NEIGHBORHOOD PLANNING UNIT - F

Monday, October 18, 2021 at 7:00 PM



CONTACT INFORMATION

Debbie Skopczynski, **Chair** – 404.874.7483 or <u>chair@npufatlanta.org</u>
Kay Stephenson, **Vice-Chair** – <u>kay.stephenson@gmail.com</u>
Doug Young, **City of Atlanta, Planner** – 404.330.6702 or <u>dyoung@atlantaga.gov</u>
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 7:05 pm

2. Approval of Minutes

Thanks to Carol Shunnarah for taking the minutes last month. The September 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 moved by Rich Sussman and seconded by Jane Rawlings and carried by a vote of 26 in favor and none opposed.

3. Announcements

- NPU elections for 2022 officers will be held in November. I will be confirming with the
 current officers and committee chairs their interest in continuing in their roles in the
 next couple weeks. If you are interested in serving as an NPU officer or committee
 head, please let me know. Nominations will be accepted from the floor either
 tonight or next month. We'll be talking briefly about the positions at the end of the
 meeting.
- Also, at the end of the meeting NPU-F has been asked to join an alliance of 14 NPUs in support of a letter that has been written to Council members asking them to oppose Draft 3 of Plan A Comprehensive Development Plan. The letter will be placed in the chat in the next few minutes
- We are in desperate need of someone to take over our communications and technical support. For the last several years, We've been limping along using Google Contacts to track and communicate those on our mailing list and verified member list. Kay has been managing our website, uploading documents and doing minor maintenance. We've now exceeded Google's mailing limit and Kay and my technical expertise. If you are able to help us transition to the next step, please let Kay or me know.
- 4. Reports from City Departmental Representatives

Atlanta Police Department Zone 2 – Major Andrew Senzer	APD was represented by Maj. Andrew Senzer APD Zone 2 asenzer@atlantaga.gov and Capt. H. Zenelaj APD zone 6 hzenelaj@atlantaga.gov
asenzer@atlantaga.gov Zone 6 – Major Peter Ries pjries@atlantaga.gov, Capt. H. Zenelaj hzenelaj@atlantaga.gov	Major Senzer reported that larceny from autos is driving crime in zones 2, 5 and 6. City is putting together a plan to collaborate on significant areas. Crime is driven by handful of crews. Public Works sweep team did great job with assisting APD. The offenders have a November 18 court date. The Major will share updates on the shooting at the Piedmont/Lindberg apartments at a later date.
	Captain Zenelaj agreed that auto thefts are driving crime. He is aware of the break ins on N Highland Avenue and has moved resources. Kay Stephenson inquired about young people gathering on Pylant near Diversified Manufacturing. Additional units will be moved there. Jack White thanked Major Senzer for the idea to collaborate with other COA departments. Another resident inquired about potential ways to partner with law enforcement. Major Senzer held up NPU involvement as an example of good partnership.
APD Code Enforcement Delores Bryant Officer Lyles – In Rem manager	Officer Lyles reported that the NPU is on the low end for cases with 6 active cases. Four addresses presented at IN REM in the past two years. The new build at 584 Cumberland Road will be finished and the home at 1330 University Drive has a new owner. Kay Stephenson shared concerns about 1131 Virginia Avenue. Jlyles@atlantaga.gov
ATL311 Barbara Dougherty	Constance Harris - ATL311 is the Non-Emergency Call Center for City of Atlanta Services, and we are open Monday-Friday from 7am-7pm. You can contact us by: 1. Dialing 3-1-1 inside city limits or (404)546-0311. 2. Visiting us online at www.ATL311.com. 3. Emailing us at ATL311@atlantaga.gov. 4. Downloading & reporting issues via our app by searching "ATL311" in your app store. 5. Sending us a message on Social Media. Just search "ATL311" on Twitter, Facebook, Instagram, Reddit, NextDoor, SnapChat, and YouTube Sign up for COVID-19 emergency notifications by texting "ATLSTRONG" to 888777. PAD (Policing Alternatives and Diversions Initiative): To make a PAD Community Referral for non-emergency quality of life concerns related to mental health, substance use or extreme poverty, please call and press 1 when the automated voice asks if you would like to make a PAD Community Referral. PAD only accepts Community Referrals through the ATL311 phone line Monday-Friday, 7am-7pm. For more information, visit www.atlantapad.org or email clara@atlantapad.org
Public Works Code Enforcement Officer Ferguson vferguson@atlantaga.gov , 678-221-8215.	Yard waste pick up continues to be significantly delayed. Residents shared concerns about street trash from disintegrating paper bags.

5. Comments from Elected Officials

State Reps Park Cannon, Stacy Evans stacey@staceyevans.com Olivia Buckner – Chief of Staff olivia@stacyevans.com	Olivia Buckner reported that the state legislature will hold a special redistricting session in November. Rep Evans is holding a town hall to address redistricting issues https://betsyforgeorgia.com/2021/10/02/northatlanta-town-hall-on-redistricting/
Others –	Mr. Ali Carter Chief of Staff to Councilmember Dickens dialed in. aacarter@atlantaga.gov 404-974- 7043

6. Consent Agenda

Application	Request	Recommendation
V-21-217 688 Cumberland Circle NE	Applicant seeks a variance to reduce the front yard setback from 35 feet to 30.3 feet.	MLPA: Approve

NPU-F Action: Motion by Kay Stephenson 2^{nd} by Jane Rawlings to approve the Consent Agenda carries by a vote of 27 in favor, none opposed, no abstentions.

7. Matters for Voting

Special Event Applications (MOSE)

Atlanta Science Festival Exploration Expo	Class D	Piedmont Park
Cynthia Alford	5,000 Participants	March 26, 2022

Comments: Sarah Yarnell

NPU-F Action: Motion to **approve** made by Kay Stephenson 2nd by Jane Rawlings carries by a vote of 24 in favor, none opposed.

Walk to End Lupus Now	Class D	Piedmont Park
Teri Emond	9,000 Participants	April 30, 2022

Comments: Event is a hybrid virtual/in person walk.

NPU-F Action: Motion to **support** made by Kay Stephenson 2nd by Rich Sussman carries by a vote of 27 in favor, none opposed.

Alcohol License A	p	plications (LRB)	
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Midtown Moon	1492-F Piedmont Avenue NE	Change of
Mark A. Penna	Restaurant	Agent

Comments: Jane Rawlings noted that the application was filed in May 2021. Applicant was prepared to move forward at October NPU meeting. Mr Penna is the owner and was represented by his attorney, Mr Sard. In response to neighborhood concerns, the applicant has conducted a noise study but the results were not available at the time of the NPU meeting. The NPU chair inquired about sound mitigation steps. The applicant has undertaken some mitigation including closing the rear balcony, and added a sound barrier around rear patio area. The gazebo has been enclosed in plexiglass.

Jane Rawlings stated that NPU approval should be contingent on a bar not being added in any outside location and the noise study results falling within permitted decibel levels, consistent with code.

NPU-F Action: Motion to **approve with conditions** made by Jane Rawlings 2nd by Kay Stephenson carries by a vote of 20 in favor, none opposed.

Glugger	2217 Faulkner Road NE	New
Grace V. Simmons	Retail Package Store	Business

Comments: Applicant and attorney were present. Glugger is a new retail delivery store selling beer, wine and liquor. The attorney Mr Sard, noted that it is a small store which will deliver to homes and offices. The Glugger location meets the 1,500 foot distance requirement from another liquor store.

NPU-F Action: Motion to **approve** made by Jane Rawlings 2nd by Kay Stephenson carries by a vote of 19 in favor, none opposed.

Neighbor's Pub	752 North Highland	Change of
Jessica R. Ramsey	Restaurant	Agent

Comments: Defer to later date at the request of the applicant.

NPU-F Action: Motion to Defer made by Jane Rawlings 2nd by Kay Stephenson carries by a vote of 22 in favor, none opposed.

Board of Zoning Adjustment Applications (BZA)

V-21-220 1039 North Virginia Avenue NE

Applicant seeks a variance to reduce the front yard setback from 35 feet to 29.8 feet, the north side yard setback from 7 feet to 4.9 feet and to increase the lot coverage from 50 percent to 57.5 percent.

VHCA Report: Applicant is present. The new lot coverage is 55.7 percent because the applicant plans to use permeable pavers on driveway. A revised site plan was filed on September 30 with 55.7 percent lot coverage.

Comments: Jessalyn Rogers stated that VHCA supported the application. Jack White noted the positive aspect of using permeable pavers to reduce storm water runoff.

NPU-F Action: Motion to approve made by Jack White 2nd by Rebekah Falkler carries by a vote of 22 in favor, none opposed, contingent on the above change to the referral certificate.

8. Presentations

AdHoc Citizens for a Stronger Tree Ordinance – Howard Katzman

Updated the NPU on the work of his group and requested support for a letter that the group drafted. In response to a resident's question, Mr. Katzman stated that he did not have information on the view of City Council. The chair noted that the NPU broadly supports the ordinance but will hold off final approval until a copy of the letter can be reviewed. The NPU Executive Committee may be empowered to review the letter on behalf of residents. The motion to defer to the Executive Committee and circulate the letter was approved by 23 in favor and none opposed.

9. Planner's Report – Doug Young Doug Young, Office of Design - Historic Preservation Studio - 404-330-6702, <u>dyoung@atlantaga.gov</u>

Announcements:

- For more information about NPU University courses, visit www.npuatlanta.org/npuucatalog or call 404.546.0158.
- For public hearings or other departmental information visit https://www.atlantaga.gov/government/departments/city-planning
- For info on the CDP, visit atlcitydesign.com/2021-cdp or email cdp2021@atlantaga.gov
 - 10/8 last day to review 3rd draft of the CDP
 - 10/12 release of final draft of the CDP
 - 10/25 public hearing for CDP at 6:00 p.m.
 - 10/28 Special session of City Council
 - 10/31 adoption of the CDP
- To register for Historic Preservation Week visit bit.ly/historicpreservationweek21
- To register for ATL Zoning 2.0 idea lab visit http://atlzoning.com/idealabs
- Follow NPU voting activity on the NPU Dashboard: https://www.npuatlanta.org/npu-dashboard

10. Neighborhood and Committee Reports

Lindridge Martin Manor	Rich Sussman thanked MLPA and PHCA for hosting the District 6 council forum
Piedmont Heights	Jim Hardy noted that PHCA co-hosted the District 6 Council forum.
Morningside Lenox Park	MLPA is closely following changes to APS school structures.
Virginia-Highland	Tour of Homes will be held in Spring 2022. Paper brochures are being shared with applicants. The Social Committee is also organizing movies in the park. For Halloween, a candy crawl will be held at the stores along North Highland. Allliance of Intown Neighbors is hosting a mayoral forum on October 19. Fire station 19 has closed for renovation.
Edmund Park	No report

Emory/CDC area/	No report
Druid Hills	
Parks, Trees & Environment (Rich Sussman)	Rich Sussman reminded residents not to move firewood from North GA to metro Atlanta because of the risk of invasive insects.
Public Safety	No report
Chair Report	NPU-F is going to continue to meet virtually through the end of the year. Our attendance seems to be higher and our meetings more efficient.
	On Thursday, I participated on an NPU chair call with the Commissioner of Public Works who addressed the concerns with Yard Waste pickup. Here are my take-aways: - They are sincerely working on it. The problems have been caused with their labor shortage and their inability to recruit the number of employees that are needed (they've hired 40 but need more) despite using cash and other incentives. Office staff has been re-assigned as truck drivers until they can get staffed up and caught up. New employees are not familiar with some of the neighborhoods and miss some of the smaller streets. Temp agencies are not interested in supplying workers because of the liability with work that requires folks to hang off a truck. - One of the problems he talked about is how the truck routing has worked. Once the truck is full with debris, they leave the route and travel to the dump site which is on the west side of the City. Sometimes that happens in the middle of the block. Usually they don't return to where they left off because of the travel distance - The City has antiquated trucks, systems and process that they are working to update. They are buying new software that will do a better job scheduling routes and 8 new trucks that will only require one person. - The Commissioner says: if your Yard Waste hasn't been picked up in 3 weeks, it's not on their radar. Better to put it in your regular trash. It won't be recycled, but it won't be sitting on the street. You may also put any yard waste in with your trash now until they can get the system fixed. Also, they have hired 2 landscape companies to pick up yard waste. They should be on the street next week and will be in marked trucks. They will be focusing on the areas that have been most neglected. He also said that we should contact him directly if there is an area that is being neglected. You can funnel those issues to me and

I can get the information to him on a private number.

APAB met on Saturday

(APAB is the umbrella organization of all 25 NPUs.) An excellent presentation was made by Shannon Manigault, the City's new Inspector General. She is well-experienced and not afraid to do her job. A 2nd presentation was made on ActivateATL – the Parks and Recreation master plan that will be ready for public comment this week.

Dorthey Hurst from NPU-M was appointed to be the 3rd of 5 APAB representatives to the new Public Safety Commission.

As president of APAB, I have been participating as an Advisory Board member for the NPU Initiative study being conducted by CCI. They are currently drafting their final report and slipped in a couple additional recommendations that previously haven't been introduced. I was also asked to be on a call with Commissioner Tim Keane, COO Jon Keen, CM Matt Westmoreland and Deputy Commissioner Janide Sidifall to discuss next steps. There wasn't much appetite for doing anything until the new mayor and council are in place, and quite frankly I didn't get a lot of warm and fuzzies that Planning is committed to devoting staff to the recommendations.

11. Text Amendments

Text Amendments – Zoning Ordinance

Z-21-74 (Amended) - PRESENTATION BY THE DEPT OF CITY PLANNING

An Ordinance by Councilmember Amir R. Farokhi to amend the Zoning Ordinance of the City Of Atlanta (Part 16), by amending various provisions of the text of the Zoning Ordinance, including individual zoning district regulations, with regard to the subject areas and provisions that follow: MR-MU (Multifamily Residential Multi-Unit) zoning district and regulations (Section 1 Below); Minimum Parking Requirements (Section 2 Below); Accessory Dwellings (Section 3 Below); to promote a diversity of housing options and increase housing affordability; and for other purposes. AMENDED FACT SHEET

Comments: Carolina Rodriguez from the Department of City Planning discussed the ordinance. Only voting items are parking, accessory dwellings and small apartments. The goal is to increase market supply of smaller housing. Zoning reform addresses housing affordability without the use of public subsidies. The plan also unbundles parking from housing costs. It increases the use of MRMUs, and creates variable lot coverage. Ms Rodriguez clarified that basement apartments are attached ADUs, similar to garage apartments. The NPU chair noted that the ordinance that rezones specific parcels near MARTA stations to MRMU is a separate ordinance, and not being voted on at this meeting. The ordinance being voted on has an MRMU component built into legislation and it does address proximity to MARTA stations. A resident commented that the ordinance could affect NPU residents in the future. The NPU chair noted that short term rentals will be addressed in a separate ordinance. A feature of the proposed legislation would prohibit the use of ADUs as short term rentals.

Link to the fact sheet-

https://static1.squarespace.com/static/5c756de44d546e6335d551e0/t/6142311d9a87641d7472ee7f/1631727 903825/ACDH+Text+Amendment+Fact+sheet+9.2.21.pdf

A number of points were raised by NPU residents – the projections for population are overly optimistic and the premise may be faulty. A more surgical approach is needed to these issues and there was a preference for more of the City Design to be adopted in advance of the legislation. The ordinance makes little distinction between houses that have parcels and those that don't. Land use plans have not been factored in adequately. Tree issues are not dealt with properly. Administrative variance decisions would fall under the purview of the City Planning department without neighborhood involvement.

NPU-F Action: Motion to **oppose** the current version of the CDP made by Cary Aiken 2nd by Rich Sussman carries by a vote of 22 in favor of the motion, and 10 opposed, no abstentions.

Z-21-85

An Ordinance by Zoning Committee to amend the 1982 Atlanta Zoning Ordinance, as amended, by creating a definition of a "Short-Term Rental" and to allow a short-term rental as a use in certain zoning districts; and for other purposes. FACT SHEET

Comments: The ordinance excludes short term rentals in ADUs and may have an impact on homes zoned as R4. R4 zoning currently allows for detached ADUs. The proposal would allow for attached ADUs. Further, it reduces the number of parking spaces for R4 to zero. Several months back the NPU approved the concept of short term rentals.

Kathie McClure stated that this was a companion to the March 2020 short term rentals ordinance. Short term rentals are allowed in all zoning classifications. Only exception is no short term rentals are allowed in ADUs.

NPU-F Action: Motion to **oppose** the amendment because of the change relating to ADUs made by Jack White 2^{nd} by Kay Stephenson carries by a vote of 17 in favor and six opposed.

- 12. Old Business None
- 13. New Business
 - Nominations for 2022 NPU Election of Officers (to be held in November)
 - If you are currently in one of these roles in your neighborhood having an NPU-wide, and citywide perspective will help you develop contacts and a network.
 - i. Chair
 - ii. Vice-chair
 - iii. Secretary(ies)
 - iv. Zoning Chairs
 - v. Alcohol Licensing Chair
 - vi. Public Safety Chair
 - vii. Parks, Trees and Environment Chair
 - viii. Education Chair

CDP 2021 - Plan A NPU-F has been asked to sign-on to a letter with 14 other NPUs to oppose the final draft version of the CDP which will be voted on by City Council at the end of the month.

Summary of points in Buckhead letter

- The joint NPU letter is all about the City's broken promises about this year's comprehensive development plan.
- At the outset of the process the Department of City Planning said they were going to align the CDP with the Atlanta City Design, the visionary design plan for Atlanta's growth and development that was adopted into the City Charter in 2017.
- And they said specifically that they would "institutionalize" the Atlanta City Design's five core values into the CDP, along with its approach to growth (one with designated "growth areas" and "conservation areas")—in order to provide a framework for Atlanta's future development.
- In March they announced that they would focus only on the legally required updates this year and engage in a "more robust process" next year when hopefully there could be more normal community engagement.
- They did not do either one.
- When City Planning released the first draft of the actual CDP document in June, it did NOT "institutionalize" the Atlanta City Design's values into the plan. And it expressly DECLINED to adopt its "growth areas/conservation areas" approach to growth, opting to keep the current plan instead—even though the current plan is based on different values and considerations and even though the Atlanta Clty Design has been part of the City's Charter for almost FOUR years.
- It also did not confine the plan to "just the required updates"—opting instead to include a host of new policies and policy action items and even incorporating a number of planning initiatives and planning strategies that had never been approved by City Council.
- What is worse, DCP appears to be ramming all this through without the public engagement a CDP of its scope both deserves and legally requires.
- And even though the neighborhood and resident comment has been virtually 100% in opposition— DCP is still trying to ram it through despite the fact that it obviously does not "embody the articulated will of the community" or "reflect the needs and values of the community"—which is what state law requires.
- What we have demanded in the letter is for the 2021 CDP do what was promised—1) institutionalize the Atlanta City Design's values and growth framework and 2) otherwise be confined to the legally required updates.
- Everything else should be shelved until it can get the kind of community engagement it requires and deserves
- Fourteen NPUs have signed on, including A, B, C, D, E, G, I, O, P, Q, T, V, Y, Z— and the list is still growing.

Comments: Talking points from Jack White. We are hoping to have NPU-F oppose the current version of the CDP changes on these grounds:. (1) The CDP is not a process intended for initiating top-down sweeping changes, which should be introduced and considered through the legislative process; (2) There has been insufficient time for either neighborhoods or NPUs to reflect & review the impacts of the evolving versions, which is critical; & (3) Specific assurances were offered by and on behalf of City of Atlanta Planning that such an approach would not be used in this cycle - and it should not be.

Reasoning: This very poor process will mobilize & memorialize opposition to the entire topic, a very unfortunate outcome. There is no need to metaphorically throw out the affordable housing baby with the faulty bathwater. Remaining receptive to more skilled & more productive future approaches to this significant challenge is important.

May we accurately and reliably report that existing substantial opposition on Council already ensures that Amir's version is DOA & that an alternative is in the works to meet the state deadline?

Thanks, Jack White NPU-F **NPU-F Action:** The motion to accept Jack White's description in the chat made by Kay Stephenson and seconded by Cary Aiken carries by a vote of 23 in favor and none opposed.

A second motion to adopt the letter presented by 14 NPUs made by Kay Stephenson and seconded by Cary Aiken carries by a vote of 13 in favor and 7 opposed.

14. Adjournment

NPU-F Action: Motion to adjourn made by Rich Sussman 2nd by Nanci Witte carries by a vote of 17 in favor and none opposed.

• The meeting was adjourned at 10:48 pm.

PUBLIC NOTICES AND ANNOUNCEMENTS

RESCHEDULED: City Council Community Development/Human Services Committee

RESCHEDULED - City Council Community Development/Human Services (CD/HS) Committee virtual public hearing on the Comprehensive Development Plan is rescheduled for Monday, October 25, at 6pm. City Council will host a special session on October 28 to adopt the CDP by October 31, 2021. The plan is available online at https://www.atlcitydesign.com/2021-cdp. For additional information please email cdp2021@AtlantaGa.Gov.

City Council Public Notice for the October 25 public hearing is available at https://citycouncil.atlantaga.gov/Home/Components/Calendar/Event/6282/18

Zoning Ordinance Rewrite Idea Labs – November, December

The Department of City Planning will start the public process for its multi-year Zoning Ordinance rewrite, ATL Zoning 2.0 on November 2, 2021. The project will start with a series of virtual meetings, or "Idea Labs," which will provide opportunities for the public to learn more about zoning concepts that could potentially shape the new Zoning Ordinance. Topics will include current conditions of Atlanta, transportation networks, sustainability, natural areas in an urban environment, modern development codes, and more. Attendees will also participate in a question and answer period and provide input on ideas that should be explored during the rewrite process. To learn more and register, please visit http://atlzoning.com/idealabs

Campaigning by Elected Officials & Candidates

Campaigning at NPU meetings is strictly prohibited by the City of Atlanta's Code of Ordinances.

Sec. 6-3019 Prohibition of Political Forums

"Neighborhood planning unit meetings shall not be used for political forums or campaigning for city, county, state, or federal elections.

Examples of campaigning could include, but not be limited to:

- Introduction of elected officials as political candidates in upcoming elections:
- Distributing campaign materials and literature; and
- Conducting either of the above in City Hall, its rooms or offices.

Please contact Leah LaRue at 404.546.0159 or llarue@atlantaga.gov with any questions or concerns.