

NPU-N Meeting
Thursday, October 24, 2019
Little 5 Points Community Center

Chair: Christopher Leerssen
CNIA: John Dirga
CPNO: Amy Stout
DHCA: Carol Sleeth
IPNA: Neil Kinkopf
LCN: Carol Holliday
L5PBA: Forest Briese
L5PCAC: David Shorter
PHNA: Lisa Malaney
RCIL: Hallie Lieberman
Planning: Kemberli Sargent

1. Meeting called to order at **7:00 pm** by Chair Christopher Leerssen.
2. **Motion to approve September minutes** with correction of scrivner's error (date), passed 6-0-3.
3. **Motion to approve agenda** with the following items on fast track: [LRB] Kroger #695 / 725 Ponce de Leon Ave, [LRB] First Watch / 200 Bill Kennedy SE, [BZA] (V-19-211 / 1037 North Ave NE, [BZA] V-19-216 / 599 Linwood Ave NE; and the following items deferred: [BZA] V-19-184 / 571 Linwood Ave NE, [ZRB] Z-19-93 / 1076 Hardee Street NE; motion **passed unanimously**, 8-0-0.
4. Reports from City Departmental Representatives: APD, MARTA PD, AFD, SWEET, Code Enforcement, DPW.
5. Comments from Elected Officials: Amir Farohki
6. APAB Report: Need new delegate for NPU-N
7. **Motion to approve fast track items** ([LRB] Kroger #695, [LRB] First Watch, [BZA] (V-19-211 / 1037 North Ave NE, [BZA] V-19-216 / 599 Linwood Ave NE), **passed** 8-0-1.
8. [MOSE] Paideia School Field Day, April 17, 2020. **Motion to defer, passed** 6-1-1.
9. [LRB] Brewhouse Café, 401 Moreland Ave [CPNO], change of ownership, applicant Saakib Jonathon Zafrani, L5PBA **motion to approve, passed** 9-0-0.
10. **V-19-156 (amended) 1270 Euclid Ave NE [CPNO]** Applicant seeks a variance from the zoning regulations to 1) reduce the required front yard setback from 35 feet to 18.5 feet, 2) reduce the west side yard from 7 feet to 5 feet, 3) reduce the required rear yard setback from 15 feet to 10.5 feet, and 4) exceed the maximum lot coverage from 50 percent to 75 percent (amended to 61.2%) to construct a new single family residence. Three neighbors spoke against the application. CPNO **motion to oppose, passed** 8-0-1.
11. **V-19-192 / 863 Ponce de Leon Avenue NE [PHNA]** Applicant seeks a variance to reduce the required Useable Open Space based on the LUI calculation in MRC-2 zone district from 40 percent to 20 percent to construct a new multi-family structure; was heard in conjunction with: **Z-19-77** Applicant seeks to rezone the .43 acre property from the MRC-2-C/BL (Mixed residential and commercial, maximum floor area ratio of 7.2/Beltline Overlay) zoning designation to the MRC-2-C/BL (Mixed residential and commercial, maximum floor area ratio of 7.2/Beltline Overlay) zoning designation to construct a mixed-used building consisting of retail space,

residential condos and parking; presented **subject to the following zoning conditions** filed separately (**see footnote***) and summarized here: Height limited to 6 stories (plus roof deck), height not exceed 90', restricted use of cementitious panels for accents, increased retail and reduce parking, garage screen shall be covered with vines, specific trees on Ponce de Leon Ave, & the use of proper planting beds per City Arborist guidelines.

PHNA **motion to support Z-19-77, passed** 8-1-0 (1 opposed).

PHNA **motion to support V-19-192, passed** 8-1-0 (1 opposed).

12. **V-19-224 / 111 Moreland Avenue SE [RCIL]** Applicant seeks a variance from the zoning ordinance to 1) reduce the required transitional yard setback from 15 to 10 feet, 2) reduce the required supplementary zone from 9 feet to 3 feet 2 inches fronting Moreland Avenue, 3) reduce the required the required supplementary zone from 9 feet to 6 feet fronting Kirkwood Avenue, 4) reduce the required rear yard setback from 20 feet to 9 feet 6 inches and 6) allow structure to protrude through the 45 degree height limit plane to construct a multi-family development. **Motion to support, passed** 8-0-1.

13. **Z-19-96 SMALL DISCOUNT VARIETY STORE** – (Vote Required) *This legislation CREATES a definition for “small discount variety store”, and IMPOSES a distance requirement between small discount variety stores of 1,500 feet in the following zoning districts: C-1, C-2, C-3, C-4, C-5, I-MIX, I-2, SPI-1, SPI-2, SPI-9, SPI-12, SPI-15, SPI-16, SPI-17, SPI-18, SPI-20, SPI-21, SPI-22, PD-MU, PD-OC, Cabbagetown landmark district, Martin Luther King Jr. landmark district, Inman Park historic district, PRATT-PULLMAN landmark district, NC, LW, and MRC.*

An Ordinance by Councilmember Marci Collier Overstreet to amend the 1982 Atlanta Zoning Ordinance, as amended, to add section 16-29.001(87) to add the definition of small discount variety store; to amend the 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), I-2 (Heavy industrial district), SPI-1 (Downtown special public interest district), SPI-2 (Fort McPherson special public interest district), SPI-9 (Buckhead Village district), SPI-12 (Buckhead/Lenox Stations special public interest district), SPI-15 (Lindbergh Transit Station special public interest district), SPI-16 (Midtown special public interest district), SPI-17 (Piedmont Avenue special public interest district), SPI-18 (Mechanicsville Neighborhood special public interest district), spi-20 (Greenbriar special public interest district), SPI-21 (Historic West End/Adair Park special public interest district), SPI-22 (Memorial Drive/Oakland Cemetery special public interest district), PD-MU (Planned development – mixed use district), PD-OC (Planned development – office/commercial district), Cabbagetown landmark district, Martin Luther King Jr. landmark district, Inman Park historic district, Pratt-Pullman landmark district, NC (Neighborhood commercial), LW (Live work district), and MRC (Mixed residential commercial) zoning districts so as to allow small discount variety stores as a use; to require a 1,500 foot distance between small discount variety stores as defined by this ordinance; and for other purposes. **Motion to support, passed** 6-0-3 (3 abstentions).

14. Old Business: Hulsey Master Plan finished, Moreland LCI update. Temporary Liquor License (Crave) on Euclid Ave (until February 2020).
15. New Business: Update request from Center for Civic Innovation on NPU Project, Lang Carson Park design meeting upcoming. Holiday meeting schedule: Nov 21 / Dec 19
16. Adjourned.

***PHNA recommends conditional support of both Z-19-077 and V-19-192** for the proposed project at 863 Ponce de Leon Avenue with the following conditions:

- Support shall be conditioned to the site plans date 10/16/19. PHNA shall promptly receive any updated plans as a result of the ZRB, BZA, or SAP process.
- The **height of the proposed structure shall be limited to six (6) stories** plus a roof top deck when measured from sidewalk grade at the corner of Ponce de Leon Ave and Barnett Street fronting the property. The **overall height shall not exceed ninety (90) feet** when measured at sidewalk grade at the corner of Ponce de Leon Ave and Barnett Street fronting the property.
- Use of cementitious panel shall be **limited to accents only**. (We realize this is not specific but understand that it will "accents only" per our agreement with developer, but do not have a specific percentage)
- The plans dated 10/16/19 reflect an **increase in retail restaurant space and slight reduction in parking** to extend retail space to the park side of the building. The neighborhood desired better activation of the park side of the building/interaction with the park.
- **Garage screen shall be covered with vines** (either Crossvine or Carolina Jessamine) as indicated on the 10/16/19 renderings. (All sides except on at the front northeast corner of the building.) Vines shall be planted directly in the ground, not in containers.
- **Trees on Ponce shall be selected** from: Bald Cypress "Shawnee Brave" or Pond Cypress.
- **Trees on Barnett shall be selected from** the following single trunk varieties: Chinese Fringe Tree, Parrotia, Trident Maple, Red Bud "Rising Sun" or Fantasy Crepe Myrtle.
- **Trees shall be planted in planting strips** per City of Atlanta arborist guidelines to allow the trees to survive and thrive. No planting containers shall be used for required street trees.