

# NEIGHBORHOOD PLANNING UNIT – F

Monday, April 19, 2021 at 7:00 PM



## 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 7:06 pm

### 2. Approval of Minutes

The March minutes have been posted on the NPU-F website and a copy was sent to those on the NPU mailing list and verified members.

Motion to approve the minutes was moved by Rich Sussman and seconded by Jim Hardy. The motion was unanimously approved.

### 3. Announcements

The NPU-F Executive Committee and Planning Committee will meet on Monday, April 26<sup>th</sup> at 7 pm via zoom to review the NPU-F CDP Policy Statements. A link to the 2016 NPU-F policies can be found on the consent agenda. This meeting is open to everyone. The zoom link is also on the Consent agenda.

Please review the information on the Consent Agenda for details on the upcoming Public Hearings/City Council Work Sessions.

### 4. Reports from City Departmental Representatives

<b>Atlanta Fire Department</b> Station 19 North Highland, Station 29 Monroe Drive Battalion Chief Derek Harris	Chief Hatcher- Battalion 3 chief shared some updates. Fire department staff are giving vaccinations. Hydrant inspections are underway. With the increase in call volumes, it's important that motorists pull over to allow fire trucks to pass. Chief Hatcher highlighted the dangers of carbon monoxide. A resident asked about homeless camps in the Morningside Nature Preserve. The City has a no burn policy so fires should be extinguished and reported to APD.
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<p><b>Atlanta Police Department</b>  <b>Zone 2 – Major Andrew Senzer</b>  asenzer@atlantaga.gov</p> <p><b>Zone 6 – Major Peter Ries</b>  pjries@atlantaga.gov, Capt. H. Zenelaj  hzenelaj@atlantaga.gov</p>	<p>Major Senzer from Zone 2 noted that while property crimes were high at the start of 2021, significant arrests have been made. Club Allure is filing an appeal for the New Year’s Eve attempted closure. Platinum Club has undergone a change of ownership and is not open currently. The City will file suit if the Club operates under the old alcohol license. Street racing details are on duty Friday and Saturday nights in partnership with the GSP. A resident noted that the camera had made a positive impact in Manchester. Another resident inquired about using a tire damage substance to deter street racers.</p> <p>Captain Zenelaj from Zone 6 reported lower numbers of auto thefts and burglaries. He agreed that illegal structures on City parks are a problem. Issues at Intown Suites are discussed later in the minutes.</p> <p>Inspector J Tillman ☐ Crime Prevention Inspector Zone 6 ☐ 470-462-9026 ☐ JLTillman@atlantaga.gov ☐ If you have location of any homelessness citizens in Zone 6 please email Inspector Tillman.</p>
<p><b>Pre-Arrest Diversion</b>  <b>Moki Macias</b></p>	<p>N/A</p>
<p><b>APD Code Enforcement</b></p>	<p>Deputy Chief Daphne Talley represented APD Code enforcement, with Intown Suites being the only topic of discussion. Attorney Lemuel Ward representing Paces Properties – Intown Suites noted that the hotel was under contract with Fairfield Residential which plan to build 300 units on site. In the interim, fences are going up. They are having difficulty with evicting trespassers. Richard Munger with Fairfield noted that they expect to close somewhere in the July/August timeframe. In the meantime, he expects to have a security firm at the property 24/7. The SAP process will determine actual demo dates. Jim Hardy noted that the PHCA has been working on this problem for several years and has seen a total lack of corporate responsibility. Ms. Talley noted that the owner and seller have committed to do the right thing. City has issued a criminal citation and the case will go to municipal court on June 22. City wants to be sure the owners are held accountable and bring the property into compliance. No action was taken at the In-Rem meeting in April. It’s not clear if the PHCA can make a presentation at the June 22 Court hearing. PHCA residents feel strongly about speaking at the Court hearing and the upcoming In-Rem meeting.</p>
<p><b>MARTA Police</b></p>	<p>N/A</p>
<p><b>Fulton County Prosecutor</b></p>	<p>N/A</p>
<p><b>Officer of the Solicitor</b>  Andrew Hughes</p>	<p>N/A</p>
<p><b>ATL311</b>  Barbara Dougherty</p>	<p>Constance Harris reported in chat of changes to the ATL311 app. New accounts need to be created on the new app.</p>

<b>Public Works Code Enforcement</b> Officer Ferguson	Officer James covered for Officer Ferguson.
<b>Watershed Management</b> Spencer Peck <a href="mailto:speck@atlantaga.gov">speck@atlantaga.gov</a> 404-546-1203	Spence Peck from DWM noted that the Mayor has renewed the executive order regarding non termination of water connections through the end of April. Order covers commercial accounts too. Mr. Peck is leaving DWM, and the NPU-F will have a new ambassador in May.

5. Comments from Elected Officials

Councilmember Jennifer Ide	N/A
State Reps Park Cannon, <b>Stacy Evans</b> <a href="mailto:stacey@staceyevans.com">stacey@staceyevans.com</a>  <b>Olivia Buckner</b> – Chief of Staff <a href="mailto:olivia@staceyevans.com">olivia@staceyevans.com</a>	Rep Stacey Evans reported that the biggest change in the recently concluded legislative session was the change in voting laws. Her office is preparing a cheat sheet for voters. The repeal of the Citizens Arrest Law passed with bipartisan support. The bill dealing with street racing – House Bill 534 clamps down and affords more tools for law enforcement. Cars can be impounded, penalties are ratcheted and organizers of races are punished. If the bill is signed it will be effective July 1. Marta will receive \$6 million from the state budget. The redistricting special session begins this fall. GA is not expected to pick up additional seats in Congress. If you would like to read about more bills that passed through the Gold Dome, you can visit Stacey's website at <a href="https://staceyevans.com/category/news/">https://staceyevans.com/category/news/</a>
Others – <b>Michael Julian Bond</b> 404-274-8111 cell <a href="mailto:mbond@atlantaga.gov">mbond@atlantaga.gov</a>	Dana Dodds. council aide for CM Michael Bond - Councilmember Post 1 at Large. I want to put our offices contact info in the chat in case CM doesn't arrive before the zoom ends. email: <a href="mailto:mbond@atlantaga.gov">mbond@atlantaga.gov</a> phone- 404-330-6770

6. Consent Agenda

**Special Events**

<b>Application</b>	<b>Request</b>	<b>Recommendation</b>
<b>Southern Cocktails in the Park</b> (Date Change: Supported on 1/20/20 and 5/18/20) Jim Shumake	Piedmont Park June 6, 2021 Class E/600 participants	Continue to support
<b>Piedmont Park Arts Festival</b> (Date Change: Supported on 11/16/20) Randall Fox	Piedmont Park August 21-22, 2021 Class E/1,999 participants	Continue to support
<b>BeReggae 2021</b> (Date Change: Supported on 4/20/20 and 2/15/21) Eric Barnes	Piedmont Park August 13-15, 2021 Class D/8,000 participants	Continue to support
<b>Atlanta Dogwood Festival</b> (Date Change: Supported on 1/20/20, 4/20/20, and 7/20/20)	Piedmont Park August 6-8, 2021 Class E/1,999 participants	Continue to support

Rebekah Jones	(historically Class A/90,000 participants)	
<b>Peachtree Junior + AJC Peachtree Road Race</b> (Date Change: Supported 12/16/19, 6/15/20, and 12/21/20) Jeannie Coakley	Piedmont Park July 2-4, 2021 Note: Ptree Jr on 7/2; Peachtree Road Race runners to be assigned over 2 days Class B/50,000 participants (historically Class A/60,000 participants, one day event)	Continue to support

**Board of Zoning Adjustment**

Application	Request	Recommendation
<b>V-21-38</b> <b>1198 Mclynn Avenue NE</b>	Applicant seeks a variance from the zoning regulations to 1) reduce the rear yard setback from 15 feet to 7 feet and 2) increase the lot coverage allowed from 50 percent to 52.8 percent for the construction of a swimming pool. Applicant seeks no other variances at this time. (Revised referral certificate)	<b>MLPA: Defer</b> <b>(Also deferred in March)</b>

**NPU-F Action:** Motion by Jane Rawlings 2<sup>nd</sup> by Kay Stephenson to approve the Consent Agenda carries by a vote of 22 in favor, none opposed and 4 abstentions.

7. Presentation

Urban Planning & Management: Police Reform and Law Enforcement Survey

Carter Coleman with the City’s Department of Urban Planning briefed the NPU on a project relating to police reform and public safety. The City hired 2 consulting firms to review APD policies and procedures. He encouraged City residents to participate in the citywide survey. Results will allow the City to tailor conversations. City also considering in person interviews. The review is expected to last for the next few months.

Mr. Coleman’s contact information is -

Carter Coleman - ccoleman@apdurban.com

City-Wide Survey - <https://www.surveymonkey.com/r/ATLPoliceReform>

Website - <https://policereformece-apdurban1.hub.arcgis.com/>

8. Planner’s Report – Doug Young 404-330-6702, [dyoung@atlantaga.gov](mailto:dyoung@atlantaga.gov)

1. Two classes will be offered at NPU University – Zoning Fundamentals and Parliamentary Procedures. To register for upcoming classes, or view previous classes visit [npuatlanta.org](http://npuatlanta.org).

2. Design Awards will be announced on May 18. More details will be available by May 18.

3. The Department of City Planning has awarded parklets to 13 restaurants across the city to facilitate outdoor dining. Installations will start the first week of April. Find out more about the program at [atlcitydesign.com/parklets](http://atlcitydesign.com/parklets).

4. The department continues to work hard updating the 2021 Comprehensive Development Plan. NPU chairs received an update from the department in early April. In that update, the following was noted: • In mid-May, we will have a draft plan for public review and comment online at [www.atlcitydesign.com/2021-cdp](http://www.atlcitydesign.com/2021-cdp).

We will host a virtual public meeting in early June to highlight this year’s update and promote

the broader update that will start in 2022. • NPUs and the public can submit questions and comments to their NPU planner or to [cdp2021@AtlantaGa.Gov](mailto:cdp2021@AtlantaGa.Gov). • We will present at the June 28th CD/HS Quarterly Public Hearing and then submit the 2021 CDP update to DCA and ARC for their review. • We anticipate City Council adopting the 2021 CDP at their October 4th Council Meeting.

9. Neighborhood and Committee Reports

<b>Lindridge Martin Manor</b>	Work has begun on the Path 400 trail up to Lindbergh.
<b>Piedmont Heights</b>	N/A
<b>Morningside Lenox Park</b>	Farmers Market opened at its new location at Morningside Presbyterian Church.
<b>Virginia-Highland</b>	No Summerfest this year in June. Rather it's scheduled for September 25-26 No tour of homes this year but will be back in Spring 2022.
<b>Edmund Park</b>	N/A
<b>Emory/CDC area/Druid Hills</b>	N/A
<b>Parks, Trees &amp; Environment</b>	Revised tree ordinance is up for vote soon.
<b>Public Safety (Jim Hardy)</b>	N/A
<b>Chair Report</b> -	<p>The next opportunity for public comment on the Tree Ordinance is April 27<sup>th</sup>. Info is on the Consent Agenda. The formal Public Notice for the hearing is at the end of this month's NPU agenda and will be discussed then.</p> <p>We have received a Beltline SAP BL-21-16 for the development of Intown Suites by Fairfield Residences. This property is now owned by the Development Authority of Fulton County. As part of the application, they are requesting 10 administrative variations from the Beltline regulations (mostly related to the sidewalk zone.) The SAP has been forwarded to Piedmont Heights for their review. Our comments are due back to Planning May 6<sup>th</sup>. A copy of the SAP will be forwarded on request.</p> <p>Mark your calendar for the next NPU meeting in May 17<sup>th</sup>, 7 pm, via Zoom, Four important applications will be on the May NPU agenda: In Piedmont Heights, a request to rezone the remainder of the Rock Springs Presbyterian Church property from PDH to R-4, a special use permit to allow a school to operate and a special use permit to build a 3-story outdoor deck at the Mixx in Ansley Square. In Lindridge Martin Manor a CDP request to change the land use designation for parcels at Lindbergh and Lindridge from single family to multi-family residential. The developer has changed his rezoning request to rezone these properties from R-4 to R-5 which allows for duplexes. Frequent NPU attendees may remember previous projects at each of these locations.</p> <p>The chair has been participating on a number of conference calls with Courtney Smith, president of the Midtown Neighborhood</p>

	<p>Association, MOSE and the Parks Department to discuss how the city is handling special events applications in 2021. As you can see from the agenda, we are beginning to get a slew of Special Events applications, many carry-overs from pre-Covid review. MOSE is now only accepting new applications for Class E, assembly and large gathering events. Larger events are now filing applications as Class E to hold dates and said that they will amend their applications as the city begins accepting other classes. MOSE will identify those apps for us when they are sent to the NPUs. The other thing we learned is that Parks is currently thinking about putting multiple events in the park if there are multiple requests for dates. They don't have a plan or a set of principles yet. Be prepared for the onslaught and what could be a messy, congested summer and fall. Fortunately we have good relationships with most of the Events Organizers and MNA. I can use some help in managing through this process and looking for volunteers.</p> <p>If you haven't already, please complete the CCI NPU Survey. The link is 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>At the March APAB meeting: 5 candidates were interviewed for APAB's rep on the Invest Atlanta Board. Following the meeting, a google doc election was held and Jim Martin NPU-D, Eunice Glover NPU-I and Justin Bleeker NPU-J will be submitted to the mayor. She will select one or reject all.</p> <p>At the April APAB meeting, Nate Hoelzel from the Planning Department gave a presentation on plans for updating the CDP. Because of COVID, they are opting to do an administrative update only (with the permission of the ARC and state) and will do a more robust update beginning in 2022. As part of the update, NPUs are being asked to update their NPU CDP policies. The deadline for submission is June 1<sup>st</sup>, although they will allow some flexibility if they are given advance notice.</p> <p>The Executive and Planning Committee will meet next Monday, April 26<sup>th</sup> to discuss the NPU-F CDP Policy Statements. A meeting notice has already been sent out to the members with a copy of our current policies. A link to the meeting and to the current NPU policies is on the consent agenda.</p>
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10. Matters for Voting

**Special Event Applications (MOSE)**

Event Name	Event Organizer	Event Location
<a href="#"><u>Atlanta HBCU Alumni Alliance 5K Run/Walk CONTACTLESS Race Packet Pickup</u></a>	Erinn Rowell	Piedmont Park July 26, 2021 Class E/1,500 participants

Comments: Virtual race. Correct date is June 26.

**NPU-F Action:** Motion by Rich Sussman, seconded by Kay Stephenson to support this event carries by a vote of 26 in favor and none opposed.

<a href="#">Indigenous House 10</a> (Date Change: No action taken on 4/20/20)	John Dennis	Piedmont Park May 16, 2021 Class D/2,000 participants
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Comments: Not in Attendance

**NPU-F Action:** No action taken

**Alcohol License Applications (LRB)**

Name of Business	Applicant	Property Address	Request
<a href="#">The Goat Club</a>	Muhammet Erkek	2200 Cheshire Bridge Road NE Restaurant	New Business

Comments: LMMNA voted to oppose. Application has been amended, but changes were discussed in 2020. Jane Rawlings characterized this as a reapplication. The original application was denied by NPU in February 2020. There are a couple of changes from the original 2020 application – a restaurant application is included and there are no plans for live entertainment. Mr Erkek and Mr. Osman were present for the applicant. The applicants noted that 6464 sq feet of restaurant space equates to 65 parking spaces - 18 on site spaces and parking lease agreements with adjacent businesses which brings total spaces to 75. Per code they need annual proof of leases. Map should delineate parking spaces. There may be overlap with hours of operation of other businesses. Code also requires that lease agreements be executed with property owners. Zoning has approved parking plans per Mr. Erkek. SAP was approved conditioned on parking leases executed in 2019. NPU has continuing concerns with the intended business model. There is concern about the intended use of the space. Operating hours on current application are more consistent with a nightclub. Opaque windows could hide activity.

The applicants' attorney clarified that while some windows will be tinted, 70% will be clear. There is concern that the Babylon Café was approved as a restaurant but morphed into a nightclub.

Motion to deny because leases are past the one year term and not consistent with city code.

**NPU-F Action:** Motion to Oppose this application by Jane Rawlings 2<sup>nd</sup> by Jim Hardy. Carries by a vote of 21 favor, 6 opposed, 1 abstention.

Reason: Application changes reflect what NPU knew when we voted in 2020. Hours of operation are not consistent with a restaurant, Concerns about location of parking requiring crossing CBR when there are no signals or crosswalks.

**Alcohol License Applications (LRB)- Review and Comment Only**

Name of Business	Applicant	Property Address	Request
Metrofresh	Mitchell Anderson	931 Monroe Drive (NPU-E) Restaurant	Adding Liquor to Existing License

Comments: Business is located in NPU-E

**NPU-F Action:** Support E.

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

**[V-21-70](#) 1117 St Charles Place NE**

Applicant seeks a special exception from the zoning regulations to allow active recreation in a yard adjacent to a street (St. Charles Place) in order to install a swimming pool/spa. Applicant seeks no other special exceptions at this time.

VHCA Report: Property is located in the Atkins Park historical district. Neighbors are fine. No recommendation because UDC will review.

Comments: Small pool on side of home will be very private and screened from the street.

**NPU-F Action:** Motion to recommend approval made by Jack White, 2<sup>nd</sup> by Rebekah Falkler carries by a vote of 15 in favor, none opposed, 2 abstentions.

**V-21-84 1147 Reeder Circle NE**

Applicant seeks a variance to increase lot coverage from 50 percent to 60.8 percent and reduce west side yard setback from 7 feet to 5 feet for the construction of a swimming pool.

MLPA Report: Approve 12-0

Comments: Per Dianne Barfield storm water management will be installed. Neighbors support it.

**NPU-F Action:** Motion to recommend approval made by Rebekah Falkler 2<sup>nd</sup> by Jim Hardy carries by a vote of 12 favor, 2 opposed and no abstentions.

**V-21-88 1436 High Point Place NE**

Applicant seeks a variance from the zoning regulations to reduce the rear yard setback from 15 feet to 1 foot 1 inch. Applicant seeks no other variances at this time.

MLPA Report: Approve 12-0

Comments: Audrey Godiers

**NPU-F Action:** Motion to recommend approval made by Rebekah Falkler 2<sup>nd</sup> by Darin\_Engle carries by a vote of 11 in favor, one opposed and no abstentions.

**V-21-89 924 Courtenay Drive NE**

Applicant seeks a special exception from the zoning regulation to 1) allow active recreation in a yard adjacent to a street (Courtenay Drive NE). The applicant is also seeking variances from the zoning regulation to 2) increase the lot coverage from 50 percent to 51.3 percent and to 3) reduce the required rear yard setback from 15 feet to 7.5 feet in order to install a swimming pool and spa. Applicant seeks no other variances at this time.

MLPA Report: Approve 12-0

Comments: Special exception and variance per Diane Barfield for applicant.

**NPU-F Action:** Motion to recommend approval made by Rebekah Falkler 2<sup>nd</sup> by Jim Hardy carries by a vote of 13 in favor, one opposed, one abstention.

Text Amendments – Zoning Ordinance	
Legislation	Public Hearing
<p><a href="#">Z-21-27</a>            An Ordinance to amend the 1982 Atlanta Zoning Ordinance, as amended, to amend section 16-26.003, entitled “Conditions of Granting a Variance” and to create a new section 16-26.008 entitled “Administrative Zoning Setback Variances for the Preservation of Trees”; and for other purposes. <a href="#">FACT SHEET</a></p>	<p>Zoning Review Board – City Hall Council Chambers            May 6 or 13, 2021</p>

Comments:

- Reducing the sideyard setback by 80% in R-4 districts will not allow enough room to maintain property.
- Removing the NPU and neighborhood from the review process does not allow an opportunity to resolve other issues or concerns related to the rest of the application.



- Not advertising setback variances does not give notice to adjacent neighbors that a project that may impact their property is being permitted (water runoff, location of windows, ability to maintain property, etc.)

**NPU-F Action:** Motion to oppose legislation made by Marti Breen and 2<sup>nd</sup> by Kay Stephenson carries by a vote of 11 favor, one opposed and one abstention.

### Design Awards 2021 - NPU Voting on Community Design Awards

The Community Design Awards are a way for the NPU to recognize the buildings, public spaces, events, art, organizations, etc. that make your community a better place to live. Examples of previous Community Design Award winners include: Neighborhood events, community organizations, new buildings, public art programs, individuals or organizations who have made a significant contribution to a neighborhood, public agencies working in that part of the city, etc. Based on the nomination's location, each nomination was assigned an NPU for voting purposes. There can only be one Community Design Award winner from each NPU regardless of the number of nominations. The NPU may also decide that none of the nominations warrant a Community Design Award. **Nominations can be made from the floor regardless of whether there were any nominations submitted ahead of time to the Dept. of City Planning.**

Nominations: Armand Park  
Nominations from the floor: None

**NPU-F Action:** Rich Sussman moved to nominate Armand Park, and Kay Stephenson seconded, 11 in favor, one opposed, no abstentions

### Public Notice

[21-O-0063](#)

An Ordinance by Councilmember J. P. Matzigkeit as amended by Community Development/Human Services Committee to amend the Atlanta City Code Part II (General Ordinances), Chapter 158 (Vegetation), Article II (Tree Protection), to adopt a new Tree Protection Ordinance for the City of Atlanta; and for other purposes.

Comments: ATTACHMENTS Amendments proposed by Citizens Tree Commission should be part of ordinance, Citizens group and Trees Atlanta don't agree.

Kay Stephenson noted that no action should be taken until the input from the Citizens group, Trees Atlanta and Tree Next Door have been considered and incorporated into the legislation. Motion seconded by Joe Dawsey. 9 in favor, none opposed

11. Old Business – none

12. New Business - Request for NPU support: Public Art Installation | Canis Rufus

Comments: nice sculpture

**NPU-F Action:** Motion to support made by Kay Stephenson and 2<sup>nd</sup> by Darin Engle carries by a vote of 10 in favor, none opposed and one abstention\_.

13. Adjournment

Motion to adjourn by Kay Stephenson and seconded by Jane Rawlings. The meeting adjourned at 10:34 PM.