

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

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

Present: 18*

Proxies: 3

Wes Lyle to Jason Kendall
Martha Church to Bill Murray
Frank Toyé to Bill Murray
Bob Stasiowski to Kim Shorter * left early

Robert Sarkissian attended for Gordon Certain, North Buckhead Civic Association

*4 members joined following approval of the minutes

1. OPENING REMARKS / CHAIRPERSON'S COMMENTS

Welcome, mission of NPU-B, and introductory remarks

John Rousch with Buckhead Reporter was in the audience.

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

Captain Patterson presented for Major Barry Shaw. Crime is down and Mr. Patterson provided statistics. The homeless population has been very active breaking into storage units. There is typically a high retention rate, but sometimes there is a delay in reporting of these crimes. Burglaries is a current focus for the Zone.

Kim asked about the pedestrian refuge on West Paces Ferry near Valley. Several personnel from APD have looked into this area, and Mr. Patterson notes that he drives this road daily at a minimum. There is no increase in accidents reported for this area but the City will continue to watch these numbers. He agrees that it is causing traffic issues and personal property damage but also thinks that it may cause people to slow down. He noted that this is a Public Works Traffic Safety Concern. Kim noted that at a minimum it needs to be cleaned and re-painted because it can't be seen in its current condition.

Tenants from the Buckhead Atlanta residents that at 2 or 3am there is drag racing with the start being near Buckhead Atlanta. This had been a problem several month ago and has a special unit

that will be working on addressing these issues; although these fall below the violent crime focus. Things are being done to try to reduce the occurrence of this drag racing. Call 911. The cars can be tracked by the cameras and on occasion the City has been able to catch up with them at their destination to talk to them.

Atlanta Fire Rescue Department (AFRD)

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

Captain Chris Jackson from Station 21 noted that the department is doing semi-annual fire hydrant inspections. The boot drive is also collecting money for the fire foundation and other charities they support. Look, listen, and learn is the theme for fire safety month. Studies said that historically people had 17 minutes until their house before it was engulfed, but due to our current furniture composition, you have about 3 minutes to get out of the house now. Everyone should have 2 ways to get out of each room.

There was a question about the status of the relocation of the Phipps Plaza fire station. The new station should be opened in three weeks. There was some discussion about funding for the furnishings within the station and who would pay for this.

There are currently 200 vacancies at the fire fighter level and it is hard to get people to volunteer for overtime because people are tired. It is hard to convince people to work for the fire department given the compensation package. There was a question about whether qualified volunteers would be helpful. The City does not currently have a volunteer program and with people's busy schedules it is hard to get volunteers.

City of Atlanta Municipal Court

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

No Report.

Fulton County District Attorney Community Prosecutor's Office

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

Bailey Rogers, Zone 2 Community Prosecutor

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

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

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

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

Sargent Bishop presented for Major Carrier. Plans for Super Bowl are underway. Fall is a busy time. There is an increase in Part 1 crimes. There are new segways to travel parking lots. The department interviewed 80 applicants and is hoping to hire some new talent. MARTA police are reminding everyone to lock up bikes only on the designated bike racks. Some people are locking them in stairwells where they can't be monitored.

The Major thanked everyone for their patience as there were a few issues with downed trees on the tracks this month. He reminded everyone about the see-say app.

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 there will be a Trick or Treat event at the Hemphill Plant. There will be a movie and other activities and free water conservation kits.

Anne asked about a campaign to educate people to keep stormdrains clean. There was a discussion about the stormdrain stenciling/ markers program.

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.

Lauren James with Peachtree Hills Recreation Center is still doing after school programs, Girls on the Run, Soccer in the Streets. Peachtree Hills Recreation Center also has senior program and will help teach seniors how to use technology. Basketball registrations are open and the Center is looking for some basketball coaches, specifically for 6 and 8 year old age groups.

Department of Public Works

Marcus McGaw (404-865-8743) mcmcgaw@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

Samia McCoi noted that the City is hosting ride alongs for infrastructure problems on Mondays or Wednesdays from 1 to 4pm and if needed on Saturdays. They can take up to 8 people and the City will provide a vehicle to tour the issues. Email Sama and copy Nancy Bliwise if your neighborhood would like to schedule a ride along.

There will be several tire collection dates at the CHARM Center in November to collect used tires. There are specific dates and locations for the tire collection. They will not accept truck tires or tires with extra large rims.

If you need a permit for work at your house, you can now apply online.

Update on 2 traffic studies: (1) Lindburgh & Morosgo the data has been collected and is being evaluated to see if there is justification for another light; (2) Adina & Cosmopolitan – Cosmopolitan is a private street and the City can't do anything. Members of the NPU added that the problem is the construction on Adina.

Abby noted that the traffic study for Morosgo may also want to look at eliminating lights near the MARTA station. Several don't appear to be helpful and they aren't timed.

Peachtree headed north at Pharr Road – someone is supposed to be managing traffic if Pharr is closed and they do not always have someone. Traffic is getting backed up. Sama noted that

Peachtree is a state route but she has a point of contact that she will call. The development project is not being well managed, inconsistent with other tricky construction sites in the area.

Traffic Circle at Wieuca near Phipps Plaza – there was a question about the status. There was a discussion that there is not enough land to meet safety standards.

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

The representative from Code Enforcement noted that 3296 Mattheson Drive is going to trial on October 3rd if anyone wants to attend. It will be at 8am at Pryor Street.

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

No Report.

City Council District 8
J.P. Matzkeit's office, Jim Elgar

Jim Elgar noted that October 9th there will be a public hearing on the new solid waste rates. On average there will be a \$9 annual increase, however in this area there may be a decrease due to the elimination of the street frontage portion of the bill. This will appear on the December bill if it is passed. There is an acknowledgement that the services have not been able to keep up with the pace but that this additional revenue will help after December.

There is a planned raise to police and fire department which will help us stay competitive. The City knows that there is more that needs to be done in order to keep talented employees. Police is one of the few communities where the diversity of the community matches the diversity of the police department. Our police officers are being heavily recruited so that other communities can increase their diversity.

Abbie Shephard asked if there were ways to get creative with benefits, such as housing vouchers. There was a discussion about affordable housing for police officers. The reality is that housing in the Buckhead area is expensive. Some of the new housing units do have housing specifically for police officers. The fire department personnel often live in the fire houses and improving these houses is also something that is needed. Jim noted that the City is trying to work with developers on this issue.

State House District 54

Beth Beskin

Beth presented a sample ballot and wanted to give a primer on the ballot initiatives.

5 State-wide Constitutional Amendments:

1. Creates the Georgia Outdoor Stewardship Trust Fund to protect water quality, wildlife habitat, and parks. It allows up to 80% of 4% sales tax on outdoor items to be allocated to a trust fund and spent on outdoor stewardship.
2. Creates a state-wide business court to lower costs, enhance efficiency, and promote predictable judicial outcomes. Allows allocation of judges specially trained to handle certain complex business disputes.
3. Encourages the conservation, sustainability, and longevity of Georgia's working forests through tax subclassification and grants. Provides for up to a 5% reduction in state taxes for certain types of qualified timberland property that is protected for conservation use for a period of 5 years.
4. Provides rights for victims of crime in the judicial process. This amendment is also known as "Marsy's Law for Georgia" and gives constitutional rights to the victims of crimes, most specifically the ability to know when the suspect is up for a parole hearing and/ or about to be released.
5. Authorizes fair allocation of sales tax proceeds to county and city school districts. This amendment gives the ability for a city school district to vote for an ESPLOST even if the county does not want an ESPLOST.

2 State-wide Referendum Questions:

1. Provides for a homestead exemption for residents of certain municipal corporations. City of Atlanta homestead exemption that will cap to no more than 2.6% per year and roll assessment back to 2016, 2017, 2018 – whichever is lowest; There has been a frozen base since 2004. That will save an average homeowner of \$623/ year.
2. Provides a tax exemption for certain homes for the mentally disabled. Provides an exemption from ad valorem taxes on nonprofit homes for the mentally disabled if they include business corporations in the ownership structure for financing purposes.

3 Fulton County Referendum Questions:

1. Homestead Exemption Ad Valorem Tax. Provides a homestead exemption from Fulton County ad valorem taxes for county purposes (Fulton County School tax) in the amount of \$50,000 of the assessed value of the homestead for residents of the county who are older than 65 years of age. This would save about \$414 per year per resident, per the author.
2. Homestead Exemption Property Tax. Provides a new homestead exemption from Fulton County school district property taxes for educational purposes in the amount of the difference between the current year assessed value of a home and its lowest base year value, provided that the lowest base year value will be adjusted yearly by the lesser of 3 percent or the inflation rate.
3. Repeal of Constitution Amendment Fulton County Industrial District. Currently the Georgia constitution prohibits Fulton County Industrial Boulevard from being annexed into any City. If this passes, it will set the stage for the discussion about which City (City of South Fulton, City of Atlanta, or other) that would annex this area.

Early voting starts in less than 2 weeks. It is important to educate yourself and your neighbors. Voter registration closes October 9th. You can register to vote when you are 17.5, so make sure anyone in that category registers before the deadline.

4. PRESENTATIONS

Abby presented on the Acorns to Oaks Garden Hills Elementary Foundation. She commented that the schools are getting better in part due to the Foundations that have been established at each school to supplement the funding provided by APS. Garden Hills is a small school, Title I and was the first IB school and also the first to offer a dual immersion program. The Foundation has started a capital campaign to create a track and redo the field and create a hillside playground (Phase I). Phase II includes some additional restrooms and additional recreational amenities. Phase I will be built Summer 2019. Fixthefield.com is the website for donations and there are sponsorship opportunities available as well. They are applying for an NPU B grant to cover permitting costs.

5. PLANNER'S REPORT

Jessica noted that there is a brochure on dockless bikes/scooters/etc.. There is a draft legislation that was heard by the public safety committee meeting that will be discussed at the next NPU meeting. The current version requires a registration and business license and annual fee. The rental firms are supposed to educate their consumers on wearing helmets and not operating on sidewalks. There are guidelines on where the devices can be left when not in use. The City can impound the devices if the ordinances are not followed and if an operator does not follow the rules their license can be revoked for a year. There needs to be alternative ways to access the device without a phone. The devices can be used in the traffic lane. You have to be 16 in order to rent the devices. There was a question regarding the legal age to operate one that is not a rental.

Z-18-100 needs a vote tonight. Jessica noted that the multi-unit housing would be allowed in some areas where there are medium density residential and pockets of low-density residential that could be transformed to small apartment complexes. This creates a new zoning parcel – if they wanted to rezone, they would have to apply to get the rezoning and wouldn't be able to get that by right.

Abby noted that the attachment doesn't seem to have been updated. Jessica noted that the ordinance is updated but the fact sheet has not been updated.

6. STANDING COMMITTEE REPORTS

A. PUBLIC SAFETY COMMITTEE

Bob Stasiowski, Chair

Café Bistro / 3500 Peachtree Road / Change of Agent / APPROVED 7-0-0

WeWork / 3280 Peachtree Road NE / New Business / APPROVED 7-0-0

Peachtree at Piedmont Senior Living / 650 Phipps Boulevard / Change of Agent / APPROVED 7-0-0

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

Two applicants did not get the notification of the 6pm committee meeting and presented to the full NPU.

Pho Dai Viet Restaurant / 4279 Roswell Road NE / Change of Ownership

Nifty Neighbors / 251 Pharr Road / Change of Ownership

NPU-B action: A motion to adopt the above-listed non-consent applications passed by vote of 21-0-0.

B. DEVELOPMENT AND TRANSPORTATION COMMITTEE

No Report.

C. ZONING COMMITTEE

Bill Murray, Chair

V-18-255 3037 Piedmont Road NE WITH NEIGHBORHOOD CONDITIONS

Applicant seeks a variance from the zoning regulation to (reduce the required transitional yard from 20 feet to 0 feet (retaining existing encroachment of Krystal's restaurant – drive lanes, dumpster enclosure, and retaining walls).

*Conditions include construction of an 8-ft screening fence, angling lighting and drive through speakers away from the residential zones, flared curbs, new landscaping, and the parking lot will be cleaned at least once every 24 hours.

U-18-027 309 East Paces Ferry

Applicant requests a special use permit to operate a hotel.

Z-18-103 309 East Paces Ferry

CONDITIONED ON SITE PLAN

Applicant seeks to rezone the property within SPI-9, Sub-area 3 for the purpose of blending the allowed density across the site. Currently, the property has two different floor area ratios within the property boundary. The proposed development consists of a 10 story (with basement) hotel with proposed food and beverage and a ballroom.

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

SD-18-041 1198 Bellaire Drive NE

Bill explained that the information was not submitted to the NPU by the City so the applicant was not given instructions to work through the neighborhood and attend the Zoning Subcommittee Meeting. Cathy Boston noted that there were some concerns from adjacent neighbors on how the process has been handled.

The adjacent neighbor was in attendance to object to the subdivision and the trend of increasing the density. This particular application has to do with the notification of the meeting and the lack of working with the neighborhood process.

The applicant was advised to defer the application to allow for adequate neighborhood processes. The applicant denied the advice.

NPU-B action: A motion to deny the above-listed subdivision passed by vote of 21-0-0.

The specific comments for the City include there was insufficient time for neighborhood process and no letters of support. There is concern that there isn't sufficient width in order to have 2 conforming lots. These need to be conforming at all dimensions and not just at one point.

7. OLD BUSINESS

There are a few people who have not paid dues yet.

8. NEW BUSINESS

The NPU members were asked which of the ordinances needed to be discussed separately, so that the ones with issues could be handled separately. The three items to handle separately include:

- Accessory Dwelling Unit (Tiny Houses)
- Loading Requirements
- Design Neighborhood Standards

NPU-B action: A motion to approve Z-18-100 except for the portions on Accessory Dwelling Units, Loading Requirements, and Design Neighborhood Standards passed by vote of 21-0-0.

NPU-B action: A motion to deny Accessory Dwelling agenda passed by vote of 19-2-0.
Need to be handled on a site-specific basis.

NPU-B action: A motion to deny Loading Requirements passed by vote of 20-1-0.
Need to be handled on a site-specific basis. OK with shortening spaces. It will be used to maximize the development site and eliminate the staging and loading areas. It will increase the FAR. There need to be safe places for people to load. Loading areas also add to pedestrian safety.

NPU-B action: A motion to deny Neighborhood Design Standards passed by vote of 15-4-2.
Need to be handled on a site-specific basis. Needs to be flushed out a lot more. Not clear and specific enough.

NPU Business Representatives Vote is Tuesday, Nov. 27th prior to the zoning committee meeting at 6pm to 7pm at St. Phillips Cathedral. People need to bring the proof of a business license within the City and proof of a residence within the City of Atlanta.

There will be a slate of candidates on the website, in the Buckhead Reporter, and in the Atlanta Business Chronical.

9. ANNOUNCEMENTS

Then next NPU meeting will be November 6, 2018.

The next BZA meetings will be held on October 4th and October 11th on the 2nd floor of the City Hall Annex at noon.

The next ZRB meeting will be held on October 4th and October 11th on the 2nd floor of the City Hall Annex at 6 PM.

10. ADJOURNMENT

The meeting was adjourned at 8:57 PM.