 ft., (2) to reduce the required north side yard setback from 7 ft. to 3 ft., and (3) to exceed the maximum lot coverage allowed from 50% to 55% in order to construct a new single-family residence.

V-18-093 350 Valley Green Drive NE

APPROVED

Applicant seeks a variance from the zoning regulation to reduce the required eastern side yard setback from 10 ft. to 6.4 ft. for a second story addition.

Z-17-92 2832 Lenox Road

APPROVED

Applicant seeks to rezone the 3.67-acre property from R-3 (Single-family Residential, minimum lot size 0.41 acres) and PD-H2 (Planned Housing Development, Single-family or Multi-family) to MR-2 (Multi-family Residential, maximum floor area ratio of 0.348) for redevelopment of the property into a townhome community consisting of approximately 24 homes.

V-18-062 537 East Wesley Road

APPROVED

Applicant seeks a variance from the zoning regulations to reduce the required east yard setback from 7 feet to 3.5 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 22-0-0.

V-18-036 537 East Wesley Road

The second variance to add a screen porch that encroached into the side yard and rear yard was presented at committee. There was discussion about the encroachment and based on the NPU B Zoning Committees encouragement, the screened porch was pulled back into the setback. A variance is no longer needed.

No Action was required.

V-18-068 74 Mobile Avenue

CONDITIONED ON THE SITE PLAN

Applicant seeks a special exception from the zoning regulation: (1) allow active recreation (pool) in a yard adjacent to a street (east side yard), and a (2) variance from the zoning regulation to reduce the required east side yard setback from 7ft to 1 ft 6 inches to allow active recreation (pool) in the side yard setback. Applicant seeks no other variances or special exceptions.

The applicant would like to build a pool in their side yard. The City stated that they will recommend the pool to the Zoning Board. There are letters of support from the neighbors.

NPU B members expressed concern that there is no hardship and that it was a significant setback variance for a luxury item.

The response was that the topography of the lot is the hardship. There is a slope in the yard and this is the only place that is appropriate for the pool to be placed. It is a small lap pool.

The applicant addressed previous safety concerns as this is a lap pool and not a recreational pool.

NPU-B action: A motion to adopt committee recommendations on the above-listed consent agenda passed by vote of 17-3-2.

V-18-038 4237 Wieuca Road NE

Not heard in committee

Applicant seeks a variance from the zoning regulation: (1) to reduce the required east side yard setback from 20 feet to 6 feet 4 inches and (2) special exception to allow a 7 foot wall into the required half-depth front yard, and (3) special exception to allow active recreation area in yard adjacent to the street.

Applicant presented the plans to construct a new pool on a corner lot. The retaining wall is Change of Ownership needed due to topography and serves as a foundation for the fence.

North Buckhead Civic Association approved the request but noted that the lot is a little overbuilt. The NPU was concerned about the extent of the variances needed to allow for a pool which is a luxury and not something "allowed by right". There were additional concerns about the height of the fence.

NPU-B action: A motion to deny the above-listed variance application passed by vote of 12-9-1.

The applicant is willing to look at the design and make modifications that might gain the NPU B approval.

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

8. OLD BUSINESS

Nancy passed around recommended language for bylaw changes.

There was a discussion about the applicability to business representatives or whether this was only an option for the neighborhood representatives. There was a comment that if this works for neighborhood representatives, then the NPU Board may consider adding this alternative for business representatives.

NPU-B action: A motion to approve the amended language passed 21-1-0.

9. NEW BUSINESS

Nancy noted that ALL developers requesting a stream buffer variance must provide a copy of the variance application by certified mail to the chair of NPU B and also the adjacent neighbors. The City was recently alerted that these notifications were not being sent. Nancy commented that she is starting to receive these letters. There were 2 letters received this month:

- 4227 Rickenbacker Way application was distributed to North Buckhead
- 4362 Wieuca Road buffer variance was approved

10. ANNOUNCEMENTS

Then next NPU meeting will be June 1, 2018.

The next BZA meetings will be held on May 3rd and May 10th on the 2nd floor of the City Hall Annex at noon.

The next ZRB meeting will be held on May 3rd and May 10th on the 2nd floor of the City Hall Annex at 6 PM.

11. ADJOURNMENT

The meeting was adjourned at 8:56 PM.