

**WHEN:** Monday, July 20, 2009

**TIME:** 7:00 P.M.

**WHERE:** Hillside Facility  
1301 Monroe Dr, N.E.

**SPONSORS:** NPU-F and the Bureau of Planning

**FOR FURTHER INFORMATION CONTACT:**

Dianne Olansky, Chairperson (404) 885-9846

Jane Rawlings, Vice Chairperson (404) 315-8408

Jenifer Keenan, Secretary (404) 881-4398

Charletta Wilson Jacks, Director (404) 330-6145

Wendy Scruggs-Murray NPU/Citizen Participation Coordinator (404) 330-6899

Doug Young, Planner (404) 330-6702

## AGENDA

1. Welcome and introduction of guests
2. Announcements :

**Watering Schedule—Odd numbered addresses can water on Tues. Thurs. Sun.**

**Even numbered and unnumbered on Mon, Wed, Sat**

**City of Atlanta residents urged to not water 10a.m-4pm. Irrigation meters can be bought from city. This bills for water only for irrigation and not the sewer charge. Call 404-330-6091.**

**COA and Fulton Co celebrates Family Days at Zoon Atlanta. Aug 8 & 9 residents get in free. Driver's license is valid ID**

### 3. Reports by City Representatives (Fire, Police, Council Members, etc.)

- **Atlanta Fire Department – Station 19 North Highland Station 29**

Capt Hill 3<sup>rd</sup> Battalion, Station #15: furloughs lifted. Stations 23 and truck 12 reopened. Brown outs still possible secondary to staffing shortages; AFD engaged in hiring extravaganza until July 31<sup>st</sup>; July 23 debate at Georgia State Auditorium for mayoral campaigns; Insurance rating has increased to 3 (from 4) because of staffing improvements; Kelvin Cochran leaving for DC approx Sept 2009.

Q: Amsterdam blockages from Loca Luna Club (cars and people) on Saturday nights typically around 2:00 am

A: night inspection will be planned to assess for possible overcrowding

- **Zone 6 Police –Major Propes**

Major Propes: BAM compliance check and in compliance at 1540 Monroe: car break ins on the rise; couple of arrests made and tied to recent car break ins in community; arrest on Faulkner as well. Burglaries have decreased. Warrant for Joel Braithwaite breaking into storage units on Monroe. He had 74 prior arrests. 298 citations last week in Zone 6 from SOS; 249 week prior and 9 arrests each week as well. Darwin Caldwell burglary on Piedmont arrest warrant issued.

Q: N. Morningside drug issue

A: APD following and encouraged area residents to contact landlord

Q: Loca Luna street crowding and noise concerns

A: APD will investigate; NPU-F will work toward contacting business owners as well

Q: Shooting at Platinum 21?

A: Actual address was Gold Spa and APD is looking at several clubs. Security guard shot and killed at Gold Spa—APD has strong suspect.

Area business are encouraged to vary routine when going to bank robbery at Wachovia on Virginia

- **Department of Parks, Recreation, and Cultural Affairs** -- Dianne Harnell Cohen-Commissioner, Ken Gillette Director, Salima Rashied PPC, PPC CEO Yvette Bowden

Ken Gillette: Council passed Mayor's Budget so non exempt city employees off furlough. Park staff returning to 9 day cycle of park maintenance; litter control measures more frequent; restore some senior programming and extend hours; now open M-F until 5:00pm. July is parks and recreation month. Encourages agencies to promote outdoor physical activities. Civic Center King Tut exhibit now followed up with American I Am.

Q: Has parks dept moved out of city hall east?

A: No, anticipated move Dec 2009, new location unknown at this time.

Q: Tennis center schedule?

A: Will forward new schedule if requested, only gained 4 hours of additional play time.

- **Bureau of Housing and Code Compliance – not present**

- **Bureau of Public Works, Solid Waste Services – not present**

- **Department of Watershed Management – Diane Badger**

Diane Badger: Drought surcharge portion of rate increase did not pass so there is no drought surcharge at present, only rate increase passed through legislation. DWM sponsoring rain barrel work shop Aug 12, 2009 from 10:00-2:00 near Waterworks Lodge 655 Green Street. \$40 donation requested from attendees which will go to Care and Conserve Program. Contact Yolanda Bozeman 404.546.1262 (lunch included). Outdoor watering guidelines reviewed (see above announcements). Water conservation continues to be encouraged.

**Fulton Co.** Patricia Jackson, Fulton County Dept of Mental Health treatment for adults and children w/ facilities located throughout Fulton County. Department performs assessments and develops treatment plans staffed by LCW and psychiatrists focus on children age 0-8yrs; drug treatment facility on Boulevard and day treatment facilities for people with developmental disabilities. A fee is charged on sliding scale. Information brochures distributed.

Q: Does this replace any services from Grady?

A: No—this is day facilities only, no inpatient care—complementary services to Grady.

- Atlanta City Council – Anne Fauver, District 6 – not present

- H. Lamar Willis assistant Will Sellars—not present

- Mary Norwood assistant Georgia Robert—not present

- Fulton County Commission -- Nancy Boxill, District 6  
Assistant Richard Milliones (Mi Lions)-- not present

4. **Planner's Report-- none**

5. **Committee Reports**

- Lindridge-Martin Manor Neighborhood Association – Jane Rawlings, President, Richard Sussman, Representative – Marty Reynolds, Representative – National Night Out --August 4<sup>th</sup> at Sonny's 5:00-7:00
- Morningside-Lenox Park Association –Leslie Bryan, President -- No report
- Piedmont Heights Civic Association – Chris Bertelson, President – Jean Johnson, Marty Kleinman, Representatives – National Night Out at Morningside Baptist Church, Aug. 4th 7:00pm. Raffling Paul McCartney tickets. DJ, music and Varsity food.
- Virginia-Highland Business Association (VHBA) –Mike Zimmerman, President, Lynn DeWitt and David Burleson reps -- No report
- Virginia-Highland Civic Association (VHCA) –Pamela Papner, President, Rob Glancy, Representative. National Night Out August 4 catered by Whole Foods 6:00-8:00 at John Howell Park
- Traffic and Transportation Committee – Jane Rawlings  
GDOT Open House tentatively for Sept 10, 2009 at Westminster Presbyterian Church
- Public Safety Committee – John Wolfinger  
No report
- Parks and Recreation Committee – Rob Glancy, Rich Sussman  
No report
- Trees Committee – Charlotte Gillis  
No report
- Environment Committee – Jack White  
No report
- APAB - Cary Aiken, Gerry Neumark Alt.  
No report

6. **Old Business – 2009 Atlanta Dogwood Festival report and feedback--- Steve Andrews President  
Not present**

**Room Service Lounge – John Swiney to address neighborhood concerns  
Not present**

7. **New Business – Taste and Tour of Cheshire Bridge July 21, 22, 23 6-10 pm**

**Yuki Takahara from Nakato Restaurant organized this event. 6:00-10:00p.m. The event benefits Project Open Hand. 31 participating businesses on Cheshire Bridge Road that are family friendly. 19 tastings; 12 retail stores conducting raffles and silent auctions \$10.00 for daily ticket; trolley available; tickets on sale at all participating locations. Children 7 and under are free.**

### 8. Presentation(s)

Lisa Borders, City Council President: touring all NPUs after passage of city budget on June 29, 2009. Taxes increased for first time in 7 years. City's 2 revenue streams are property taxes and sales taxes. It is a flawed business model. "2 legs to the stool" Both sources dramatically hit by economy. Zip code 30318 is #1 in foreclosures. 30318 also #1 in mortgage fraud as well. Reassessments have been filed at many properties where owners did not agree with new assessment. Double digit unemployment and people not spending money result in decline in sales revenue. 2002 study indicated COA costs 21% higher than similar jurisdictions in terms of efficiency; 14% higher on spending/capita on employees. Study repeated by Bain in 2009 now shows COA 14% lower than average in terms of efficiency. This is known as a hypercorrection. 2000 employees have been laid off. Violent crime down but property crimes have skyrocketed. City must provide water, trash pick up and public safety. 1 mil= \$18 million taxes were raised to cover \$50 million gap.

Police recruitment: 1700 sworn officers cover pop of 520,000. Retaining is the issue. 272 officers lost last year. Can only graduate 150/year. Pay increase needed; budget \$541 million with \$27 million into reserves.

Peachtree Corridor Task Force: COA cannot afford project. Midtown Alliance partnered with MARTA to perform study and apply for stimulus dollars. Legislation passed today approves only private dollars for that study.

Q: Privatization to save tax dollars?

A: Privatized water had disastrous effects. Profit motive and public good motive not always aligned. It was a bad contract not bad concept. Spoke of possible commuter or payroll taxes.

Q: Festivals back in Piedmont Park and view on festivals in park?

A: Supports concept. Commissioner is intent on keeping PP nice and therefore limit of Class A festivals anticipated to continue.

Q: Pension payments?

A: Large liability that must be paid for past non-payment. City has re-amortized and has new accounting rules mandate that these liabilities be listed on balance sheet. CFO has initiated schedule for re-payment and general employees moved to defined contribution plans as of 1986.

Q: 3<sup>rd</sup> or 4<sup>th</sup> leg of stool?

A: Strengthen tax collections process. Not adequately collecting taxes due. State could approve collect sales tax at point of sale which would benefit cities. Could initiate programs and turn APD training center into regional training center with standardization and revenue generation.

Q: Role of NPUs?

A: Strengthen NPU and structure/accountability

Q: Ruling re: Lake Lanier water supply?

A: COA to engage state; move from litigation to legislation. Georgia as a state has been a poor steward of its water supply.

Q: Formula for distribution of water?

A: Increased cooperation between jurisdictions must be reexamined.

### 9. Liquor License Review

\*\*\*\*\*ADD CVS/pharmacy #4604 to agenda—Agent/Licensee Tim Scarberry (William Still)

**N. Highland location -- Motion made and seconded to add this to tonight's agenda passed unanimously.**

Applicant	Type of Business	Name of Business	Address	Request
Arnaud Michel	Restaurant	Amuse	560 Dutch Valley Road	New Business
Tim Scarberry	pharmacy	CVS #4604	865 N. Highland Ave	Beer, wine sales to existing business

**Armand Michel: Café hours 8:00 am-10:00 pm. Must have vacated premises by midnight per condo association rules; family oriented. Andy Alibaksh is co-owner. 27 spaces required and they have 32/47 w/ valet parking utilized. Seating capacity is 14 at bar and 120 in café proper. Approx 190 including outdoor seating.**

**Motion: to approve**

**NPU-F Action: Unanimous voice vote to approve.**

**Tim Scarberry: 685N. Highland Ave; William Still w/ Troutman Sanders want to offer beer/wine. Site was previously**

a grocery store. The current CVS functions as neighborhood grocery in many ways.

**Motion: to approve**

**NPU-F Action: Unanimous voice vote to approve.**

10. Zoning Matters:

**Board of Zoning Adjustment                      July 9, 2009                      12:00 P.M.**

**V-09-071                      674 & 680 Drewry Street (Deferred at June meeting.)**

Applicant, William Stephenson, seeks a variance from zoning regulation to reduce the transitional east side yard setback from 20 ft. (required) to 3 ft. to erect a new multi-family building. Applicant also seeks a special exception from zoning regulations to increase the maximum on-site parking requirement from 14 spaces to 30 spaces, where otherwise prohibited.

**(REZONING REQUEST –Z-08-38 DEFERRED UNTIL SEPT 2009)**

**History:**

Z-08-038

Applicant Name        John Bencich

Address        674-680 Drewry St. NE

Rezoning Requested        Applicant seeks change in zoning from I-1 to MR-4B.

Amended 02-25-2009: Applicant seeks change in zoning from I-1 to MR-3.

Date Filed        Original: 05-13-2008

Amended 01-09-2009

Amended (presented to Planning Committee) 02-25-2009

VHCA Point-of-Contact        Joe Krebs, 404-874-3958 (c)

VHCA Planning Committee Review        01-28-2009

Amended 02-25-2009

VHCA Board Review        02-02-2009

Amended 03-02-2009

NPU-F Review Date        02-16-2009

Amended 03-16-2009

BZA Hearing Date        TBD

Planning Committee        Planning Committee unanimously (2) recommends approval of the requested rezoning, conditional on development plans presented, signed, and accepted by Planning Committee and the additional agreed plans that at least 50% of surface concrete shown on plans will be pervious material.

Amended 02-25-2009: Planning Committee unanimously (3) recommends approval, conditional on plan view submitted/stamped 02-01-2009, 40 ft. max height, the additional agreed plans that at least 50% of surface concrete shown on plans will be pervious material.

Board Outcome        At request of applicant, motion to defer approved unanimously (8).

As amended 03-25-2009: Motion to approve, straw vote unanimous in favor, board vote unanimous (7) in favor. Amended 05-27-2009:

This application has been deferred, to be heard at a future date.

Conditions (As amended 03-02-2009)

1. plans stamped by the City 2/1/2009
2. 40' maximum height
3. Surface paving using at least 50% pervious material

**NPU ACTION: To defer with unanimous voice vote approved for applicant and neighborhood to continue to talk.**

**V-09-083                      1060 Lanier Boulevard (Deferred at June meeting.)**

Applicant, Douglas Israelite, seeks a variance from zoning regulations to reduce the rear yard setback from 15 ft. (required) to 3 ft. to allow for a detached storage shed addition to an existing single-family house.

**VAHI Action:**  
**Denied without prejudice**

**NPU Action: Motion to deny without prejudice passed with unanimous voice vote.**

**V-09-086                      673 Elkmont Drive**

Applicant, Elizabeth G. Pann, seeks a variance from the zoning ordinance to reduce the required side yard setback from 7 ft. to 6.5 and the required rear yard setback from 15 ft. to 12 ft. to make an addition to a single family resident. Applicant also seeks a variance to exceed the maximum lot coverage from 50% to 53% for this addition.

**VAHI Action:** Motion to recommend approval passed with conditions:

1. Letters of support from 8 contiguous neighbors or proof of best efforts therefore.
2. Removal of concrete along driveway 2' X 50' strip with installation of 10-15 spruce or equivalent trees. New pervious surface calculations to be supplied.
3. Installation of new gutters on back and minimum of 2 45-gallon rainbarrels.

**NPU Action: to approve the side yard setback and rear yard setback reduction with above listed conditions and deny variance to reduce lot coverage from 50-53% as above written conditions will render the lot coverage variance unnecessary.**

**Motion to approve passed by unanimous voice vote.**

**Board of Zoning Adjustment                      August 6, 2009                      12:00 P.M.**

**V-09-091                      655 Cooledge Avenue**

Applicant Steven Brophy / Jina Sanone seek a variance from zoning regulations to reduce the west side yard setback from 7 ft. (required) to 2 ft. for a room addition to an existing single-family house and also reduce the east side yard setback from 7 ft. (required) to 2 ft. and the rear yard setback from 15 ft. (required) to 3 ft. to allow for a detached garage addition.

**VAHI Action:** Motion to recommend approval passed with conditions:

1. Letters of support from 8 contiguous neighbors or proof of best efforts therefore.
2. Relocation of garage 1 ft to west, to result in reduction of side setback to 3 ft.
3. Garage gutter downspouts to discharge to west and installation of a minimum of 2 45-gallon rainbarrels.

**NPU Action:**

**Motion to approve conditioned on above along with standard VAHI garage conditions, limiting electrical to 60 amps, plumbing to hosebib only, maximum height of 16' . Passed unanimously by voice vote.**

**V-09-095                      630 Cumberland Road**

Applicant, Stephen D. Kilgo, seeks a variance from the zoning regulations to reduce the required east side yard setback from 7 ft. to 6 ft. to allow for a screen porch addition to an existing single family dwelling.

**MLPA Action: Approval**

**NPU Action:**

**Approved by unanimous voice vote.**

**Board of Zoning Adjustment                      August 13, 2009                      12:00 P.M.**

**V-09-105                      1015 North Virginia Avenue**

Applicant, Dovetail Craftsman, seeks a variance from the zoning regulations to 1) reduce the required side yard setback from 7 ft. (required) to 1 ft. and 2) to reduce the required rear yard setback from 15 ft. to 7 ft. to allow for the construction of a detached residential accessory structure.

**VAHI Action:**            Motion to recommend approval passed with conditions:

1. Letters of support from 3 rear, 1 NW cross-street, and 2 side neighbors or proof of best efforts therefor.
2. Side 1 ft. variance granted with acquisition of permanent maintenance easement from south side neighbor for access necessary to maintain the garage.
3. Installation of cistern of at least 1000-gallon capacity to collect discharge from garage gutters.
4. Removal of existing gray paver driveway, to be replaced with natural stone wheelway with not less than 3 ft. pervious center strip.
5. Removal of front sidewalk, to be replaced with hexagonal pavers set in sand and crushed rock bed. Note that driveway apron will be solid poured concrete.

**NPU Action: Motion to approve conditioned on above outlined conditions from VHCA Board along with standard garage conditions: electrical limited to 60 amps; plumbing located to hosebib only; maximum height of structure 16". Passed by unanimous voice vote.**

**V-09-107                      745 Ponce de Leon Terrace**

Applicant, Phillip Ellen and C. Lauren Ellen, seek a variance from zoning ordinance to reduce the required front yard setback from 35 ft. to 29 ft. to make a second story addition to a single family resident and reduce the required west side yard setback from 6 ft. per V-04-51 which includes a conditional site plan to 1.5 ft. to rebuild and make an addition to an existing garage; also applicant seeks a variance from the zoning ordinance to reduce the required east side yard setback from 6 ft. per V-04-51 to 4 ft. to make an addition to a single family residence.

**VAHI Action:**            Motion to recommend approval passed with conditions:

1. Letters of support from 8 contiguous neighbors or proof of best efforts therefore.
2. Acquisition of permanent maintenance easement of 1.5 feet from west side neighbor for maintenance of garage.

3. Minimum 4-inch gutters installed on garage and no less than 2 45-gallon rainbarrels installed for collection of discharge.

**NPU Action:**

**Motion to approve with above noted conditions along with standard VHCA garage conditions: electrical limited to 60 amps, plumbing limited to hosebib, maximum height 16' passed by unanimous voice vote.**

**Subdivision Review Committee** August 19, 2009

**SD-09-001** **812 San Antonio Drive**

Applicant, Reuben Mann seeks to subdivide property.

**MLPA Action:** None, not seen plans

**NPU Action:** to defer to August 2009 to allow MLPA to review plans and meet with applicant UVVA

**Zoning Review Board** September 2 or 9, 2009 6:00 p.m.

**Z-09-026 / 09-O-1076** AN ORDINANCE TO AMEND THE 1982 ATLANTA ZONING ORDINANCE, AS AMENDED SO AS TO DEFINE SELF-STORAGE FACILITY, SECURED-STORAGE FACILITY, VAULT- STORAGE FACILITY, MIXED-USE STORAGE FACILITY, AND WAREHOUSING FACILITY; SO AS TO ALLOW SUCH DEFINED TERMS AS A PERMITTED USE WITHIN VARIOUS ZONING DISTRICTS; SO AS TO REQUIRE OFF-STREET PARKING FOR SUCH USES; AND FOR OTHER PURPOSES.

**NPU Action: Approve by voice vote.**

**11. Ordinances, Resolutions and Text Amendments:**

**Neighborhood Stabilization Program 2** *(For Information Only)*

**09-R-1127** A RESOLUTION BY COMMUNITY DEVELOPMENT / HUMAN RESOURCES COMMITTEE AUTHORIZING THE MAYOR TO APPLY FOR AND ACCEPT A COMPETITIVE GRANT UP TO \$75,000,000.00 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT UNDER THE CDBG NEIGHBORHOOD STABILIZATION PROGRAM 2 (NSP2); TO ENTER INTO A CONSORTIUM AGREEMENT WITH THE ATLANTA DEVELOPMENT AUTHORITY, ATLANTA NEIGHBORHOOD DEVELOPMENT PARTNERS (IN COLLABORATION WITH MACALLAN GROUP AND NORSOUTH COMPANIES) AND THE INTEGRAL DEVELOPMENT, LLC; AND FOR OTHER PURPOSES.

**NPU Action: No action taken.**

**Public Hearing** Tuesday, July 14, 2009 3:00 P.M. Committee Room 2

**09-O-1069** ( 1) An Ordinance by Councilmember C. T. Martin to amend Section 162-260 (a), (Entitled "Fees Charged by Vehicle Immobilization Service") of the Code of Ordinances of the City of Atlanta, Georgia, so as to increase the allowable fee charged by Vehicle Immobilization Services, to the owner of any immobilized vehicle or personal property, from \$50.00 per day to \$75.00 per day; to waive conflicting ordinances; and for other purposes. *(For your information)*

**NPU Action:**

**Motion to deny approval passed : 7 in favor, 1 in opposition, 0 abstentions.**

**12. Special Events and Outdoor Festivals**

Green Concert

Paul McCartney August 15<sup>th</sup> format similar to Dave Matthews concert. Tickets sales approx 49,000. Neighborhood streets to be barricaded. Partnering with MARTA. Asking for additional 30 minutes of time allowed to play music secondary to late time of sunset with estimated stop time of 11:30 pm

**Motion to approve passed unanimously with voice vote.**

Atlanta Arts Festival Tracy Tepp

Class C festival. 200 artists, 10-12 food vendors. Sept 12-13. Expected attendance 20,000. Security headed by Chris Clark

**Motion to approve passed unanimously with voice vote.**

**13. Adjournment**