

Analysis of Commission Votes 2001, 2002

ISSUE: Quality of Life
Environmental Protection

MEETING: 01 May 2001

Should Enron and ACC negotiate to form a partnership to build a power plant near downtown Athens—regardless of negative impacts on air, water, and quality of life?

CONTEXT: Enron Corporation requested a special-use permit to construct an electrical generating plant. It was to be a 600-magawatt, base-load, dual-cycle, natural-gas-fired facility located on Newton Bridge Rd. A committee, chaired by Tom Chasteen, had been investigating the economic potential and environmental impact of the proposed plant, whose electricity was to be sold out of state over the “grid.” Although it was to bring 20 jobs and considerable tax revenue to the county, details were sketchy, significant questions remained unanswered—such as negative impacts on local air quality, on nearby neighborhoods due to excessive noise, and of conveying, treating, and evaporating ACC treated wastewater for cooling purposes.

MOTION: by Tom Chasteen; 2nd Alvin Sheats

*Appoint a committee of five, including Chasteen, to negotiate a partnership and execute a Memorandum of Understanding with **Enron** for “the potential siting (sic) of an electrical energy production center,” and for “development and construction of a wastewater reuse system required to meet [its] water needs.”*

Carl Jordan moved to amend the motion “to require that the quality of air, water, and life be assured.” Jordan’s amendment was rejected by Chasteen.

VOTE: 9 YES: Barrow, Carter, Chasteen, Ford, Kilpatrick, Logan, McCarter, Sims, Sheats
1 NO: Jordan

ISSUE: Environmental Protection

MEETING: 06 August 2002

Should ACC storm-water projects include provision for protecting water quality as required by the Clean Water Act, or simply collect polluted runoff and convey it downstream?

CONTEXT: Contract approval was being sought for construction of the major part of the Brooklyn Creek/Baxter Street storm-water-improvement project. A major component is to be a detention pond located in the Rose Creek drainage area, partly on land currently owned by Athens Neurological Associates. This doctor’s group has “repeatedly stressed” its opposition to a “wet” pond, meaning a pond designed to provide for water-quality improvement. But a provision of the Clean Water Act, known as NPDES-II, **requires** that we carefully monitor storm-water runoff and pollution, apply preventive “good-housekeeping” practices, and **eliminate pollutants to the “maximum extent practicable.”** Despite acknowledgement of ACC’s clear obligation under NPDES-II and Linda Ford’s uncharacteristic advocacy, the Commission adopted a “substitute motion” to appease the doctors with a project that not only fails to treat storm-water pollutants, but also is likely to violate the spirit and terms of ACC’s soon-required (“general”) discharge permit.

I. MOTION: by Carl Jordan; 2nd Linda Ford

Defer award of, or rescind bid on, the Brooklyn Creek storm-water-management construction project pending redesign of the Rose Creek detention pond so as to incorporate water-quality enhancement.

II. SUBSTITUTE MOTION: by Alvin Sheats; 2nd Hugh Logan

Approve a contract with GGPC, Inc. for storm-water-management construction in the Brooklyn Creek basin, including the Rose Creek detention pond, at a cost not to exceed \$1.571-million.

VOTE: 7 YES: Carter, Chasteen, Ford, Kilpatrick, Logan, Sheats, Sims
3 NO: Barrow, Jordan, McCarter

ISSUE: Transportation and Public Safety
Fiscal Responsibility

MEETING: 02 October 2001

Should Barnett Shoals Road be reconstructed primarily to suit adjacent businesses, or should community values such as public safety, aesthetics, bike and pedestrian uses be incorporated to save \$3.1-million?

CONTEXT: This SPLOST '95 project was to improve safety and traffic flow on Barnett Shoals Road between College Station Road and Cedar Shoals Drive. A citizen advisory committee was established, and contentious public hearings took place over several years. Vigorously opposed by business owners was an initial design for a four-lane Barnett Shoals Road, with median strip, that met GA-DOT standards for participatory funding. Consequently, the committee eventually **recommended a different concept with four travel lanes and a center turn-lane, without sidewalks or bicycle lanes.** Also recommended for later phases were problematic access roads through the Kroger-Kmart parking areas and to the rear of Georgetown Square, to include bicycle lanes and divert traffic from Barnett Shoals Road.

Initially, GA-DOT approved 80% funding for this revised plan, based on its overall scope and complementary access roads. But they backed out when ACC failed to get the requisite support of the shopping-center owners. Thus, GA-DOT's position is that because the present, revised plan does not meet safety criteria, ACC will receive no participatory funding except for intersection improvements.

Thus, the original \$6-million concept plan, which was to cost ACC only \$1.21-million in SPLOST funds, is now estimated to cost ACC an **additional \$3.125-million in local funds**—for a shorter and less-safe road segment supported by adjacent business owners, but opposed by biking and neighborhood advocates.

MOTION: by Chasteen; 2nd Kilpatrick

“Approve the Project Work Team’s recommended revised project concept” for Barnett Shoals Road Improvement Project, and authorize preliminary work on a design which flaunts \$3.125-million of potential GA-DOT funding.

VOTE: 8 YES: Carter, Chasteen, Ford, Kilpatrick, Logan, McCarter, Sims, Sheats
2 NO: Barrow, Jordan

ISSUE: Transportation and Public Safety

MEETING: 04 December 2001

Should ACC’s Bicycle Master Plan be adopted to exclude the critical Prince Ave. corridor?

CONTEXT: The Bicycle Master Plan (BMP) was commissioned to guide implementation of bicycle facilities over the next 20 years along our primary transportation corridors. Consultants prepared reports on existing road and bikeway conditions, and the public participated in an extensive origin/destination survey. Because this survey clearly identified Prince Avenue as one of the primary, favored corridors for bike users, the consultants recommended its inclusion in the BMP. This vote, to incorporate the BMP into ACC’s regional transportation plan (ACORTS), was not only essential to securing federal/state funding, but also an affirmation of ACC’s commitment. A majority of Commissioners acted to “approve” the BMP only in part—**excluding** all references to the critical, heavily utilized and dangerous, Prince Ave. corridor.

MOTION: by Hugh Logan; 2nd Charles Carter

“Approve the ACC Bicycle Master Plan with all references to Prince Ave. deleted from the Master Plan Report Narrative and Project Costs, and all indications on Maps marking Prince Ave. as part of the Bicycle Plan deleted, so that Prince Ave. is taken out of the ACC Bicycle Master Plan entirely.”

VOTE: 6 YES: Carter, Chasteen, Ford, Logan, Sheats, Sims
4 NO: Barrow, Jordan, Kilpatrick, McCarter

ISSUE: Public Safety, Fiscal Responsibility

Meeting: 06 August 2002

Should ACC begin immediate construction of three firehouses—including a new location on Jefferson Road—at the exclusion of enhanced fire protection for “northeast” Athens? Also obligate next year’s budget by \$724,000 for facility expansion at a time when current firehouse locations are understaffed?

CONTEXT: The SPLOST 2000 referendum specifically called for construction of a new fire station (#3) in the 5-points area. Less specific was provision for land acquisition and construction for fire stations on Hawthorne Ave. (#4), and two new locations on Jefferson Road (#8) and in “Northeast ACC” (#9), as revenue collections permitted. Commissioners, however, interpreted their mandate as proceeding with construction of fire station #3, then numbers 4, 8, and 9, **in that order** until the money ran out.

Because construction costs could not be reliably estimated (so it was explained), no budget was contemplated for completion of all projects out of SPLOST funds, or for later meeting staffing requirements out of general funds (property taxes). But on August 6, 2002, those costs became certain because the construction bids were in, and funding indeed would **not** be sufficient for station #9 if #8 were to be built as contemplated. Rather than delay or redefine the scope of station #8 (so that both #8 and #9 could be built), the Commission majority voted to proceed immediately with a full “suburban” build-out for #8.

Also at issue was the future, on-going, general-fund obligation to operate the new stations, and States McCarter candidly emphasized that the \$724,000 operating expense for #8 would lead to a likely mileage-rate increase for FY-04.

MOTION: by Charles Carter; 2nd Hugh Logan

Award the bid for construction of fire-stations #3 and 4, and for #8 with “no delay in construction start.”

VOTE: 6 YES: Carter, Chasteen, Ford, Kilpatrick, Logan, Sheats
4 NO: Barrow, Jordan, McCarter, Sims

ISSUE: Delivery of Water and Sewer

MEETING: 06 August 2002

Should our public-utilities planning process consider service into areas where people live, rather than only along major roadways and waterways? (Pressurized water-distribution lines typically follow high-lying arterial roads, whereas gravity-flow sewer lines follow low-lying streams.)

CONTEXT: The Public Utilities Department is updating its Service Delivery Plan, which considers the location and capacity of water/sewer lines, and of treatment facilities for the next 20 years. Demographic, environmental, and financing assessments are being undertaken, and one important issue is where ACC’s pipes should end, and private pipes begin. The Department’s greatest fear is that current policy—which assumes no obligation to expand water/sewer delivery to most un-serviced streets, and the object of considerable community discontent—might become an open question. Thus, this agenda item served to close the question by **not** including provision, or obligation, in the plan for those “feeder” or “collector” lines that serve the streets where most people live and can access them. Ignored was the ownership responsibility of Public Utilities to maintain and amortize feeder and collector lines, once built.

MOTION: by Tom Chasteen; 2nd Charles Carter

*Define ACC Water and Sewage Services to **exclude** any responsibility for serving residents off “major roadways” (for water) and within “drainage basins” (for sewer), regardless of circumstance or period of residence.*

VOTE: 8 YES: Carter, Chasteen, Ford, Kilpatrick, Logan, McCarter, Sheats, Sims
2 NO: Barrow, Jordan

ISSUE: Mixed Uses, Hydrology, Public Safety

MEETING: 05 March 2002

Should a multiple-use requirement be waived in a Commercial-General (C-G) zone, and at a site with substantial issues relating to storm water, vehicular access, and design layout?

CONTEXT: Owner Ken Daniels requested a special-use permit to construct a 188-unit multi-family apartment complex on 11.7 low-lying acres on West Broad St., between the Beechwood and Kroger shopping centers. Currently zoned Commercial-General, a waiver was being sought from the requirement that residential occupancy could only be above ground-floor commercial uses. Significant planning issues were the conception of mixed-use, and the suitability of C-G zoning for the property. But important design questions also were left unanswered—about storm-water management at this developmentally difficult site, about the general conception and layout, and about public safety (given that street access was to include the parking areas of adjacent shopping centers).

MOTION: by Ford; 2nd Kilpatrick

Approve a Special-Use Permit in the C-G District, at 2275 West Broad Street.

VOTE: 7 YES: Carter, Chasteen, Ford, Kilpatrick, Logan, Sheats, Sims
3 NO: Barrow, Jordan, McCarter

ISSUE: Mixed-Use, Public-Private Partnership

MEETING: February 2001

Should ACC explore arrangements involving mixed uses and private-public partnership to build its five-points firehouse?

CONTEXT: Earlier at the February, 2001 meeting, the Commission had approved three potential sites for locating the new #3 firehouse, including that of the former Downtowner Motel. This agenda item was to give consideration to a variety of imaginative development options suggested by Jack Crowley (UGA School of Environmental Design) involving mixed uses, private-public partnerships, and special taxing districts. Proponents argued that the primacy of the Downtowner location warranted such exploration. But opponents considered it both premature and undesirable, having no interest in further inquiry.

I. MOTION: by John Barrow; 2nd States McCarter

Direct staff to “consider the mixed-use and private-public-partnership concepts presented by Jack Crowley,” and determine the means of developing them “fully.”

II. SUBSTITUTE MOTION: by Alvin Sheats; 2nd Harry Sims

“Express appreciation to Dean Jack Crowley, but decline the opportunity to pursue the proposed mixed-use concept and proceed as originally defined by the SPLOST referendum.”

VOTE: 7 YES: Carter, Chasteen, Ford, Kilpatrick, Logan, Sheats, Sims
3 NO: Barrow, Jordan, McCarter

ISSUE: Sprawl, Spot Zoning, Public Safety

MEETING: 07 May 2002

Should 125 acres of rural land be rezoned to allow a clustered development of 62 homes, given the fiscal and community impacts associated with “sprawl?”

CONTEXT: Rezoning from Agricultural Residential (AR) was being requested for a “conservation” planned development on Robert Hardman Road, in a restricted fly-over zone of ACC’s Ben Epps Airport. A total of 62 homes were to be clustered on 35 acres, with the remaining 90 acres restricted for

conservation purposes. Without rezoning, similar subdivision could not occur immediately, but only gradually over 60 years, lengthening the fiscal impact on delivery of public services.

Opponents of the rezoning pointed out that the area is designated “Rural” by ACC’s Future Land Use Plan, and its AR zoning restricts its subdivision to only two additional lots during any 2-year period; also that it should remain rural and protected from intense development, regardless of the “conservation” provision of the applicant’s plan. Furthermore, the project would generate an estimated 620 additional car trips a day, adding significant traffic at the dangerous Hardeman/Morton Roads and other intersections along the Lexington Highway. Finally, the high comparative cost of delivering urban services to outlying areas was noted, including the strain on a near-capacity sewage-treatment plant at Cedar Creek.

Opponents also compared this residential development to a “conservation” request by Charles Floyd three years ago on Barnett Shoals Road. Those 56 acres were already zoned RS-20; but their proximity to a school and neighborhood made their development controversial. Oddly, Tom Chasteen contradicted himself by supporting this Robert Hardeman Road rezoning for many of the same reasons as he had earlier opposed Floyd’s “conservation” subdivision.

MOTION: by Tom Chasteen; 2nd Linda Ford

“Rezone from AR-A (Agricultural Residential—Airport Overlay) to AR-A-Planned Development on 125 acres of land located on Robert Hardman Road.”

VOTE: 7 YES: Carter, Chasteen, Ford, Kilpatrick, Logan, Sheats, Sims
3 NO: Barrow, Jordan, McCarter

ISSUE: Historic Preservation

MEETING: 04 June 2002

How should \$2.6-million from ACC’s sale of the historic Wray-Nicholson House be spent?

CONTEXT: Various interests were vying for \$2,585,580 available from the sale to UGA of the Wray-Nicholson house—a SPLOST ’95 historic-renovation project. The specific question involved three allocations: (i.) give \$390,00 for SPLOST construction in Memorial Park on behalf of Athens Creative Theater (ACT); (ii.) give \$185,000 for SPLOST construction at the Welcome Center; and (iii.) **lend** the residual (\$2,010,580) to the Classic Center Authority for renovation of ACC’s historic Foundry Street warehouses, with the implicit understanding that repayments could constitute the corpus of a revolving-loan fund dedicated to future historic-preservation projects. Barrow strongly advocated the loan fund, whereas Jordan objected to any diversion of funds from historic preservation. The Commission, first, voted to squelch further debate. Then it substituted a motion to turn the loan into a gift by including instructions to “assign management responsibility to the Classic Center” for renovation and occupancy of the warehouses—**without** any mention of repayment.

I. MOTION: by Hugh Logan; 2nd Charles Carter

Call the “question” and cut-off further discussion.

VOTE: 6 YES: Carter, Chasteen, Ford, Kilpatrick, Logan, McCarter
3 NO: Barrow, Jordan, Sheats (Sims absent)

II. MOTION: by Tom Chasteen; 2nd Linda Ford

Allocate to the Memorial Park/ACT and Welcome Center SPLOST projects not more than \$575,000 of the Wray-Nicholson proceeds; and allocate the balance of available funds to the Classic Center Authority to manage renovation of the historic Foundry Street warehouses, and prepare a lease agreement for their use by the Authority.

VOTE: 5 YES: Carter, Chasteen, Ford, Logan, McCarter
4 NO: Barrow, Jordan, Kilpatrick, Sheats (Sims absent)

Should the ACC Charter be amended so as to delay by a month the effective participation of newly elected commissioners, from the January meeting to the February meeting? Also, should the Mayor’s veto period be shortened from 10 to 3 days for zoning matters?

CONTEXT: The ACC Charter calls for new, duly elected members of the Mayor and Commission to be sworn in and seated during the Commission’s first meeting of the new year following the election (the first Tuesday in January). By tradition, that formality took place at the **end** of the January meeting. But newly elected Commissioner Carl Jordan challenged that practice, arguing that the Charter intended that he and States McCarter be seated in order to participate in the January business, not to wait another month until the February meeting. Threatening legal action, Jordan agreed to a compromise whereby outgoing Commissioners were to participate through the “old business” portion of the meeting agenda, after which new Commissioners would be sworn in, seated, and vote on the “new business” portion.

To settle the issue long-term, the Commission decided to codify its practice by changing the Charter explicitly, requiring that newly elected members of the Mayor and Commission not be seated until the **end** of the January voting meeting. The change effectively delays by one full month their power to cast a vote in matters of ACC business, and to **three** full months between the date of election and the date at which most-recent voter sentiments can be legislatively expressed. The change is also significant in that the January meeting is when the Commission tends to its organizational business for the upcoming year: Charter Officers (manager, auditor, attorney) are confirmed, and mayor pro-tem determined.

Concurrent with the “seating” issue, the Commission also voted to **shorten** from 10 days to 3 days the time period available for the Mayor to assess community sentiment prior to approving or vetoing zoning decisions of the Commission.

MOTION: by Cardee Kilpatrick; 2nd Hugh Logan.

*Amend the ACC Charter as follows: “Terms of office shall commence at the first regular meeting in January following the election, **after** completion of any business previously considered by said Commission in its agenda-setting meeting in December and carried over on the agenda of the business meeting in January for a vote.” Also, “the mayor shall approve or veto ordinances or resolutions within **10** business days after adoption, . . . except a zoning ordinance within **3** business days after adoption.”*

VOTE: 6 YES: Carter, Chasteen, Ford, Kilpatrick, Logan, Sheats
3 NO: Barrow, Jordan, McCarter (Sims presiding)

Should the “super-districts” be eliminated, thus enhancing the Commission’s minority representation?

CONTEXT: The Voting Rights Act of 1965 requires that we redraw our election districts so as to reflect any population shifts indicated by the decennial census. Thus arose an opportunity to reconsider the representation afforded by our County’s 8 districts and 2 “super-districts.” While city/county consolidation may have originally explained this arrangement, at-large voting is a remnant of segregation, and these super-districts dilute the desirable minority representation embodied in the 8, smaller, individual districts. So John Barrow argued that the reapportionment issue offered the Commission an opportunity to consider redrawing all election districts to “be as nearly equal in population as is practical,” and dispensing with the representation-distorting super-districts.

MOTION: by Tom Chasteen; 2nd Alvin Sheets

“Approve reapportionment plan Option B,” which retains the current, minority-diluting super-districts.

VOTE: 8 YES: Carter, Chasteen, Ford, Kilpatrick, Logan, McCarter, Sheats, Sims
2 NO: Barrow, Jordan

ISSUE: Civil Liberties

MEETING: 01May 2001

Should public assembly be limited by closing entertainment venues at 2:45 a.m.?

CONTEXT: A Broad Street bar had opened a separate, but adjacent, all-night after-hours dancehall (“Insomnia”) which did not serve alcohol, and therefore was not subject to a 2:45 a.m. closing requirement. Fearing an “early-morning crime wave,” the intent was to require dancehalls and their ilk to conform to the same operating hours as those serving alcohol, thereby limiting not only downtown attractions for all-night revelers, but also venues for non-imbibers and public assembly.

MOTION: by Barrow; 2nd Ford

That it “be unlawful for public-entertainment facilities to offer or provide public entertainment between the hours of 2:45 a.m. and 7 a.m.”

VOTE: 8 YES: Barrow, Carter, Chasteen, Ford, Kilpatrick, Logan, McCarter, Sims
2 NO: Jordan, Sheats

ISSUE: Ordinance Enforcement

MEETING: 06 November 2001

Should enforcement of our sign ordinance be strengthened?

CONTEXT: The ACC sign ordinance has long been difficult to enforce due to the awkward evidential and notification procedures required for citing and convicting violators. The proposal before the Commission does not make any changes to the sign ordinance per se, but simply amends it so as to tighten and streamline enforcement. For example, warnings by certified mail are eliminated, prima-facie evidence of violation (such as name of owner or business on signs) is allowed, authority to impound illegal signs on government rights-of-way is granted, and a \$30 impoundment fee is required.

MOTION: by States McCarter; 2nd Cardee Kilpatrick

To amend “general provisions of enforcement for on-site signs and for signs in the public right-of-way.”

VOTE: 6 YES: Barrow, Chasteen, Jordan, Kilpatrick, McCarter, Sims
4 NO: Carter, Ford, Logan, Sheats

ISSUE: Neighborhood Protection

MEETING 05 June 2001

Should student presence in single-family neighborhoods be decreased by redefining “family” and reducing the number of unrelated individuals allowed to live with a family from 2 to 1?

CONTEXT: Heretofore, a single-family residence could be occupied by a broadly defined family plus two unrelated persons, for a total of three unrelated persons. But large numbers of student renters living in single-family residences were making legal claims of third and more-distant cousinship, expanding the number of “family” occupants and creating student ghettos. Poor property maintenance, noise, and a general disregard for neighbors were common, resulting in reduced property values and quality of life. This amendment redefined family more narrowly to include no more distant relationship than first cousin, and reduced from two to one the number of unrelated individuals allowed to live with a family.

MOTION: by States McCarter; 2nd Linda Ford

Amend the ordinances applicable to single-family zones so as to redefine “family” and restrict the number of unrelated occupants to no more than two.

VOTE: 8 YES: Barrow, Carter, Chasteen, Ford, Jordan, Kilpatrick, McCarter, Sims
2 NO: Logan, Sheats

ISSUE: Neighborhood Protection

MEETING: 05 March 2002

Should three properties on historic Bloomfield St. (at 175, 185, and 199) be rezoned from residential single-family (RS-15) to residential multi-family (RM-1)?

CONTEXT: Prior to December, 2000, the three properties were zoned RM-1, permitting multi-family structures plus rental uses to as many as four unrelated persons per unit. But because ACC's Future Land Use Plan designates the properties as "traditional neighborhood," they were rezoned to RS-15 as part of a county-wide rezoning, and conformity was required within 2 years both in structure and use. At issue was the "RS" use-limitation of no more than two unrelated persons, and absence of the 5-year transition (grand-fathering) provisions granted to similar (duplex) down-zonings from RG-15. Missing, therefore, for owner Rocky Moore, was similar, absolute grand-fathering of his nonconforming use for 5 years, and beyond while in **his** ownership.

Therefore, John Barrow moved to restore Mr. Moore's property rights by offering those provisions (including occupancy by up to four unrelated persons) in the context of a density up-zoning to RS-5 "with conditions"—arguing RS-5 was preferable to RM-1 because what you zone for is what you eventually get built. But that did not satisfy Mr. Moore, perhaps because he wished to capitalize those multi-family rights were he to combine or sell the properties (which he claimed was not imminent).

This residential area of historic Bloomfield St. has a high number of code violations related to noise, traffic, parking, and trash. Many of these problems are apparent from records of numerous and long-standing complaints by residents (particularly from April Chapman), and few have been redressed by code enforcement. Ordinarily a density up-zoning such as this would lead to an increase in complaints, but not in this "grand-fathered" instance where no change in use was contemplated. The requested up-zoning to RM, however, would further subvert the intent of ACC's Future Land Use Plan by encouraging conversions to multi-family uses in this historic neighborhood, and also discourage conversions back to single-family use. Furthermore, in this context, these particular properties were given separate, careful consideration during the Commission's rezoning discussions of Fall 2000.

For each property, 2 motions were needed: first to rezone them from single-family to multi-family; and second to change ACC's Future Land Use Plan to conform.

I. SUBSTITUTE MOTION: by John Barrow; 2nd Carl Jordan

Retain the single-family designation of properties at 175, 185, and 199 Bloomfield St., but rezone them from RS-15 to RS-5 with condition that they receive all the non-conforming, "grand-fathering" benefits afforded to former RG properties, including that affecting unrelated-person occupancy.

VOTE: 4 YES: Barrow, Chasteen, Jordan, Sims
6 NO: Carter, Ford, Kilpatrick, Logan, McCarter, Sheats

II. PRIMARY MOTION: by Linda Ford; 2nd Cardee Kilpatrick

Rezone all three properties on Bloomfield St. from RS-15 to RM-1.

VOTE: 6 YES: Carter, Ford, Kilpatrick, Logan, McCarter, Sheats
4 NO: Barrow, Chasteen, Jordan, Sims

III. ASSOCIATED MOTION: by Linda Ford; 2nd Cardee Kilpatrick

Amend the official Future Land Use Map of ACC to change the designation of all three parcels from "traditional neighborhood" to "residential mixed use."

VOTE: 8 YES: Carter, Chasteen, Ford, Kilpatrick, Logan, McCarter, Sheats, Sims
2 NO: Barrow, Jordan

ISSUE: Neighborhood Protection

MEETING: 02 October 2001

Should the Olympic Drive area, adjacent to East Athens residential neighborhoods, be rezoned from Employment-Industrial (E-I) to Industrial (I) so as to allow outright certain uses that previously were prohibited or required special-use permits?

CONTEXT: Despite the availability of 109 undeveloped “industrial” parcels comprising 733 acres, business interests sought I-zoning for 22 additional parcels (then zoned E-I) along Olympic Dr., Indian Hills Dr., and Hancock Industrial Way. E-I zoning is intended for light industry or service businesses, so is considered more compatible with nearby residential areas, whereas I-zoning accommodates heavy industry with fewer restrictions.

Given the proximity of Spring Valley Estates and Woodridge Subdivisions, both Commissioner motions elected to prohibit the usual, conditional, “level-3” uses (nuclear fission, garbage dumps or transfer sites, stock-yards and slaughter houses, incinerators, asphalt plants, and quarries); also to eliminate 5 parcels on the south side of Olympic Dr. adjacent to homes in Spring Valley Estates, reducing coverage to 17 parcels. But a substitute motion, which would have reduced drastically the applicable area to those 5 parcels farthest from residences, failed.

I. SUBSTITUTE MOTION: Alvin Sheats; 2nd Tom Chasteen

Rezone from E-I to I only five parcels between Indian Hills Dr. and Hancock Industrial Way..

VOTE: 4 YES: Barrow, Chasteen, Jordan, Sheats
5 NO: Carter, Ford, Kilpatrick, Logan, McCarter (Mayor pro tem Sims presiding)

II. MOTION: by Charles Carter; 2nd Cardee Kilpatrick

Rezone from E-I to I seventeen parcels along and in the vicinity of Olympic Drive,.

VOTE: 7 YES: Carter, Chasteen, Ford, Kilpatrick, Logan, McCarter, Sheats
2 NO: Barrow, Jordan (Mayor pro tem Sims presiding)