

1 **STATE OF GEORGIA**

2 **CITY OF COLLEGE PARK**

3 **ORDINANCE 2018-08**

4 AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP, CITY OF COLLEGE  
5 PARK, GEORGIA BY REZONING A PARCEL OF REAL PROPERTY LOCATED ON 0  
6 KAREN LANE; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING  
7 ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

8 **WHEREAS**, the governing authority of the City of College Park, Georgia (the "City") is  
9 the Mayor and Council thereof;

10 **WHEREAS**, the governing authority of the City has considered one or more of the  
11 criteria of a rezoning request, provided in Section 4(c) of Article XXVII ("Changes and  
12 Amendments") in Appendix A ("Zoning") of the Code of Ordinances, City of College Park,  
13 Georgia; and

14 **WHEREAS**, the governing authority of the City desires to rezone the following parcel of  
15 real property: a tract located at 0 Karen Lane according to the present system of numbering  
16 property in College Park, Fulton County, Georgia (Fulton County Tax Parcel Identification  
17 Number: 13 0003 LL0563) the parcel being currently zoned BP (Business Park) District.

18 **WHEREAS**, the health, safety and welfare of the citizens of the City will be positively  
19 impacted by the adoption of this Ordinance.

20 **BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF**  
21 **THE CITY OF COLLEGE PARK, GEORGIA**, and by the authority thereof:

22           **Section 1.** The following parcel of real property is hereby rezoned to the zoning  
23 designation of PD-R (Planned Development - Residential) as said designation is described in  
24 Appendix A (“Zoning”) of the Code of Ordinances, City of College Park, Georgia:

- 25           • Fulton County Tax Parcel Identification Number: 13 0003 LL0563

26           **Section 2.** The said rezoning is subject the Site Plan attached hereto and incorporated  
27 herein as Exhibit “B” and the representative house styles as depicted in attached Exhibit “C”,  
28 which is incorporated herein by reference. Said Site Plan may be varied as to lot size but is  
29 generally intended to be representative of the fundamental placement of infrastructure and  
30 amenities. Additionally, the said rezoning is subject to the following conditions:

- 31           1. The Development must have restrictive covenants which shall include at least the  
32 following provisions:
  - 33           ▪ Developer/seller shall prepare adequate disclosures to purchasers  
34 regarding airport noise. Disclosure documents must be approved by the  
35 College Park City Attorney prior to execution of the final plat.
  - 36           ▪ Homeowner’s Association shall enforce a limit on residential rentals. The  
37 number of rental houses shall not exceed 10%.
- 38           2. There shall be a maximum of 300 residential units.
- 39           3. Each residence shall have sufficient acoustic insulation to reduce external noise  
40 levels by a minimum of 35 DBA, and an average of 38 DBA throughout the living  
41 space.
- 42           4. Residential units shall incorporate masonry elements as evidenced in Exhibit “C”,  
43 though the builder may have flexibility to substitute stone for brick, and vice  
44 versa, as long as the architectural elements are appropriately incorporated and

45 masonry elements comprise a minimum of 10% of the building facades.  
46 Deviations from approved exhibits must be approved by the City of College Park  
47 Development Committee.

- 48 5. Amenity package shall be installed prior to the sale of the first residential  
49 property.
- 50 6. Developer must certify that Meritage Homes will be the builder for the residences  
51 on site.
- 52 7. There shall be a minimum separation of 12 feet between residential units.
- 53 8. Lot coverage shall not exceed 40%.
- 54 9. A performance bond shall be issued for each phase of land development.
- 55 10. Developer shall provide new fencing, gazebo, restroom facility and landscape  
56 improvements to Brannon Park.
- 57 11. City of College Park shall provide a Right-of-Way easement through Brannon  
58 Park for new public road between Herschel Road and the proposed development,  
59 to be constructed by developer at developer's sole expense. Upon satisfactory  
60 completion, said road shall be dedicated to the City. The developer shall also  
61 install a traffic signal at the intersection of said road and Herschel Road.
- 62 12. A minimum of 20% of the single family lots shall be 60 feet wide, and a  
63 maximum of 80% of the single family lots shall be 50 feet wide.

64 **Section 3.** The rezoning of said parcel is indicated on the map entitled "Zoning Change  
65 BP Business Park District to PD-R Planned Development-Residential \_\_\_-\_\_\_-18," a copy of  
66 which is attached hereto as Exhibit "A" and is incorporated herein by reference. The rezoning  
67 indicated in Section 1 herein and in Exhibit A attached hereto is to be noted on the official City

68 of College Park Zoning Map approved by the City's Mayor and Council as soon as reasonably  
69 possible following adoption of this Ordinance, along with an editorial note on the official City of  
70 College Park Zoning Map specifying the parcel affected by this Ordinance and the date of  
71 adoption of this Ordinance.

72 **Section 4.** As a part of this rezoning, the Mayor and City Council hereby adopt a minor  
73 revision to the City of College Park Future Land Use Map for the property rezoned herein, which  
74 designation shall be changed from "Low Density Residential" to "Medium Density Residential."

75 **Section 5.** The preamble of this Ordinance shall be considered to be and is hereby  
76 incorporated by reference as if fully set out herein.

77 **Section 6.** (a) It is hereby declared to be the intention of the Mayor and Council that all  
78 sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their  
79 enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

80 (b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest  
81 extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this  
82 Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this  
83 Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the  
84 greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this  
85 Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase  
86 of this Ordinance.

87 (c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance  
88 shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise  
89 unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the  
90 express intent of the Mayor and Council that such invalidity, unconstitutionality or

91 unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional  
92 or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or  
93 sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases,  
94 clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional,  
95 enforceable and of full force and effect.

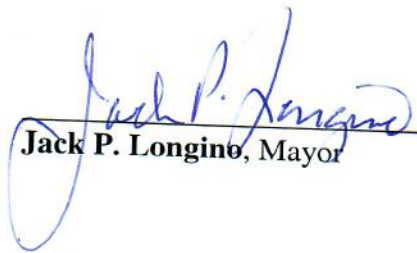
96 **Section 7.** All ordinances and parts of ordinances in conflict herewith are hereby  
97 expressly repealed.

98 **Section 8.** Penalties in effect for violations of the Zoning Ordinance of the City of  
99 College Park, Georgia at the time of the effective date of this Ordinance shall be and are hereby  
100 made applicable to this Ordinance and shall remain in full force and effect.

101 **Section 9.** The effective date of this Ordinance shall be the date of adoption unless  
102 otherwise specified herein.

103 **ORDAINED**, this 1<sup>st</sup> day of October, 2018.

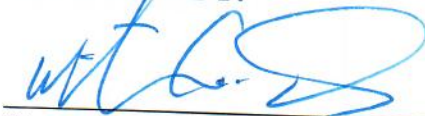
**CITY OF COLLEGE PARK, GEORGIA**

  
\_\_\_\_\_  
**Jack P. Longino, Mayor**

113 **ATTEST:**

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115 \_\_\_\_\_  
116 **Shavala Moore, Acting City Clerk**  
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120 **APPROVED BY:**

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122 \_\_\_\_\_  
123 **Steven M. Fincher, City Attorney**  
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**EXHIBIT A**



24           **Section 2.** The current, up to date zoning map for the City of College Park, as available  
25 and reviewable during the public hearing, is hereby adopted as part of the new Zoning Code, and  
26 said adopted zoning map shall be available for public review in the office of the City Clerk and  
27 the Zoning Administrator.

28           **Section 3.** The preamble of this Ordinance shall be considered to be and is hereby  
29 incorporated by reference as if fully set out herein.

30           **Section 4.** (a) It is hereby declared to be the intention of the Mayor and Council that all  
31 sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their  
32 enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

33           (b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest  
34 extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this  
35 Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this  
36 Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the  
37 greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this  
38 Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase  
39 of this Ordinance.

40           (c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance  
41 shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise  
42 unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the  
43 express intent of the Mayor and Council that such invalidity, unconstitutionality or  
44 unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional  
45 or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or  
46 sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases,



47 clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional,  
48 enforceable and of full force and effect.

49 **Section 5.** All ordinances and parts of ordinances in conflict herewith are hereby  
50 expressly repealed.

51 **Section 6.** Penalties in effect for violations of the Zoning Ordinance of the City of  
52 College Park, Georgia at the time of the effective date of this Ordinance shall be and are hereby  
53 made applicable to this Ordinance and shall remain in full force and effect.

54 **Section 7.** The effective date of this Ordinance shall be the date of adoption unless  
55 otherwise specified herein.

56 **ORDAINED**, this \_\_\_\_ day of \_\_\_\_\_, 2018.

57  
58 **CITY OF COLLEGE PARK, GEORGIA**

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64 **Jack P. Longino, Mayor**

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66 **ATTEST:**

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69 \_\_\_\_\_  
70 **Melissa Brooks, City Clerk**

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73 **APPROVED BY:**

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75  
76 \_\_\_\_\_  
77 **Steven M. Fincher, City Attorney**

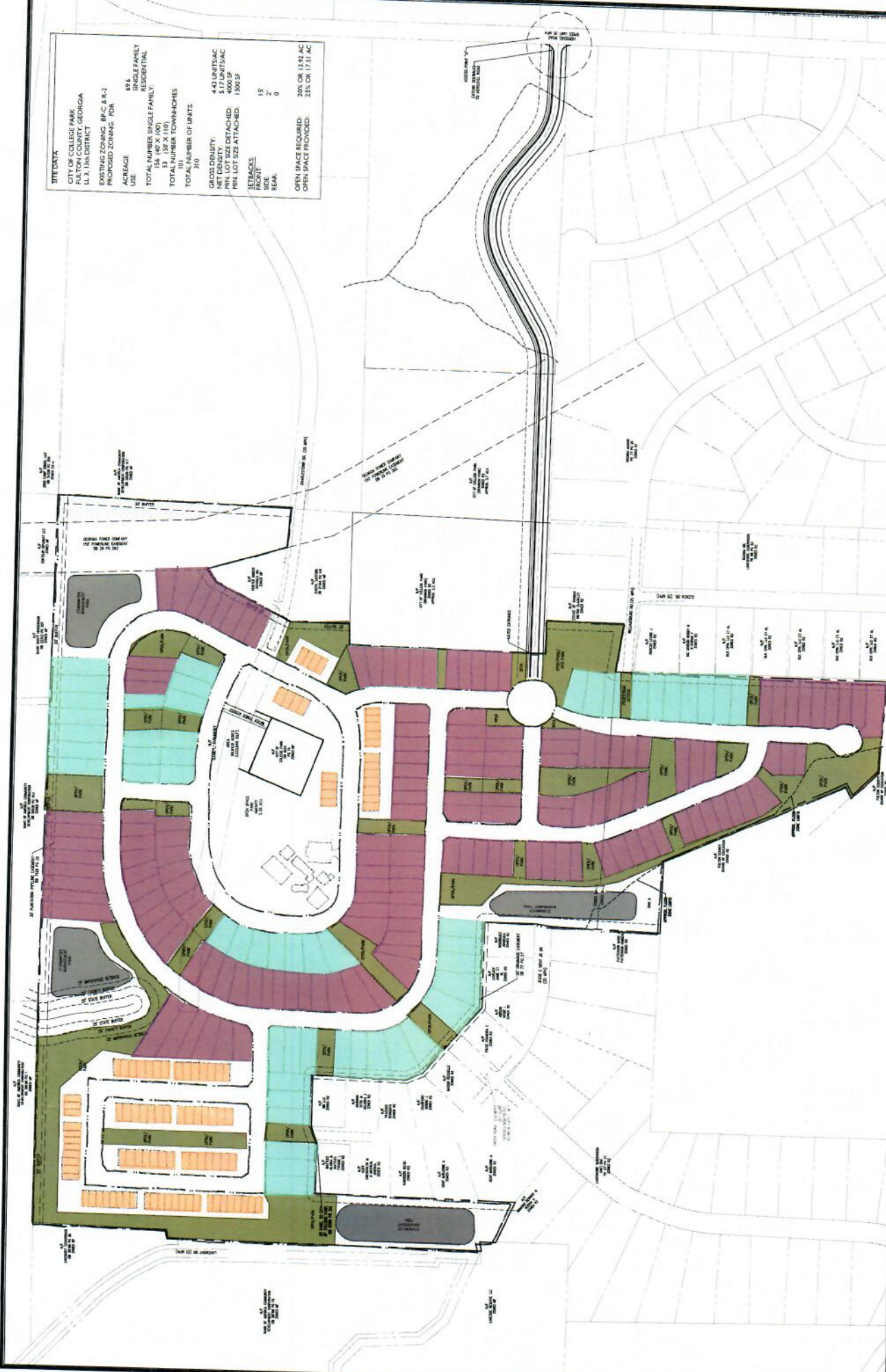
**EXHIBIT A**  
**[NEW ZONING CODE]**

**EXHIBIT A  
ZONING MAP**



**EXHIBIT B  
SITE PLAN**

<b>PROJECT DATA</b>	
CITY OF COLLEGE PARK	
FULTON COUNTY, GEORGIA	
L-1, 11th DISTRICT	
EXISTING ZONING: BPC R-2	
PROPOSED ZONING FOR USE	89.6 SINGLE FAMILY RESIDENTIAL
TOTAL NUMBER SINGLE FAMILY UNITS	156 (67 X 100), 89 (67 X 100)
TOTAL NUMBER TOWNHOMES	181
TOTAL NUMBER OF UNITS	337
GROSS DENSITY:	4.43 UNITS/AC
NET DENSITY:	5.17 UNITS/AC
MIN. LOT SIZE DETACHED:	1500 SF
MIN. LOT SIZE ATTACHED:	1500 SF
SETBACKS:	
FRONT:	15'
SIDE:	2'
REAR:	0'
OPEN SPACE REQUIRED:	20% OR 13.92 AC
OPEN SPACE PROVIDED:	25% OR 17.51 AC



# FOLIA COLLEGE PARK

COLLEGE PARK, GEORGIA

PRELIMINARY SITE PLAN

**AEC**  
 CIVIL ENGINEERING ARCHITECTURE LANDSCAPE ARCHITECTURE  
 2000 Peachtree Dunwoody Road, Suite 300  
 Atlanta, Georgia 30328  
 (404) 487-1100  
 www.aec.com

**NORTH**

0 100 200

PROJECT INFORMATION  
 PROJECT NO: 17-088110  
 DATE: 12-18-14, 4-21-15, 7-10-15, 7-27-15  
 SCALE: 1" = 100'  
 FILE NAME: 17-088110-FOLIA COLLEGE PARK.dwg  
 DESIGNED BY: JLS

**EXHIBIT C**  
**REPRESENTATIVE HOUSE STYLES**

















