

NEIGHBORHOOD PLANNING UNIT – F

Monday, February 17, 2020 at 7:00 PM

Hillside Facility
1301 Monroe Drive, Atlanta, GA 30306-3439



CONTACT INFORMATION

Debbie Skopczynski, **Chair** – 404.874.7483 or chair@npufatlanta.org

Doug Young, **City of Atlanta, Planner** – 404.330.6702 or dyoung@AtlantaGa.Gov

Leah LaRue, **City of Atlanta, Assistant Director** – 404.330.6070 or llarue@atlantaga.gov

Minutes

1. Welcome and Opening Remarks

- The meeting was called to order at 7 pm. A quorum was present.

2. Approval of Minutes

The January 2020 minutes were attached to the email sent to those on the NPU email list. They will be posted to the website once Kay returns. Thanks to Carol for preparing them. Are there any changes or modifications? Jack White wanted to see some modifications to the McLynn Avenue. Approval was deferred until the changes are made.

3. Calendar Announcements – see Consent agenda

4. Reports from City Departmental Representatives

- Atlanta Police Dept – Zone 6, Zone 2 – Major Senzer; Captain Singh
Zone 6 was represented by Captain Zigai and Sergeant Pennick. They reported that the recent shooting at Club Allure was self-inflicted.
- Fulton County Prosecutor – Zone 6, Zone 2 – Nemonie Nooks
Ms Nooks represents Zone 2 but she said that Zone 6 residents can reach out to her until a permanent representative is appointed for Zone 6. The suspects in the December shooting at Lenox Mall are in custody and she will share the court date when it's available.
- Public Works Code Enforcement – Officer Ferguson
Kelsey Turner (koturner@atlantaga.gov) reported that the issues relating to the bridge under Cheshire Bridge Road are being addressed. Solid Waste Code Enforcement will also address the yard debris near the Intown Suites.
- Office of the Solicitor's – Andrew Hughes, Solicitor

Municipal Courtwatch is up and running this year. Mr Hughes can be reached at ahughes@atlantaga.gov

- Watershed Management, Spence Peck, Watershed Ambassador, speck@atlantaga.gov, 404-546-1203
Mr Peck mentioned an important Municipal Option Sales Tax (MOST) on the ballot at the March election. The sales tax is critical to funding operations of the Department of Watershed relating to consent decree projects. Mr Peck also shared details on the toilet rebate program and tips to prevent pipes from freezing in winter.

5. Comments from Elected Officials

- State House of Representatives (Pat Gardner, Park Cannon)
Representative Cannon updated the NPU on the current legislative session – the budget is delayed and the state's Attorney General is dealing with significant lawsuits. Rep Cannon is concerned about mandated cuts to HIV funding and the proposal for the state to take over Atlanta's airport is still being discussed.

- Councilmember Jennifer Ide

Councilmember Ide gave a detailed update on the Inspector General legislation recently passed by City Council. The three major elements are 1. establishment of an Ethics Office, 2. Creation of an independent Procurement Office and 3. Creation of a Compliance Division to ensure that high ranking City officials are complying with the personnel codes. The IG's office will be overseen by an independent board, fines will be levied for violations and cases will be referred to the municipal court. The legislation has provisions for repaying misuse of public funds. The Councilmember will share relevant job descriptions as they are available. The other City Council updates included discussion of the revised tree ordinance at a March public meeting and a City initiative to update impact fees which have not been revised in two decades. Finally Ms Ide discussed upcoming repaving projects in District 6 including repaving of Johnson and Lenox Roads, pedestrian safety enhancements and provisions for bike lanes. Several revisions to traffic light cycles are under consideration, for example at the Montgomery Ferry/Monroe and Johnson/East Rock Springs intersections.

6. Presentations - None

7. Planner's Report – Doug Young

Mr. Young updated the NPU on three topics:

- NPU University is up and running and residents can register for classes (see brochure)
- The 2020 Annual Design Awards program are accepting nominations. The Awards of Excellence are projects that have improved the City's physical character and the Community Awards are nominated by the NPU and included projects that have improved life in the City.

- The Future Place project a series of public meetings in February and early March followed by compilation and distribution of deliverables in April and May.

8. Neighborhood and Committee Reports

- Lindridge-Martin Manor
Spring Fling is scheduled for April 18.

- Morningside-Lenox Park
N/A

- Piedmont Heights Civic Association

The PHCA continues to work with Hedgewood on stormwater runoff issues. Noted the passing of Jean Johnson who was the NPU Neighborhood Rep from Piedmont Heights for many years and served as their Zoning Chair. Jean was a PHCA board member for over 35 years. She was a recipient of an APAB Neighborhood Matters award in 2015.

- Virginia-Highland Civic Association
N/A

- Edmund Park
N/A

- Emory/CDC Area/Druid Hills
N/A

- Parks, Trees, and Environment

The University of Georgia/Fulton County Master Gardener program is starting in April. Classes will be held on Wednesdays from 10 until 3 and it's a 12 week class.

- Public Safety

N/A

- Education Committee

The NPU board is looking to fill the chair position.

- Chair Report

- A couple months ago, DCP announced NPU-University courses. They have just published their catalog on-line and in hard copy. Copies are available on the front table.
- The Department of City Planning has announced the 2020 Community Impact Grant Program (formerly the NPU Grant Program). NPU-F is eligible for a grant up to \$4,000 (and maybe a little more if there is money left over.) The document has been sent to neighborhood chairs. 2 proposals were received:
 - \$3,000 request from the Manchester District of MLPA to beautify the I-85 access exit ramp and parallel on Lambert Road. This is

for the cost of plantings (bald cypress, American Holly, American Red Buds). They will be working with Trees Atlanta.

2. Piedmont Heights is requesting \$1200 to paint an electrical box (they already have painted 2 with plans to do 2 others), or \$1,000 to do a History and Highlights Walking Tour. They did one last year and it was highly successful.

After learning that the Manchester district project has already been completed, the NPU unanimously approved up to \$4,000 for PHCA for repainting traffic boxes along Piedmont Road and to fund a Piedmont Heights historic walk.

- iii. Man Cave? No Update
- iv. The February APAB meeting was held on Saturday. At the meeting, officers were sworn in by the Municipal Clerk. A presentation was given on Reimagining ACDC (the City Jail), a priority of the mayor. Rashad Taylor, from the mayor's office presented some of the options being considered for repurposing the City Jail, which he describes as being underutilized. Under consideration: a 24-hour day care facility, homeless services, roof-top garden. For more information, go to their website, ReimaginingACDC.org
- v. Also, APAB approved a resolution asking DCP to let NPUs know when they change elements of the Comprehensive Development Plan. The example cited was the Compatibility Table that was updated after the I-Mix zoning district was introduced. The table was updated on the web and several previously compatible zoning districts were no longer valid. As information and being fully transparent, Ben Howard has filed an Ethics Complaint against me. Same charges that he used last month when he asked that I be impeached as APAB chair. Copies of the complaint are available for those that are interested.
- vi. Reminder, at the end of the meeting we will be discussing Legislation that was introduced by Councilmembers Antonio Brown, Farokhi, Overstreet and Sheperd to make significant changes to the NPU system.

9. Matters for Voting

CONSENT AGENDA

Special Events Applications

Event	Date	Event Type	Recommendation
Walk to End Lupus Teri Emond	Piedmont Park April 25, 2020	Class D & Assembly 8,000 Participants	Support Did not attend
Whine Walk Run 5K Patrice Peters	Piedmont Park May 2, 2020	Class E & Assembly 250 Participants	Support Did not attend
BeReggae 2020 Atlanta Reggae in the Park LLC	Piedmont Park August 22-23, 2020	Class D 8,000 participants	Support Did not attend
Festival Peachtree Latino 2020 Rafael Ortega	Piedmont Park August 30, 2020	Class D 9,000 participants	Support

Atlanta Light the Night Walk Laura Valente	Piedmont Park October 2-3, 2020	Class D 8,000 participants	Support
CHC's Lovfest! Michelle Hodgson	Piedmont Park October 25, 2020	Class E 1,999 participants	Support
Autism Speaks Georgia 5K Heather Baker	Piedmont Park November 14, 2020	Class E 1,000 participants	Support Did not attend

Board of Zoning Adjustment Applications

Application	Request	Recommendation
V-19-230 631 Park Drive NE	Applicant seeks a variance from the zoning regulation to reduce the required east side yard setback from 7 feet to 3.5 feet and rear yard setback from 15 feet to 5 feet to construct a detached garage in the rear yard.	VH: Defer
V-19-231 627 Park Drive NE	Applicant seeks a variance from the zoning regulation to reduce the required east side yard setback from 7 feet to 3.5 feet and rear yard setback from 15 feet to 5 feet to construct a detached garage in the rear yard.	VH: Defer

NPU-F ACTION: Motion to approve the Consent Agenda after removing 4 events – Walk to End Lupus; Whine Walk Run; BeReggae; and Autism Speaks carries on voice vote.
Approved

Special Event Applications (MOSE)			
Event Name	Event Organizer	Event Location	Event Date
Walk to End Lupus	Teri Emond	Piedmont Park April 25, 2020	Class D 8,000 participants

Comments: Consent Agenda

NPU Action: Removed from consent agenda because applicant was absent. Deferred to March meeting

Whine Walk Run 5K	Patrice Peters	Piedmont Park May 2, 2020	Class E 250 participants
-----------------------------------	----------------	------------------------------	-----------------------------

Comments: Consent Agenda

NPU Action: Removed from consent agenda because applicant was absent. Deferred to March meeting

Morningside Wine Festival	Dwight Cunningham Jr.	1402 N Highland Ave May 3, 2020	Class E 1,500 participants
---------------------------	--------------------------	------------------------------------	-------------------------------

Comments: Partnering with Morningside Business Association. North Highland will be closed from 12-6. Marta and neighbors will be informed.

NPU Action: Motion to approve carries by voice vote. Approved with one disapproval.

Green Concert 2020	Mark Banta / Terrell Henderson	Piedmont Park August 1-2, 2020	Gated 70,000 participants
------------------------------------	-----------------------------------	-----------------------------------	------------------------------

Comments: The only fundraiser for the Park. Street closures will occur from Saturday through Monday. Pphish is the featured band.

NPU Action: Motion to approve carries by voice vote. Approved

BeReggae 2020	Atlanta Reggae in the Park LLC	Piedmont Park August 22-23, 2020	Class D 8,000 participants
-------------------------------	--------------------------------	-------------------------------------	-------------------------------

Comments: Consent Agenda

NPU Action: Removed from consent agenda because applicant was absent. Deferred to March meeting

Autism Speaks Georgia 5K	Heather Baker	Piedmont Park November 14, 2020	Class E 1,000 participants
--	---------------	------------------------------------	-------------------------------

Comments: Consent Agenda

NPU Action: Removed from consent agenda because applicant was absent. Deferred to March meeting

Alcohol License Applications (LRB)				
Name of Business	Type of Business	Applicant	Property Address	Request
CVS Pharmacy #7689	Pharmacy	Joshua F. Taylor	1520 Avenue Place	City of Atlanta Annexation

Comments: Represented by Sard

NPU-F Action: Motion to **approve** carries by voice vote. Approved

CVS Pharmacy #4747	Pharmacy	Amanda B. Holloway	1544 Piedmont Avenue NE	Change of Agent
-----------------------	----------	-----------------------	----------------------------	--------------------

Comments: Applicant has asked to defer to March NPU meeting.

NPU-F Action: Motion to **defer** carries by voice vote. Approved

The Goat Club	Restaurant	Muhammed Erkek	2200 Cheshire Bridge Road NE	New Business
---------------	------------	-------------------	---------------------------------	--------------

LMMNA report: Voted to deny at LMMNA quarterly meeting

Comments: Applicant advised the NPU that they were eliminating the live entertainment/DJ.

Concerns included distance and parking conditions not being met for an establishment with live entertainment. Proof of parking leases was not provided. Furthermore the business did not have a restaurant license from Fulton County and was still in the process of building out the kitchen and did not possess the required building permits.

NPU-F Action: Motion to recommend denial carries by a vote of 23 ayes 0 nays no abstentions.

Barbacoa	Restaurant	Scott E. Switzer	1000 Virginia Ave NE	Change of Ownership
----------	------------	---------------------	-------------------------	------------------------

NPU-F Action: Motion to approve carries by voice vote. Approved

Board of Zoning Adjustment Applications (BZA)
--

V-19-293 494 Plaster Avenue NE

Applicant seeks a special exception from the zoning regulations to reduce the required parking spaces from 60 spaces to 46 spaces for retail use.

PHCA Report: Recommend approval. WOOFs is short by 19 parking spaces after an 1,800 sq. ft. expansion and requests an exception

NPU-F Action: Motion to recommend approval carries by voice vote. Approved

V-20-1 2175 Lenox Road NE

Applicant seeks a special exception from the zoning regulation to reduce the number of required parking spaces for a multi-family development from 41 required parking spaces (based on 41 proposed units) to 26 parking spaces.

LMMNA: Recommend approval

Comments: applicant is building micro-units in the parking spaces. Parking will be provided at an adjacent property owned by the same company.

NPU-F Action: Motion to approve carries by voice vote. Approved

V-20-3 1055 Hudson Drive NE

Applicant seeks a variance from the zoning regulations to 1) reduce the required front yard setback from 35 feet to 30.3 feet, 2) reduce the required east side yard setback from 7 feet to 3 feet, 3) reduce the required west side yard setback from 7 feet to 5.5 inches to construct a new single-family residence, 4) reduce the required rear yard setback from 15 feet to 6 feet 8 inches to construct a swimming pool and 5) increase the maximum lot coverage allowed from 50 percent to 55.6 percent.

VHCA Report: Recommend approval

NPU-F Action: Motion to approve carries by voice vote. Approved

V-20-7 797 Ponce de Leon Terrace NE

Applicant seeks a variance from the zoning regulation to 1) increase the size of a residential sign from 2 square feet to 6 square feet, 2) reduce required residential sign setback from 30 feet to 2 feet from street property line.

VHCA Report: Recommend approval. This is to place a historic sign in the general area of the Todd Family cemetery.

NPU-F Action: Motion to approve carries by voice vote. Approved

Miscellaneous

Community Impact Grant

The Department of City Planning requires that grant recipients have a robust resident engagement process that gives NPU members the opportunity to pitch ideas, offer feedback and participate in the application or planning process. The outcome of a vote to support the grant application or the NPU's decision not to submit an application will be considered in the application review.

Note: vote taken during Chair's report

MATTERS FOR REVIEW AND COMMENT

Public Notice

20-O-1003

An Ordinance by Councilmembers Antonio Brown, Joyce M. Sheperd, Amir R. Farokhi and Marci Collier Overstreet as substituted by Community Development/Human Services Committee to amend Part III ("Land Development Code"), Part 6 ("Budget and Planning"), Chapter 3 ("Planning"), Article B ("Neighborhood Planning"), Section 6-3011 Et Seq. for the purposes of improving processes that will increase community engagement in the Neighborhood Planning Unit System; and for other purposes.

Comments: Comments are due to the NPU Chair by the end of March. The proposed legislation will be discussed again at the March NPU meeting. The 2 broad questions are: what is the value of NPUs? What is the future role of NPUs? Councilmember Ide offered to get more information on the process for NPUs to provide feedback on the legislation.

- Legislation makes changes to NPUs that are not functioning well by changing the way that NPUs operate who function well. Could result in unintended consequences. Would be better to help the non-functioning NPUs find better ways to operate that fit their communities, areas of concern and available resources.
- Legislation does not change the way the NPU supports the neighborhoods, but it does change the way that neighborhoods would relate to the NPU.
- So little respect for NPU decisions by agencies that we provide recommendations. Should focus on what would make that more effective.
- Areas of concern need further study – can't give cogent approval or disapproval without understanding what the problems are and alternatives that can provide solutions and in what communities those solutions would be best suited.
- None of the proposed legislative changes address community engagement, bringing more people into the tent.

Proposed Change	Comments
Redefine age of "resident" from 18 to 17	What problem does this solve?
"Each neighborhood may only be represented by one NPU"	The Druid Hills neighborhood is split between 2 NPUs. Other NPUs have similar situations.
<p>Bylaws:</p> <ul style="list-style-type: none"> • Aug 1 – DCP provides bylaws templates to NPUs • Sept 30 – deadline for NPUs to provide updated bylaws to DCP • Oct 31 – deadline for DCP to have reviewed, revised, and approved bylaws • Nov 1 – new bylaws become effective 	<p>Timeframes seem very short.</p> <p>Without knowing what would be in the templates, difficult to determine if this is a good plan.</p>
<p>Elections:</p> <ul style="list-style-type: none"> • "NPU officer elections must be administered and certified by the municipal clerk." • Elections continue to take place in October or November, but now can't take place until after the bylaws are approved. • Election results may be contested to DCP for an investigation. Following an investigation, "unresolved" matters can be appealed to the Superior Court of Fulton County. • Voting restrictions are allowed to include an attendance requirement of up to two meetings 	<p>This section of the legislation is too vague. It is unclear on what is to be standardized or changed.</p> <p>Have no problem with providing a template to guide NPUs but not to dictate – it creates fear and uncertainty.</p> <p>Planning should give more guidance or suggested protocols, but not dictate.</p> <p>Elections would be more uniform than is the case today with attendant cost-benefit issues.</p> <p>Another solution is needed for "unresolved" matters. NPUs are recommending bodies, not governing bodies. Courts could tie-up NPU actions while issues are being resolved.</p>

<p>NPU Boards is made uniform across NPUs: Chair, Vice-Chair, Secretary, Parliamentarian and one designee from each registered neighborhood association – must meet publicly monthly</p>	<p>Not all active neighborhood associations meet on a monthly basis. The requirement that they must meet monthly would exclude communities from the policy making process.</p>
<ul style="list-style-type: none"> • Board members limited to 2 consecutive terms in the same position • Board members limited to 3 consecutive terms in any capacity • No more than one member of the same household may serve on a board • Board members are required to take training on conflict resolution and parliamentary procedures 	<p>The term limits may impose hardship given the paucity of volunteers for NPU positions. These proposed term limits are not feasible as it takes at least 12-18 months to learn the ropes, make contacts at City Hall.</p>
<p>NPU Operations:</p> <ul style="list-style-type: none"> • “NPUs shall have access to city facilities to hold regular monthly meetings.” • The city shall designate an NPU coordinator and additional staff from the DCP to attend all monthly meetings. The NPU coordinator shall be the primary contact person to support NPUs and shall possess skills to address and resolve inter-unit conflicts. • The DCP shall maintain a website with information about the time and location of NPU meetings, agendas, minutes, and other related materials. 	
<p>Prohibitions; NPUs are prohibited from setting up a bank account.</p>	

Old Business - none

New Business- none

Adjournment

The meeting adjourned at 10:00 pm.