

**Minutes of NPU-B regular monthly meeting
Tuesday, January 8, 2019**

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

Present: 21

Proxies: Jim Cosgrove to Ben Howard

1. OPENING REMARKS / CHAIRPERSON'S COMMENTS

Welcome, mission of NPU-B, and introductory remarks

CJ Morris was welcomed as a Business Rep, he lives in the Morosgo area.

Jefferson McConkey was welcomed as a Business Rep and he lives in North Buckhead.

Rebecca King will be replacing Gordon Certain for North Buckhead, although Gordon is attending in her place tonight.

No press were in attendance.

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 22-0-0.

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.

No Report.

Atlanta Fire Rescue Department (AFRD)

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

No Report.

City of Atlanta Municipal Court

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

No Report.

Fulton County District Attorney Community Prosecutor's Office

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

No Report.

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

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

No Report.

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)

City of Atlanta is updating customer information and is collecting preferred methods for contacting customers in the case of emergencies (text, email, phone, etc.). Please let Denita know if you have any water issues.

Nancy noted that there was an alert that came through but there was no follow up with specific information. Nancy suggested that a map or more detailed information would be helpful.

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 (cell).

Jose noted that summer camp registration will start March 1st. The max capacity is 120 for kids ages 5 to 12. Registration is on a first come, first serve basis. With school starting a little later, the City is considering an 8-week summer camp session. Jose brought information about golf memberships available through the City of Atlanta golf courses. Middle school students can participate in the afterschool programs for free. The rate for younger kids is \$35 per week. Bill Murray asked if the City was going to manage the Bobby Jones Golf Course. Jose said that he could get an answer by tomorrow.

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

Sama MaKoi mentioned that NotifyATL, if you send a text #888777, then you will be registered to receive the City of Atlanta alerts. You can also register online and build a profile that is targeted to your needs. There were concerns about Peachtree Road and Pharr the last time Sama attend the NPU meeting. James Johnson with GDOT manages contractors on state routes. His contact information is: 404-326-5411 and jajohnson@dot.ga.gov. The boom on Peachtree will be removed by the end of the month.

The traffic study at Lindburgh and Morosgo showed that a traffic light is warranted at that location. The City is working through the process with GDOT and will be performing an intersection analysis. The process is just starting, but is progressing.

Nancy asked for follow up about a temporary light at Cosmopolitan and Adina, the fence was blocking through traffic making it a blind intersection. They required the developer to move the fence back and remove the fence covering to improve safety.

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

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

No Report.

Buckhead Business Association
Garth Brooks

No Report.

4. PRESENTATIONS

Kinata Mitchell is with HomeAway/VRBO (Expedia) who does home rentals. There have been concerns about home rentals. Kinata has spoken with Council members and is trying to better understand neighborhood concerns for short-term rentals.

Nancy noted that there are a number of concerns about homes being used as “party homes”. The problems with “party homes” include parking, noise, traffic, and others. If these homes are used as businesses for “pay for parties”, this is a violation of the zoning code. Human trafficking occurred in one situation, which is most alarming.

Kinata recommended that you call 911 if there is a problem. She suggests calling the rental agency to report the issue, if you know which company is renting. Kinata suggested calling the HomeAway main office at 877-228-3145 for any HomeAway properties. Jefferson asked if there would be a person answering a call and the response was maybe. If the renters are abusive,

HomeAway will remove the renter and maybe the owner from the rental system. The problem is that the renters/owners will move to Craigs List and others.

Kinata's number 404-931-7880. She knows many of the other consultants and may be able to help resolve issues outside of HomeAway properties.

There was a question about whether it was illegal to do a short-term rental. One of the issues being floated is that the owner has to live on the property and file for Homestead Exemption. One reason to allow for short-term rentals is that may can make it illegal to have fundraisers for non-profit agencies or political fundraisers.

Gordon noted that there are 3 properties in North Buckhead available for short-term rentals. One of the houses was rented for a rap video, and a disagreement happened during the filming which resulted in a semi-automatic gun being shot into one of the homes.

Kinata noted that the average rental is by a 53-year old woman with 3 occupants with her. Many come to Atlanta for hospital treatment services for a short weekend get-away, or are relocating and use rentals for temporary housing.

With the SuperBowl coming to town, Sally asked what HomeAway is doing to minimize or prevent human trafficking. Kinata said that she really needs neighbors to stay vigilant and call 911. There is very little that HomeAway can do on the front end to prevent issues.

If there appears to be a party, how can someone tell if it is rented through HomeAway or AirBNB. Kinata noted that AirBNB is the biggest and HomeAway is the second largest, and then look at Craigs List. Generally, Craig's List is where the problem rentals are found.

The screening process for the rentals includes a cursory check of the owner. Kinata will get back with more specifics.

If you suspect human trafficking, call 888-373-7888 for the victim's network. They have trained staff to help take young girls and boys out of harms way and keep them safe.

There was discussion about making a registration for property owners that are renting their house for short-term rentals. They would be tracked through the registration process and would pay hotel/motel taxes. If short-term rental companies are forced out of communities, then less desirable alternatives will be found.

5. PLANNER'S REPORT

Jessica noted that the tree commission put together a calendar and she brought some for people to enjoy. If you want to feature a photo from NPU B, they accept submissions.

The Design Awards are coming up in May. Award of Excellence, which is for a project that improves the City's Physical Character. The Community Design Awards are for projects, programs, and people that make that part of the City a better place to live. The Community Design Awards are voted upon by NPU B. There will be an application form coming shortly. Last year, both Path400 and the History Center were award winners from NPU-B.

There is an ordinance to adopt a fee increase for pre-paid wireless of \$1.50/month. The City is implementing the state requirements. This fee will go to upgrade 911 infrastructure to a digital platform. Ordinance 18-O-1673.

The City wants to include a definition for adult daycare in the zoning ordinance. It would be allowed by use permit in a single-family residential zone. It can include up to 6 non-related members in a home.

Z-18-128: Adult Day Care

An Ordinance to amend the 1982 Atlanta Zoning Ordinance, as amended, by adding a definition for Adult Day Care Facility and by adding Adult Day Care Facility as a permitted use by special use permit in the R-1 (Single-Family Residential), R-2 (Single-Family Residential), R-2A (Single-Family Residential), R2B (Single-Family Residential), R-3 (Single-Family Residential), R-3A (Single-Family Residential), R-4 (Single-Family Residential), R-4A (Single-Family Residential), R-4B (Single-Family Residential), R-5 (Two-Family Residential), R-G (Residential General), and R-L-C (Residential Limited Commercial) zoning districts; and for other purposes.

NPU-B action: A motion to adopt above-listed ordinance passed by vote of 21-1-0.

6. STANDING COMMITTEE REPORTS

A. PUBLIC SAFETY COMMITTEE

Mandi Gibson, Chair

Blue Moon Pizza / 325 East Paces Ferry Road / Change of Agent / APPROVED 10-0-0

Il Bacio / 2571 Piedmont Road NE / Change of Agent & Adding Distilled Spirits Sale / APPROVED 10-0-0

AMC Theaters Phipps Plaza 14 / 3500 Peachtree Road NE / Change of Agent / APPROVED 10-0-0

Treehouse Pub / 7 Kings Circle NE / Change of Agent / APPROVED 10-0-0

Revelator Coffee Company / 3500 Peachtree Road / New Business / APPROVED 10-0-0

SPECIAL EVENT:

Fado Buckhead St. Patrick's Day Event / 273 Buckhead Ave / March 16 – 17, 2019 / APPROVED 10-0-0

**This year the party will be held in the parking lot and not on Buckhead Avenue.

Buckhead Arts Festival / September 21 – 22, 2019 / APPROVED 10-0-0

**This is a repeat festival in the Shops of Buckhead.

NPU-B action: A motion to adopt committee recommendations on the above-listed consent agenda passed by vote of 22-0-0.

B. DEVELOPMENT AND TRANSPORTATION COMMITTEE

Jason Kendall noted that the D&T committee will support engineering studies and use guidelines by neighborhood, modeling off of the North Buckhead Master Plan success. The idea is for D&T to facilitate mini-master plans at a neighborhood scale. There was a discussion about corridors and the issues with developers migrating down corridors. Ridgedale Park and others across from the SPI become the battle ground.

Jason is looking for neighborhoods or areas to volunteer to be studied. The neighborhood will need funds for these studies.

C. ZONING COMMITTEE

Bill Murray, Chair

U-18-038 374 East Paces Ferry Road NE

Approved

*Conditions for U-18-038

1. Any exterior speakers installed on the roof deck of the hotel shall be oriented to minimize impact on nearby single family residential properties. The project shall comply with the noise ordinance in Chapter 74 of the City of Atlanta Code of Ordinances which prohibits plainly audible noise within 100 and 300 feet of the property based on the time of day.
2. No construction related vehicle parking shall occur on East Shadowlawn Avenue.

V-18-355 940 Crane Road NE

Approved

Applicant seeks a variance from the zoning regulation to reduce the required western side yard setback from 10 feet to 6 feet for a single-family addition.

V17-366 3322 Grant Valley Road NW

Approved

Applicant seeks a variance from the zoning regulations to reduce the required front yard setback from 50 feet to 49 feet to construct a new single-family residence.

V-18-328 2944 West Roxboro Road NE

Approved with Conditions

Applicant seeks a special exception from the zoning regulations to allow active recreation in a yard adjacent to a street (Bonview Lane) and to exceed the maximum height of a fence in the required front yard from 4 feet to 6 feet.

*Conditioned on the site plan.

NPU-B action: A motion to adopt committee recommendations on the above-listed consent agenda passed by vote of 22-0-0.

Z-18-120 3750 Peachtree Road NE

Applicant seeks to rezone the property from the RG-2, R-3-C and Buckhead Parking Overlay zoning designation to the RG-3 and Buckhead Parking Overlay zoning designation to allow for the expansion and renovation of Canterbury Court.

U-18-034 3750 Peachtree Road NE

Applicant seeks a special use permit to operate an assisted living facility.

Applicant presented that Canterbury would like to add 2 new buildings close to Club Drive and is replacing an existing multifamily building with health care services. The services will include independent living, assisted living, and memory care. There has been a lot of discussion with the neighborhood and there are a number of concerns related to the views. They have made some changes in attempt to accommodate the concerns of the visual impact from the single-family neighborhood surrounding Canterbury.

Cathy noted that there was a good start to a negotiation and there have been multiple meetings with neighbors and it has been very difficult over the holiday period. Asked for an 8 foot fence subject to a variance being given with a 6 foot fence on a 2 foot berm if variance not granted. There have been issues with getting clear information on the height of the building. The applicant has been unwilling to compromise.

There was a motion to postpone the Zoning Report to allow for the neighborhood and applicant to have additional discussion related to the project and the proposed conditions.

NPU-B action: A motion to postpone the Zoning Report passed by a vote of 22-0-0.

The applicant and neighborhood reached an agreement on a new set of conditions. The conditions will be formally drafted and distributed on Wednesday to the affected parties.

NPU-B action: A motion to adopt Z-18-120 and U-18-034 with the negotiated conditions passed by a vote of 21-0-1.

7. OLD BUSINESS

8. NEW BUSINESS

Executive Committee Meeting: Need to look at process for adding new representatives to the committee. The Morosgo/Lindbergh neighborhood would like to consider having a representative on the NPU-B Board.

The SPI DRC is the design review committee. NPU-B appoints representatives to SPI-12. North Buckhead has asked to hold a seat on NPU-B. There were other neighborhoods that were interested in participating, but North Buckhead is now asking for representation. Executive Committee will meet at some point in the future. Randall will be sending a Doodle Poll.

9. ANNOUNCEMENTS

Then next NPU meeting will be February 6, 2019.

The next BZA meetings will be held on January 10th, 2019 on the 2nd floor of the City Hall Annex at noon. They will also meet Feb 7th and 14th.

The next ZRB meeting will be held on January 3rd (past) and January 10th on the 2nd floor of the City Hall Annex at 6 PM. They will also meet Feb 7th and 14th.

10. ADJOURNMENT

The meeting was adjourned at 8:45 PM.