

NPU-N Meeting

Thursday, September 26, 2019

Little 5 Points Community Center (alternate location: Room 202)

Chair: Christopher Leerssen

CNIA: John Dirga

CPNO: Matthew Kirk

DHCA: Travis Blalock

IPNA: Neil Kinkopf

LCN: Carol Holliday

LSPBA: Forest Briese

LSPCAC: Randy Pimsler

PHNA: Cory Atkinson

RCIL: .. Catherine Woodling

Planning: Jordan Dowdy (alternate)

1. Meeting called to order at 7:00 pm by Chair Christopher Leerssen.
2. **Motion to approve agenda** with the following changes: Deferred – [LRB] Kroger #695, 725 Ponce de Leon Ave, Deferred – V-19-156 / 1270 Euclid Ave NE (Public Hearing is still scheduled for November 14th), Deferred – V-19-192 & Z-19-77 / 863 Ponce de Leon Ave, and with the following items on the Fast Track: V-19-190 / 1349 McLendon Ave. Motion **passed**, 8-0-1 (1 abstention).
3. **Motion to approve** August 2019 Minutes, **passed** 6-0-3 (3 abstentions).
4. Reports from City Departmental Representatives: APD, MARTA Police, AFD, SWEET, Parks Dept, Code Enforcement, Public Works.
5. Planner's Report – Contract for the re-write of the zoning ordinance has not been signed yet.
6. V-19-190 / 1349 McLendon Ave. Applicant seeks a variance from the zoning regulations to reduce the required half depth front yard setback from 17.5 feet to 3.8 feet. **Motion to approve, passed** 8-0-1
7. PHNA Representative recused himself.
8. [LRB] Elemental Spirits Co. (Malt Beverages & Wine) 602 N Highland Avenue [PHNA]. Applicant Cory Atkinson presented. Malt Beverages and Wine, Distilled Spirits. **Motion to approve, passed** 8-0-0.
9. PHNA returned.
10. V-19-181 / 993 Mauldin Street SE [RCIL] Applicant Rob DelBuono seeks a variance from the zoning regulation to 1) reduce the required half-depth front yard setback from 15 feet to 12 feet and 2) reduce the required front yard setback from 30 feet to 23.53 feet to construct a second story addition to a single-family residence. RCIL **motion to approve, passed** 9-0-0.
11. V-19-184 / 571 Linwood Ave NE [PHNA] Applicant Eric Kyzer seeks a variance from the zoning regulation to 1) reduce the required north side yard setback from 7 feet to 4 feet, 2) reduce the required south side yard setback from 7 feet to 2 feet, 3) reduce the required rear yard setback from 15 feet to 3 feet, 4) increase the maximum impervious lot coverage from 50 percent to 55 percent, 5) increase the maximum size of an accessory structure from 30 percent of the main structure to 37 percent of the main structure, 6) reduce the width of the required porch from 12 feet to 8 feet wide, and 7) reduce the required depth of a porch from 8 feet to 6 feet in depth

in order to construct a new single family residence and detached garage structure. Neighbor Robert Duckworth spoke against the application. Adjacent neighbors, the Feingolds, spoke against the application. PHNA motion to approve was tabled, and a total of 9 minutes were added to discussion time. L5PCAC called the question, approved unanimously. Motion to approve the application **did not pass**, 3-4-2. Applicant requested deferral.

Motion to defer passed, 9-0-0.

12. Z-19-79 / 180 Pearl Street SE [RCIL] Applicant seeks to rezone the property from the R-5 (two-family residential, minimum lot size .17 acres) zoning designation to the R-LC-C (residential with limited commercial, maximum floor area ratio .348 / Conditional) zoning designation. **Motion to approve, with attached conditions** (the non-residential use shall not exceed 1610 sq ft, the rear porch shall not be used for commercial, and no liquor license shall be permitted) **passed**, 7-0-2 (2 abstentions)
13. Z-19-76 An Ordinance by Councilmember J.P. Matzigkeit to amend the 1982 Atlanta Zoning Ordinance, as amended, by amending the R-LC (Residential limited commercial district), C-1- (community business), C-2 (Commercial service), C-3 (commercial residential), C-4 (central area commercial residential), C-5 (central business support), I-Mix (Industrial Mixed Use District), NC (Neighborhood Commercial), and MRC (Mixed residential commercial) zoning districts so as to allow a “party house” as a use in some commercial zoning districts and expressly prohibit it as a use in certain districts including solely residential districts. **Motion to support, passed** 7-0-2
14. Old Business: Vegan in the Park update, Moreland Corridor LCI Update
15. New Business: Friends of Lang Carson Park is applying for grant. **Motion to support with letter, passed** 9-0-0.