

# NEIGHBORHOOD PLANNING UNIT – F



Monday, October 19, 2020 at 7:00 PM

Please pre-register by clicking [HERE](#)

Dial-In: 646-558-8656, access code, 92815131493#

Meeting ID: 928 1513 1493

## CONTACT INFORMATION

Debbie Skopczynski, **Chair** – 404.874.7483 or [chair@npufatlanta.org](mailto:chair@npufatlanta.org)

Kay Stephenson, **Vice-Chair** – [kay.stephenson@gmail.com](mailto:kay.stephenson@gmail.com)

Doug Young, **City of Atlanta, Planner** – 404.330.6702 or [dyoung@atlantaga.gov](mailto:dyoung@atlantaga.gov)

Leah LaRue, **City of Atlanta, Assistant Director** – 404.330.6070 or [llarue@atlantaga.gov](mailto:llarue@atlantaga.gov)

## MINUTES

1. Welcome and Opening Remarks  
The meeting was called to order at 7:07 pm
2. Approval of Minutes

September 2020 minutes have been posted on the NPU-F website and on Facebook Motion to approve the minutes as posted carries by a vote of 27 yes votes and zero no votes. Jim Hardy moved and Jane Rawlings seconded.

3. Announcements
  - NPU-F election of officers will be held at the NPU meeting on November 16<sup>th</sup>. Nominations for NPU-F Officers may be submitted to [chair@npufatlanta.org](mailto:chair@npufatlanta.org)
  - Calendar announcements – see Consent Agenda
4. Reports from City Departmental Representatives
  - a. Atlanta Fire Department – Station 19 North Highland, Station 29 Monroe Drive, Battalion Chief Derek Harris – Battalion Chief Gray noted that AFRD recently graduated a recruit class and an additional class will graduate before the end of the year. All Covid-related precautions are still in effect at AFRD including staying vigilant, socially distancing, and fire stations remain closed to visitors. AFRD will be checking hydrants this fall. Fire safety reminders – close bedroom doors while sleeping, change batteries on smoke detectors and install carbon monoxide detectors. During the hurricane last Saturday, AFRD's swift water team conducted 12-15 water rescues during 12 hours. Over 150 calls came into fire stations. In response to a resident's question, Chief Gray recommended placing carbon monoxide detections on every level of the house, especially in the kitchen and water heater areas.
  - b. Atlanta Police Department – Zone 6 Major Peter Ries, Zone 2 Major Senzer, Captain Singh – Major Ries attended his second NPU meeting for zone 6. The major noted that the burglary at 806 North Highland has been solved and the individuals have been charged. The case can be tracked through the court



reporter system. The club issues on Cheshire Bridge Road are on his agenda and being addressed. He will report back with results. A resident noted that there was a petition to reopen municipal courts to prosecute drag racers. Major Ries supports the reopening of courts.

City Council President Felicia Moore noted that courts are closed owing to the judicial state of emergency. The Council President noted that courts may open by the end of October. The City Council is taking legal measures against street racers who cannot get signature bond if they are arrested. They are held for 24-48 hours before getting before a judge. The municipal court is severely backlogged with traffic and code enforcement cases. Ideally, she noted, that repeat offenders would lose their vehicles because bonds and tickets are not effective deterrents. A resident inquired about expansion of the pre arrest diversion program. Major Ries is discussing the expansion for homeless individuals; Kay Stephenson is involved in the discussions. President Moore noted that the Council is considering expanding the program to all zones. The program director will update the NPU at a future meeting.

Major Senzer, representing zone 2, noted that crime stats are less relevant when quality of life issues dominate. Courts need to open to be successful. Issues relating to clubs (Allure and Mancave) are still a focus. The major noted that the issues are intermittent and complicated by the fact that the clubs don't have a set schedule, but the clientele impacts the surrounding neighborhoods. Allure has been fined by the LRB. A resident inquired about the long term impacts of the tent city on Sidney Marcus Blvd, and whether that involves offering more services to the homeless. According to GDOT conditions are deplorable and the area needs cleaning up.

Public Works Code Enforcement – Officer Ferguson. Officer Wemberly reported on the property at 1791 Piedmont which has been demolished. She will share a link to the interim review board documents.

Watershed Management – Spence Peck, Watershed Ambassador, [speck@atlantaga.gov](mailto:speck@atlantaga.gov) 404-546-1203 – The Water department has suspended disconnections through October 31. Mr. Peck reminded the NPU of the referendum on the homestead exemption for low and moderate income homeowners that's on the ballot for the November 3 election. Residents were reminded to refrain from blowing leaves into storm drains. Composting is a good alternative. The Department gives safety equipment to "adopt" a gutter inlet near private homes. NPU residents can call 311 with questions about watershed issues. A resident from LMMNA inquired about the design plan for the storage treatment facility in the south fork of Peachtree Creek and noted the need for residents to be engaged in the design phase. Mr. Peck said he would monitor the project. A resident suggested that he attend the LMMMA general meeting on November 11. A Piedmont Heights resident noted that there's still no resolution on the storm water runoff from the Hedgwood development. Mr. Peck can be reached at:

Spencer J Peck, Esq.  
 Environmental Policy Specialist  
 City of Atlanta | Department of Watershed Management  
 Office of Watershed Protection  
 Speck@atlantaga.gov  
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ATL311 – Barbara Dougherty

shared contact information with residents:  
 Non-Emergency Call Center for City of Atlanta Services  
 M-F, 7am-7pm  
 Dial 3-1-1 inside city limits, or (404)546-0311  
 24/7  
 Visit our website at [www.ATL311.com](http://www.ATL311.com)  
 Email us at [ATL311@atlantaga.gov](mailto:ATL311@atlantaga.gov)

7. Comments from Elected Officials

- a. Council President Felicia Moore – see comments under APD report
- b. Councilmember Michael Julian Bond

Council Member Bond shared an update on drag racing – City Council has introduced legislation to codify the temporary order regarding street racing and operating off road vehicles. Judges can now place conditions on signature bonds such as prohibiting offenders from driving their cars during certain hours. Councilmember Bond noted that courts are meeting virtually and hearing racing cases.

Consent Agenda

**Board of Zoning Adjustment Applications**

Application	Request	Recommendation
<a href="#">V-20-136</a> <b>1746 Noble Drive NE</b>	Applicant seeks a variance from the zoning regulation to reduce the front yard setback from 35 feet to 20.3 feet and to increase the maximum lot coverage from 50 percent to 60.27 percent for an addition to an existing single-family dwelling.	<b>MLPA: Defer</b>

**NPU-F Action:** Motion to approve the consent agenda carries by 23 to zero. (Kay Stephenson moved and Jane Rawlings seconded.)

6. Presentations

- City of Atlanta Department of City Planning: Atlanta City Design | Housing – No report
- City of Atlanta Department of City Planning: Lindbergh-Armour Master Plan, Atlanta Department of City Planning and MARTA | Nate Hoelzel

Kevin Bacon, Director of Office of Design discussed the Lindbergh Armour Master Plan. The plan focuses on future growth, transit and trail improvements and was prepared in conjunction with Marta. The process started in October and will wrap up in summer 2021. The plan also addresses land use, zoning, capital projects etc. There are multiple groups focusing on different issues – for example the Community voices group includes residents and commuters. Planning projects are all being conducted remotely for now via websites, social media etc. The NPU chair inquired about the composition of the advisory group. Jim Hardy voiced concern that neighborhood plans be reviewed. Jack White asked about the parameters of the area and connections with NPU-E. Armour Ottley is connected to NPUs E and F. There may be a need to rationalize the boundaries of NPUs and interface between the 2 NPUs.

Plan project summary:

<https://www.dropbox.com/s/iudz03qwn6nfnmk/LAMP%20Project%20Summary%20Page%20Oct%202020-EN.pdf?dl=0>

We also have a version translated into Spanish as well:

<https://www.dropbox.com/s/w5g7bygxkfm7wn5/LAMP%20Project%20Summary%20Page%20Oct%202020-ES.pdf?dl=0>

#### 7. Planner's Report – Doug Young.

NPU University wrapped up courses for 2020. Book club is wrapping up on October 22.

#### 8. Neighborhood and Committee Reports

Lindridge-Martin Manor – the 2020 Annual Meeting is scheduled for November 11

Morningside Lenox Park – none

Piedmont Heights – The annual meeting is scheduled for November 8

Virginia-Highland – none

Edmund Park – elections for the board were held virtually in September but results have yet to be announced.

Emory/CDC Area/Druid Hills- none

Parks/Trees and Environment – none

Education – The Committee to rename Grady High School is meeting on October 20, You can watch meeting on Facebook. Details can be found at the Atlanta Board of Education website.

Chair's Report

The NPU-F Executive Committee met via Zoom on Monday, September 28<sup>th</sup> to review proposed changes to the by-laws and Policy Sheet, and specifically to modify both to include Virtual Meetings. Recommendations for changes will be discussed during New Business at the end of the agenda. One recommendation was to move up the Consent Agenda to before Presentations which we have done tonight.

The Zoning Committee and the NPU's zoning community met via Zoom on Wednesday, October 14<sup>th</sup> to review the rezoning application for Z-20-59 at 910 Lindbergh Drive. The Lindridge-Martin Manor neighborhood was also invited to this meeting. The application is at the end of the agenda.

APAB met on Saturday, October 17<sup>th</sup>. Several agenda items to note:

- APAB's by-law committee proposed several changes to the APAB by-laws, primarily to include virtual and hybrid (virtual +in-person) meetings. Also, expanding APAB membership from 50 delegates and alternates to up to 75 which would include all NPU chairs.
- The Elected Officials Compensation commission has announced that they will have a public hearing on their recommendations for the Mayor, Council member and School Board salaries. The date and time and link to the meeting is to be announced. APAB has a representative on this Commission.
- Christie Peters, from NPU-T was appointed our representative to the ACRB for NPUs S-Z. Her appointment is subject to a background check and City Council confirmation.
- The Nominating Committee proposed revised procedures for a virtual election.
- There are still volunteer opportunities to represent APAB on the Invest Atlanta board, the Beltline TADAC, and Code Enforcement Commission.

## 9. MATTERS FOR VOTING

### Board of Zoning Adjustment Applications (BZA)

#### Application

**[V-20-101](#) (Amended) 1105 Amsterdam Avenue NE**

Applicant seeks a variance from the zoning regulations to reduce the required front yard setback from 35 feet to 20 feet 7 inches and to reduce the required half-depth front yard from 17.5 feet to 7 feet in order to construct a new single-family residence.

**VH Report:** VHCA recommended approval in revised form dated 9/24. Jack White noted that changes were made after input from neighbors. Issues included storm water runoff and loss of trees. New impervious area at 44% is less than before.

**Comments:** Nina Gentry was present as well as the Applicant. Ms Gentry noted that it was a non-conforming plot.

**NPU-F Action:** Motion was proposed by Jack White, second by Kay Stephenson. The NPU voted to approve, 29 to zero.

**[V-20-121](#) 1715 Merton Road NE**

Applicant seeks a variance from the zoning regulations to reduce the required rear yard setback from 20 feet to 2.5 feet in order to construct an addition to an existing accessory building (garage).

**MLPA Report:** Approved 13-0

Comments: Dianne Barfield represented the applicants. The accessory structure would allow for additional parking. Proposed impervious area is 36.7% versus maximum allowed of 40%.

**NPU-F Action:** Rebecca Falkler proposed motion to approve and Jack White seconded. Motion carried by a vote of 27 ayes, one nay 0 abstentions.

**V-20-122 1435 North Highland Avenue NE**

Applicant seeks a special exception from the zoning regulations to allow for an expansion (construction of a rear two-story deck addition) to an existing legal non-conforming duplex.

**MLPA Report:** Approved 13-0

Comments: Applicant Woody Johnson was present. He's requesting approval to add a deck via special exception.

**NPU-F Action:** Motion to recommend approval by Rebecca Falkler and seconded by Jack White carried by a vote of 29 ayes, 0 nays, 0 abstentions.

**V-20-132 1800 Piedmont Avenue NE**

Applicant seeks a special exception from the zoning regulation to reduce the required number of off-street parking spaces from 98 spaces to 47 spaces for a proposed private high school.

**PH Report:** At the monthly meeting on October 8<sup>th</sup>, the PHCA board voted unanimously to recommend approval.

**Comments:** Matt Skinner is applicant. He's starting a high school on the site of a former church and this is essentially the expansion of Heritage school. The school has access to 195 spaces from Morningside Baptist Church across the street and does not anticipate using all available spaces.

**NPU-F Action:** Motion to recommend approval by Jim Hardy and seconded by Jack White carries by a vote of 27 ayes, 0 nays 0 abstentions.

**Zoning Review Board Applications (ZRB)**

**Application**

**Z-20-59**

Applicant seeks to rezone the 2.007 acre property from the R-4 (Single-family residential, minimum lot size .21 acres) zoning designation to the R-4A (Single-family residential, minimum lot size .17 acres) zoning designation. [SITE PLAN](#), [SURVEY](#)

**LMM Report:** Matt Sussman presented the report. The LMM board voted 11-0 to not support. LMM supports development under R4 but not R-4A because the required frontage and lot sizes are significantly different. LMM also noted that other multifamily properties are separated from LMM by the highway. A precedent for transitional zoning does not exist. Mr Sussman pointed out that school use is permitted under R4. In 2015, LMM was placed on the Georgia National Register.

The applicant, Mr Warnock, noted that the CDP not need change and this is conforming use of the CDP.

**Comments:** Doug Young noted that while the neighborhood is on the National Register, there is no local designation. The City reviews patterns to be consistent with the historic designation. Matt Sussman pointed out that two homes cited as being non-conforming were removed by FEMA before the historic designation of LMM.

**NPU-F Action:** Motion from LMM to deny by Rich Sussman - Vote to deny application - 29, Opposed to denial - 7. Of the 29 votes, one is provisional, and of the 7, 2 are provisional. Note: vote was updated after a review of screen shots of votes and provisional voting members were cleared within 24 hours of meeting: 32 in favor of motion, 9 opposed.

**9. MATTERS FOR REVIEW AND COMMENT**

## Text Amendments – Zoning Ordinance

### Legislation

#### [Z-20-69](#)

An Ordinance by Councilmember Howard Shook, Joyce Sheperd, JP Matzigkeit, Michael Julian Bond and Dustin Hillis

to amend the 1982 Atlanta Zoning Ordinance, as amended, by adding a definition for Short-Term Rental (“STR”) and to prohibit short-term rentals as a use in the R-1 (Single-family residential), R-2 (Single-family residential), R-2A (Single-family residential), R-2B (Single-family residential), R-3 (Single-family residential), R-3A (Single-family residential), R-4 (Single-family residential), R-4A (Single-family residential), R-4B (Single-family residential), R-5 (Two-family residential), and PD-H (Planned development housing) zoning districts; and for other purposes. [FACT SHEET](#)

**Comments:** The NPU Chair stated that comments will be sent to the Department of City Planning. Kathie McClure, resident of NPU-E, shared her experience with being an owner of a rental property in NPU-F and the issues posed by the proposed ordinance. Ms McClure noted that instead of imposing an outright ban, the City may want to impose restrictions on short term rentals and the ordinance as written may have adverse economic effects in a pandemic. This ordinance will not solve the problem with party houses. There are a lot of great uses for short term rentals – people there when visiting relatives, good alternative to staying at a hotel during COVID, rentals for film shoots, etc, A vote will be taken in November.

10. Old Business - None

11. New Business – for discussion only

- a. Proposed By-Law and Policy Sheet Changes for 2021 (first reading) because of living in virtual world. Policy sheet reflects new voting methods and allows for two secretaries.
- b. Policy sheet – consent agenda has been moved up, zoning committee can meet virtually. Timing of neighborhood inputs on variances has been clarified. All docs are on google drive.

#### **Timetable :**

9/21/2020	Distribute proposed changes at NPU meeting
9/28/2020	Review, discuss and amend changes at NPU-F Executive Committee meeting. All NPU-F residents are welcome. Link provided at NPU-F 9/21 meeting.
10/19/2020	Notice given that By-Law changes will be considered.
11/16/2020	NPU-F vote to accept revisions. Updated By-Laws and Policy Sheet submitted to Department of City Planning
1/1/2021	By-Law revisions are effective.

#### **NPU-F By-Laws Summary of Proposed Changes:**

**Article III** – Incorporate that meetings may be in person or virtually into MEETINGS and VOTING sections. Two references added in VOTING section to “method established by policy for virtual meetings” as defined in Policy Sheet. (One mention for residents, other for Businesses.)

**Article VI** – Allow two individuals to co-share Secretary position which is current practice. Also, added “with the consent of the NPU” to be consistent with Ad Hoc Committee section for consistency.

**NPU-F Policy Sheet Summary of Proposed Changes:**

Section IV. Agenda Order – move up Consent Agenda to follow Comments from Elected Officials

Section VIII. **Zoning Committee** - Add reference to virtual meetings. Clarify who are voting members of the Zoning Committee.

Section XI. **Additional Process for Variances.** Specify *Business* day to allow sufficient time to prepare consent agenda.

Section XII. **Document Retention Policy** – modify retention policy to be consistent with new website

Section XIII. **Procedure for Virtual Meetings** – This is a new section. Proposed language suggested by Department of City Planning.

Discussion: Time tables for revisions and the effective date are on the proposed changes summaries which were made available on chat. Also see above.

12. Adjournment

The meeting adjourned at 9:38 pm. Rich Sussman and Kay Stephenson motioned to adjourn.