

# NEIGHBORHOOD PLANNING UNIT – F

Monday, July 20, 2020 at 7:00 PM Via Zoom



## CONTACT INFORMATION

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## Minutes

### 1. Welcome and Opening Remarks

The meeting was called to order at 7 pm. A quorum was present. Kay Stephenson, Vice-Chair, led the meeting in the absence of the Chair, Debbie Skopczynski.

### 2. Approval of Minutes

- The minutes for the June 2020 meeting were posted on the NPU-F website and a link was post on the NPU-F Facebook page and sent to those on the NPU\_F mailing list in advance of this meeting.
- A motion to approve the June minutes carries. Vote Yea \_\_All\_\_ Nay \_\_0\_\_

### 3. Calendar Announcements None

### 4. Reports from City Departmental Representatives

- Atlanta Fire Department – Station 19 North Highland, Station 29 Monroe Drive: Derek Harris Battalion Chief N/A
- Atlanta Police Department – Zone 6 Major Villoreal, Zone 2 Major Senzer N/A
- Fulton County Prosecutor – Zone 6 TBD, Zone 2 Nemonie Nooks

Nemonie Nooks reported no new updates for June. August 15 is the current date for courts to resume in person, until then courts are operating via Zoom. Ms Nooks is compiling a worksheet of cases pertinent to zone 6 of the APD. She will get it to the NPU this week. In the meantime, residents can email her for updates on cases.

Meghan McCulloch is the designated Zone 2 prosecutor. She will reach out to NPU-F.

- MARTA Police N/A
- Bureau of Housing and Code Compliance – Officer Vincent Jeter [vcjeter@atlantaga.gov](mailto:vcjeter@atlantaga.gov) 470-626-7171 N/A
- Public Works Code Enforcement Officer Ferguson N/A
- Office of the Solicitor – Andrew Hughes, Solicitor N/A
- Watershed Management – Spence Peck, Watershed Ambassador [speck@atlantaga.gov](mailto:speck@atlantaga.gov) 404-546-1203

Spencer Peck with DWM will share more information on the Peachtree Creek North Fork Tank and Pump Station project as it becomes available. It is still in the early stages with design work getting underway.

COA has moved back to phase 1 opening for the pandemic. DWM has adjusted operations to ensure safety and health of staff. Staff and residents are encouraged

to use CDC guidelines. Customer service operations have been adjusted. Residents should ensure that DWM has the correct email addresses. Mr Peck mentioned that disposable wipes should not enter sewers, DWM has a NO WIPES IN PIPES campaign. He also mentioned the toilet rebate program and various discounts available to seniors and low income residents.

- Public Works N/A
- ATL311– Barbara Dougherty, Community Affairs Coordinator – 470-698-5171 (call or text) Phone number for 311 is 4045460311. Text ATLstrong to 888-777 for covid notifications.

#### 5. Comments from Elected Officials

- State House of Representatives – District 57 Pat Gardner/Stacey Evans, District 58 Park Cannon N/A
- City Council Member – Jennifer Ide N/A
- Dana Dodds representing Councilmember Michael Bond was recognized. Ms Dodds shared contact information for herself and Mr Bond - 4043306770/4042748111, respectively.

#### 6. Presentations

Howard Wertheimer with Piedmont Park Conservancy gave an update on the Park. Mr Wertheimer noted that the Park's popularity has grown since the pandemic. The Park is following City guidelines with respect to social distancing and other Covid restrictions. The Conservancy is introducing more art in the park and trying to make it more educational. Volunteers are a big part of park and the PPC welcomes more volunteer involvement. The Green market has moved to the Park Tavern parking lot and the pool and summer camps remain closed. The PPC's Instagram page and website offer learning opportunities to keep children engaged. Although large events are suspended, the Park's elopement package has proved to be quite popular. Since the PPC relies heavily on programs to support the Park, its income streams have diminished and PPC is relying more on philanthropy. Some board members are matching donations. The PPC is aware of the need for better lighting and more security cameras. Trash has been an issue with increased use and PPC has added recycling bins with the help of a grant from the Coca Cola Company.

7. Planner's Report – Doug Young four boards operated by the City planning department are starting virtual operations. Application dates for review by the various boards will be posted on the websites.

#### 8. Neighborhood and Committee Reports

- Druid Hills/Emory/CDC Area N/A
- Edmund Park Civic Association N/A
- Lindridge-Martin Manor N/A
- Morningside Lenox Park Association N/A
- Piedmont Heights Civic Association N/A
- Virginia-Highland Civic Association

The VHCA Board passed a resolution to join Councilmembers Ide and Westmoreland to update the Va-Hi historic district plan. The project is also supported by the private landowner who owns the last tract of affordable housing

in Va-Hi behind the CVS on North Highland. The cost of the plan will be split between the landowner, Councilmember Ide's office and VHCA.

- Parks, Trees, and Environment Committee N/A
- Public Safety Committee N/A
- Education Committee – No report – position vacant
- **Zoning committee report – Jack White**
- Chair Report
  - BZA and ZRB meetings are going to begin meeting virtually on August 6th (12:00 noon and 6:00 pm respectively) and (if necessary) will meet every week until caught up. Applications will be heard in order in which they were received.
  - We have not heard when LRB meetings will begin to be heard again, but applications for renewal are being extended automatically until these cases can be heard.
  - APAB met for the first time virtually this past Saturday.
    - Dr. Gerry Neumark was approved for his 2<sup>nd</sup> term to the Governing Board of the Inspector General of the City of Atlanta (formerly the Board of Ethics and Independent Compliance)
    - Virgil Pennie (NPU-J) was approved as the new APAB Finance Secretary.
    - New APAB committee chairs were also approved. Keona Jones-Green (NPU-J) for education, Eunice Glover (NPU-I) for transportation, Chris Brown (NPU-S) for Public Safety and Rasheen Hunter (NPU-P and current APAB Parliamentarian) for by-laws.
    - The body also approved a resolution calling on the Atlanta City Council to pass legislation defining administrative decisions of inaction.
  - APAB is also encouraging all NPU members to register to vote and to request an absentee ballot.
  - The Department of Transportation (ATLDOT) has launched a new dashboard so that constituents can track current projects. The first report was shared with neighborhood association leaders.

## 9. Matters for Voting

### • Text Amendments – Zoning Ordinance

#### [Z-20-36 \(Amended\)](#)

An Ordinance by Councilmembers Dustin Hillis, Andrea Boone, Andre Dickens, Antonio Brown, Joyce Sheperd, and Matt Westmoreland as substituted by Zoning Committee to amend the 1982 Zoning Ordinance of the City of Atlanta (Part 16), as amended, to amend sections 16-06.12(2), 16-06a.012(2), 16-06b.012(2) and 1607.012(2) garage recess of the R-4 (Single family residential), R-4A (Single family residential), R-4B (single family residential) and R-5 (Two family residential) districts and for other purposes. [FACT SHEET](#)

**Comments:** The NPU-F Zoning Committee met to discuss this ordinance on June 29, 2020. A fact sheet and amended ordinance was shared which pertained to a change for garage setbacks from the current 10' to 6'. The current zoning was defined as a part of the quick fixes which were extensively vetted by the community and approved within the past two years by city council. The committee determined that city-wide changes to the zoning code

are not necessary as this can be handled administratively. In addition, the committee agreed that the process for this change did not allow for sufficient community input due to the current pandemic.

The committee voted unanimously to recommend opposition. We are aware of several other NPUs who have also stated opposition to this ordinance.

The proposed response from the NPU was shared on the screen with the meeting attendees.

While a reduction to 6' is better than 0', this change is still very significant, and it should be withdrawn until appropriate and extensive public comment can be heard.

1. It was introduced during a pandemic and has reached the NPU voting stage without any of the normal public input, vetting, or review.

2. There is no demonstrated evidence of the problem that purportedly needs to be corrected. The asserted problem is solely that - an assertion.

3. The existing 10' standard was the product of a two-year-plus process of give and take between many interested parties, with concessions and compromises in all directions. The inclusion of permitted ADUs was one example made at developer requests, which were balanced against the wishes of neighborhoods as a whole. The existing approach should be evaluated after it has functioned over a normalized period of time. Significant changes shouldn't be made at the first sign of challenge - especially amid an unprecedented health crisis that has the capacity to distort and hamstring public participation.

4. There is no acute need for this change. Relief is readily available from the BZA in the form of variances, and several have been granted. The process is working.

5. If some future need for this is ever actually demonstrated – supported by evidence from a variety of sources and experiences – solutions should be considered that accommodate those neighborhoods that have consciously included such provisions in their approved master plans (which themselves had extensive public process) rather than a citywide ban.

The original ordinance was the product of major public processes and many negotiations; these changes are arriving with little of either. It's an inappropriate and disappointing end run around the public, and it should be filed.

**Discussion:**

**NPU-F Action:** Motion to not support carries. Yea \_\_\_ ALL \_\_\_ Nay \_\_\_ 0 \_\_\_



Special Event Applications (MOSE)			
Event Name	Event Organizer	Event Location	Event Date
<a href="#">The Atlanta Dogwood Festival</a> (Date Change – Original Application Supported on 1/20/20, first amendment approved on 4/20/20)	Rebekah Jones	Piedmont Park	October 9-11, 2020

**Comments:** This is only a date change request. October 9-11 was the date for Atlanta Pride Festival which has been cancelled for 2020. Since this was already approved at a prior meeting, a representative is not required to attend.

**NPU-F Action:** Motion to continue to support carries. Yea\_\_\_ALL\_\_\_ Nay \_\_\_zero\_\_\_

**Board of Zoning Adjustment Applications  
(BZA)**

[V-19-230](#) 631 Park Drive NE

Applicant seeks a variance from the zoning regulation to reduce the west side yard setback from 7 feet to 0, the rear yard setback from 15 feet to 5 feet and to increase the maximum lot coverage from 50% to 60.3% for the construction of a shared two car garage.

**Comments:** V-19-230; 631 Park Drive NE; R-4. Referral Certificate Amended 1/31/2020, 2/21/2020, **7/10/2020 Note: Revised plans are stamped and dated by CoA on 7-9-20**

Applicant Liz York seeks variances to (A) reduce the required east side yard setback from 7' to 0' (zero feet), and (B) reduce the required rear yard setback from 15' to 5' to construct a joined detached garage in the rear yard. (C) to increase the maximum lot coverage from 50% to 55.73%.

This applicant is acting in tandem with her neighbor to the immediate north, Mr. Gary Jones, at 627 Park. The proposed new accessory building (a garage) will be sited equally upon both lots, with a required interior fire wall built on the property line inside the structure.

**VHCA Report:** We recommend support of their joint applications, conditioned specifically upon the accompanying site plan dated 7-9-20 and the approval by the City of Atlanta Department of Stormwater Management (DWM) of a plan that meets the minimums specified in the one that accompanies their application.

**Discussion:** The applicants plan to build garages situated on their and their neighbor's property line. There are already sheds in the back. It was noted that water management strategies have been proposed and no trees are being removed. The single shared driveway will remain. Jack White noted that it's unusual to build an interior wall on a property line. The concerns about higher lot coverage are mitigated by the better management of stormwater. VHCA recommended support, conditioned on the site plans dated 7/9/20. The BZA conditioned its approval on stormwater management.

**NPU-F Action:** Motion to support carries. Yea\_\_\_ALL\_\_\_ Nay \_\_\_None\_\_\_

[V-19-231](#) 627 Park Drive, NE

Applicant seeks a variance from the zoning regulation to reduce the east side yard setback from 7 feet to 0, the rear yard setback from 15 feet to 5 feet and to increase the maximum lot coverage from 50% to 60.3% for the construction of a shared two car garage.

**Comments:** V-19-231; 627 Park Drive NE; R-4 Referral Certificate Amended 1/31/2020, 2/21/2020, **7/10/2020 Note: Revised plans are stamped and dated by CoA on 7-9-20**

Applicant Gary Jones seeks variances to (A) reduce the required east side yard setback from 7' to 0' (zero), and (B) reduce the required rear yard setback from 15' to 5' to construct

a joined detached garage in the rear yard. (C) to increase the maximum lot coverage from 50% to 55.73%

This applicant is acting in tandem with his neighbor to the immediate south, Ms. Elizabeth York, at 631 Park. The proposed new accessory building (a garage) will be sited equally upon both lots, with a required interior fire wall built on the property line inside the structure.

**VHCA Report:** See above V-19-230.

**Discussion:** See above.

**NPU-F Action:** Motion to support carries. Yea\_\_\_ALL \_\_\_Nay \_\_\_No\_\_\_

[V-20-74](#) 1056, 1066, 1067, 1068, 1069 Woodbridge Hollow NE

Applicant seeks a special exception from the zoning regulations to construct a retaining wall in the required side/rear yard that is greater than the eight (8) feet in height; up to 15 feet is proposed.

**Comments:** Lauren Owens with the Woodbridge Hollow POA discussed the need to repair a large retaining wall in the townhome community that supports the homes uphill from the community. Questions from NPU attendees pertained to the protection of trees and run off into Rock Creek.

**Druid Hills Civic Association (Darin Engle) & MLPA (Rebekah Falkler) Reports:**  
**The DHCA approved the plan.**

**Discussion:**Approved

**NPU-F Action:** Motion to support carries. Yea\_\_\_All\_\_\_ Nay \_\_\_\_\_

[V-20-75](#) 1074 Ponce de Leon Avenue NE

Applicant seeks a special exception from the zoning ordinance to reduce the required number of off-street parking spaces from 11 spaces to 7 spaces (4 surface spaces and 3 tandem garage spaces) for a new office/studio/clinic.

**Comments:** Deferred to August at Applicant's Request

**VHCA Report:**

**Discussion:**

**NPU-F Action:** Deferred. Yea\_\_\_All\_\_\_ Nay \_\_\_\_\_

### Zoning Review Board Applications (ZRB)

[Z-20-47](#) 1074 Ponce de Leon Avenue NE

Applicant seeks to rezone the .1521-acre property from the RLC-C (Residential with limited commercial, maximum floor area ratio of .348 conditional) zoning designation to the RLC (Residential with limited commercial, maximum floor area ratio of .348) zoning designation.

[SURVEY](#)

**Comments:** Deferred to August at Applicants Request

**VHCA Report:**

**Discussion:**

**NPU-F Action:** Deferred. Yea \_\_\_\_\_ All \_\_\_ Nay \_\_\_ None \_\_\_\_\_

[Z-20-43](#)

An Ordinance by Councilmember Amir R. Farokhi to authorize the removal of five privately owned billboard faces and their supporting structures, permitted under Part 16, Chapter 28A of the 1982 Zoning Ordinance of the City of Atlanta, as amended, in exchange for the right given to their owners to upgrade and/or relocate five billboards where the upgrade and exchange may allow for the creation of the 14<sup>th</sup> Street Linear Park and the Peachtree Creek at Cheshire Bridge Road Environmental Project after the five privately owned sets of billboard faces and the supporting structures of relocated billboards are removed; and for other purposes. [OVERVIEW](#), [FACT SHEET](#)

**Comments:** This matter was discussed by the NPU-F Zoning Committee and generated a number of questions. These included:

- Who was involved in selecting the projects and sites for the proposed projects?
- Who initiated the concept of a "Grand Bargain"?
- All of the benefits of the billboard swap appear to be going to NPU E and F. Will there be any benefits provided to the areas where the new billboards will be placed?
- Is there a cost estimate, timeline, and more detail on the CBR project? In particular, is there a description of what the Environmental Demonstration Center might entail?
- Are there other non-profit partners not mentioned in the materials provided?
- Is there an estimate of funding requirements from the City for the Demonstration Center?
- Has consideration been given on how this might affect trails and development in the area to the north of Morningside Nature Preserve where we already have issues with urban campers?

These questions were submitted on July 1<sup>st</sup> and we have yet to receive a response.

Mr Dan Baskerville and other representatives discussed the environmental demonstration project planned along Peachtree Creek. The meeting attendees were supportive of the creek clean-up, creation of trails and the educational aspects of the project but raised concerns about the relocation of billboards to NPU B and C.

**NPU-F Action:** Motion to DEFER carries. Yea \_\_\_\_\_ ALL \_\_\_ Nay \_\_\_ 0 \_\_\_\_\_

Text Amendments – Comprehensive Development Plan		
Legislation 1074 Ponce de Leon Avenue NE	Property Address	Public Hearing Date
<u><a href="#">CDP-20-25</a></u> An ordinance to amend the Land Use element of the 2016 Atlanta Comprehensive Development Plan (CDP) so as to redesignate property located at 1074 Ponce de Leon Avenue NE from the Low Density Residential 9-16 units per acre (LDR 9-16)	1074 Ponce de Leon Avenue NE	September 28, 2020 6:00 PM

Land Use Designation to the Low Density Commercial (LDC) Land Use Designation and for other purposes (Z-20-047)		
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**Comments:** Deferred to August at Applicant's Request

**NPU-F Action:** Deferred Yea\_\_\_\_ALL\_\_\_\_ Nay \_\_\_\_\_

- 10. Old Business
- 11. New Business - None
- 12. Announcements - None
- 13. Adjournment - The meeting was adjourned at 8:32 pm.