

NEIGHBORHOOD PLANNING UNIT - F

DATE: **Monday, December 19 2016**
TIME: **7:00 P.M.**
LOCATION: **Hillside Facility**
1301 Monroe Dr, N.E.

INFORMATION CONTACTS:

Debbie Skopczynski, Chairperson chair@npufatlanta.org or (404) 874-7483
Charletta Wilson Jacks, Director cjacks@atlanta.ga.gov or (404) 330-6145
Doug Young, Planner dyoung@atlantaga.gov or (404)-330-6702
Tanya C. Mitchell, NPU Coordinator tcmitchell@atlanta.ga.gov or (404)330-6899

AGENDA

Note: Minutes amended at January 16, 2017 NPU meeting (red highlights)

1. Welcome/Opening Remarks/Introductions/Announcements

7:04 meeting commenced

NPU Chair made a motion to adjust the agenda: To add Zoning designation and land use designation for 607 Kimberly Lane, (Edmund park neighborhood) and to move V-16-301 to beginning of agenda so applicant can attend neighborhood association meeting.

Motion to approve agenda change carries on voice vote.

2. Approval of Minutes

NPU-F: Motion to approve November 2016 minutes carries on voice vote.

3. Calendar Announcements

None

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, Capt. McGee; Zone 2 - Major Hobbs, Capt. Steeds
Zone 2

Major Hobbs will no longer be supporting NPU-F as of Jan. 2; he will depart us after 5 years. Major Shaw will be our new commander and will be coming to meetings. Major Hobbs thanks everyone for our support.
Current Issues in Zone 2:

- Auto theft: There were 16 cars stolen in the zone, 13 had keys in them and were running. 1 was a golf cart stolen from this area and juvenile who stole it was caught.
- Car Break-Ins: There has been a big uptake in Car break-ins, in zone 2 and 5, over 30 cars in the last month, with the majority in zone 5, one car in particular that was used for another car break-in was stolen from gas station because the owner left it running with the keys in it.
- The Clean car campaign is very important right now.
- Burglary is up this time of year, protect even what you have in your house, set your alarms, keep your car clean, don't leave car with key running.

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Question/Comments:

Lindbergh before Gold Room, noticed police tape before the tracks know of any crime committed there?

Officer Hobbs: Unfortunately, a woman died there from a drug overdose, it was on MARTA property, homeless camp in there. Officers are now equipped with Narcan devices, if they see someone overdose on heroin they can administer Narcan to reverse the effect of the Heroin.

Zone 6 – Major Gordon

- There were 7 package thefts last week, Major Gordon advised people to ship packages to your work or friends house who you know are home.
- Burglary lately in commercial areas, 6 hits at one location off Ponce Place, all in one building with separate suites, luckily only 1 business lost a laptop of the 6 businesses. A couple of businesses on N. Highland have been broken into as well.
- Vehicle break ins are occurring when they see a purse, laptop, backpack in cars – resulting in breaking window when see something there.

Questions/Comments: Where was the Ponce place biz over on beltline side?

Near Georgia Power center, 695 Pylant. 1186 N. highland was the other one; it's a pet foods center.

- MARTA police - Major Nelvette Easterling, Lt. Chapman, North Precinct
 - Sgt Lewis: Encourages you to download the See/Say app, it's free, see something and radio dispatch will send someone out.
 - Parking Lenox and Perimeter, if you buy something don't leave it visible, if you are going to go back in the mall at least move your car first.
- Fulton County Community Prosecutor - Zone 2 - Brendan Dougherty; Zone 6 - Keith Lamar Jr; Court Watch Coordinator – Danielle Simpson
- Bureau of Housing and Code Compliance –
 - Officer Edwards: 12 property maintenance calls, no other updates
- City Solicitor's Officer - Ryan Williams
- Department of Parks, Recreation, and Cultural Affairs - Amy Phoung, Interim Commissioner; Quentin Moore, Parks District Maintenance Supervisor Northeast District; Salima Rashied, PPC; PPC CEO Yvette Bowden
- Bureau of Public Works, Solid Waste Services –
- Department of Watershed Management – Rolani Olagbegi, rolagbeni@atlanta.ga.gov

5. Comments from Elected Officials

- State House of Representatives - Rep. Pat Gardner

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- Councilmember District 6 - Alex Wan

Alex Wan, City District 6

- Thank you supporting MARTA Sales tax, we will begin renegotiating an MOU with MARTA during the first quarter of year.
- TSPLOST is getting under way in conjunction with Renew Atlanta.
- Heads up: Jan 26 was next Complete Streets meeting, however Midtown Neighborhood Association annual meeting is the same night, so we likely have to reschedule the Complete Streets meeting. During this meeting the department will present options for input and feedback for the Monroe corridor.
- As you may know the city council has been debating putting all city financial transactions online, Alex completely supports every right for citizens to know how the money is spent and full transparency. This came up to vote last city council meeting, Ms. Moore did not get a second to move it forward, because a cost estimate has not provided for the software implementation; we hope to get this in January and to vote to move it forward. This was Alex's reason for his non-vote of support on this issue. He is in favor of transparency and thinks this is a very important issue.
- New City Council Committee chairs have been selected and announced. Alex will serve on Finance /Executive, Zoning committees and he will be chair of City Utilities, tackling water and watershed, solid waste, trash pickup starting next month.
- Questions/Comments:
 - Cost for software for transparency will be worth it, it is fair for you to wait for cost.
 - Can you push Lenox Rd. up for repaving with Renew ATL?
Lenox: Renew Atlanta money will be used to repave Lenox Rd from split to Cheshire Bridge. and to do some traffic calming, (not speed tables/bumps), design will be decided, implementation is planned to start mid-summer.
 - Piedmont & Montgomery Ferry and Pelham & Rock Springs roundabout: TSPLOST has money for those intersections as well for traffic calming measures.
- Atlanta City Council Posts: Michael Julian Bond (Post 1) ; Mary Norwood (Post 2); Andre Dickens (Post 3)
- Atlanta City Council President - Ceasar Mitchell
- Fulton County Commission - Fulton County Commission - Lee Morris, District 3; Marvin Arrington Jr., District 5; Ivory Roberson, Commissioner Arrington's community engagement officer; ivory.roberson@fultoncountygov.gov, 404.613.0203

6. Presentations None

7. Planner's Report- Doug Young (In attendance every other month)

- NPU- F Planner annexation request, 607 Kimberly Lane in Edmond Park, one parcel one house lot request to bring lot in to R5 Zone, low density residential zoning category, which would be consistent with land use in that part of the city. This is at the request of the owner
- Vote: Land use & Zoning and can provide comments on annexation
- Question/Comments
 - How wide is R5? Answer: 50Ft width required

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- What about parcel with adjacency to Kimberly Lane, 4 properties not in shade not affected, Northwest are townhomes, SE old bldg. now apt/condo, street goes around Rock Springs Circle.
- Motion to support land use designation to low density residential carries on voice vote.
- Motion to support changing zoning to R5 carries on voice vote.
- Doug Young is lead staff for city of ATL urban design. Request for nominations for annual Awards of Excellence, now in its 40th year, will add some additional components this year, we will hear more about it in January.

8. Neighborhood and Committee Reports

- Lindridge-Martin Manor Neighborhood Association – Kevin McBride, President; Rich Sussman, NPU Rep and Zoning Chair
NO REPORT
- Morningside-Lenox Park Association – Sally Bayless President; TBD, Neighborhood Rep; John Ayers, Zoning
NO REPORT
- Piedmont Heights Civic Association – Baron Jordan, President; Jean Johnson and Tim Berube, Neighborhood Reps
NO REPORT
- Virginia-Highland Civic Association (VHCA) –Jenifer Keenan, President; Lola Carlisle, Representative; Jack White, Zoning
Fire house #19 restoration remains on schedule
- Virginia-Highland Business Association (VHBA) –Lynn DeWitt and Kristi Warren Evans, Reps.
NO REPORT
- Edmund Park - Tony Gonzales and Brett Merrill, Neighborhood Reps
NO REPORT
- Public Safety Committee – Jim Hardy
NO REPORT
- Parks, Trees & Environment Committee – Jack White and Rich Sussman
NO REPORT
- Education Committee - Abby Martin
NO REPORT
- Chair Report - Debbie Skopczynski
 - Reminder -- Effective January 1, new bylaw provision goes into effect, which defines how NPU recognizes business participation in the NPU for voting purposes.
 - Please check the NPU website make sure your meeting time and officers are correct.
 - APAB – Annual neighborhood matters celebration was held last Saturday, Jean Johnson was recognized for 30 years of service as NPU-F rep, we will more formally recognize her in January. Congratulations!

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- **Congratulations also to Jori Mendel, NPU-F Secretary, and Kay Stephenson, VHCA Board VP, for their selection to participate in the inaugural class of The Community Leadership Institute of Atlanta.** This is a collaborative program between the University Of Georgia Carl Vinson Institute Of Government and the City of Atlanta.

9. Matters of Voting

Consent Agenda:

Consent Agenda Zoning Applications:

V-16-277 -- 853 Adair Avenue NE

Applicant seeks a variance from the zoning regulation to reduce the required side yard setback from 7 feet to 0.5 feet in order to erect an accessory structure (pergola)

VHCA Recommendation: Defer a second time for an additional month at the request of the applicant.

V-16-300 - 626 Cresthill Ave NE

Applicant seeks a variance from the zoning regulation to reduce the west side yard setback from the required 7 feet to 3 feet and the required rear yard setback from 15 feet to 3 feet in order to allow for the construction of a detached accessory structure (2-story, 2-card garage). Applicant also seeks a variance to exceed the maximum floor area of an accessory structure from 30% to 56%.

VHCA: The applicant sought to remove an existing a grandfathered non-conforming garage set on (or across) the zero lot lines on the side and rear northwestern corner of the lot and build a brand new taller two-story garage set 3' off the rear and sideyard setbacks. One of the applicant's goals was to preserve and reuse the pre-existing impervious coverage of approximately 65%. (On a site visit, the committee observed that some existing bricked areas had not been included in the original calculation. The actual impervious percentage appears higher than calculated.)

The VHCA Planning Committee noted that the city had frequently (but not uniformly) found that the total removal of a legal nonconforming structure (including the foundation, as contemplated here) forfeited any grandfathering of that structure's >50% lot coverage. A new >50% lot coverage variance would necessitate a plan to capture the total amount of additional storm water, if such a variance were granted at all.

While inquiries on this point from the applicant and committee were pending with the city, the applicant circulated his proposed plans to adjacent neighbors. Two of them to the rear notified the applicant of their objections, citing the loss of air and light and the presence of a 20'-high structure inside the setback near their property lines. They asked that he move the new garage forward toward the applicant's own house.

Facing the neighbors' objections, the applicant withdrew the application. VHCA Recommendation: Application withdrawn.

V-16-305 1692 North Pelham Rd NE

Applicant seeks a variance from the zoning regulation to reduce the required front yard setback from 35 feet to 30 feet for a second addition to the dwelling.

MLPA Recommendation: Approve

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V-16-310 1008 Courtenay Drive NE

(Removed from the consent agenda because request published on meeting agenda was incorrect)

Motion to approve consent agenda (with V-16-310 removed) carries on a voice vote.

License Review Board (LRB) (NPU-F Vote Required)

BP Food Mart, 2320 Cheshire Bridge Road Amjad Nayani Change of Agent

Amjad Nyani, the applicant seeks a license to sell retail packaged beer and wine, due to change of ownership of BP Food Mart, a 24/7 retail gas/food store at 2329 Cheshire Bridge Road. The applicant has no previous violations and worked in Norcross in a similar store.

Question/Comments: You indicated you and or member of family holds alcohol license, where and how many? One at 1161 Ponce De Leon and this would be second in city of ATL; our liquor store is in DeKalb not in ATL. We plan to open tomorrow at 10am.

Motion to approve change of ownership application carries on a voice vote.

Zoning Matters (BZA, ZRB, CDP)

V-16-301, 2161 Piedmont Rd NE

Applicant seeks a special exception to reduce the required on-site parking of 80 to 66 parking spaces to allow for an additional commercial building. Applicant proposes adding an 800 sq. ft. addition to the building for additional warehouse space. Applicant has received signatures from adjacent property owners such as Good Will. The board inquired about parking concerns during busy times and the applicant has officers there at busy times and has changed the flow of parking lot to mitigate traffic flow on street.

Linridge Martin Manor, 8-0 board voted to support this

Motion to recommend approval of parking reduction carries on a voice vote.

V-16-282, 2089 Lenox Rd NE

Applicant seeks a variance from the zoning ordinance to allow for a parking pad in the required front yard to exceed maximum driveway width from 20 to 25 feet and coverage to more than 1/3 of required front yard.

NOTE: Referral certificate was amended on 11/16/16 to read: Applicant seeks a variance from the zoning ordinance to (1) allow a parking pad in the required front yard; (2) to exceed the maximum driveway width from 20 feet to 40 feet; and, (3) and to thereby exceed more than 1/3 coverage of the required front yard with a driveway and parking pad to occupy 60 percent of the required front yard.

Applicant presented what they have done since the last meeting to address questions that were raised:

- The Applicants ask is to build a parking pad so an individual can make a turn and go out front wise in to street.
- Applicant has met with zoning committee: amended the site plan, shown flow well to address need for more control release of drainage on property, looking at installing pervious pavers, look at retaining wall on southern boundary with retaining fence to allow for more privacy on that side.
- The proposed parking pad allow for use of 2 cars, 1 additional car could park if you come straight up driveway, reality that car would have to move for others to have to get out of space
- North side to line up with front landing, 4ft fence on top of retaining feature in front, shrubs and planning in front yard, in front of 4ft fence to beautify, not to block view when come in driveway, not

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encroach on tree in southwest part of land, if property owner agreeable would plant some rose bushes for visual improvement, removal of English ivy replace with Asiatic jasmine agreeable to that as well

- Shape size topography of land R-4: min 9,000 sq. ft. lot, this lot has 6800 sq. ft. footage, shape and size of parcel has been impacted, look at handout unlike other lots has incline between street and house, anyone coming off this has to back on to Lenox Road. Lots on West side: number of those homeowners have circular driveways so they don't have to back out – cannot achieve that on this lot
- Historic lot: property owner asking for same set up as adjacent property

Opposition: Dianne Barfield 2083 Lenox Road (representing next door neighbor)

- Still haven't seen a revised site plan, need something drawn to scale, so can complete evaluation
- Can take exception for hardship, however this is not hardship; this is for tenants renting and exceeds minimum requirement, R-4 only requires you to have 2 parking spots.
- Previous citation: Building permit issued to bring property to code, so what is on property is not what was part of plan, domino effect what going on property.
- Privacy fence not required needs separate application, proposal has a lot of moving parts
- Recommend we step back look at proposed plan, what is consistent with code, what needs to be asked for and go from there
- Opposition has not seen final plan
- Some suggestions on proposal have merit

Is the Applicant willing to accept another deferral? Applicant asked opposition for opportunity to meet with them and she was turned down, but they now have until Jan 5, review site plan and get together to discuss.

Applicant will accept deferral.

- Motion to defer application so opposition can review full site plan carries.

V-16-308, 863 Berkshire Rd NE

Applicant seeks a variance to reduce required eastern side setback from 7 feet to 2 feet for a second story addition to the garage. Applicant seeks approval to turn existing car garage space into an office and storage space. This would not require a change to the footprint, 16 ft 1 in 20 ft 8 inches. There is no plumbing and applicant would have finished area on top of existing structure, applicant has a letter of support from neighbor who is directly impacted all other neighbors support.

- MLPA voted to support.
- Motion to recommend approval carries on a voice vote.

V-16-310, 1008 Courtenay Dr.

Applicant seeks a variance to reduce east side yard setback from 7 feet to 5 feet for a renovation of an existing house, will use the existing foundation over front and right building line. Applicant will add a second floor on top of existing structure, renovate the home and strip it down to studs, and add single car garage in the back. No change in the footprint. Note: Referral certificate was amended to include reduction of required front yard building setback from 35 feet to 31 feet.

Motion to recommend approval of variance reduction request carries on a voice vote.

V-16-317 825 Kings Court NE

Applicant seeks a variance to reduce the front yard setback from 30 to 23 feet and reduce required east side yard setback from 7ft to 3ft. The side of house is already encroaching in setback. There is a detached carport on the back right of the property, applicant will remove that and the driveway that connects - add attached single story garage, and renovate the entire house.

Motion to recommend approval of variance reduction request carries on a voice vote.

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V-16-320 1165 Monroe Dr.

Applicant seeks a variance from the zoning regulations to reduce the north sideyard setback from 7 feet to 5 feet to allow for 2nd story addition to single-family dwelling.

VHCA: Applicant wishes to build second floor within existing footprint of single-family dwelling unit, request is to build 6 inches in to setback, and potentially bump out 2ft. This has been met with resistance from the VHCA board, because the request is for 2ft when all the applicant has plans for is 6 inches into the setback. Applicant's rationale for application is to allow for construction contingencies, also the main floor has stucco, and the second floor will be done with siding, concern that siding on bump out could be against coding, especially as it might impact the overhang with 6 inch gutter.

- Bump 6 inches in the right corner, never been asked for 1.5 ft. setback for contingency purposes on second floor this has never been done before. Applicant said we are not building out the bump out. VHCA board approved setback for 6 inches, board rejected additional feet that applicant doesn't need.
- VHCA Planning committee: Motion to Approve: 6 inch needs to build in footprint, but deny additional provisional setbacks
- Applicant: No opposition in neighborhood, neighbors okay
- VHCA Board: After discussion, the applicant declined an offer to change the request to 6.5', and the VHCA Board voted unanimously to recommend denial to NPU on the request to reduce the north sideyard setback to 5'.

Questions/Comments:

- Unusual got a referral certificate that allowed this, but plan filed is to build on existing footprint of house, ½ foot in to setback. Closest distance to house is 5ft 2 inches, why can't you put siding there? Applicant: because it would protrude in to the setback, grandfathered for stucco, not siding.
- In the referral certificate with zoning staff did siding come up there? Applicant: Yes, was at zoning Thursday, talked to Scott
- New concern applicant might want to put HVAC unit in requested space? Challenge is we are being asked to approve greater variance than needed, creates bad process, issue for neighborhood

Question for Planner Could NPU condition on 6 inches and planning would accept a condition like that, maybe condition on site plan? Yes it is possible to condition on site plan.

FINAL MOTION: Motion to approve V-16-320 conditioned on reduction in north side yard set back from 7ft to 6.5 ft to allow for second story addition to single family dwelling as reflected on the site plans, date stamped 12-8-16. NPU acknowledges that applicant may match the siding on the second story addition on the existing first floor and further acknowledges that NPU has no opposition, carries on a voice vote.

Zoning Review Board (ZRB) (NPU-F Vote Required)

Z-16-079 and Z-16-080 1824 Piedmont Ave NE and 2059 Manchester St NE (one applicant two projects).

There is one applicant, Hedgewood Homes applying for two projects. Request to defer to next NPU meeting.

Motion to approve deferral to next NPU meeting in January. Motion carries.

Discussion: zoning committee will get together, but applicant needs to detach the applications, need another deferral for Rock Springs. Rock Springs proposes selling off some of property to a developer to build detached town homes, to rezone to medium density, and they want to get the church permanently historically designated.

10. Old Business - None

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11. New Business - None

**12. Adjournment:
8:40pm meeting adjourned**