

Z-14-08-AN ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE MR-2 (MULTI FAMILY RESIDENTIAL) DISTRICT TO THE I-1 (LIGHT INDUSTRIAL) DISTRICT, PROPERTY LOCATED AT 1281 FULTON INDUSTRIAL BOULEVARD, N.W., FRONTING APPROXIMATELY 60.67 FEET ON THE SOUTH SIDE OF FULTON INDUSTRIAL BOULEVARD AND APPROXIMATELY 1,249 FEET WEST OF THE CENTERLINE OF DONALD HOLLOWELL PARKWAY (FKN AS BANKHEAD HIGHWAY). DEPTH: VARIES. AREA: APPROXIMATELY 5.3 ACRES. LAND LOTS 267 AND 268, 17TH DISTRICT FULTON COUNTY, GEORGIA. OWNER: CLEVELAND GROUP, INC. APPLICANT: KENNETH D. HARBOUR NPU H COUNCIL DISTRICT 9

Application File Date	2-26-14
Zoning Number	Z-14-08
NPU / CD	H/9
Staff Recommendation	Approval
NPU Recommendation	Approval
ZRB Recommendation	Approval

Workflow List:

Office of Research and Policy Analysis	Completed	04/17/2014 10:04 AM
Zoning Committee	Completed	05/01/2014 3:22 PM
Atlanta City Council	Completed	05/12/2014 5:52 PM
Zoning Review Board Staff	Completed	06/30/2014 1:01 PM
Zoning Review Board Staff	Completed	06/30/2014 1:02 PM
Office of Research and Policy Analysis	Completed	07/08/2014 4:02 PM
Zoning Committee	Pending	
Mayor's Office	Pending	

HISTORY:

04/30/14	Zoning Committee	
05/05/14	Atlanta City Council	REFERRED TO ZRB AND ZC

RESULT: REFERRED TO ZRB AND ZC [UNANIMOUS]
AYES: Bond, Norwood, Dickens, Smith, Hall, Young Jr., Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd

RESULT: REFERRED TO ZRB AND ZC [UNANIMOUS]
AYES: Bond, Norwood, Dickens, Smith, Hall, Young Jr., Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

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City Council
Atlanta, Georgia

AN ORDINANCE

Z-14-16

BY: ZONING COMMITTEE

Date Filed: 2-26-14

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at 1281 FULTON INDUSTRIAL BOULEVARD, N.W., be changed from the MR-2 (Multi Family Residential) District to the I-1 (Light Industrial) District, to wit:

ALL THAT TRACT or parcel of land lying in Land Lots 267 and 268, 17th District, Fulton County, Georgia, being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, “Conditional Development”, as identified by the use of the suffice “C” after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not

authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.



OFFICE OF PLANNING
55 Trinity Avenue S.W., Suite 3350
Atlanta, Georgia 30303
(404) 330-6145

APPLICATION #: **Z-14-008**
DATE ACCEPTED: **02/26/2014**

NOTICE TO APPLICANT

Address of Property:
1281 Fulton Industrial BLVD NW

City Council District: **9** Neighborhood Planning Unit (NPU): **H**

Zoning Review Board (ZRB) Hearing Date:

Monday, June 9 or 16, 2014 at 6:00 p.m.

Council Chambers, 2nd Floor, City Hall
55 Trinity Avenue, S.W.

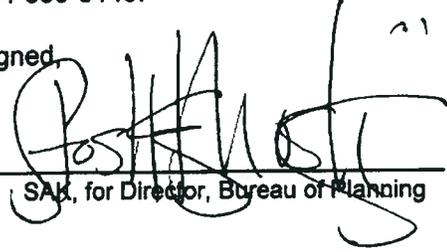
The contact person for NPU H is:

Cathy Richards
404-778-5718
cathy.richards@emoryhealthcare.org

Contact info for adjacent NPUs is provided below if necessary:

Additional Contacts:

Please contact the person(s) listed above within two days to find out which meetings you will be required to attend before the next NPU meeting. If you are unable to reach the contact person, please call the city's NPU Coordinator at 404-330-6145.

Signed 
SAK, for Director, Bureau of Planning


Kenneth Harbour

FEB 26 2014

APPLICATION FOR REZONING
City of Atlanta

Date Filed _____ Application Number _____

I Hereby Request That The Property Described in this Application be Rezoned

From MR-2 District

TO I-1 District

Name of Applicant HARBOUR KENNETH D.
Last Name First Name M.I.

address 1281 street name FULTON INDUSTRIAL BLVD.
city ATLANTA state GA zip code 30336
phone 4046964550 Fax _____
e-mail address kenh@clevelandgroup.com

Name of Property Owner CLEVELAND GROUP, INC.
Last Name First Name M.I.

address 1281 street name FULTON INDUSTRIAL BLVD
city ATLANTA state GA zip code 30336
phone 4046964550 Fax _____

Description of Property

Address of Property 1281 street name FULTON INDUSTRIAL BLVD
city ATLANTA state GA zip code 30336

The subject property fronts 238 feet on the SOUTH side of FULTON INDUSTRIAL BLVD

beginning 1249 feet from the CENTER corner of HOLLOWELL PARKWAY

Depth: 809' Area: 5.3 Land Lot: 5267 Land District: 17th - FULTON County, GA.
ACRES 268

Property is zoned: MR-2 Council District: 9 Neighborhood Planning Unit: H



- C. **CONDITIONAL ZONING.** If the request is for zoning for new development, submit fourteen (14) copies of the site plan prepared by a State of Georgia registered architect, landscape architect, engineer, or planner holding the AICP designation. Site plans must be folded to 11" x 14". All site plans shall be sealed by the professional preparer and shall show the scale, north arrow; the location of streets and street names; sidewalks; existing and proposed buildings and their square footage, heights, and floor area ratio; parking spaces, loading areas, and number of parking spaces must also be shown. All plans for residential development must include, on the site plan, a summary of calculations in accordance with the Land Use Intensity System (see Chapter 8 of the Zoning Ordinance). For complete information regarding site plans, refer to the "Site Plan Requirements" attachment to this application form.
- D. **PLANNED DEVELOPMENT (PD) DISTRICTS.** If your request is for PD District Zoning, you must comply with the requirements of Chapter 19 of the Zoning Ordinance and with the appropriate regulations for Planned Development Housing, Office-Commercial, Mixed-Use, or Business Park as appropriate. **Certification of a PD Zoning pre-application conference is required.** Submit *Attachment 7*.
- E. **PROPERTY DESCRIPTION.** A copy of a recent plat of survey prepared by an engineer or land surveyor registered in the State of Georgia must accompany each application. In addition, a written legal description must be submitted. In cases involving more than one contiguous property, a consolidated legal description of the property must be submitted.
- F. **HOUSING APPLICATION.** If the rezoning application contemplates the construction of one or more residential units, complete the attached Atlanta Public School form, *Attachment 3*.
- G. **DEVELOPMENTS OF REGIONAL IMPACT.** If your application meets the thresholds shown on *Table II (Attachment 4)*, you must contact the Office of Planning for further instructions.
- H. **TREE PRESERVATION.** All development must meet the City of Atlanta Tree Ordinance. Contact the City Arborist, (404) 330-6150 for details.
- I. **COMPREHENSIVE DEVELOPMENT PLAN (CDP) AMENDMENT.** Submit *Attachment 5*.
- J. **DISCLOSURE.** Submit a disclosure statement as described in *Attachment 6*.
- K. **HEARING DATES AND PROCESSING OF APPLICANTS.** See attached Zoning Review Board Schedule.
- L. **MEETING WITH NEIGHBORHOOD PLANNING UNIT.** (NPU) You must contact the appropriate Neighborhood Planning Unit (NPU) within two business days after filing your rezoning application to appear before them prior to the public hearing of the Zoning Review Board. The name and phone number of the contact for the NPU will be provided at the time that you file your application.
- M. **FEES.** See attached fee schedule, *Attachment 8*.
- N. **AUTHORIZATION TO INSPECT PREMISES.** I hereby authorize the staff of the Office of Planning of the City of Atlanta to inspect the premises, which are the subject of this rezoning application.
- O. **Revisions to site plans will only be accepted up to 15 days prior to the scheduled hearing date.**

I swear and affirm that the information contained in this application is true and accurate to the best of my knowledge and belief.



Owner or Agent of Owner (Applicant)

Sworn to and subscribed before me this 26 day of February, 2014
Emily R. Sheppard (Notary Public)



Application For Re Zoning

A. Summary of Proposed Project

Prior to August 2004, the subject property at 1281 Fulton Industrial Blvd Atlanta, Georgia 30336 was zoned I-1. The property was and still is owned by Cleveland Group, Inc. Cleveland Group, Inc. is the parent company of Cleveland Electric Company, a prominent family owned Atlanta electrical contractor that has been in business since 1925. The 2 story 18,292+/- sf office building on the property is the same building that has existed since the 1960's. In 2004, The Council of the City of Atlanta passed the ordinance Z-04-29 changing the zoning of the subject property from I-1 to MR-2.

Cleveland Group, Inc. needs to construct some temporary office space in the rear of the existing parking lot for 12 temporary offices (4,320 sf) to facilitate a growing employment population. There is no additional office space in the current facility. The temporary offices will be comprised of 3 double wide office trailers connected together.

The current zoning of MR-2 does not allow for the construction or addition to the existing facility or any other sort of out parcel facility, be it temporary or permanent. Cleveland Group, Inc. is therefore requesting a zoning change for the subject parcel back to its original designation of I-1.

B. Documented Impact Analysis**(1) Compatibility with comprehensive development plans: timing of development:**

The re zoning request will have zero impact on the comprehensive development plans. It has been over 9 years since the ordinance was passed. It is unclear as to whether in the last 9 years any or all of the goals and objectives of the proposed Donald Lee Hollowell Pkwy Redevelopment Plan have been implemented. The subject parcel seeking rezoning is 1249 feet from the center of the Parkway. The specific redevelopment plan noted in Attachment C to the 2004 Ordinance Z-04-29 was specific to the property located at 1677 Donald Lee Hollowell Parkway identified as Parcel #9 on Map Z-7.

(2) Availability of and effect on public facilities and services/referrals to other agencies:

There will be no effect on existing public facilities. Georgia Power has provided an additional power service off one of the poles already on the property to serve the power needs of the temporary office trailers. Water supply will come from the existing water supply service in the existing office building and will be run underground. Sewage from the office trailers will be collected in normal above ground sewage holding tanks and pumped out on a regular basis into a collection truck. The sewage holding tanks will be hidden from public view by



means of a skirt around the bottom of the trailers. There will be no storm water impact as the entire facility is above ground.

(3) Availability of other land suitable for proposed use: effect on balance of land uses:

There is no other owned land that is zoned I-1 on the parcel. There is no other area on the parcel suitable for the proposed office trailer complex.

(4) Effect on character of the neighborhood:

There will be no adverse effect on the character of the neighborhood. There is a wooded parcel to our rear (south). There is a wooded parcel to our west. There is a heavy industrial compressed gas plant to our right (east). There is a heavy industrial major trucking facility to our north across Fulton Industrial Blvd.

(5) Suitability of proposed use:

The proposed office trailer complex will be in moderate view from the road frontage but hidden from view from the east, west and south by wooded area.

(6) Effect on Adjacent Property

There will be no adverse effect on adjacent property.

(7) Economic Use of Current Zoning

The property as currently zoned was grandfathered into the current zoning. Although it is zoned MR-2 residential, there are no residences on the property nor are there any residences on any of the adjacent properties nor are there any residences within close proximity of the property.

(8) Tree Preservation

The proposed re zoning and proposed project will have zero impact on existing trees as it is proposed to be in the back of the existing paved parking lot.



DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT S 267 and 268 OF THE 17TH. DISTRICT FULTON COUNTY, GEORGIA AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

TO REACH THE POINT OF BEGINNING, START AT THE INTERSECTION OF THE ORIGINAL SOUTHEAST RIGHT-OF-WAY OF FULTON INDUSTRIAL BOULEVARD (F.K.A. CARROLL ROAD) (ORIGINAL 50' R/W) (IF EXTENDED) AND THE CENTERLINE OF BANKHEAD HIGHWAY. THENCE RUNNING SOUTHWEST ALONG THE SAID ORIGINAL SOUTHEAST RIGHT-OF-WAY OF SAID FULTON INDUSTRIAL BOULEVARD AND A DISTANCE OF 1249 FEET TO AN OPEN TOP PIPE FOUND. THENCE LEAVING THE SAID ORIGINAL SOUTHEAST RIGHT-OF-WAY OF SAID FULTON INDUSTRIAL BOULEVARD AND RUNNING S23°03'12"E A DISTANCE OF 8.00 FEET TO A REBAR SET LOCATED ALONG THE REQUIRED SOUTHEAST RIGHT-OF-WAY OF SAID FULTON INDUSTRIAL BOULEVARD (R/W VARIES) AND THE POINT OF BEGINNING. THENCE THENCE FROM THE POINT OF BEGINNING LEAVING THE SAID REQUIRED SOUTHEAST RIGHT-OF-WAY OF SAID FULTON INDUSTRIAL BOULEVARD AND RUNNING S23°03'12"E A DISTANCE OF 759.17 FEET TO A REBAR FOUND. THENCE RUNNING S66°57'54"W A DISTANCE OF 294.45 FEET TO A REBAR FOUND. THENCE RUNNING N23°04'20"W A DISTANCE OF 809.93 FEET TO A REBAR SET LOCATED ON THE SAID REQUIRED SOUTHEAST RIGHT-OF-WAY OF SAID FULTON INDUSTRIAL BOULEVARD. THENCE RUNNING N74°04'09"E ALONG THE SAID REQUIRED SOUTHEAST RIGHT-OF-WAY OF FULTON INDUSTRIAL BOULEVARD A DISTANCE OF 60.67 FEET TO A POINT. THENCE RUNNING N77°24'53"E ALONG THE SAID REQUIRED SOUTHEAST RIGHT-OF-WAY OF SAID FULTON INDUSTRIAL BOULEVARD A DISTANCE OF 238.49 FEET TO SAID REBAR FOUND AND THE POINT OF BEGINNING.

SAID TRACT OR PARCEL CONTAINING 5.31 ACRES OR 231,536 SQUARE FEET.



RECEIPT

CITY OF ATLANTA
 ATLANTATEST
 55 TRINITY AVE SW

Application: Z-14-008
Application Type: Planning/ZRB/Rezoning/NA
Address: 1281 FULTON INDUSTRIAL BLVD NW, ATLANTA, GA 30336
Owner Name: CLEVELAND GROUP INC
Owner Address:
Application Name:

Receipt No.	360137					
Payment Method	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
Check	9301	\$2,000.00	02/26/2014	RPLEWIS		

Owner Info.: CLEVELAND GROUP INC

Work Description:

PAID
 CITY OF ATLANTA

FEB 26 2014


 EX OFFICIO MUNICIPAL
 REVENUE COLLECTOR

DESCRIPTION

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