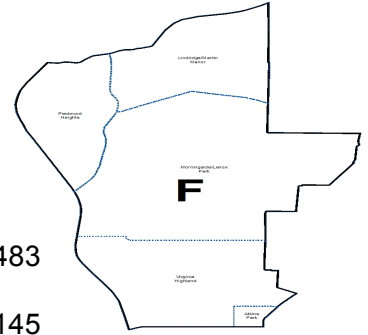


# MEETING MINUTES

## NEIGHBORHOOD PLANNING UNIT - F

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**DATE:** Monday, April 17, 2017  
**TIME:** 7:00 P.M.  
**LOCATION:** Hillside Center  
1301 Monroe Drive  
Atlanta, GA 30306-3439



### **Contact Information:**

Debbie Skopczynski, Chair [chair@npufatlanta.org](mailto:chair@npufatlanta.org) (404) 874-7483

### **City Staff:**

Charletta Wilson Jacks, Director [cjacks@atlantaga.gov](mailto:cjacks@atlantaga.gov) (404) 330-6145

Doug Young, Planner [dyoung@atlantaga.gov](mailto:dyoung@atlantaga.gov) (404) 330-6702

Tanya C. Mitchell, NPU Coordinator [tcmitchell@atlantaga.gov](mailto:tcmitchell@atlantaga.gov) (404) 330-6899

### **AGENDA**

#### 1. Opening Remarks/Introductions

- The meeting was called to order at 7:06 pm.
- Reminders:
  - i. Campaigning for any political office is prohibited at NPU meetings. If you are a candidate, you are welcome to meet and greet outside the building.
  - ii. All attendees must sign in on one of the sheets located at the back of the room. If you are interested in receiving updates from the NPU and more detailed agenda with links to the applications, please sign the clip board.
  - iii. Residents of NPU-F may vote on any issue unless there is a financial interest (e.g. property owners may not vote on their own variances, but can vote on other variance applications). Business owners may vote if they have met the requirements as described in the by-laws. Most of our votes will be taken by voice vote. If it is necessary to have a vote count then we will be using voting chits.
  - iv. The rezoning application for the Rock Spring Presbyterian Church property will be held after the City Department and Elected Official reports and the approval of the Consent Agenda.
  - v. Because of the length of the agenda discussion and debate will be limited throughout the meeting, however, all questions will be answered. We use Robert's Rules of Order to keep the meeting moving – so please be patient and follow the cues on when it is appropriate to discuss an issue.
  - vi. Finally, whenever there is opposition to an issue, the discussion can become personal and non-productive. This NPU operates like a small town hall meeting with an open democracy voting structure. Keep in mind that the NPU is only an advisory body to the City. There are opportunities for additional public input on all zoning issues and we will provide next steps for participation in the city processes.

#### 2. Approval of Minutes

- **The February and March minutes have been posted on the NPU website.**
- **Motion to approve the February and March 2017 minutes carries on voice vote.**

#### 3. Announcements

**Westminster Drive and Hirsch Street Roadway Construction Projects (Renew Atlanta)**

Tuesday, April 18 6 pm - 8 pm

Rock Spring Presbyterian Church, 1824 Piedmont Avenue

# MEETING MINUTES

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NO formal presentation or Q & A SESSION. This is an open house to review designs and provide feedback.

Wednesday April 19, **celebration of Relay Bike Share program** sponsored by Mayor Reed @ Piedmont Park @10am.

#### 4. Reports from City Departmental Representatives

- Atlanta Fire Department – Station 19 North Highland; Station 29 Monroe  
Not present

- Atlanta Police Dept. - Zone 6 - Major Peek Zone 2 – Major Shaw  
Major Shaw, Zone 2 Commander: Due to the bridge collapse, we are receiving a lot of complaints about surface traffic and the entire zone is impacted, the police are aware of this. Please don't contribute by blocking the box at intersections, we are identifying the biggest ones to keep traffic flowing. Helping with the plans for the Confluence Trails. Zone 2 first responders for the bridge fire, they helped save lives, we are so appreciative of their actions, which saved lives.

Officer Klotsker, Zone 6: Crime is heading in the right direction, we made some good arrests in Virginia-Highland and East ATL, and have not seen a major robbery here in a while. Always, keep your personal items in the trunk of your vehicle.

- MARTA police - Major Nelvette Easterling, Lt. Chapman, North Precinct  
Sergeant Nicholas: Large ridership increase due to the bridge collapse. Crime overall is low, a few incidences have been reported along the west and east side, NPU-F area remains low. Remember to use the Marta See and Say App.

- Bureau of Housing and Code Compliance – Officer Edwards [sledwards@atlantaga.gov](mailto:sledwards@atlantaga.gov) cell 404-326-6573

Status for March: 12 property maintenance calls. 2121 Faulkner-- met with the owner and he has been a good citizen and helping to cleaning up his property and assist in moving the homeless camp. The owner has until May 4 to get everything removed from the area.

- Fulton County Community Prosecutor - Zone 2 - Brendan Dougherty; Zone 6 - Keith Lamar Jr; Court Watch Coordinator – Danielle Simpson

Brendan Dougherty, Zone 2 community prosecutor: continue focus on prosecuting repeat offenders. For example, Zone 6 Anthony Little, breaking and entering auto, 13-time convicted felon, witness identified him this time, police captured him, took the plea on April 6 and was given 5 years jail time, which is the maximum sentence for this crime. Tomorrow Mr. Eleby, believed to responsible for I-85 bridge collapse, will be charged with arson in first degree and criminal property damage, anticipate there will be a bond hearing tomorrow, we are asking for community involvement to support a high sentence. Hearing to be held, April 18<sup>th</sup> in Courtroom 5F.

- Office of the Solicitor's - Andrew Hughes, Solicitor

Solicitor Hughes: This weekend at Adamsville Community Center, 9am-12pm we will hold the Fight Against Blight, an educational symposium make community aware of code enforcements 'and how to avoid citation.

- Watershed Management

- Public Works – Carla T. Smith [ctsmith@atlantaga.gov](mailto:ctsmith@atlantaga.gov) 404-546-0041

Celebrate the relay bike share program, April 19.

# MEETING MINUTES

## NEIGHBORHOOD PLANNING UNIT - F

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### 5. Comments from Elected Officials

- State House of Representatives - Rep. Pat Gardner/Rep. Park Cannon  
Park Cannon - 58<sup>th</sup> District, State House, midtown, downtown, southwest Atlanta, served full legislative session. Tonight, I will provide you with an update on the general bills we worked on, when legislation met for 40 non-consecutive days from January – April 2017. We were mandated to create and finish the state budget, which included pay raises for enforcement officers and educators. We worked to keep the \$100K for patient navigators for HIV patients at Grady Hospital, removed \$100k from King Center. 228 education bill, OSD, did not pass. House bill 51, sexual assault did not fully pass, immigration bill did not pass, House Bill 280 - Campus carry did carry, governor vetoed it last year, but current bill was put on table at 11:40pm on last day of session. The main tenant of this bill states you cannot carry a gun on a campus with daycare centers unless it has more than 2 daycare centers, which UGA has. Please call the governor, 404-656-1776 and tell him to veto the bill. Another main bill was about HIV, state of GA does not have uniform clinic protocols around HIV testing, we are a hub of HIV, developed a bill to unify clinic protocols around HIV. Other topics Cannon worked on: Equal pay, pregnant workers, women's health, fair employment, Zika among others.
  
- Matt Westmoreland: School Board Member - APS, changes have been made to accommodate the I-85 bridge collapse:
  - Moved bus location storage to North Fulton High School
  - Changed school time to start 15 minutes earlier
- Other APS updates:
  - Grady Cluster: Field space to start construction this fall, plan to finish in the middle of 2018
  - Grady High School and Morningside Elementary School renovation and student planning are in process
  - Not raising the mileage rate for 4th year in row, increased focus on tightening the general administration belt
  
- Courtney English: Seat 7 (School Board District 1-4)
  - Focused on spending tax dollars more efficiently, reducing the size of central office. We have closed and merged some schools, specifically underutilized schools, to make sure dollars go to kids and not to administrative functions.
  - January affordable housing tax force: Repurpose APS in to affordable housing units. Have about 70 parcels across Atlanta, will look at what to do with that land, committee will make recommendations to the board at the end of these meetings.
  - City holds the deeds in trust, property is APS. APS wants all the deeds; the city has only released some.
  - In 2020, kids from Morningside will move to Inman for two years, while Morningside is renovated and then will determine who will go back to Morningside.
  
- Councilmember District 6 - Alex Wan  
Not present
  
- Atlanta City Council Posts: Michael Julian Bond-Post 1; Mary Norwood-Post 2; Andre Dickens-Post 3  
Not present
  
- Atlanta City Council President's Office - Ceasar Mitchell  
Jim Elgar: College prep series, free SAT, ACT, PSAT tests for APS, Fulton County, all kids regardless of district are invited to come and participate. No cost, but need to register online. Parents and guardians can learn about getting in to college, saving for college and beyond. ATLSlowdown.org site, put in your address and they will deliver a sign to your home. City Council referred marijuana bill back to committee, means no action was taken on it, council president had some concerns about it being illegal at the state and federal level. With this bill consequences would change for marijuana, but marijuana would not be legal. Budget will be passed by end of June, process starts now. Contact campaign with any campaign questions.

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- Fulton County Commission - Fulton County Commission - Lee Morris, District 3; Marvin Arrington Jr., District 5;  
Not present

### 6. Presentation(s)

- South Fork Conservancy Updates– Kimberly Estep, Executive Director
  - Restore, repair south fork of Peachtree Creek, have built trails through our neighborhood. Working hand in hand with Major Shaw to ensure safety of the trails. Working on capital campaign, 6 major improvements, hoping to be shovel ready before the end of the year. Part of this includes a 1.4-acre park and will provide public access to the trails.
  - Creek Rising, annual fundraiser: Live music, raffle, duck race. April 27, 5:30-8pm at Zonolite Park, the event will be tented

### 7. Planner's Report – Doug Young

- 2017 Community Design Awards- Voting on Submitted Nominations
  - NPU-F submitted four nominations: Ansley North Co-Op, Armour Yards, Atlanta Bicycle Coalition, Planter Mosaics @ Intown Ace Hardware
  - Goal: Tell city what makes their neighborhood a better place to be
  - Winner will be announced May 11, 6:30pm at Freight Depot Downtown. The event is free and open to the public.
- Atlanta City Studio, has moved to Cascade Heights. Studio will have retail hours and be open on Saturdays. Open house will be held, April 29<sup>th</sup> from 10am – 2pm, event will have speakers and events.

### 8. Committee Reports

- Lindridge-Martin Manor Neighborhood Association – Kevin McBride, President; Rich Sussman, NPU Rep  
Spring on the green picnic, will be held from 1-3pm this Sunday, April 30 at the Ardman Green Space 1, a firetruck will be there and all are invited to attend.
- Morningside-Lenox Park Association – Sally Bayless President; TBD, Neighborhood Rep; John Ayers, Zoning  
Celebration of Summer is Saturday, May 20th Sydney Marcus Park from 5:30-8:30pm. All are invited to attend.
- Piedmont Heights Civic Association – Gary Dresser, President; Jean Johnson and Tim Berube, Neighborhood Reps  
No report
- Virginia-Highland Civic Association (VHCA) –Jenifer Keenan, President; Barry Loudis and Eleanor Barrineau, Representatives; Jack White, Zoning  
Summerfest first weekend in June, looking for volunteers. All are invited to attend.
- Virginia-Highland Business Association (VHBA) –Lynn DeWitt and Kristi Warren Evans, Reps.  
No report.
- Edmund Park - Tony Gonzales, Neighborhood Reps; Sally Montgomery, Zoning  
No report
- Public Safety Committee – Jim Hardy  
No report

# MEETING MINUTES

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- Parks, Trees & Environment Committee – Jack White and Rich Sussman  
No report

- Education Committee - Abby Martin  
Not present

- Chair Report:

- The April APAB meeting was held on Saturday, 4/15. Tim Keane, Commissioner of Community Development spoke about the Atlanta Design Center project and upcoming changes in the Building Permitting process. He stayed and answered questions for over an hour – it was a good meeting with some interesting dialogue.
- Gerry Neumark is accepting an appointment to the City of Atlanta Ethics Board, representing APAB. Once the appointment is official, he will need to resign as Vice Chair of the NPU. Thanks to Gerry for his contributions to NPU-F.
- Those interested in being Vice-Chair should contact Debbie to learn more about the role and responsibilities. As a member of the Executive Committee and Zoning Committee, this is a terrific way to learn more about NPU issues, develop leadership skills, and is a stepping stone to becoming NPU-F chair. A selection will be made once the position is officially vacant.
  - Be sure to check both sides of your Consent Agenda for upcoming events and opportunities to become involved. Correction Relay Bike share is April 19 not 18.

### 9. Matters for Voting

#### Consent Agenda

#### Special Events Applications

| Application                                       | Date/Location                             | Class/# Participants           | Recommendation              |
|---|---|--------------------------------|-----------------------------|
| ATL Greenhouse                                    | Piedmont Park<br>June 18, 2017            | Class E<br>500 Participants    | Support                     |
| Atlanta Autoimmune Walk<br>2017                   | Piedmont Park<br>September 23, 2017       | Class E<br>200 Participants    | Removed --not in attendance |
| Drawchange 4 <sup>th</sup> Annual 5K<br>Run/Walk  | Piedmont Park<br>October 29, 2017         | Class E<br>300 Participants    | Defer                       |
| Atlanta Symphony Orchestra<br>Concert in the Park | Piedmont Park – Oak Hill<br>June 15, 2017 | Class C<br>12,000 Participants | Support                     |

#### Board of Zoning Adjustment Applications

| Application | Address                | Request  | Neighborhood Recommendation |
|-------------|------------------------|--|-----------------------------|
| V-17-045    | 1227 North Highland NE | Applicant seeks a variance from the Zoning regulation: to allow an accessory structure to exceed 30% of the floor area of the main structure to 81% to construct a garage and quest house. | MLPA: Defer                 |
| V-17-065    | 1291 Lanier Blvd NE    | Applicant seeks a variance from the Zoning regulations to reduce the required southern side yard setback from 7 feet to 4 feet.  | MLPA: Approve               |

#### Zoning Review Board & CDP Applications

| Application | Address                                   | Request                                      | Neighborhood Recommendation   |
|-------------|---|--|-------------------------------|
| Z-16-080    | 2059 Manchester St<br>NE<br>At request of | Applicant seeks rezoning from I-1 C to MR-4B | MLPA: Defer to May applicant. |

# MEETING MINUTES

## NEIGHBORHOOD PLANNING UNIT - F

|                  |   |  |                           |
|------------------|---|--|---------------------------|
|                  | <b>applicant removed from consent agenda</b>  |  |                           |
| <b>CDP-17-04</b> | 2059 and 2067<br>Manchester Street NE<br><br><b>At request of applicant removed from consent agenda</b> | An ordinance to amend the Land Use element of the 2016 Atlanta Comprehensive Development Plan (CDP) to redesignate property located at 2059 and 2067 Manchester Street NE from the <b>Low Density Commercial</b> land use designation to the <b>High Density Residential</b> land use designation and for other purposes | <b>MLPA: Defer to May</b> |

**NPU Action:** Motion to accept the neighborhood recommendations (removing the Atlanta Autoimmune Walk, Z-16-080 and CDP-17-04) and approve the consent agenda carries on voice vote.

### Zoning Review Board (ZRB) (Vote Required)

#### Z-16-079                      1824 Piedmont Ave NE

Applicant seeks rezoning from R-4 to PD-H

MLPA Report: Recommend approval with conditions. 9 in favor, 1 abstention conditioned on this condition package with modification of Condition 6.

PHCA Report: PHCA voted to support with all conditions. The vote was 11 yes, 7 no, ex-officio PHCA Past President does not get a vote except in case of a tie, and 1 Board member did not vote.

Had one additional Condition: construction equipment access cannot be through the driveway that goes in front of daycare, an alternate entrance has been identified.

Zoning Committee Recommendation: In favor of rezoning as conditioned by the following 17 conditions plus condition 6.

Condition 6 is now a declaration of covenance, which details will be worked out later.

#### Z-16-079 – ROCK SPRING PRESBYTERIAN CHURCH CONDITIONS TO REZONING - FINAL – As Approved by NPU F April 17, 2017

1. Property to be rezoned to PD-H.
2. Rezoning conditioned on the Site Plan dated March 9, 2017 (the "Site Plan").
3. Development limited to 17 single-family homes, as indicated on the Site Plan, provided however, if the City of Atlanta determines that either of the Fire Clear/Fire Access lanes currently indicated on the Site Plan are not needed, then the footprints of Units 7, 8, 13 and 14 may be expanded into the eliminated Fire Clear/Fire Access lanes.
4. The 17 single family homes to be developed on the site shall be designed substantially in the form reflected on the Elevation Attachments to the Site Plan.
5. Upon completion of construction, the property will be re-landscaped in conformance with the Landscape Plan dated March 6, 2017.
6. The existing Rock Spring Presbyterian Church and the Stone Auxiliary Building, as reflected on the Site Plan shall be protected by a Declaration of Covenants protecting the Church, to be declared by Rock Spring Presbyterian Church in favor of at least the Piedmont Heights Civic Association and to the extent deemed necessary or proper, Hedgewood, and the to be formed Homeowners' Association, all as is reasonably acceptable to the NPU F Zoning Committee.
7. The existing Rock Spring Presbyterian Church and the Stone Auxiliary Building, as reflected on the Site Plan shall be designated as a Landmark Building, and the area of the parcel set forth on the Site Plan labelled "Landmark Boundary Survey" shall be designated a Landmark District, pursuant to the City of Atlanta Landmark Preservation Ordinance Section 16-20.001 et seq.

# MEETING MINUTES

## NEIGHBORHOOD PLANNING UNIT - F

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8. There shall be no development on any of the parcel designated as area "A" on the attached site plan (other than temporary construction of utilities, after which the area will be returned to its pre-construction state).
9. The existing structures shown on the site plan in area "A" shall not be increased in footprint/size or square footage in any way.
10. Assignment of a designated project manager that can be contacted by neighbors with any immediate concerns during construction.
11. Assurance that the construction will follow City of Atlanta Construction ordinances in terms of time of day etc.
12. No construction parking on any PHCA or MLPA streets.
13. The Site shall be developed in accordance with the City of Atlanta Tree Protection Ordinance. A tree save plan for the Property will be in place and approved by the City Arborist prior to the issuance of building or demolition permits for the project.
14. Assurance that all construction traffic will access the site through the Manse parcel on Montgomery Ferry Road ONLY. Construction traffic access via Allen Rd will be prohibited. Furthermore, any trucks delivering supplies (including lumber and concrete) will not utilize Piedmont Heights or Morningside residential streets including but not limited to Allen Road, White Oak Hollow, Rock Springs Rd. NE, and Wimbledon Road in order to reach the site.
15. Developer will work with PHCA and City of Atlanta to reconfigure and improve the Montgomery Ferry and Piedmont intersection.
16. The "emergency access" drive on Allen Road as reflected on the Site Plan shall be limited to emergency vehicles only (i.e., no resident/guest access/parking), and will be designed to prohibit pedestrian traffic. Additionally, to the extent feasible and permitted by the City of Atlanta and/or the Atlanta Fire Department, it will either be paved with landscape pavers that allow for grass to grow through the pavers, or will be grass.

Comments: Clarification of condition 7 & 8, condition 7 is the landmark building and condition 8 is the landmark district the land, these conditions can be combined according to Doug Young. April 26, urban design commission meeting postponed. If zoning goes through, the timeline will need to be reconciled. Covenants would give church reasonable concession to manage the property themselves, ensure the church not be redeveloped in the future, this would be a 20-year term to protect the neighborhood.

**NPU-Action: Motion to approve conditioned on the condition package as modified in our description and with the addition of construction access via the Manse property and not the church property. 47 in favor – 4 opposed, the motion carries.**

**Z-16-080                      2059 Manchester St NE**  
Applicant seeks rezoning from I-1 C to MR-4B  
Zoning Committee Recommendation: Approve

MLPA Report: Defer to May – applicant has changed site plan and will require additional variances

### **CD/HR Committee Land Use Amendment (Vote Required)**

**CDP-17-04    2059 and 2067 Manchester Street NE**  
An ordinance to amend the Land Use element of the 2016 Atlanta Comprehensive Development Plan (CDP) to redesignate property located at 2059 and 2067 Manchester Street NE from the Low Density Commercial land use designation to the High Density Residential land use designation and for other purposes (Z- 16-080). Proposing adding 9 additional homes, remove dilapidated building

Comments: The CDP change has been requested by the city to align the actual use of the property with the CDP Land Use.

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## NEIGHBORHOOD PLANNING UNIT - F

MLPA vote to approve Z-16-080 and CDP -17-04, conditioned on site plan January 7, 2017. 9 in favor, 1 abstention, Motion carries.

**NPU-Action: Motion to approve Z-16-080 and CDP-17-04, conditioned on the site plan dated January 7, 2017, carries on voice vote.**

| <b>Special Events</b><br>(Vote Required) |  |  |
|--|--|--|
| Neighborhood Jazz Concert                | Sydney Marcus Park - May 6, 2017, 2-6pm<br>Class E/300 Participants                | <p><b>Comments:</b> Hosted by office of cultural affairs and Council Member Wan. There will be no road closures, amplified sound only from 2-6 pm. No alcohol: Dogs on Wheels and King of Pops, APD security, toilette available. ATLFestivals.com</p> <p><b>NPU Action: Motion to support carries on voice vote.</b></p>  |
| Atlanta Jazz Festival                    | Piedmont Park - May 26-28, 2017<br>Class A/125,000 Participants                    | <p><b>Comments:</b> Load in May 24, event and cleanup will be complete by end of day May 30. 10<sup>th</sup> street and bike lane will be kept open, only periodically blocked for loading. Partnering with ATL bicycle coalition and Lyft, Parking Panda, people can reserve parking ahead of time. Will check with Marta to see if they are increasing service. Chris Clark running security. Friday: 6-11pm<br/>Sat &amp; Sun: 6-11pm</p> <p><b>NPU Action: Motion to support carries, 1 in opposition.</b></p> |
| Celebration of Summer                    | Sydney Marcus Park - May 20, 2017<br>Class E/800 Participants                      | <p><b>Comments:</b> Morningside security patrol. Need volunteers, more info found on mlpa.org</p> <p><b>NPU Action: Motion to support carries on voice vote.</b></p>   |
| Virginia-Highland Summerfest             | Virginia Avenue & John Howell Park - June 2-4, 2017<br>Class B/40,000 Participants | <p><b>Comments:</b> Block Virginia Ave starting June 2 for load in, roads clear by Sunday evening. Chris Clark managing security. Working on permit from the city, same setup as past, Summerfest for kids will be on Arcadia, food, art and music. ATL Bike coalition, doing bike valet in field of dreams.</p> <p><b>NPU Action: Motion to support carries on voice vote</b></p>   |
| AJC Peachtree Road Race                  | Piedmont Park - July 4, 2017<br>Class A & Assembly/60,000 Participants             | <p><b>Comments:</b> 48<sup>th</sup> year, start Lenox Mall head down Peachtree. Same plan as the past.</p> <p><b>NPU Action: Motion to support carries on voice vote</b></p>   |



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|  |   |   |
|--|---|---|
| Atlanta Autoimmune Walk<br>2017<br>Sent confirmation | Piedmont Park - September<br>23, 2017<br>Class E/200 Participants                             | <b>Comments:</b> Removed from Consent Agenda<br>(applicant not present)<br><br><b>NPU Action: Defer</b>   |
| Festival Peachtree Latino<br>2017<br>CONFIRMED       | Piedmont Park - August 27,<br>2017<br>Class C/15,000 Participants                             | <b>Comments:</b> APPLICANT NOT PRESENT<br><br><b>NPU Action: Defer</b>  |
| Atlanta Food & Wine                                  | Piedmont Park - June 2-4,<br>2017<br>Gated Event/2,700 Daily<br>Attendance                    | <b>Comments:</b> 7 <sup>th</sup> year, 2 <sup>nd</sup> one in Piedmont Park.<br>Friday 7:30-10:30/Sat 6-9pm/Sun 1:30-4:30pm.<br>No amplified music or stage. Loews is host<br>hotel. Encourage public transportation. 21+<br>event.<br><b>Advanced ticket purchase required.</b><br><b>NPU Action: Motion to support carries on<br/>voice vote, 2 opposed.</b>  |
| Atlanta Moon Ride<br>Sent confirmation               | Piedmont Park & Various<br>Streets - June 9, 2017<br>Class D & Assembly/5,029<br>Participants | <b>Comments:</b> APPLICANT NOT PRESENT<br><br><b>NPU Action: Defer</b>  |
| Strong 4 Life Superhero Sprint                       | Piedmont Park - June 3,<br>2017<br>Class D/3,000 Participants                                 | <b>Comments:</b> For CHOA to support youth<br>fitness. 5K goes around park starts (about 1500<br>runners) at 9am, 2k entirely in the park, road<br>closures on Monroe. Total rolling closures for<br>about 1.5 hours, rolling closure from 10 <sup>th</sup> street<br>to Myrtle. Timed race. Soft music all in the<br>park, activities end at 11am. 35 officers to<br>direct traffic. Captain Tim Muling is police<br>officer. Put out real estate signs 2-3 weeks<br>before event to inform residents.<br><br><b>NPU Action: Motion to support carries on<br/>voice vote, 7 opposed.</b> |

### Board of Zoning Adjustment (BZA) (Vote Required)

#### V-16-322 1835 Piedmont A Rd NE

Applicant seeks a Special Exception from the Zoning ordinance to (1) reduce the required on-site parking spaces from 65 spaces to 46 spaces; (2) A special exception to reduce the required loading spaces from two 12'X35" spaces to 0 spaces. To allow construction of a mixed-use building containing multifamily and restaurant use on the C-2 portion of property. Note: required parking has been increased to 92 spaces which includes parking for outside seating.

#### CONDITIONS FOR V-16-322

1. Lights on both levels of the deck at 1835 Piedmont will be screened by installation of slats to cover parking deck openings as indicated in Exhibit A.
2. A wooden fence as depicted on Exhibit Band landscaping as indicated on the plan attached as Exhibit C will be installed to screen headlights from the drive between the 1835 and 1845 buildings.
3. The applicant will work with the City to prohibit left turns exiting from the unsignalized driveway between the 1835 and 1845 buildings as requested by the MLPA.
4. No parking of delivery trucks will be allowed on Piedmont.\*
5. The hours of operation for the restaurant will be limited to between 6:30 a.m. and 12:30 a.m.

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6. Complimentary valet parking will be provided throughout all days and hours of restaurant operation.\*
7. Forty six parking spaces shall be designated and available to the valet operation in the Phase 1 deck of the Mill Creek Modera Morningside project at 1845 Piedmont.
8. No amplified or live music will be allowed in the restaurant interior which is audible beyond such area and no amplified or live music will be allowed in any outdoor seating area, although background music not audible beyond such seating area will be allowed.\*
9. All outdoors seating areas shall close at 11:00 pm.\*
10. Ceiling lighting in the open corridors on the north side of the building will be shielded other than in a downward direction and the bulbs utilized shall not illuminate the corridor more than required by NFPA Life Safety Code 2012.
11. The existing sound baffle on Phase 1 shall be removed.

\*These provisions to be included in lease so that Mill Creek may enforce them against the tenant.

MLPA Report: Motion to support subject to conditions 9 yes, 1 no.

PHCA Report: PHCA voted to support with all the conditions. The vote was 15 yes and 1 no.

Comments: Referred to MLPA for additional comments

**NPU-Action: Motion to support subject to conditions carries on voice vote, with 3 voting against**

### **V-17-057                      1361 Greenland Dr NE**

Applicant seeks a variance from the Zoning regulation to reduce the required north side yard setback from 7 feet to 4.6 feet for an addition (Shed).

MLPA Report: Motion to support 9-0-0

Comments: No comments

**NPU-Action: Motion to recommend approval carries on voice vote.**

### **V-17-060                      972 Cumberland Rd NE**

Applicant seeks a variance from the Zoning regulations to reduce the required east side yard setback from 7 feet to 3 feet to erect an accessory structure. Also, applicant seeks a variance to allow an accessory structure to exceed 30% of the floor area of the main house to 48% of the main structure. Has modified the structure to make it one room instead of two.

MLPA Report: Motion to deny 7-1-1. Concern is existing house is rented, because owner is overseas, concern structure could be used as rental unit.

Comments: Neighbors across the street, in support. The owners have 2 kids, and are in Africa on assignment for 2 years and will come back and add to the house, this is the smallest house on the lot.

**NPU-Action: Motion to recommend denial fails with 3 voting in favor and a majority, opposed to denial. Motion to approve variance request conditioned on elevation in plans dated April 11, 2017. Motion carries, 1 opposed.**

### **V-17-066                      1069 Cumberland Rd NE**

Applicant seeks a variance from the Zoning regulation: to reduce the required west side yards from 15 feet to 4 feet to erect an accessory structure (garage/office studio). Removed bath tub and raised windows, surface at 50.

MLPA Report: 9 in favor, 0 against conditioned on revised site plans conditioned 4-17-17.

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Comments: Rear yard neighbor was concerned about privacy, important that we watch the buildings that are being built in the setback, neighbor here to support.

**NPU-Action** Motion to recommend approval carries on voice vote.

### **V-17-067**                      **1062 Rosewood Dr NE**

Applicant seeks a variance from the Zoning regulations to reduce the required west side yard setback from 7 feet to 3 feet to construct an accessory structure (carport).

**VHCA Report:** Applicant Mark Arnold on behalf of owner Colleen (and Chris) McDaid seeks a reduction in the west side yard setback from 7' to 3' to accommodate a new detached accessory structure (a single-story, 1-car carport) along the western property line of this address. The lot is narrow (49') and deep. The proposed site plan will reduce lot coverage from the current 57% to 51.1%. A site visit on March 31, 2017, (Bullock, Carlisle, Loudis, Skopczynski, White) indicated minimal tree impacts and storm water concerns; the proposed ground disturbance appears to be less than 1000 square feet. Neighbors have been notified through personal contact and follow-up USPS service. At its meeting on 4-5, the Planning Committee approved the application as originally presented. Two days later, next-door neighbor Helen Coale (1058 Rosewood, immediately to the west) wrote to say that she had been out of town during the Planning Meeting and was concerned about the proposed carport impinging on the line of sight from her breakfast room. (She had additional points, some of them derived from a hasty reading of the site plan; they were resolved.)

The applicant and the owners met with Ms. Coale on April 10<sup>th</sup> and offered to reduce the height of the carport by one foot, shorten its length by the same amount, and move it another foot to the rear of the property. A large tree behind the proposed location is a limiting factor in further adjustment. These modifications were accepted by Ms. Coale, who expressed her support for the application at the VHCA meeting on 4-10-17. A site plan with these revisions and limitations was available at that meeting and a signed copy was provided to the Planning Committee. The applicant agreed to file an identical version with the city before the NPU-F meeting on 4-17; The VHCA Board unanimously approved the revised concept, based on the filing of that new site described. That was done on 4-13-17. The applicant understands that the neighbor's support and VHCA's motion reflect a specific desire that BZA approve the application conditioned on the new design and that a motion to that end will be sought at the NPU meeting.

Comments:

**NPU-Action:** Motion to support based on revised plan dated 4-13-17, carries on voice vote.

### **V-17-069**                      **691 East Morningside Dr NE**

Applicant seeks a variance from the Zoning regulations: to reduce the required eastern side yard from 7 feet to 3.2 feet to construct an accessory structure.

**MLPA Report:** Motion to approve 10-0-0

Comments:

**NPU-Action:** Motion to recommend approval carries on voice vote.

### **V-17-077**                      **1085 Monroe Drive NE**

Applicant seeks a variance from the zoning regulations to reduce the required: south side yard setback from 7 feet to 3 feet and reduce the required rear yard setback from 15 feet to 5 feet to construct a detached garage addition to a single family non-conforming structure.

# MEETING MINUTES

## NEIGHBORHOOD PLANNING UNIT - F

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**VHCA Report:** Applicant Adam Stillman (on behalf of owner Joshua Zane) seeks a reduction in the south side yard setback from 7' to 3' and the rear yard setback from 15' to 5' to accommodate a new detached accessory structure (a single-story, 2-car garage) in the right rear portion of this address. The lot is narrow (50') and deep (160') and already 63%, partially due to a significant gravel cover in the back rear third. The proposed site plan contemplates the removal of much of this gravel and will decrease lot coverage to just over 60%. The driveway will be slightly widened on both sides of an existing porte-cochere. An existing restraining wall near the sidewalk will be removed to improve sight lines and accommodate a wider driveway apron that conforms to the modern code.

A site visit on March 31, 2017 (Bullock, Carlisle, Loudis, Skopczynski, White) I noted that one tree in the northeast corner of the backyard will be removed and compensation paid. The applicant asserts that the defined area of disturbance addressed by the storm water ordinance is less than 1000 s.f., thus exempting the applicant from its requirements. The Planning Committee does not agree and asked Mr. Zane to consider including a rain garden (or equivalent feature) near his northern neighbors' property line, where the topography will convey runoff. Such a design would in any case greatly reduce runoff onto the neighbors' property and preclude any need for a redesign should the City's Building Department affirm the committee's assessment, as we believe they will. The committee also pointed out to Mr. Zane that this issue was not required by law at this stage and that he was not obligated to take such action. Mr. Zane agreed to discuss the issue with Mr. Stillman. At the Planning Committee meeting, the applicants affirmed their intention of meeting the standards of the code; pervious pavers are being considered. The appropriate neighbors have been properly notified. Due to atypical property lines, there are only two in the rear. The Planning Committee unanimously recommended approval.

Comments: Received letter of support from neighbor in the back. VHCA support.

**NPU-Action: Motion to recommend approval carries on voice vote.**

### **V-17-078                      1069 Rosedale Road NE**

Applicant seeks a variance from the Zoning regulations to reduce the required: west site yard setback from 7 feet to 3 feet and reduce the required rear yard setback from 15 feet to 3 feet to construct a detached garage addition to a single family non-conforming structure.

**VHCA Report:** Applicant Adam Stillman on behalf of owners Whit and Laura Johnson seeks a reduction in the west side yard setback from 7' to 3' to accommodate a new detached accessory structure (a single-story, 1-car garage) at the back half of this address. The lot is narrow (50') and deep (160'). The proposed site plan will increase lot coverage from the current 45.2% to 48.9% but is still below the maximum for R-4 (50%).

A site visit on March 31, 2017, (Bullock, Carlisle, Loudis, Skopczynski, White) indicated minimal tree impacts and storm water concerns. These impacts are in accordance with traditional changes for such a project and proposed ground disturbance is less than 1000 square feet. Neighbors have been notified, including the condo board president for the property directly south of this address. The Planning Committee and VHCA Board unanimously recommend approval.

Comments:

**NPU-Action: Motion to recommend approval carries on voice vote.**

### **Text Amendment (Vote Required)**

#### **Z-16-011**

# MEETING MINUTES

## NEIGHBORHOOD PLANNING UNIT - F

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An Ordinance by Zoning Committee to create chapter 16A I-Mix (Industrial Mixed Use) Zoning District.

Comments:

**NPU-Action: Deny without prejudice, NPU does not have enough information to make a recommendation.**

### Z-17-16

An Ordinance to amend the O-1 (Office Institutional), C-3 (Commercial Residential), I-1 (Light Industrial), I-2 (Heavy Industrial) and MRC (Mixed Residential Commercial) Zoning District regulations to prohibit storage facilities on property within said Districts when such property is also within the Beltline Overlay District; and for other purposes.

Comments: Prohibit storage facilities on property zoned with Beltline Overlay – could we address the fact that this pushes the storage facilities to other neighborhoods. This is a city-wide issue. Need some distance and quantity limitations on storage units other than just in the beltline.

**NPU-Action: Motion to approve and provide additional comments on the problem. 2 opposed.**

9. Old Business
10. New Business
11. Adjournment

**The meeting adjourned at 9:32 pm.**