

**Minutes of NPU-B regular monthly meeting
Tuesday, August 6, 2019**

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

Present: 16

Proxies: CJ Morris to Abbie Shepherd
Jim Cosgrove to Kim Shorter
George Heery to Jefferson McConkey
Anne Culberson to Jefferson McConkey

* 1 member joined after the approval of the minutes.

1. OPENING REMARKS / CHAIRPERSON'S COMMENTS

Welcome, mission of NPU-B, and introductory remarks

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 as revised passed by vote of 19-0-0.

A big thank you to Jefferson McConkey for an excellent meeting minutes from July!

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.

Officer Singh noted that theft of auto was slightly increased from last year. With school starting next week, the auto thefts should decline. Kids are not allowed to sell water on the street. If kids are caught selling water, the police will hold them until the parents pick them up.

Call 911 if you see anything suspicious.

There is an arrest and a citation for the Garmon Road party house. The City is enforcing the noise ordinance.

Don't leave valuables in your car. Don't leave the garage open.

There was a question about four wheelers and dirt bikes. The Chief has assigned 2 commanders to work over the weekends. Dirt bikes are typically a problem on Sunday. There is a task force that includes GA State Patrol to look at this as well. There were 5 dirt bikes impounded and 4 riders jailed recently. The police don't chase dirt bikers because chases can lead off of the road and resulted in injury, as recently happened in DeKalb County.

There was a question about the current stance on the dockless devices. The legislation states that they cannot be ridden on the sidewalk. There has been 1 fatality and 4 or 5 critical injuries from the scooters. The officers can write tickets for riding them on the sidewalk. Zone 5 has been writing a lot of tickets. There was a question about a “scooter jail” with a fee to pick them back up. After 4 or 5 rentals, the scooters have been paid for, which reduces the incentive to pick them up. There was a question about the future for these impounded scooters.

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

No Report.

City of Atlanta Office of the Solicitor
Judge Sylvia J Lee; 404-932-5566, sjlee@atlantaga.gov

No Report.

Fulton County District Attorney Community Prosecutor’s Office
Nemoine Nooks, Zone 2 Community Prosecutor (Nemonie.Nooks@FultonCountyGA.gov, 404-964-5663)

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)

Denita provided very brief updates on water issues. An issue was discussed regarding buried water meters; one of the 2 buried water meters was uncovered and one remains buried. Denita will follow up on the status of the remaining meter. Wieuca water main project is progressing but some of the stormwater work will take some time. In the last 2 weeks, the water on Peachtree has tasted unusual. Denita noted that the City is investigating based on complaints but that the water is safe.

Kim noted that Denita had won a well-deserved customer service award for taking such good care of everyone!

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).

No Report.

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 Givens with the SWEET team filling in for Officer Ferguson. mgivens@atlanta.ga.gov

Illegally parked scooters are logged in and there are pictures taken and then the scooters are impounded. They are collected daily or weekly by the vendors. The vendors are paying the fines.

The W Paces Ferry pedestrian refuge island at Valley Road has not been cleaned despite numerous requests. The debris makes the island invisible at night. It has not been cleaned in over a year.

Cell towers have been placed in the right-of-way in Peachtree Park and were told there would be one every 500 feet. The towers are for 5G. The contractor admitted that the “ugly ones” were going into Peachtree Park and that there were nicer towers going in other neighborhoods. Sally Silver noted that it was important to get Council offices involved as they can typically help correct these issues.

Peachtree Park has an island area where 2 streets intersect and it is experiencing a great deal of erosion due to lack of curbs. The neighborhood provided renderings and would like curbs installed on the Darlington Circle Area to match the existing curbs in the rest of the neighborhood.

There was a reminder about the new bulk pickup and that you need to call to schedule. It was added that the fine was pretty steep for non-compliance and many neighbors were paying attention.

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

Daphne Talley with Code Enforcement noted that Public Works enforces all issues with scooters on the right-of-way. They have been removing a lot of scooters.

280 Lindbergh Drive – defendant cited, 8/22 is the court date
3800 Ivy Road – court date 8/21
3958 N Stratford Road – 8/2

Last time there was an issue about people violating stop work orders. Stop work orders will have a number to call. There were 2 cases where the stop work order was ripped down and then there was no number. Office of buildings is responsible gpace@atlantaga.gov is the interim director and could help identify the correct point of contact.

Bill Murray noted that there are 2 vacant lots at the corner of W Wesley and Dellwood that are overgrown. These were added to the list.

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

Friends of Loridans Park – Master Plan for the Loridans Greenspace

Sally Silver introduced John, the Commissioner of Parks and Rec. She started that the hope is that the NPU-B will adopt the Plan so that it gets integrated in the City's Plan. Neighbors have come together and worked with Park Pride, Livable Buckhead, and GDOT, they created a master plan for their park. There is an old cemetery and they have a grant through Park Pride to mark the 60 graves as well as put a protective perimeter fence around the area. They are hoping to work with an Eagle Scout to clear the invasive species. The process took about 9 months to get the input and develop the Plan.

Most of the adjacent neighbors did not want a park at the beginning of the process, but are now some of the biggest fans as they had input into the process. Path 400 is on the western side of the park. There is a rest area at the top of the hill at Loridans Drive. The cemetery remains protected by iron fencing. There will be walking paths. There is a small circle greenspace with passive play and a stormwater area that could also be used for play too. The McClatchey Elementary School used to be on the site but it was demolished for GA400. The flat grassy area they believe was the old playground for the elementary school. The park is about 2.5 acres.

There is going to be a 6-foot privacy fence with evergreen vegetation on each side of the fence between the neighbors and the park. There is also a wide buffer that is driven partly by topography. There is no known opposition.

There was a question about next steps and funding. There is no funding for the park improvements at the moment. They would like approval from NPU-B so that the plan can be memorialized. There is a budget associated with the project.

Robert Patterson noted that the plans work very nicely with the North Buckhead master plan for bike lanes.

NPU-B action: A motion to adopt the Master Plan for Loridans Park passed by vote of 20-0-0.

Buckhead West Village - Adam Berlin, Big Sky and Entertainment District
Adammerlin@gmail.com, 404-481-5168 (Big Sky), 770-344-9301 (cell)

Adam shared some of the ongoing efforts to organize the entertainment/bar establishments in the West Village area to address the construction and construction-related impacts. Adam shared that construction was creating a lull in business that forced some of the businesses to work with promoters. The promoters are bringing in patrons from other parts of town who are creating problems for the establishments. The consortium has been trying to address concerns by hiring off-duty police officers to patrol the area on Friday and Saturday nights. The officers help patrol parking lots as well as help clientele safely navigate construction closings and damaged sidewalks.

The police have been making arrest for drug sale, loitering, cruising, etc. Adam wants the NPU to know what the good actors are doing to fight against the changing clientele.

There was a question about specific zoning conditions that would mitigate disturbances during construction. Many of the establishments are on Roswell Road, so GDOT issues the ROW permits and it is outside of the City's purview. Irby was closed, against their permit, but Adam was able to work with them to get part re-opened.

Sally Silver with Councilman Shook's office volunteered to set up a meeting with Adam's group and others to discuss potential solutions.

5. PLANNER'S REPORT

Jessica noted

Public hearing allowing for outdoor dining in the right-of-way. 19-O-1354. August 27th at 9:30am there will be a hearing. There was discussion that the ordinance language includes sound limitations and this is intended for the mid-town area.

Z-19-56 – Remove boarding houses from certain zoning districts while allowing by special use permits. There was a scrivener's error that they are trying to address.

An Ordinance to amend Chapter 13 of the Atlanta Zoning Ordinance entitled "C-3 Commercial Residential District Regulations" to correct a scrivener's error from Ordinance No. 06-O-0038 and allow for special use permits for "hotels and motels" in Sec. 16-13.005(1)(G); and to amend Chapter 14 of the Atlanta Zoning Ordinance entitled "C-4 Central Area Commercial Residential District Regulations" to correct a scrivener's error from Ordinance No. 06-O-0038 and allow for special use permits for "rooming houses" in Sec. 16-14.005(1)(K); and for other purposes
EXHIBIT A. FACT SHEET.

NPU-B action: A motion to approve Ordinance Z-19-56 passed by vote of 20-0-0.

Jessica announced that an upcoming public hearing would state which charitable organizations will be awarded grant funds that the City secured through Federal programs. Federal funding has been decreasing over recent years and the funds are competitively issued. There is a public notice regarding the allocation of funding.

6. STANDING COMMITTEE REPORTS

APAB report was distributed via email.

A. PUBLIC SAFETY COMMITTEE

Mandi Gipson, Chair

Urban Wu / 3330 Piedmont Road NE / Change of Ownership / Heard by entire NPU

Livable Buckhead's Party on the Path: Eclipse de Luna Parking Lot on October 20, 2019.

APPROVED 8-0-0

NPU-B action: A motion to approve the consent agenda passed by vote of 20-0-0.

B. DEVELOPMENT AND TRANSPORTATION COMMITTEE

No Report.

C. ZONING COMMITTEE

Bill Murray, Chair

V-19-146 4455 Lake Forrest Drive NE

APPROVED

Applicant seeks a special exception from the zoning regulation to allow active recreation in a yard adjacent to the street for the construction of an in-ground swimming pool.

V-19-151 341 Alison Drive NE

APPROVED

Applicant seeks a variance from the zoning regulation to reduce the north side yard setback from 10 feet to 3.6 feet.

V-19-116 567 East Paces Ferry Road NE

APPROVED with Conditions

Applicant seeks a variance from the zoning regulation to reduce the east side yard setback from 7 feet to 3 feet.

V-19-138 248 West Andrews Drive NE

APPROVED

Applicant seeks a special exception from the zoning regulation to 1) exceed the maximum height of a fence in the required front yard from 4 feet to 6 feet to install a 6 foot gate adjacent to the driveway, on each side and to install a 5 foot pedestrian gate in the front yard.

U-19-019 103, 107, 111 West Paces Ferry Road NW

APPROVED with Conditions

134,140,144,146 East Andrews Drive NW

Applicant seeks a special use permit to operate a private club with conditions.

1. The site shall be developed in accordance with the Site Plan dated July 1, 2019 prepared by Kimley Horn and marked received by the Office of Zoning and Development on July 2, 2019. Accessory uses and structures such as paddle courts and dog runs may be located behind the multi-family residential and members club building. Minor changes to the approved site plan may be authorized by the Director of the Office of Zoning and Development in accordance with Section 16-02.003(7).

2. A copy of the hydrology report prepared for the project for permitting will be provided to the Chair of NPU B concurrently with its submission to the City of Atlanta. Evidence of compliance with this condition shall be provided in writing to the Office of Zoning and Development.
3. Construction staging shall not occur West Paces Ferry Road except to the extent reasonably necessary for streetscape installation and utility and infrastructure improvements on West Paces Ferry Road.
4. Left turns into the property from West Paces Ferry Road shall be prohibited.
5. For events greater than 250 attendees, personnel will be provided to direct traffic exiting onto West Paces Ferry Road or traffic will be direct to East Andrews Drive.

Z-19-075 103,107,111 West Paces Ferry Road NW
 134,140,144,146 East Andrews Drive NW

APPROVED with Conditions

Applicant seeks to rezone the 3.57 acre property from the SPI-9-SA2 (Special Public Interest District: Buckhead Commercial Core – Subarea 2) and SPI-9-SA3 (Special Public Interest District: Buckhead Commercial Core – Subarea 3) zoning designations to the SPI-9-SA2 (Special Public Interest District: Buckhead Commercial Core – Subarea 2) zoning designation.

1. The site shall be developed in accordance with the Site Plan dated July 1, 2019 prepared by Kimley Horn and marked received by the Office of Zoning and Development on July 2, 2019. Accessory uses and structures such as paddle courts and dog runs may be located behind the multi-family residential and members club building. Minor changes to the approved site plan may be authorized by the Director of the Office of Zoning and Development in accordance with Section 16-02.003(7).
2. A copy of the hydrology report prepared for the project for permitting will be provided to the Chair of NPU B concurrently with its submission to the City of Atlanta. Evidence of compliance with this condition shall be provided in writing to the Office of Zoning and Development.
3. Construction staging shall not occur West Paces Ferry Road except to the extent reasonably necessary for streetscape installation and utility and infrastructure improvements on West Paces Ferry Road.
4. Left turns into the property from West Paces Ferry Road shall be prohibited.
5. For events greater than 250 attendees, personnel will be provided to direct traffic exiting onto West Paces Ferry Road or traffic will be direct to East Andrews Drive.

NPU-B action: A motion to approve the consent agenda passed by vote of 20-0-0.

7. OLD BUSINESS

Bylaws are being revised. There will be a draft distributed by Ben Howard a week prior to the next NPU meeting to provide time for review. The goal is to keep them streamlined and functional.

8. NEW BUSINESS

None

9. ANNOUNCEMENTS

The next NPU meeting will be September 3, 2019.

The next BZA meetings will be held on August 8th, 2019 on the 2nd floor of the City Hall Annex at noon.

The next ZRB meeting will be held on August 8th, 2019 on the 2nd floor of the City Hall Annex at 6 PM.

10. ADJOURNMENT

The meeting was adjourned at 8:43 PM