

NPU-T Meeting Minutes
Wednesday, March 9, 2011

The General meeting was called to order at 7: 04pm EST by Chairman Knowles.

1. Invocation

- a. A moment of silence was observed.

2. Approval of Agenda –

- a. A motion was made by Mark Malaguerra to adopt the agenda as presented with deviations as the chair deems necessary. This was seconded by Patrick Berry

The Vote: Yes-8; No - 0; → Motion Carries

3. Approval of Minutes –

a. February 2010

- i. A motion was made by Vonda Henry to approve the minutes as published. This was seconded by Mark Malaguerra

The Vote: Yes-8; No - 0; → Motion Carries

4. Police, Fire, and Community Prosecutor's Updates (5 minutes per report) –

a. Police

- i. Zone 4 – Major Bryant spoke to the general body about the beat realignment and introduced the new evening watch supervisor who provided an overview of the crime statistics.
- ii. Zone 1 – Major Quiller spoke. Lt. Charles provided an overview of the crime statistics.

b. Fire – Battalion Chief Shoemaker spoke

- i. 70 new recruits will be starting training in April, 2011.
- ii. Chief Shoemaker talked about several community-oriented programs that are offered.

c. Community Prosecutor –

- i. Zone 4 - LaDawn Blackett-Jones (404.699.5294)
 - 1. Prosecutor Blackett-Jones spoke about the court watch training scheduled for March 19th from 9a-12:30 at the Fulton County Courthouse.
- ii. Steven Jones (steven.jones@fultoncountyga.gov)
 - 1. Prosecutor Jones spoke about several recent court cases.

d. Parks, Recreation and Cultural Affairs.

- i. Mr. Burns spoke about several initiatives.
 - 1. The City is enforcing leash laws
 - 2. The Fourth Ward Park is open
 - 3. WAWA is up to receive a \$30,000 grant and needs members of the community to vote in support of their application. www.wawa.org
 - 4. Spring athletics registration starts March 15th.
 - 5. Camp Best Friends enrollment starts March 28th.

e. Code Enforcement

- i. Ms. Smith spoke about several recent code enforcement cases.
 - 1. 1616 Derry Ave – will be back in court on March 15th
 - 2. 1640 Derry will be back in court April 12th.
 - 3. 492 Muse is still in process of researching the owner
 - 4. 497 Dargan is in compliance
 - 5. 750 Cascade Place – property is on the market.

NPU-T Meeting Minutes
Wednesday, March 9, 2011

Deviation #1 → Post 2 At-Large Council Member Watson (404.330.6302) addressed the body and offered support from his office.

5. Presentations
a. none

6. **Planner's Report – Brandy Crawford (404.330.6522 bcrawford@atlantaga.gov)**
a. Planner Crawford spoke about the Atlanta Urban Design Commission competition for Awards of Excellence.

Deviation #2 → Treasurer Berry provided an overview of the NPU-T finances.

7. **Zoning and Land Use –**

a. **Zoning Review Board March 3 or 10, 2011 6:00 P.M.**

- i. **Z-10-033 / 10-O-2096** AN ORDINANCE BY COUNCILMEMBER CLETA WINSLOW AMENDING SECTION 16-18U.037 (SUBAREA 10-CANDLER DISTRICT) OF THE 1982 ZONING ORDINANCE OF THE CITY OF ATLANTA BY INSERTING LANGUAGE ALLOWING CERTAIN TYPES OF SIGNAGE IN THE SPI-21 HISTORIC WEST END/ADAIR PARK SPECIAL PUBLIC INTEREST DISTRICT; AND FOR OTHER PURPOSES.

The Discussion: Land Use Chair Malaguerra spoke about the ordinance. He also highlighted that the impacted area is outside of the NPU-T boundaries but because it is part of the West End SPI, it will require a vote.

The Action: A motion was made by Vonda Henry to approve Z-10-033 / 10-O-2096. This was seconded by Claiborne White.

The Vote: Yes-10; No-0 → Motion Carries

b. **Zoning Review Board**

- i. **Z-10-030 / 10-O-1773** AN ORDINANCE TO AMEND VARIOUS SECTIONS OF THE ATLANTA ZONING ORDINANCE FOR THE PURPOSE OF DEFINING FARMERS' MARKETS AS A PERMITTED USE; TO PROVIDE WHERE AND UNDER WHAT CONDITIONS SUCH USES SHALL BE PERMITTED; AND FOR OTHER PURPOSES. *Deferred at February meeting.*)

The Discussion: The NPU-T Zoning & Land Use Committee has prepared a written response to the legislation. That response can be found in Attachment A. Reverend Bright spoke about his belief that there are commercial businesses that are discouraging the development of farmers market. Planner Crawford has indicated that the final form of the legislation has not been drafted and an NPU vote is not yet required.

The Action: A motion was made by Jerilyn Lewis to defer action on this until the legislation has been finalized. This was seconded by Vonda Henry.

The Vote: Yes-11; No-0 → Motion Carries.

c. **Z-10-31**

- i. The applicant seeks to rezone the property at 1450 Donnelly Avenue from C-1-C to C-1-C to modify the original zoning conditions to allow the conversion of the existing building from an automobile repair shop to a retail convenience store. The existing

NPU-T Meeting Minutes
Wednesday, March 9, 2011

gasoline service station use will continue on the property. (*Deferred at December meeting.*)

The Discussion: The impacted neighborhood (Beecher-Donnelly) has voted to deny the development on the basis that they desired to retain the current use of automotive repair rather than the proposed usage change to that of a convenience store.

Committee Chair Malaguerra spoke about the application and that the recommendation by the impacted association appeared to be based on their expectation on the operation of a private business rather than the application at hand. Committee Chair Malaguerra also spoke about the fact that the property is in the Beltline overlay district and, as such, they are subject to more stringent design and construction code. The Zoning and Land Use Committee has recommended approval of the rezoning.

The Action: A motion was made by Vonda Henry to support Z-10-31. This was seconded by Steffi Langer-Berry.

The Vote: Yes-8; No-4 → Motion Carries

8. License Review Board – No applications for the March NPU-T agenda

9. Text Amendments, Ordinances & Resolutions

- a. Mark Malaguerra spoke about House Bill 110 and relayed a message by Kathy Ashe that the ordinance is now in Rules.

10. Special Events / Outdoor Festivals

- a. Parks, Recreation and Cultural Affairs chair Whiteside spoke about the upcoming special events.

- i. West Fest**

- 1. Vonda Henry spoke about the event. The impacted neighborhood (WEND) is sponsoring the event. The event is scheduled for May 6-8. Vonda outlined the overall plan for the events.

The Discussion: questions

The Action: A motion was made by Mark Malaguerra to support the application for West Fest. This was seconded by Jerilyn Lewis.

The Vote: Yes-12; No-0 → Motion Carries.

- b. Willie Watkins Festival – will be present at the April meeting.**
 - c. Malcom X Festival – Will be present at the April meeting.**

11. Neighborhood Association Reports (2 minutes per report)

- a. WENAR – Sister Deborah spoke about a community yard sale scheduled for March 19th 2011 at 543 Hopkins Street. Sister Deborah also highlighted that a property was donated to the association and will be converted for use as a community center.
- b. Westview – Patrick Berry spoke about the CDP process that Westview is developing.
- c. WEND – Vonda Henry spoke about getting Fire Station #7 reopened.

NPU-T Meeting Minutes
Wednesday, March 9, 2011

12. Committee Reports

- a. none

13. Atlanta Planning Advisory Board Report –

- a. **The regular APAB meeting will be on the 3rd Saturday.**

14. Announcements –

- a. There will be a Brownfields Planning Pilot on March 19th from 9:30-12:30pm at the Georgia Hill Community Center.
- b. A representative from C.T. Martin's office spoke about a District Wide Cleanup scheduled for April 9th.
- c. Kim Boggard spoke about the APAB leadership Seminar scheduled for March 26th and there is a Film Workshop scheduled for March 26th.
- d. There will be a Beltline Clean-up on Saturday, April 16th from noon-4pm.
- e. The annual Parks and Greenspace Conference will be at the Atlanta Botanical Garden the week of March 28th.
- f. There will be a Beltline transportation planning meeting on March 24th from 6:30-8:30pm at West Hunter Street Baptist Church.

15. Adjournment – the meeting adjourned at 8:30pm pm EST.

\$31.00 in Donations was collected by NPU-T Treasurer Patrick Berry.

54 individuals were recorded as present by Steffi Langer-Berry, NPU-T recording secretary.

NPU-T response to the Farmers Market Legislation Z-10-030/10-0-1773

The Executive Committee of the NPU-T has discussed in detail the merits of the proposed Farmer Market Legislation. We found that the proposed legislation has many changes to the current regulations that we support. We are in favor of changing the Special Administrative Permit from 90 days to 12 months, identifying the source of the food sold, and defining farm products and value added farm products.

There are some parts of the legislation that we have concerns about though. First, while farmers markets are defined in the legislation, there is no minimum limit as to what constitutes one. Is a community garden that may on occasion sell some produce from their garden subject to the same rules as a large farmers market? The legislation is vague on this issue.

Second, for some small farmers markets the \$250.00 fee for the Special Administrative Permit may be more than they can afford. The fees should be scaled according to the size of the market. Thirdly, we feel that mandating an absolute 75% of the product sold to be farm products or value added farm products is arbitrary. There are many other products that promote healthy living and sustainability that by definition are not value added farm products. We feel that 65% might be a more reasonable target and allow for more flexibility at times when local grown produce might be in shorter supply.

We are unable to support this legislation unless the above mentioned concerns are addressed.