

NEIGHBORHOOD PLANNING UNIT – F



Monday, February 15, 2021 at 7:00 PM

CONTACT INFORMATION

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

Kay Stephenson, **Vice-Chair** – kay.stephenson@gmail.com

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 7:07 pm

2. Approval of Minutes

The January minutes are posted on the NPU-F website and a copy was sent to those on the NPU mailing list and verified members. Spence Peck noted one correction to the January minutes. He clarified that the order to extend water cut offs will last until February 28, 2021 and will be handled on a monthly basis.

Motion to approve the minutes (with changes) was moved by Rich Sussman and seconded by Jane Rawlings. The motion was approved by 19 aye votes with 7 abstentions.

3. Announcements

Please review the information on the Consent Agenda for details on the upcoming Public Hearings/City Council Work Sessions. There are a number of important pieces of legislation that Council is considering at this time – including Short Term Rentals, a revised Tree Ordinance and a Beltline Special Services District so be sure that your voice is heard.

4. Reports from City Departmental Representatives

Atlanta Fire Department Station 19 North Highland, Station 29 Monroe Drive Battalion Chief Derek Harris	Captain Durrah noted that AFRD is getting a new fire chief on February 17 - Chief Ross. Personnel are being trained to administer the Covid vaccine. All fire stations are still taking precautions against the vaccine spread.
Atlanta Police Department Zone 2 – Major Andrew Senzer asenzer@atlantaga.gov Zone 6 – Major Peter Ries pjries@atlantaga.gov , Capt. H. Zenelaj@atlantaga.gov	Zone 6 was represented by Major Ries. Vehicle larceny continues to be an issue. There is a new focus on managing homeless and mental health issues through PAD (the Policing Alternatives and Diversion initiative). Citizens can call 311 for citizen referrals (PAD representative Moki Macias is on call). Zone 2 Captain T Williams introduced himself. Club Allure will be prosecuted. A resident

	expressed concerns about the bar at 726 Ponce de Leon Avenue (a Zone 6 location). Parking, disorderly conduct and trash are issues. It will take several steps to fix the problems per Major Ries.
Pre-Arrest Diversion Moki Macias https://www.atlantapad.org/311-community-referrals#FAQ	PAD was represented by Moki Macias, Executive Director for PAD. PAD has recently expanded services and is partnering with APD and 311. PAD teams can manage individuals dealing with substance abuse issues and homelessness, it's a good alternative to 911, where the concern is not a police issue or a medical emergency. See link for more info. 311 operators have been trained to direct calls to PAD. The NPU Vice Chair inquired about dealing with people who resist assistance. Ms Macias said while the focus was on basic needs, PAD cannot compel individuals. The big challenge is mental health concerns. The best way to get in touch is via ATL311 or email info@atlantapad.org
APD Code Enforcement	Officer Wemberly Public Works Code Enforcement. – Jim Hardy requested an update on the old InTown Suites site on Piedmont Circle and Monroe. A hearing is scheduled for March 25 to make owner clean it up or City will take action on its own. Owner has not responded to numerous citations or to hearing.
MARTA Police	N/A
Fulton County Prosecutor	N/A
Officer of the Solicitor Andrew Hughes	N/A
ATL311 Barbara Dougherty	ATL311 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 Email us at ATL311@atlantaga.gov
Public Works Code Enforcement Officer Ferguson	Feb 15 collections changed. Recycling and garbage this week. Schedule will last 90 days.
Watershed Management Spencer Peck speck@atlantaga.gov 404-546-1203	The Mayor's order on water connections will refrain from action to terminate water services until February 28, 2021, any extensions will be handled on a month by month basis. DWM is working with commercial customers on delinquent accounts.

5. Comments from Elected Officials

<p>State Reps Park Cannon, Stacy Evans stacey@staceyevans.com</p> <p>Olivia Buckner – Chief of Staff olivia@staceyevans.com</p>	<p>Voting bills are of concern to Rep Evans and are being monitored. Rep Evans has introduced legislation on street racing. SB10 addresses fines and adds license points. The bill has been heard in the Senate.</p>
<p>Others – Michael Julian Bond, Post 1 At large 404-330-6770 office 404-274-8111 cell mbond@atlantaga.gov</p>	<p>Councilmember Bond reminded attendees that legislation was passed to form a taskforce on alcohol licenses. Further, a resolution to appoint members will be brought to the City Council at the March meeting. Mr Bond is hosting a townhall meeting on Public Safety – register via email mbond@atlantaga.gov or call his office. The Chair noted that APAB also has appointments on ATAG.</p>

6. Consent Agenda

Special Events Applications	Request	Recommendation
<p>43rd Annual Atlanta Jazz Festival (Date change: Original application supported, 5/18/2020)</p>	<p>Piedmont Park September 3-6, 2021 Class A/100,000 Participants</p>	<p>Continue to support</p>
<p>BeReggae Music and Arts Festival (Date change; Original application supported, 4/20/2020)</p>	<p>Piedmont Park August 20-22, 2021 Class D/9,500 Participants</p>	<p>Continue to support</p>

BZA Application	Request	Recommendation
<p>V-20-139 2459 Elizabeth Ann Lane NE</p>	<p>Applicant seeks a variance from the zoning regulations to 1) reduce the required southern side yard setback from 7 feet to 3 feet, 2) reduce the required rear yard setback from 15 feet to 0 feet, and 3) exceed the maximum lot coverage from 50 percent to 55 percent in order to convert a two car garage into an accessory dwelling unit with a single-car garage.</p>	<p>Deny without prejudice</p> <p>Application withdrawn</p>
<p>V-20-174 663 Cumberland Road NE</p>	<p>Applicant seeks a variance from the zoning regulation to 1) reduce the required west side yard setback from 7 feet to 3 feet, 2) reduce the required rear yard setback from 15 feet to 3 feet and to 3) exceed the maximum height of an accessory structure from 20 feet to 22 feet in order to construct an accessory structure (garage).</p>	<p>MLPA: Defer</p>
<p>V-21-30 870 Adair Avenue NE</p>	<p>Applicant seeks a variance to reduce the half-depth front yard setback from 17.5 feet to 7 feet 4 inches and the rear yard setback from 15 feet to 5 feet for the construction of a detached garage with guest house.</p>	<p>VHCA: Defer</p>

NPU-F Action: Motion by Kay Stephenson 2nd by Jane Rawlings to approve the Consent Agenda does not carry by a vote of 18 approvals, 1 opposed and 3 abstentions. All Items on the consent agenda will be discussed in their regular spot on the agenda.

7. Presentations

- City of Atlanta Department of City Planning: Atlanta City Design | Housing

Carolina Rodriguez with the City's Office of Housing and Community Development provided a brief update on a housing policy study. The primary objective is to understand the current state of housing in the City and associated policy. The study will also propose future solutions. The project has identified design growth areas where more density exists and that may lend themselves to increased density. Design Conservation Areas have been identified to preserve tree canopy, gentle density, and single family neighborhoods. More information is available at Bit.ly/acdhousing Ms Rodriguez can be reached at crodriguez@atlantaga.gov. Email housing questions to housing@atlantaga.gov. Please visit the Atlanta City Design Housing storymap at bit.ly/acdhousing. For more information and to register for online discussions, visit atlcitydesign.com.

- Watershed Management: North Fork Storage Tank | Lisa Baker

The City's Department of Watershed Management and Stuart Jeffcoat with HDR Engineering provided an update on the North Fork Storage Tank project. The project is part of the Clean Water Atlanta Program to Improve wastewater infrastructure. It is tied to consent orders from Federal consent decrees. July 1, 2026 is the deadline for Peachtree Creek Basin to meet the terms of the consent decree. The project will use a portion of the GDOT site near I-85. Traffic will be impacted along Lindbergh Drive, the Buford connector, and Sidney Marcus Boulevard. The project has partnered with South Fork Conservancy on the Cheshire Farm Trail – plans are in place to widen and stabilize the trail which should help mitigate localized flooding. By adding capacity to the Peachtree Creek trunk system, the project should protect health and safety by reducing instances of untreated sewage releases. The design phase will be completed in Spring 2021 followed by bids and proposals. Rich Sussman inquired about security arrangements, the project staff are working on increasing lighting and camera use. Jack White asked about instances of overflow and whether the design was targeting a specific number. Mr Jeffcoat responded that a specific number was not being targeted in terms of overflows. But overflows will be reduced.

8. Planner's Report – Doug Young

-Mr Young reminded residents that NPU University is back in session.

-Residents can report illegal construction by emailing codebusters. To report unpermitted construction activity, email CodeBustersDCP@atlantaga.gov or call 404.865.8550.

-Nominations for design awards are due by March 10.

-Consent agenda has additional information on design awards and the tree ordinance.

-For more information

<https://www.atlantaga.gov/Home/Components/News/News/13482/1338>. For information on the 2021 design awards bit.ly/UDCawards

-For public hearings or other departmental information visit

<https://www.atlantaga.gov/government/departments/city-planning>

-Follow NPU voting activity on the NPU Dashboard: <https://www.npuatlanta.org/npu-dashboard>

9. Neighborhood and Committee Reports

Lindridge Martin Manor	No report
Piedmont Heights	The neighborhood has reached an agreement with Hedgewood properties regarding stormwater issues at the Rock Springs development.
Morningside Lenox Park	No report
Virginia-Highland	No report
Edmund Park	No report
Emory/CDC area/Druid Hills	No report
Parks, Trees & Environment	No report
Public Safety (Jim Hardy)	ATAG 3 was passed and included recommendations from the Clear group. The group appreciates Councilmember Bond's assistance.
Chair Report -	<p>There is also a link to the Nominations packet for the Urban Design Commission annual awards on the consent agenda.</p> <p>There are 2 NPU Committee chair openings: Zoning Committee which will shepherd the CDP process for us and Education Committee. See Debbie if interested</p> <p>The February APAB meeting will be held next Saturday. On the agenda is a resolution asking Council to slow down the process for the Beltline Special Services District and a presentation on the Pre-Arrest Diversion program.</p>

10. Matters for Voting

Special Event Applications (MOSE)			
Event Name	Event Organizer	Event Location	Event Date
43rd Annual Atlanta Jazz Festival (Date change: Original application supported, 5/18/2020)	Sara Brumfield	Piedmont Park Class A/100,000 Participants	September 3-6, 2021
BeReggae Music and Arts Festival	Herman		

(Date change; Original application supported, 4/20/2020)	Mannings III, Eric Barnes	Piedmont Park Class D/9,500 Participants	August 20-22, 2021
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NPU-F Action: Kay Stephenson and Rich Sussman moved to continue to support the Atlanta Jazz Festival. Twenty residents voted in favor, 2 were opposed, 2 abstentions. Motion carried.

Kay Stephenson and Rich Sussman moved to continue to support the BeReggae Festival – 20 votes in favor, 1 opposed and 2 abstentions. Motion carried.

Alcohol License Applications (LRB)				
Name of Business	Type of Business	Applicant	Property Address	Request
Kinship Butcher Sundry	Specialty Food Shop	Rachael A. Pack	1019 Virginia Avenue NE	New Business

VHCA Report: VHCA supports this application.

Comments: Jane Rawlings stated this was a new business, primarily a retail food shop. Councilmember Ide sponsored an exemption to the distance requirements at this location. It has the support of the VHCA.

NPU-F Action: Kay Stephenson and Jack White moved to support the application. 24 approve, none opposed. Motion carried.

Board of Zoning Adjustment Applications (BZA)
Application

V-20-139 2459 Elizabeth Ann Lane NE

Applicant seeks a variance from the zoning regulations to 1) reduce the required southern side yard setback from 7 feet to 3 feet, 2) reduce the required rear yard setback from 15 feet to 0 feet, and 3) exceed the maximum lot coverage from 50 percent to 55 percent in order to convert a two car garage into an accessory dwelling unit with a single-car garage.

LMM Report: Defer

NPU-F Action: Applicant is withdrawing application.) Rich Susman and Kay Stephenson moved motion to deny without prejudice which carried with 20 in favor, zero opposed and 2 abstentions.

V-20-174 663 Cumberland Road NE

Applicant seeks a variance from the zoning regulation to 1) reduce the required west side yard setback from 7 feet to 3 feet, 2) reduce the required rear yard setback from 15 feet to 7 feet and to 3) exceed the maximum height of an accessory structure from 20 feet to 22 feet in order to construct an accessory structure (garage). Gail Mooney (representing the applicant) stated that the increase in height was not needed.

MLPA Report: Deferred by MLPA (objection made by neighbor, waiting on agreement).

Since the MLPA meeting, the neighbor withdrew objections in email to applicant, MLPA has conducted a site visit and approves the revised plans which include the following items - the height of the accessory structure has been reduced to 20 feet and the rear setback has been reduced from 15 feet to 7 feet. The referral certificate has been revised.

Comments:Rebekah Falkler from MLPA noted that the application conforms to the 50% lot coverage.

NPU-F Action: Motion made by Rebekah Falkler 2nd by Jack White to recommend approval of the revised referral certificate carries by a vote of 20 approvals, 1 opposed and 2 abstentions.

V-20-192 756 Cumberland Road NE

Applicant seeks a variance from the zoning regulations to 1) reduce the required west side yard from 7 feet to 3 feet and 2) reduce the required half depth front yard from 17.5 feet to 6 feet for the construction of a new single-family residence

MLPA: Approved 14-0 with 1 abstaining (EZ)

Comments: Applicant was represented by David Ford and Allie Suazo. The plans call for demolishing an existing home. A neighbor is concerned about trees, HVAC placement and window locations with privacy being an issue. The applicant responded that a fence has been constructed to mitigate privacy concerns. The new home will be mostly within the footprint of the existing home. Jack White noted that the applicant is not increasing the existing nonconformity. The neighbor raised objections because there's no hardship and he may appeal the decision.

NPU-F Action: Jack made the motion to approve the revised application as presented. Motion was seconded by Kay Stephenson. It carried by a vote of 20 in favor, 3 opposed and 1 abstention.

V-21-1 1705 North Pelham Road NE

Applicant seeks a variance from the zoning regulations to reduce the required south side yard setback from 7 feet to 3 feet in order to build a new carport.

MLPA: Approved 15-0

Comments: Cathie Power is architect.

NPU-F Action: Motion made by Rebekah Falkler and 2nd by Rich Sussman to recommend approval carries by a vote of 14 in favor, 1 opposed and 1 abstention.

V-21-5 1138 Virginia Avenue NE

Applicant seeks a variance from the zoning regulations to reduce the required front yard setback from 35 feet to 21 feet in order to construct an addition to an existing single-family residence.

VHCA Report: Approval

Comments: Level Team contractors (James Torbert) represented the applicants. A second story is being added and a 2 car garage will be added. Existing home is nonconforming.

NPU-F Action: Motion made by Jack White and 2nd by Rebekah Falkler to recommend approval carries by a vote of 14 in favor and 2 opposed.

V-21-21 693 Courtenay Drive NE

Applicant seeks a variance from the zoning regulation to reduce the required west side yard set back from 7 feet to 4 feet 6 inches in order to construct an addition to an existing single-family residence.

MLPA: Approved 15-0

Comments: The applicants were represented by Amy Bruckman and Pete Weimann. They plan to build a deck and screened in porch. None of the neighbors have objected.

NPU-F Action: Motion made by Rebekah Falkler and 2nd by Jack White to recommend approval carries by a vote of 14 in favor and one opposed.

V-21-30 870 Adair Avenue NE

Applicant seeks a variance to reduce the half-depth front yard setback from 17.5 feet to 7 feet 4 inches and the rear yard setback from 15 feet to 5 feet for the construction of a detached garage with guesthouse.

VHCA Report: Deferral

Comments: This application was received late in the monthly neighborhood cycle and the VH neighborhood did not have enough time to conduct a site visit or talk to the applicant. The applicant Adam Stillman asked that the NPU hear his application and that VHCA vote at their March meeting prior to his scheduled BZA hearing on March 14th. After discussion that the NPU-F process is for each neighborhood to make a recommendation on their applications before the NPU vote, a motion was made to defer the application.

NPU-F Action: Motion to defer made by Rich Sussman and 2nd by Kay Stephenson to recommend approval carries by a vote of 10 in favor, 3 opposed and 1 abstention.

MATTERS FOR REVIEW AND COMMENT

Public Notice

20-O-1656

An Ordinance by Councilmembers Andre Dickens, Matt Westmoreland, Jennifer N. Ide, Amir R. Farokhi, Antonio Brown, Michael Julian Bond and Joyce M. Sheperd as substituted and amended by Community Development/Human Services Committee to provide for the **regulation and taxation of short-term rentals** within The City of Atlanta; and for other purposes.

Notes: Public hearing on March 1, 2021 – 1 PM. Public may submit comments at 404-330-6068 between 4 pm and 7 pm **on the day before the scheduled meeting** and messages should not exceed 3 minutes.

Comments from the NPU: Rich Sussman commented that the new proposal is an improvement. He would like to see a reporting system to neighborhoods on which properties are short-term rentals.

The proposal calls for police to track violations, several residents questioned how it will be handled? Which office in Planning will handle registration of short term rentals?

Another resident who rents a PHCA unit stated that the ordinance does a good job of regulating short-term rentals.

Rich Sussman commented that the City should carry out a review after the policy has been in place for a few years.

20-O-1696

A substitute Ordinance by Public Safety and Legal Administration Committee to amend the Public Property Vending Code to provide a process for establishing and removing

designated **food truck** areas and the accompanying criteria; to promote opportunities for small businesses and an increase in food access for underserved areas of the city; and for other purposes.

Comments: Kay noted that the ordinance allows for increased flexibility to move trucks.

11. Old Business – None

12. New Business – None

13. Adjournment

The meeting adjourned at 9:42 PM. Kay Stephenson and Rich Sussman moved the motion to adjourn.