



CITY COUNCIL WORK SESSION

Monday, June 03, 2024 at 6:00 PM
Council Chambers and YouTube Livestream

Website: www.forestparkga.gov
YouTube: <https://bit.ly/3c28p0A>
Phone Number: (404) 366.4720

FOREST PARK CITY HALL
745 Forest Parkway
Forest Park, GA 30297

The Honorable Mayor Angelyne Butler, MPA

The Honorable Kimberly James
The Honorable Hector Gutierrez
The Honorable Allan Mears

The Honorable Dabouze Antoine
The Honorable Latresa Akins-Wells

Ricky L. Clark Jr, City Manager
Randi Rainey, City Clerk
Danielle Matricardi, City Attorney

AGENDA

VIRTUAL NOTICE

To watch the meeting via YouTube - <https://bit.ly/3c28p0A>

The Council Meetings will be livestreamed and available on the City's

YouTube page - "*City of Forest Park GA*"

CALL TO ORDER/WELCOME:

ROLL CALL:

ADOPTION OF THE AGENDA WITH ANY ADDITIONS / DELETIONS:

NEW BUSINESS:

- 1. Council Discussion and Approval of an Active Directory Rebuild – IT Department**

Background/History:

Based upon a recent review of the City's Active Directory (AD) and Domain Controllers (DC), along with our current on-premise backup solution, we would like to implement some major structural changes to enhance our security posture. This project includes a rebuild of our two DC servers, along with the servers that process, store, and maintain our server backups. This project was not budgeted for in our current fiscal year, but due to the sensitive nature, we are asking Mayor and Council to approve funding to be added to the IT budget to complete this project as soon as possible.

- 2. Council Discussion and Approval of Nutanix Software and Support Renewal– IT Department**

Background/History:

The City has two core host clusters that host all of the City's virtual machines. These host servers are manufactured and supported by Nutanix. Both the support and the virtualization software can only be provided by Nutanix and there is an annual renewal for the software/support. We historically have done the renewal for a 1-year term as that is standard, but have elected to only do a 6 month term. The reason for this is we are beginning plans to migrate to new host servers for the new City Center. Depending on the timeline of that project, we would not want to extend the support past the point the current hosts are needed. Renewing six (6) months at a time is not more expensive and provides us with some additional flexibility. This is a budgeted expense coming from the IT budget, line item 100-24-1535-52-3203. The IT Department is seeking approval of this renewal by Mayor and Council.

3. Council Discussion and Approval of Ordinance # RZ-2024-01- Rezoning 0 Ferguson Ct. from RS to RM-Planning Community Development Department**Background/History:**

The subject property is a vacant lot measuring approximately 0.16+/- acres, located at 0 Ferguson Ct. in Council ward 2 and is currently zoned RS (Single-Family Residential). The property is vacant and comprises of trees and shrubbery. Its location is in between a single-family residential home to the east and south of the property and an apartment complex to the west of the property. The applicant's request is to rezone the property from RS (Single-Family Residential) to RM (Multiple family residential district) to construct a new construction two-family duplex styled home.

4. Council Discussion and Approval of Case # TA-2024-03 – Text Amendment to increase the number of units per acre by way of a Conditional Use Permit (CUP)-Planning and Community Development Department**Background/History:**

The Downtown Development Authority and the City have received several proposals on properties within the Downtown Mainstreet District. The proposals call for higher density than what is allowed in the Mainstreet Subareas. In response, the Planning and Community Development staff is proposing a text amendment to development standards in the Subareas to allow for greater density with the approval of a Conditional Use Permit (CUP). Conditional Use will require discretionary approval from the City.

5. Council Discussion and Approval of a Task Order for Precision Planning Inc. to perform General Contractor Procurement and Contract Administration for the Rite Aid Renovation (Grapevine) Project-Planning and Community Development Department**Background/History:**

Precision Planning, Inc. (PPI) has completed the design and construction documents to renovate the existing Rite Aid building that will function as a business incubator. The staff is requesting to move forward with General Contractor Procurement and Contract Administration for the project.

EXECUTIVE SESSION: (When an Executive Session is required, one will be called for the following issues: Personnel, Litigation or Real Estate)

ADJOURNMENT:

In compliance with the Americans with Disabilities Act, those requiring accommodation for meetings should notify the City Clerk's Office at least 24 hours prior to the meeting at 404-366-4720.

File Attachments for Item:

1. Council Discussion and Approval of an Active Directory Rebuild – IT Department

Background/History:

Based upon a recent review of the City's Active Directory (AD) and Domain Controllers (DC), along with our current on-premise backup solution, we would like to implement some major structural changes to enhance our security posture. This project includes a rebuild of our two DC servers, along with the servers that process, store, and maintain our server backups. This project was not budgeted for in our current fiscal year, but due to the sensitive nature, we are asking Mayor and Council to approve funding to be added to the IT budget to complete this project as soon as possible.



CITY OF
FORESTPARK

City Council Agenda Item

Subject: Active Directory Rebuild – IT Department

Submitted By: Josh Cox, IT Director

Date Submitted: May 28th, 2024

Work Session Date: June 3rd, 2024

Council Meeting Date: N/A

Background/History:

Based upon a recent review of the City’s Active Directory (AD) and Domain Controllers (DC), along with our current on-premise backup solution, we would like to implement some major structural changes to enhance our security posture. This project includes a rebuild of our two DC servers, along with the servers that process, store, and maintain our server backups. This project was not budgeted for in our current fiscal year, but due to the sensitive nature, we are asking Mayor and Council to approve funding to be added to the IT budget to complete this project as soon as possible.

Cost: \$ 17,295.00

Budgeted for: Yes No

None

Action Requested from Council: We are seeking approval to move forward with this project in the current fiscal year.

Alpharetta (Global)

900 Holcomb Woods Parkway

Roswell, GA 30076

7706434400

www.interdev.com

Item #1.

INTERDEV

IT | Security | GIS

We have prepared a quote for you

Rebuild Active Directory and Backup Servers

QUOTE # 007194 V1

PREPARED FOR

City of Forest Park, GA

PREPARED BY

Anika Inman

Professional Services

Description	Price	Qty	Ext. Price
<p>Active Directory and Back Up Server Re-Build</p> <p>InterDev Engineers to:</p> <p>Rebuild Active Directory Servers</p> <ul style="list-style-type: none"> • Evaluate Domain Health • Provision 2 VMware guests VMs • Install Windows server standard 2022 on the guest VMs • Migrate Domain Services to New Domain Controllers • Validate All Services are Functioning (QA) • Install Monitoring Software • Install Management Software • Install Security Software • Recreate all Service Accounts <p>Rebuild Back Up Servers</p> <ul style="list-style-type: none"> • Provision VMware Guest VMs • Install Windows server standard 2022 on the guest VMs • Install Monitoring Software • Install Management Software • Install Security Software • Install Back Up Software • Connect and Configure Servers to Storage • Validate All Services are Functioning (QA) <p>Project Manager to provide:</p> <ul style="list-style-type: none"> • Client Communication • Client Satisfaction • Timeline Management • Financial management • Scope management 	\$17,295.00	1	\$17,295.00
Subtotal:			\$17,295.00

Requirements and Assumptions

REQUIREMENTS

Full backups of the Affected VMs will be verified prior to the start of work
Required technical specifications (Storage, CPU and Memory) are available in the VMware Hosts for the Guest VM Builds
Admin Accounts are provided to the engineers working on the project
Remote access to the server environment is available and will be provided to InterDev Project Engineers (iDrac is functional and available)
Access to the physical systems will be provided for InterDev Project Engineers
Systems that cannot be interrupted have written documentation that will be provided to the InterDev project engineers
System Names and/or IPs for impacted Servers are documented

ASSUMPTIONS

The scope of this project includes the 2 Domain Controllers and 1 Server for the Police Department
Interdev will do everything in its power to minimize outages
Maintenance Windows are clearly communicated to Forest Park and InterDev project engineers
An onsite resource is available as needed for questions
If after hours work is required, the rate will be converted to an after hours rate of \$225/hour
Service account password changes may cause interruptions to production services
Affected applications that need password changes within the application will require 3rd party vendor support that is not included in this statement of work
If Non-Domain functions are discovered on the domain controllers a Change Order will be requested to move the application to a new server and will be subject to additional fees

Active Directory cleanup and optimization is not in scope
Active Directory is in a healthy state (DCDiag results) if not healthy a Change Order will be requested to fix Active Directory

Terms and Conditions

Scope of Work:

InterDev agrees to provide services ("Services") to the Client as outlined in the Professional Services Section of this Services Order

Time and Materials Basis:

InterDev shall perform the Services on a time and materials basis. The Client shall pay InterDev for the actual time spent by InterDev personnel in performing the Services at the rates of \$145/hour and will be billed upon project completion.

Payment Structure:

Any additional services requested by the Client that fall outside the scope of this agreement will be subject to additional fees, which will be agreed upon by both parties in writing before the services are provided.

Payment Terms:

Payment is due 30 days from the date of the invoice.

Late payments may be subject to a late fee of five (5) percent per month, starting from the due date and may result in a suspension of services.

Change Orders:

Any changes to the scope of work must be documented in a change order. Additional fees resulting from approved change orders will be invoiced separately.

All incident response support and vulnerability remediation will require a change order or additional Statement of Work.

Non-Solicitation of Employees:

During the term of this Agreement and for a period of two (2) years after its termination or expiration, neither party shall directly or indirectly solicit, recruit, or hire any employees, contractors, or agents of the other party involved in the performance of this Agreement. For the purposes of this clause, "solicitation" includes but is not limited to: a. Initiating contact with employees of the other party for the purpose of offering employment or engagement. b. Inducing or attempting to induce employees of the other party to terminate their employment or engagement. c. Assisting others in soliciting, recruiting, or hiring employees of the other party.

In the event of a breach of this non-solicitation clause, the non-breaching party shall be entitled to seek injunctive relief and/or monetary damages, upto and including

Confidentiality:

Both parties agree to keep the terms and conditions of this payment structure confidential.

Limitation of Liability

In no event shall InterDev be liable to the Client or any other party for any special, exemplary, incidental or consequential damages, including but not limited to lost profits, whether arising out of contract, tort, and strict liability or otherwise.

Miscellaneous:

This Agreement constitutes the entire understanding and agreement between the parties with respect to the subject matter hereof and supersedes all prior agreements, whether written or oral, relating thereto. This Agreement will be governed by the laws of Georgia.

Rebuild Active Directory and Backup Servers



Prepared by:
Alpharetta (Global)
Anika Inman
770-643-4400
Fax 6786721555
ainman@interdev.com

Prepared for:
City of Forest Park, GA
745 Forest Parkway
Forest Park, GA 30298
Ricky Clark

rclark@forestparkga.gov

Quote Information:
Quote #: 007194
Version: 1
Delivery Date: 05/21/2024
Expiration Date: 05/30/2024

Quote Summary

Description	Amount
Professional Services	\$17,295.00
Total:	\$17,295.00

Taxes, shipping, handling and other fees may apply. We reserve the right to cancel orders arising from pricing or other errors.

Alpharetta (Global)

City of Forest Park, GA

Signature: _____
Name: Anika Inman
Title: Business Development Account Executive
Date: 05/21/2024

Signature: _____
Name: Ricky Clark
Date: _____

RESOLUTION NO. 2024-_____

A RESOLUTION BY COUNCILMEMBERS KIMBERLY JAMES, DABOUZE ANTOINE, HECTOR GUTIERREZ, LATRESA AKINS-WELLS, AND ALLAN MEARS TO APPROVE AND ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH INTERDEV LLC TO REBUILD CERTAIN CITY SERVERS FOR SECURITY ENHANCEMENTS.

WHEREAS, the City of Forest Park (“City”) is a municipal corporation duly organized and existing under the laws of the State of Georgia and is charged with being fiscally responsible concerning the use and expenditure of all public funds; and

WHEREAS, based upon a recent review of the City’s Active Directory (AD) and Domain Controllers (DC), along with its current on-premise backup solution, City Staff would like to implement some major structural changes to enhance the City’s security posture; and

WHEREAS, the recommended services include a rebuild of the City’s two DC servers, along with the servers that process, store, and maintain the City’s server backups.

THEREFORE, THE CITY COUNCIL OF THE CITY OF FOREST PARK HEREBY RESOLVES:

SECTION 1. Approval. Quote #007194V1 from Interdev LLC for professional services to Rebuild Active Directory and Backup Services as presented to the Mayor and City Council on June 3, 2024 is hereby approved.

SECTION 2. Public Record. This document shall be maintained as a public record by the City Clerk and shall be accessible to the public during all normal business hours of the City of Forest Park.

SECTION 3. Authorization of Execution. The Mayor or her designee is hereby authorized to sign all documents necessary to effectuate this Resolution.

SECTION 4. Attestation. The City Clerk is authorized to execute, attest to, and seal any documents which may be necessary to effectuate this ordinance, subject to approval as to form by the City Attorney.

SECTION 5. Effective Date. This Resolution shall become effective immediately upon its adoption by the Mayor and City Council of the City of Forest Park as provided in the City Charter.

[SIGNATURES ON FOLLOWING PAGE]

SO RESOLVED this 3rd day of June, 2024.

Angelyne Butler, Mayor

ATTEST:

City Clerk (SEAL)

APPROVED AS TO FORM:

City Attorney

File Attachments for Item:

2. Council Discussion and Approval of Nutanix Software and Support Renewal– IT Department

Background/History:

The City has two core host clusters that host all of the City's virtual machines. These host servers are manufactured and supported by Nutanix. Both the support and the virtualization software can only be provided by Nutanix and there is an annual renewal for the software/support. We historically have done the renewal for a 1-year term as that is standard, but have elected to only do a 6 month term. The reason for this is we are beginning plans to migrate to new host servers for the new City Center. Depending on the timeline of that project, we would not want to extend the support past the point the current hosts are needed. Renewing six (6) months at a time is not more expensive and provides us with some additional flexibility. This is a budgeted expense coming from the IT budget, line item 100-24-1535-52-3203. The IT Department is seeking approval of this renewal by Mayor and Council.



CITY OF
FORESTPARK

City Council Agenda Item

Subject: Nutanix Software and Support Renewal– IT Department

Submitted By: Josh Cox, IT Director

Date Submitted: May 28th, 2024

Work Session Date: June 4, 3rd 2024

Council Meeting Date: N/A

Background/History:

The City's has two core host clusters that host all of the City's virtual machines. These host servers are manufactured and supported by Nutanix. Both the support and the virtualization software can only be provided by Nutanix and there is an annual renewal for the software/support. We historically have done the renewal for a 1-year term as that is standard, but have elected to only do a 6 month term. The reason for this is we are beginning plans to migrate to new host servers for the new City Center. Depending on the timeline of that project, we would not want to extend the support past the point the current hosts are needed. Renewing 6 months at a time is not more expensive and provides us with some additional flexibility. This is a budgeted expense coming from the IT budget, line item 100-24-1535-52-3203. I am asking for approval of this renewal by Mayor and Council.

Cost: \$ \$44,403.00

Budgeted for: Yes No

None

Action Requested from Council: We are seeking approval to move forward with this project in the current fiscal year.

Alpharetta (Global)

900 Holcomb Woods Parkway

Roswell, GA 30076

7706434400

www.interdev.com

Item #2.

INTERDEV

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We have prepared a quote for you

2024 - Nutanix Renewal

QUOTE # 007190 V1

PREPARED FOR

City of Forest Park, GA

PREPARED BY

James Ferro

7706434400
jferro@interdev.com
www.interdev.com

Nutanix Renewal - 6 Month

Description	Price	Qty	Ext. Price
Nutanix Acropolis License Subscription Renewal, Acropolis (AOS) Pro Software License & Production Software Support Service SN#: 19SW000119504	\$40,477.52	1	\$40,477.52
Nutanix Acropolis - Per Core Subscription Renewal, Acropolis (AOS) Pro Software License & Production Software Support Service for 1 CPU core SN#: LIC-00808530	\$0.01	192	\$1.92
Nutanix Acropolis for Flash Memory Subscription Renewal, Acropolis (AOS) Pro Software License & Production Software Support Service for 1 TiB of flash. SN#: LIC-00808531	\$0.01	112	\$1.12
Nutanix - 24/7 Production Level Support - Short Term 24/7 Production Level Short Term HW Support Renewal for Nutanix HCI appliance SN#: 19FM3F490170, 19FM3F490171, 19FM3F490167, 19FM3F490164	\$980.61	4	\$3,922.44
Subtotal:			\$44,403.00

7706434400
jferro@interdev.com
www.interdev.com

2024 - Nutanix Renewal



Prepared by:
Alpharetta (Global)
James Ferro
(678) 672-1509
Fax 6786721555
jferro@interdev.com

Prepared for:
City of Forest Park, GA
745 Forest Parkway
Forest Park, GA 30298
Joshua Cox
(470) 538-2218
JCox@forestparkga.gov

Quote Information:
Quote #: 007190
Version: 1
Delivery Date: 05/21/2024
Expiration Date: 05/31/2024

Quote Summary

Description	Amount
Nutanix Renewal - 6 Month	\$44,403.00
Total:	\$44,403.00

Taxes, shipping, handling and other fees may apply. We reserve the right to cancel orders arising from pricing or other errors.

Alpharetta (Global)

City of Forest Park, GA

Signature: James Ferro
Name: James Ferro
Title: Sales Support Specialist
Date: 05/21/2024

Signature: _____
Name: Joshua Cox
Date: _____

RESOLUTION NO. 2024-_____

A RESOLUTION BY COUNCILMEMBERS KIMBERLY JAMES, DABOUZE ANTOINE, HECTOR GUTIERREZ, LATRESA AKINS-WELLS, AND ALLAN MEARS APPROVE NUTANIX SOFTWARE AND SUPPORT RENEWAL WITH INTERDEV LLC.

WHEREAS, the City of Forest Park (“City”) is a municipal corporation duly organized and existing under the laws of the State of Georgia and is charged with being fiscally responsible concerning the use and expenditure of all public funds; and

WHEREAS, Interdev LLC presently administers and provides support services for the Nutanix Software the City utilizes for its servers; and

WHEREAS, the IT Department recommends renewing the existing services with Interdev LLC for a six-month period.

THEREFORE, THE CITY COUNCIL OF THE CITY OF FOREST PARK HEREBY RESOLVES:

SECTION 1. Approval. Quote #007190V1 from Interdev LLC for the Nutanix Renewal as presented to the Mayor and City Council on June 3, 2024 is hereby approved.

SECTION 2. Public Record. This document shall be maintained as a public record by the City Clerk and shall be accessible to the public during all normal business hours of the City of Forest Park.

SECTION 3. Authorization of Execution. The Mayor or her designee is hereby authorized to sign all documents necessary to effectuate this Resolution.

SECTION 4. Attestation. The City Clerk is authorized to execute, attest to, and seal any documents which may be necessary to effectuate this ordinance, subject to approval as to form by the City Attorney.

SECTION 5. Effective Date. This Resolution shall become effective immediately upon its adoption by the Mayor and City Council of the City of Forest Park as provided in the City Charter.

[SIGNATURES ON FOLLOWING PAGE]

SO RESOLVED this 3rd day of June, 2024.

Angelyne Butler, Mayor

ATTEST:

City Clerk (SEAL)

APPROVED AS TO FORM:

City Attorney

File Attachments for Item:

3. Council Discussion and Approval of Ordinance # RZ-2024-01- Rezoning 0 Ferguson Ct. from RS to RM-Planning Community Development Department

Background/History:

The subject property is a vacant lot measuring approximately 0.16+/- acres, located at 0 Ferguson Ct. in Council ward 2 and is currently zoned RS (Single-Family Residential). The property is vacant and comprises of trees and shrubbery. Its location is in between a single-family residential home to the east and south of the property and an apartment complex to the west of the property. The applicant's request is to rezone the property from RS (Single-Family Residential) to RM (Multiple family residential district) to construct a new construction two-family duplex styled home.



CITY OF
FORESTPARK

City Council Agenda Item

Subject: Council Discussion to approve Case # RZ-2024-01- Rezone request for 0 Ferguson Ct

Submitted By: SaVaughn Irons-Kumassah, Principal Planner, Planning & Community Development Department

Date Submitted: May 23, 2024

Work Session Date: June 3, 2024

Council Meeting Date: June 3, 2024

The subject property is a vacant lot measuring approximately 0.16+/- acres, located at 0 Ferguson Ct. and is currently zoned RS (Single-Family Residential). The property is vacant and comprises of trees and shrubbery. Its location is in between a single-family residential home to the east and south of the property and an apartment complex to the west of the property. The applicant’s request is to rezone the property from RS (Single-Family Residential) to RM (Multiple family residential district) to construct a new construction two-family duplex styled home.

The approval of the rezone request will provide a diverse range of housing options at this location and allow the applicant to build the new construction two-family duplex style home at the proposed location

Cost: N/A

Budgeted for: _____ Yes _____ No

Financial Impact: N/A.

Action Requested from Council: To Approve Case # RZ-2024-01 - Rezone request for 0 Ferguson Ct to Rezone From Single-Family Residential (RS) to Multiple-Family Residential (RM) to construct a new two-family duplex.



CITY OF FOREST PARK

Department of Planning & Community Development
785 Forest Parkway
Forest Park, Georgia 30297
(404) 366-4720
www.Forestparkga.gov

STAFF REPORT
Planning Commission Meeting: May 16, 2024
City Council Meeting: June 3, 2024

Case: RZ-2024-01

Current Zoning: RS- Single Family Residential

Proposed Request: Rezone property from RS (Single-Family Residential) to RM (Multiple family residential district) to allow the building of a new construction duplex.

Staff Report Compiled By: SaVaughn Irons-Kumassah, Principal Planner

Staff Recommendation: Approval to Rezone to RM (Multiple family residential district).

APPLICANT INFORMATION

Owner of Record: Gaetan Gachelin	Applicant: Gaetan Gachelin
Address: 0 Ferguson Ct.	Address: 0 Ferguson Ct.
City/State: Forest Park, GA 30297	City/State: Forest Park, GA 30297

PROPERTY INFORMATION

Parcel Number: 13049A A031	Acreage: 0.16 +/-
Address: 0 Ferguson Ct.	FLU: S.F. Residential

SUMMARY & BACKGROUND

The subject property is a vacant lot measuring approximately 0.16+/- acres, located at 0 Ferguson Ct. and is currently zoned RS (Single-Family Residential). The property is vacant and comprises of trees and shrubbery. Its location is in between a single-family residential home to the east and south of the property and an apartment complex to the west of the property. The applicant’s request is to rezone the property from RS (Single-Family Residential) to RM (Multiple family residential district) to construct a new construction two-family duplex styled home.

The approval of the rezone request will provide a diverse range of housing options at this location and allow the applicant to build the new construction two-family duplex style home at the proposed location.



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ZONING CLASSIFICATION OF CONTIGUOUS PROPERTIES

North	RS (Single-Family Residential)	East	RS (Single-Family Residential)
South	RS (Single-Family Residential)	West	RM (Multiple-Family Residential)

AERIAL MAP





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CITY OF FOREST PARK

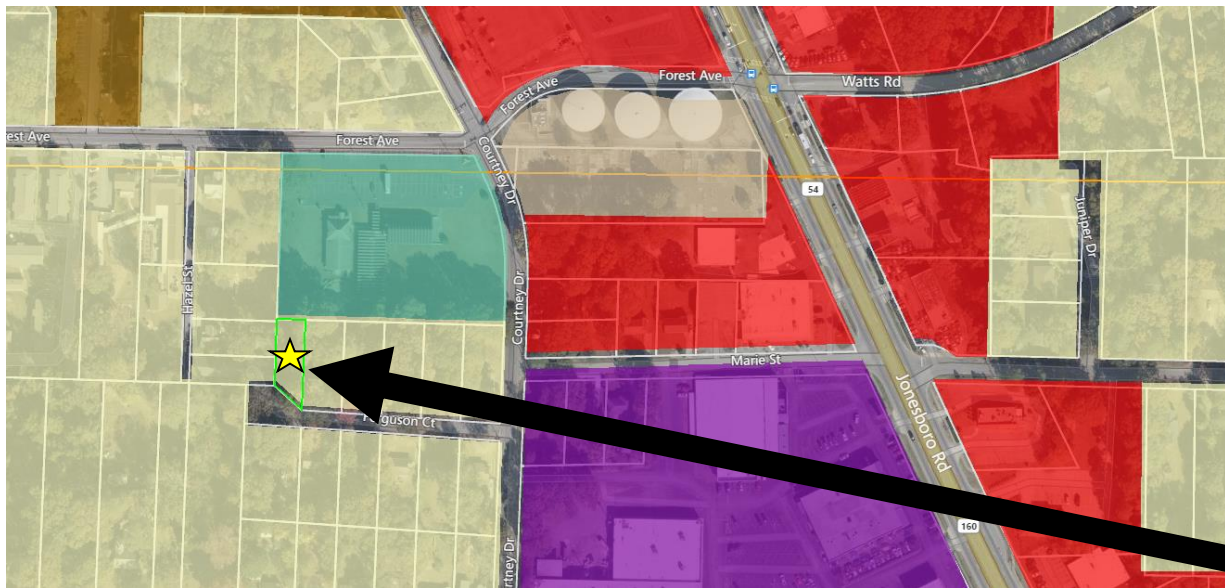
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ZONING MAP



Current Zoning: RS (Single-Family Residential)

FUTURE LAND USE MAP



Future Land Use: Single-Family Residential



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SITE PHOTOS





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Item #3.

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SURROUNDING PROPERTIES



**Ferguson Court Apartments: Zoned RM (Multiple-Family Residential)
(West of Parcel)**



**Residential: Zoned RS (Single-Family Residential)
(East of Parcel)**



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**Residential: Zoned RS (Single-Family Residential)
(South of Parcel)**



**Rock Church of Atlanta: RS (Single-Family Residential)
(North of Parcel)**



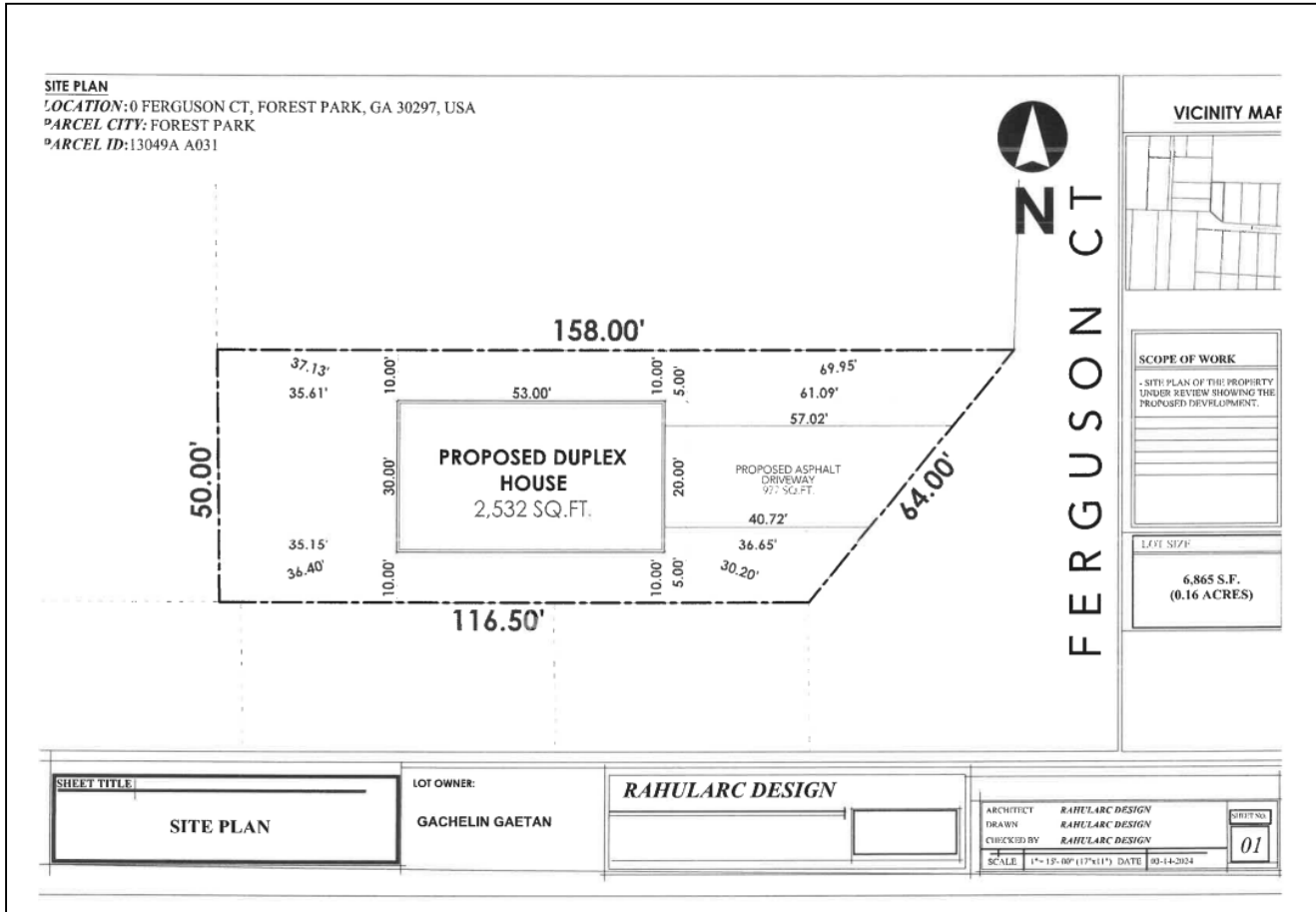
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SITE PLAN



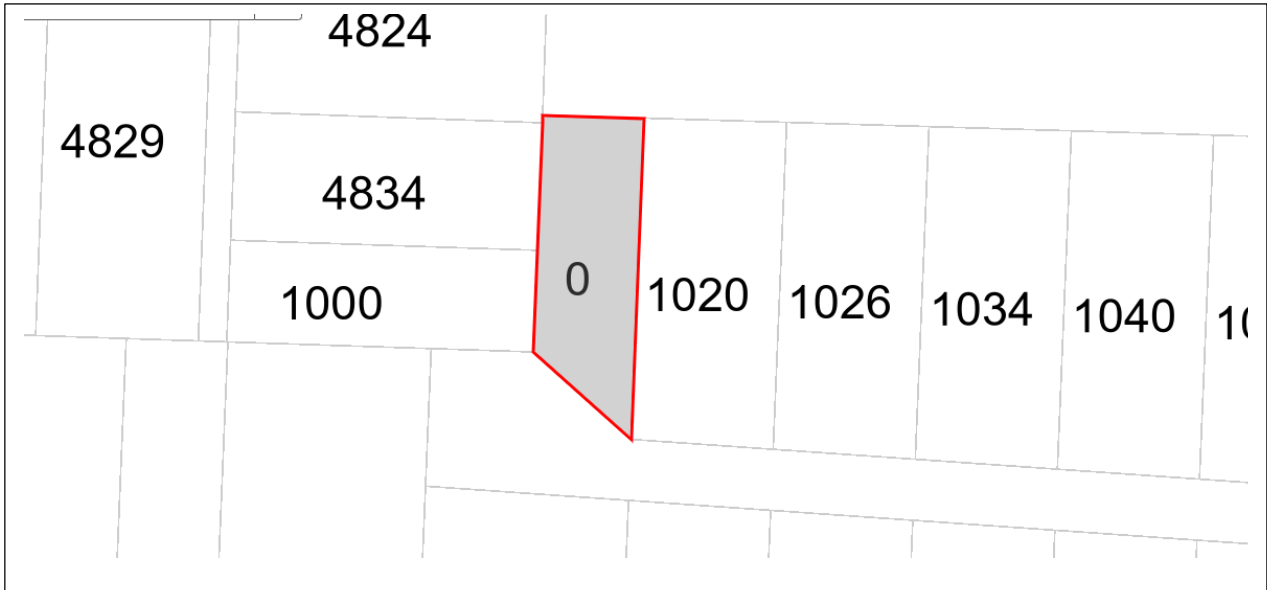


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BOUNDARY SURVEY





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Department of Planning & Community Development
785 Forest Parkway
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(404) 366-4720
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PROPOSED STRUCTURE



Impact Summary

Would the proposed amendment be consistent and compatible with the city's land use and development, plans, goals, and objectives: **Yes** **No** *The subject property is currently in the middle of single-family residential and multifamily residential. Although, the future land use map designation is Single-Family Residential for the area, the proposed zoning map amendment is consistent and compatible with the current zoning within the proposed area based on location. Although the size, shape, and location of the property is smaller than the lot to the east of the property, development is possible within the proposed use.*

Would the proposed amendment tend to increase, to decrease, or to have no impact on traffic safety and congestion in the streets? **Increase** **Decrease** **No Impact** *We do not anticipate an increase in traffic congestion or detriment to traffic safety as a result of this rezoning.*

Would the proposed amendment tend to increase, to decrease, or to have no relationship to safety from fire and other dangers? **Increase** **Decrease** **No Relationship**

Would the proposed amendment tend to promote, to diminish, or to have no influence on the public health



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and general welfare of the city? Promote Diminish No Influence

Would the proposed amendment tend to increase, to decrease or to have no influence on the adequacy of light and air? Promote Diminish No Influence

Would the proposed amendment tend to cause, to prevent, or to have no influence on the overcrowding of land? Cause Prevent No Influence

Would the proposed amendment tend to cause, to prevent, or to have no relationship on the population distribution within the city, thus creating any area as dense in population as to adversely affect the health, safety, and general welfare of the city? Cause Prevent No Relationship

Would the proposed amendment tend to impede, to facilitate, or to have no impact on the adequate provision of transportation, water, sewerage, other public services, utilities, or facilities?

Impede Facilitate No Impact

Would the proposed amendment tend to be compatible with environmental conditions in light of surrounding developments? If compatible, what factors, if any, would diminish the value, use and enjoyment of surrounding properties? Yes No *There are no known contributing factors that will affect the value, use and enjoyment of surrounding properties.*

Would the proposed amendment tend to promote, to diminish, or to have no influence upon the aesthetic effect of existing and future uses of the property and the surrounding area?

Promote Diminish No Influence *The proposed amendment may promote the aesthetic effect due to the type of development being proposed. With the new construction duplex being an aesthetically pleasing upgrade to the area, it may promote increased property values and updates to surrounding homes.*

Would the proposed amendment have measurable adverse economic effect on the value of surrounding or adjacent property? Yes No

Would the proposed amendment create an isolated district, unrelated to adjacent and nearby districts?

Yes No *The subject property is adjacent to a neighboring property that is already zoned RM (Multiple-Family Residential to the west. This property is a multifamily apartment complex with several residences. The proposed zoning is commensurate with the existing use of neighboring property.*

Staff Review

The following city departments/divisions had no issues or concerns regarding the requested rezoning:

- Public Works, Police, Fire, and Building Inspector

Planning & Community Development Department



CITY OF
FORESTPARK
- City for every season

CITY OF FOREST PARK

Department of Planning & Community Development
785 Forest Parkway
Forest Park, Georgia 30297
(404) 366-4720
www.Forestparkga.gov

Planning staff recognizes that the property is 0.16 acres or 6, 865 square feet, and is small in shape. The current Multiple Family Residential (RM) zoning district requires the following minimum front, side, and rear setbacks if rezoning is approved:

Front: 30 ft.
Side: 25 ft.
Rear: 35 ft.

Staff Recommendation

The requested rezoning from RS (Single-Family Residential) to RM (Multiple-Family Residential) zoning category would allow for the construction of the proposed duplex and the request would be compatible with the current zoning to the west of the property. This rezone would also assist with the current housing need within the city of Forest Park by offering additional housing options. If the property is rezoned to RM (Multiple-Family Residential), it would not be out of character of current, surrounding zoned uses in the area. The proposed amendment will not cause an adverse impact on the surrounding community.

Staff recommends Approval of the rezoning request along with the following conditions:

1. That the approval to rezone from RS to RM, applicant must be consistent with Sec 8-8-33 Multiple family Residential district (RM) Standards.
 - a. Based on the submitted site plan, applicant must apply for a variance request to allow the reduction of the side yard setback from the required 25 ft to 10ft.
 - b. Based on the submitted site plan, applicant must apply for a variance request to allow the reduction of the rear yard setback from the required 35 ft to 30ft.
 - c. Each Unit proposed should have a parking capacity of two vehicles per unit.
2. That the applicant will be required to apply to the Urban Design and Review Board for review and approve the landscaping and exterior architectural design of the building façade prior to receiving a building permit. Any changes or deviations from the recommended approval will need to come back before the Planning Commission.

**STATE OF GEORGIA
CITY OF FOREST PARK
COUNTY OF CLAYTON**

ORDINANCE RZ-2024-01

1 AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF FOREST
2 PARK, GEORGIA BY REZONING THAT CERTAIN PARCEL OF REAL PROPERTY
3 LOCATED AT 0 FERGUSON COURT; TO PROVIDE FOR SEVERABILITY; TO REPEAL
4 CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR ALL
5 OTHER LAWFUL PURPOSES.

6 **WHEREAS**, the duly elected governing authority of the City of Forest Park, Georgia
7 (hereinafter the “City”) is the Mayor and Council thereof; and

8 **WHEREAS**, the governing authority is authorized by its Charter to regulate zoning within
9 the limits of the City; and

10 **WHEREAS**, the subject parcel of real property consists of approximately 0.16 acres
11 located at 0 Ferguson Court, according to the present system of numbering property in Forest Park,
12 Clayton County, Georgia (Tax Parcel Identification Number: 13049A A031) (the “Property”); and

13 **WHEREAS**, the Property is currently zoned as RS (Single Family Residential); and

14 **WHEREAS**, the owner (“Applicant”) of the Property filed an application requesting the
15 governing authority to rezone the Property to RM (Multiple Family Residential); and

16 **WHEREAS**, the City Planner and Planning Commission recommend approval of the
17 application subject to certain conditions included in the City Staff Report and said report is hereby
18 incorporated by reference herein; and

19 **WHEREAS**, the governing body of the City has considered the criteria of a rezoning
20 request, provided in Section 8-8-186 (Zoning Amendment Process) of Article G (Zoning
21 Amendments) in Chapter 8 (Zoning) of the Code of Ordinances, City of Forest Park, Georgia; and

22 **WHEREAS**, the City has complied with the notice and hearing requirements pursuant to
23 O.C.G.A. § 36-66-1 *et seq.*; and

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

26 **BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF THE**
27 **CITY OF FOREST PARK, GEORGIA**, and by the authority thereof:

28 **Section 1.** That certain parcel of real property consisting of approximately 0.16 acres
29 located at 0 Ferguson Court, according to the present system of numbering property in Forest Park,
30 Clayton County, Georgia (Tax Parcel Identification Number: 13049A A031) is hereby rezoned to
31 RM (Multiple Family Residential). Such rezoning is to be noted on the official City of Forest Park
32 Zoning Map approved by Mayor and Council (“Zoning Map”), as soon as reasonably possible
33 following adoption of this Ordinance along with an editorial note on the map specifying the parcel
34 affected by this Ordinance and the date of its adoption. Until this rezoning is indicated on the
35 Zoning Map, this Ordinance shall govern to the extent of any discrepancy between this Ordinance
36 and the Zoning Map. This rezoning is subject to the following conditions:

37 1. The Applicant shall comply with the Multiple Family Residential District
38 Standards in Section 8-8-33. If Applicant desires to proceed with its submitted
39 site plan, Applicant shall:

- 40 • Apply for a variance to reduce the side yard setback from the required
41 25 feet to 10 feet;

- 42 • Apply for a variance to reduce the rear yard setback from the required
43 35 feet to 30 feet; and
- 44 • Provide parking capacity for two (2) vehicles per residential unit.
- 45 2. Applicant shall submit its plans for landscaping and exterior architectural design
46 of the building façade to the Urban Design and Review Board for consideration
47 and approval.
- 48 3. Any changes or deviations from the approved plans shall be submitted to the
49 Planning Commission for approval.
- 50 4. The above-mentioned conditions shall be satisfied prior to the issuance of a
51 building permit.

52 **Section 2.** The preamble of this Ordinance shall be considered to be and is hereby
53 incorporated by reference as if fully set out herein.

54 **Section 3.** (a) It is hereby declared to be the intention of the Mayor and Council that all
55 sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their
56 enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

57 (b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest
58 extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this
59 Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this
60 Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the
61 greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance
62 is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this
63 Ordinance.

64 (c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance
65 shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable
66 by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of
67 the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the
68 greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any
69 of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to
70 the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and
71 sections of the Ordinance shall remain valid, constitutional, enforceable and of full force and
72 effect.

73 **Section 4.** All ordinances and parts of ordinances in conflict herewith are hereby expressly
74 repealed to the extent of such conflict.

75 **Section 5.** The City Clerk is authorized to execute, attest to, and seal any documents which
76 may be necessary to effectuate this ordinance, subject to approval as to form by the City Attorney.

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

80 **Section 7.** This ordinance shall become effective immediately upon its adoption by the
81 Mayor and City Council of the City of Forest Park as provided in the City Charter.

82 **Section 8.** The City Clerk, with the concurrence of the City Attorney, authorized to correct
83 any scrivener’s errors found in this Ordinance, including any exhibits, as enacted.

84
85 **ORDAINED** this _____ day of _____, 2024.

CITY OF FOREST PARK, GEORGIA

Angelyne Butler, Mayor

ATTEST:

Michelle Hood, Deputy City Clerk

APPROVED AS TO FORM:

City Attorney

April 23, 2024

Clayton News Daily
P.O. Box 368
Jonesboro, GA 30253

Please run the following Public Hearings Section of the May 1, May 8, and May 15, 2024, Editions.

TO THE CITIZENS OF FOREST PARK, CLAYTON COUNTY, GEORGIA, AND OTHER INTERESTED PARTIES:

NOTICE IS HEREBY GIVEN: The City of Forest Park Planning Commission will conduct a meeting on a series of Public Hearings for the purpose of considering the matters listed below. The Public Hearings will be held on Thursday, May 16, 2024, at 6:00 p.m. in the Forest Park City Hall Council Chambers located at 745 Forest Parkway, Forest Park, GA 30297. The Mayor and City Council will conduct a meeting of Public Hearings for the listed Text Amendments, recommended by the Planning Commission at Forest Park City Hall Council Chambers, 745 Forest Parkway, on June 3, 2024, at 6:00 p.m.

- Case # VAR-2024-05 Variance request for 920 Forest Ave., Parcel # **13048C E009**. The applicants, Willie Lee Copeland and Sandra Michelle Copeland is requesting a variance to reduce the minimum lot width from the required 80 Ft to 55 ft to construct a new construction single-family home within the Single-Family Residential District (RS).
- Case # VAR-2024-06 Variance request for 4386 Foster St., Parcel # **13017D A018**. The applicant, Carlos Rodolfo Sanchez Loreda is requesting a variance to reduce the required side yard setback from the required 10 Ft to 2 ft and rear side yard setback on right side from the required 10 ft to 4 ft to construct a car port in the single-family Residential District (RS).
- Case # RZ-2024-01- Rezone request for 0 Ferguson Ct, Parcel # **13049A A031**, - The applicant, Gaetan Gachelin, is requesting a rezone of the .16+/- acre lot within the Single-Family Residential District (RS) to Multiple Family Residential District (RM) to allow the new construction of a duplex.
- Case # TA-2024-03 - Text Amendment to increase the number of units per acre by way of a Conditional Use Permit (CUP) in Article B: Zoning Districts, Overlay Districts, and Design Guidelines Established Section 8-8-54 Special Building Standards for Development Subareas in Downtown, Article G: Zoning Amendments Section 8-8-188 Condition Use Process to clarify and add additional Standards and introduce new sections 1-5 of the Code of Ordinances of the City of Forest Park.

SaVaughn Irons-Kumassah, Principal Planner
Planning & Community Development Department
404-366-4720

File Attachments for Item:

4. Council Discussion and Approval of Case # TA-2024-03 – Text Amendment to increase the number of units per acre by way of a Conditional Use Permit (CUP)-Planning and Community Development Department

Background/History:

The Downtown Development Authority and the City have received several proposals on properties within the Downtown Mainstreet District. The proposals call for higher density than what is allowed in the Mainstreet Subareas. In response, the Planning and Community Development staff is proposing a text amendment to development standards in the Subareas to allow for greater density with the approval of a Conditional Use Permit (CUP). Conditional Use will require discretionary approval from the City.



CITY OF
FORESTPARK

City Council Agenda Item

Subject: Council Discussion to approve Case # TA-2024-03 – Text Amendment to increase the number of units per acre by way of a Conditional Use Permit (CUP) in Article B: Zoning Districts, Overlay Districts, and Design Guidelines Established Section 8-8-54 Special Building Standards for Development Subareas in Downtown, Article G: Zoning Amendments Section 8-8-188 Condition Use Process to clarify and add Standards, appeal process, Withdrawal of Application, and introduce new sections 1-5, within the Code of Ordinances of the City of Forest Park.

Submitted By: SaVaughn Irons-Kumassah, Principal Planner, Planning & Community Development Department

Date Submitted: May 23, 2024

Work Session Date: June 3, 2024

Council Meeting Date: June 3, 2024

Background/History:

The Downtown Development Authority and the City have received several proposals on properties within the Downtown Mainstreet District. The proposals call for higher density than what is allowed in the Mainstreet Subareas. In response, the Planning and Community Development staff is proposing a text amendment to development standards in the Subareas to allow for greater density with the approval of a Conditional Use Permit (CUP). Conditional Use will require discretionary approval from the City.

The CUP will provide a thoughtful approach to development by providing developers with the flexibility needed to obtain the desired mix of commercial, residential, allowable uses and density on the site. Mixed-use projects that are well designed can provide good quality housing and an active and vibrant commercial corridor.

To achieve the desired development, the applicant may be required to meet a set of conditions to receive a permit. The planning staff will review the proposed conditional uses for compatibility with surrounding properties. As part of that review, certain standards must be met to grant a CUP for higher density consistent with Article G: Zoning Amendments Section 8-8-188 Condition Use Process.

. The burden of proof is on the applicant to provide “substantial evidence” to demonstrate that the proposed land use can coexist in harmony with the neighborhood and meet all the required standards in Section 8-8-188 Condition Use Process. A proposal to increase the density in a subarea may be denied if the applicant fails to meet one or more of the standards or if the application does not address concerns. Applicants applying for CUP to increase density in a subarea are required to contact the planning staff to discuss the proposal before submitting an application. Conditional Use Permits are given at the discretion of the City. If the property owner does not meet the conditions agreed upon, the CUP can be revoked

Cost: N/A

Budgeted for: _____ **Yes** _____ **No**

Financial Impact: N/A.

Action Requested from Council: To Approve the proposed text amendment for Case # TA-2024-03.

April 23, 2024

Clayton News Daily
P.O. Box 368
Jonesboro, GA 30253

Please run the following Public Hearings Section of the May 1, May 8, and May 15, 2024, Editions.

TO THE CITIZENS OF FOREST PARK, CLAYTON COUNTY, GEORGIA, AND OTHER INTERESTED PARTIES:

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SaVaughn Irons-Kumassah, Principal Planner
Planning & Community Development Department
404-366-4720

STAFF REPORT – Text Amendments

Public Hearing Date: May 16, 2024

City Council Meeting: June 3, 2024

Case: TA-2024-03

Proposed Request: Text Amendments to The City of Forest Park Zoning Code of Ordinance

Staff Report Compiled By: James Shelby, Interim Planning Director

Staff Recommendation: Approval to amend Zoning Ordinance

PROPOSED TEXT AMENDMENTS

The Planning & Community Development is proposing a text amendment to increase the number of units per acre by way of a Conditional Use Permit (CUP) in Article B: Zoning Districts, Overlay Districts, and Design Guidelines Established Section 8-8-54 Special Building Standards for Development Subareas in Downtown, Article G: Zoning Amendments Section 8-8-188 Condition Use Process to clarify and add Standards, appeal process, Withdrawal of Application, and introduce new sections 1-5.

BACKGROUND

The Downtown Development Authority and the City have received several proposals on properties within the Downtown Mainstreet District. The proposals call for higher density than what is allowed in the Mainstreet Subareas. In response, the Planning and Community Development staff is proposing a text amendment to development standards in the Subareas to allow for greater density with the approval of a Conditional Use Permit (CUP). Conditional Use will require discretionary approval from the City.

The CUP will provide a thoughtful approach to development by providing developers with the flexibility needed to obtain the desired mix of commercial, residential, allowable uses and density on the site. Mixed-use projects that are well designed can provide good quality housing and an active and vibrant commercial corridor.

To achieve the desired development, the applicant may be required to meet a set of conditions to receive a permit. The planning staff will review the proposed conditional uses for compatibility with surrounding properties. As part of that review, certain standards must be met to grant a CUP for higher density consistent with Article G: Zoning Amendments Section 8-8-188 Condition Use Process.

The burden of proof is on the applicant to provide “substantial evidence” to demonstrate that the proposed land use can coexist in harmony with the neighborhood and meet all the required standards in Section 8-8-188 Condition Use Process. A proposal to increase the density in a subarea may be denied if the applicant fails to meet one or more of the standards or if the application does not address concerns. Applicants applying for CUP to increase density in a subarea are required to contact the planning staff to discuss the proposal before submitting an application. Conditional Use Permits are given at the discretion of the City. If the property owner does not meet the conditions agreed upon, the CUP can be revoked.

PROPOSED TEXT AMENDMENT

As defined by the 2021 Downtown Forest Park Livable Centers Initiative Study, any new development or redevelopment should comply with the following standards:

8-8-54.8 Special Building Standards for Development Subareas in Downtown

In addition to the general development standards in the Downtown Mainstreet District, four distinct subareas are defined for future mixed-use development. These sub areas are defined and delineated in the Downtown Forest Park Livable Centers Initiative Study adopted by the city in 2021. The map is identified below.

- A. **Traditional Downtown Core:** Low-density mixed-use with retail/commercial and single-family attached.
1. Building Height: 2—3 stories.
 2. Residential Density: 6—12 units/acre.
 3. Residential Density over twelve (12) units/acre requires a Conditional Use Permit pursuant to Sec. 8-8-188
 - ~~3.~~ 4. Commercial size: 3,000—5,000 square feet.
- B. **Mixed-Use Village:** Medium-density mixed-use with retail/commercial and single-family attached and multi-family.
1. Building Height: 3—4 stories.
 2. Residential Density: 15—24 units/acre.
 3. Residential Density over twenty-four (24) units/acre requires a Conditional Use Permit pursuant to Sec. 8-8-188
 - ~~3.~~ 4. Commercial Size: 6,000—15,000 square feet.
- C. **Mixed-Use Center:** Higher-density mixed-use.
1. Building height: 5—6 stories.
 2. Residential density: 25—35 units/acre.
 3. Residential Density over thirty-five (35) units/acre requires a Conditional Use Permit pursuant to Sec. 8-8-188
 - ~~3.~~ 4. Commercial size: 16,000—40,000 square feet.

Sec. 8-8-188. - Conditional use process.

The following standards and procedures applies apply to conditional use petitions:

- (1) Standards. When considering an application for a CUP, the Planning Staff, Planning Commission, Mayor, and City Council shall evaluate the impact of the proposed conditional use on and its compatibility with surrounding properties and residential areas to ensure the appropriateness of the use at a specific location, and shall consider the extent to which:
 - (a) The proposed use at the specified location is consistent with the policies embodied in the adopted comprehensive plan.
 - (b) The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations.
 - (c) The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods and includes improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent developments and neighborhoods.
 - (d) The proposed use does not generate pedestrian and vehicular traffic which will be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
 - (e) The proposed use incorporates roadway adjustments, traffic control devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development generated traffic on neighborhood streets.
 - (f) The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties; and the proposed use meets the standards for the zoning district, or to the extent variations from such standards have been requested, that such variations are necessary to render the use compatible with adjoining development and neighborhoods.
 - (g) The proposed use is based on the site plan in conformity with all space limits, buffers, parking and loading provisions, and other provisions of this article.
 - (h) The applicant has agreed to any specific limitations or conditions necessary to protect the public interest and assure the continued beneficial use and enjoyment of nearby properties or that no special limitations are necessary to protect the public.

No application for conditional use permit shall be granted by the Mayor and City Council unless satisfactory provisions and arrangements have been made concerning each of the above factors and any other applicable factors for specific conditional use permits authorized by this chapter.

- (2) An applicant aggrieved by a denial of a conditional use permit shall have the right to file an appeal in Clayton Superior Court by way of petition for writ of certiorari in accordance with state law.
- (3) Withdrawal of applications by applicant. Prior to the public hearing by the City Council, an applicant may withdraw a zoning application without prejudice by providing written notice to the

City of such request for withdrawal. This written request shall be received no later than the planned publication of the agenda for such hearing. After such a deadline, the hearing will be deemed to have commenced. After the hearing has commenced, the applicant may request to withdraw an application prior to a final decision by the Mayor and Council. Such withdrawal shall be subject to the approval of the Mayor and Council by vote during the hearing of the case. In any case, no application fees will be refunded.

- (4) ~~(4)~~ *Application*. The petitioner shall submit a conditional use application, affidavit, and consent of property owner (if the owner is someone other than the petitioner), a deed for the property involved, the required filing fee, and required supportive information. Supportive information shall include, but not be limited to the following:
- a. A site plan drawn with a straight edge, signed, and dated, clearly showing the entire layout of the property and all features relevant to the conditional use request.
 - b. A letter of intent to the planning commission describing the details of the conditional use request, including, but not limited to:
 1. The ways in which the conditional use shall comply with the applicable development standards of this Code,
 2. The ways in which the conditional use shall be consistent with the required findings of fact described by [section 8-8-186\(1\)](#).
 - c. For proposals using septic systems, a letter from the County Health Department shall be provided verifying that the ~~any~~ proposed new development makes appropriate use of the septic system and will be adequately served.
 - d. For proposals using public sewers, a letter from ~~the service provider~~ [Clayton County Water Authority](#) shall be included verifying that any proposed new development will be served.
- (5) ~~(2)~~ *Notification*. Notification for the scheduled public hearing regarding the conditional use request shall be completed consistent with [section 8-8-185](#), notice of public hearing.
- (6) ~~(3)~~ *Public hearing*. The planning commission will then, in a public hearing scheduled consistent with the adopted calendar of filing and meeting dates, review the conditional use application, and the required supportive information.
- a. Either the petitioner or a representative of the petitioner must be present at the public hearing to present the petition and address the required findings of fact.
 - b. The planning commission shall consider a report from the ~~director~~ [Planning Staff](#), testimony from the petitioner, and testimony from the public and interested parties at the hearing.
 - c. The presentation of reports and testimony and all other aspects of the public hearing shall be consistent with the requirements of the rules and procedures of the planning commission.

- d. The planning commission shall either forward the petition to the mayor and city council with a favorable recommendation, a favorable recommendation an unfavorable recommendation, or no recommendation, or table the request.
 1. The petition shall be forwarded with a favorable recommendation if it is found to be consistent with the decision criteria listed below in this article.
 2. The petition shall be forwarded with an unfavorable recommendation if it is found to be inconsistent with the decision criteria listed below in this article.
 3. The petition may be forwarded with no recommendations if, by a majority vote of the commission, it is determined that the petition includes aspects which the commission is not able to evaluate.
- (7) (4) *Certification*. The ~~director~~ Planning Staff shall certify the planning commission's recommendation and staff report to the mayor and city council.
- (8) (5) *Mayor and city council hearing*. The mayor and city council shall hold a public hearing and vote on the proposed conditional use permit.

**STATE OF GEORGIA
CITY OF FOREST PARK**

ORDINANCE NO. 2024-__

1 AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR THE CITY OF
2 FOREST PARK, GEORGIA, CHAPTER 8 (ZONING), SECTION 8-8-54 (DOWNTOWN
3 MAINSTREET DISTRICT (DM) DESIGN GUIDELINES), AND SECTION 8-8-188
4 (CONDITIONAL USE PROCESS); TO PROVIDE SEVERABILITY; TO PROVIDE FOR
5 REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE AN ADOPTION AND
6 EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.

7 **WHEREAS**, the duly elected governing authority of the City of Forest Park, Georgia (the
8 “City”) is the Mayor and Council thereof; and

9 **WHEREAS**, this change adheres to all zoning procedures pursuant to O.C.G.A. § 36-66-
10 36 and notice and hearing requirements pursuant to O.C.G.A. § 36-66-1, *et seq.*; and

11 **WHEREAS**, the City Council desires to clarify certain provisions in the City’s special
12 building standards for development subareas in downtown and for the City’s conditional use
13 process; and

14 **WHEREAS**, the amendments contained herein would benefit the health, safety, morals,
15 and welfare of the citizens of the City.

16 **BE IT AND IT IS HEREBY ORDAINED** by the Mayor and Council of the City of Forest
17 Park, Georgia, and by the authority thereof:

18 **Section 1.** Chapter 8 (“Zoning”), Article B (“Zoning Districts, Overlay Districts, and
19 Design Guidelines Established”), Section 8-8-54 (“Downtown Mainstreet District (DM) Design
20 Guidelines”), 8-8-54.8 (“Special Building Standards for Development Subareas in Downtown”)

21 in the City's Code of Ordinances is hereby amended to be read and codified with permanent
22 additions in **bold** and deletions in ~~strike through~~ font as set forth in **Exhibit A** herein.

23 **Section 2.** Chapter 8 ("Zoning"), Article G ("Zoning Amendments"), Section 8-8-188
24 ("Conditional Use Process"), in the City's Code of Ordinances is hereby amended to be read and
25 codified with permanent deletions in **bold** and deletions in ~~strike through~~ font as set forth in **Exhibit**
26 **B** herein.

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

29 **Section 4.** This Ordinance shall be codified in a manner consistent with the laws of the
30 State of Georgia and the City of Forest Park.

31 **Section 5.** (a) It is hereby declared to be the intention of the Mayor and Council that all
32 sections, paragraphs, sentences, clauses, and phrases of this Ordinance are or were, upon their
33 enactment, believed by the Mayor and Council to be fully valid, enforceable, and constitutional.

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

41 (c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance
42 shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable
43 by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of

44 the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the
45 greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any
46 of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to
47 the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and
48 sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and
49 effect.

50 **Section 6.** All ordinances and parts of ordinances in conflict herewith are hereby expressly
51 repealed.

52 **Section 7.** This ordinance shall become effective immediately upon its adoption by the
53 Mayor and City Council of the City of Forest Park as provided in the City Charter.

54 **Section 8.** The City Clerk, with the concurrence of the City Attorney, authorized to correct
55 any scrivener’s errors found in this Ordinance, including any exhibits, as enacted.

56 **ORDAINED** this ____ day of _____, 2024.

CITY OF FOREST PARK, GEORGIA

Angelyne Butler, *Mayor*

ATTEST:

Randi Rainey, *City Clerk* (SEAL)

APPROVED AS TO FORM:

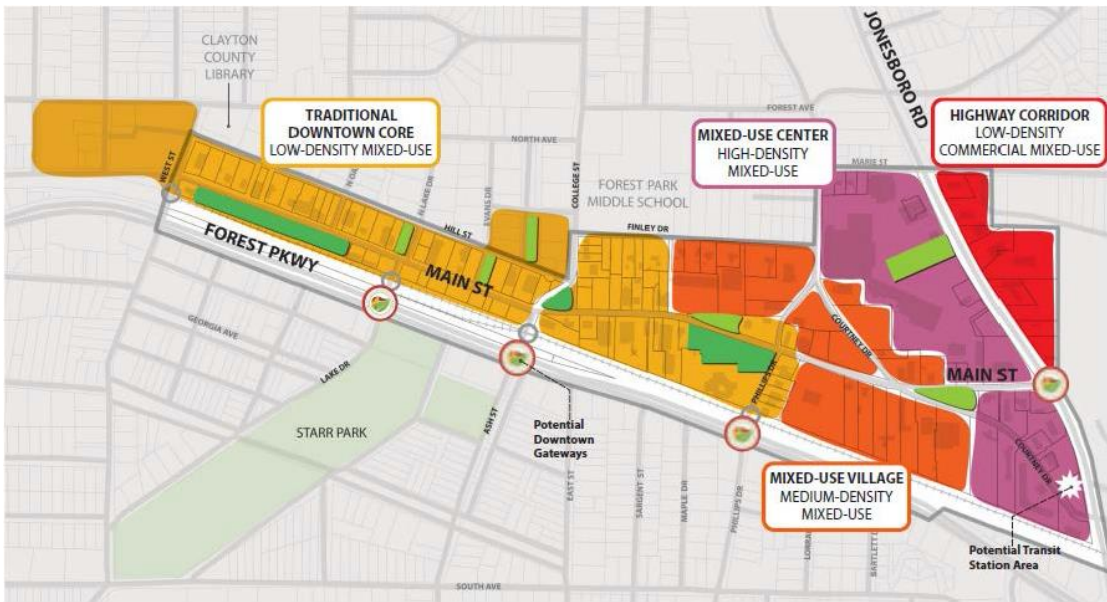
City Attorney

EXHIBIT A

57 CHAPTER 8. – ZONING

58 ARTICLE B. – ZONING DISTRICTS, OVERLAY DISTRICTS, AND DESIGN GUIDELINES
59 ESTABLISHED

60 8-8-54.8. *Special building standards for development subareas in downtown.* In addition to the
61 general development standards in the Downtown Mainstreet District, four (4) distinct subareas
62 are defined for future mixed-use development. These subareas are defined and delineated in the
63 Downtown Forest Park Livable Centers Initiative Study adopted by the city in 2021. The map is
64 identified below:



65 As defined by the 2021 Downtown Forest Park Livable Centers Initiative Study, any new
66 development or redevelopment should comply with the following standards:

- 67 a. *Traditional downtown core:* Low-density mixed-use with retail/commercial and single
68 family attached.
 - 69 1. *Building height:* 2—3 stories.
 - 70 2. Residential density: 6—12 units/acre.
 - 71 3. **Residential Density over twelve (12) units / acre requires a conditional**
72 **use permit pursuant to Section 8-8-188.**
 - 73 4. Commercial size: 3,000—5,000 square feet.

- 74 b. *Mixed-use village*: Medium-density mixed-use with retail/commercial and single-
75 family attached and multi-family.
- 76 1. Building height: 3—4 stories.
- 77 2. Residential density: 15—24 units/acre.
- 78 3. **Residential density over twenty-four (24) units/acre requires a**
79 **conditional use permit pursuant to Section 8-8-188.**
- 80 4. Commercial size: 6,000—15,000 square feet.
- 81 c. *Mixed-use center*: Higher-density mixed-use.
- 82 1. Building height: 5—6 stories.
- 83 2. Residential density: 25—35 units/acre.
- 84 3. **Residential density over thirty-five (35) units/acre requires a conditional**
85 **use permit pursuant to Section 8-8-188.**
- 86 4. Commercial size: 16,000—40,000 square feet.
- 87 d. *Highway commercial*: Mixed-use retail/commercial.
- 88 1. Building height: 2 stories.
- 89 2. Residential density: None.
- 90 3. Commercial size: 20,000—30,000 square feet.

EXHIBIT B

91 CHAPTER 8. – ZONING

92 ARTICLE G. – ZONING AMENDMENTS

93 Sec. 8-8-188. – Conditional use process.

94 The following ~~standards and procedure applies~~ **procedures apply** to conditional use petitions:

95 **(1) *Standards.* No application for a conditional use permit shall be granted by the Mayor**
 96 **and City Council unless satisfactory provisions and arrangements have been made**
 97 **concerning each of the below factors and any other applicable factors for**
 98 **specific conditional use permits authorized by this chapter, and shall consider the**
 99 **extent to which the proposed conditional use:**

- 100
- 101 a. **Has an impact compatible with surrounding properties and residential**
 102 **areas to ensure the appropriateness of the use at a specific location;**
- 103 b. **Has a specified location consistent with the policies embodied in the**
 104 **adopted comprehensive plan;**
- 105 c. **Is consistent with the general purpose and intent of the applicable zoning**
 106 **district regulations;**
- 107 d. **Is compatible with and preserves the character and integrity of adjacent**
 108 **developments and neighborhoods and includes improvements either on-**
 109 **site or within the public rights-of-way to mitigate development related**
 110 **adverse impacts, such as traffic, noise, odors, visual nuisances, drainage or**
 111 **other similar adverse effects to adjacent developments and neighborhoods;**
- 112 e. **Does not generate pedestrian and vehicular traffic which will be hazardous**
 113 **or conflict with the existing and anticipated traffic in the neighborhood;**
- 114 f. **Incorporates roadway adjustments, traffic control devices or mechanisms,**
 115 **and access restrictions to control traffic flow or divert traffic as may be**
 116 **needed to reduce or eliminate development generated traffic on**
 117 **neighborhood streets;**
- 118 g. **Incorporates features to minimize adverse effects, including visual**
 119 **impacts, of the proposed conditional use on adjacent properties; and the**
 120 **proposed use meets the standards for the zoning district, or to the extent**
 121 **variations from such standards have been requested, that such variations**

122 are necessary to render the use compatible with adjoining development
123 and neighborhoods;

124 h. Is based on the site plan in conformity with all space limits, buffers,
125 parking and loading provisions, and other provisions of this article;

126 i. The applicant has agreed to any specific limitations
127 or conditions necessary to protect the public interest and assure the
128 continued beneficial use and enjoyment of nearby properties or that no
129 special limitations are necessary to protect the public.

130 (2) An applicant aggrieved by a denial of a conditional use permit shall have the right to
131 file an appeal in Clayton Superior Court in accordance with state law.

132 (3) *Withdrawal of applications by applicant.* Prior to the public hearing by the City
133 Council, an applicant may withdraw a zoning application without prejudice by
134 providing written notice to the City of such request for withdrawal. This written
135 request shall be received no later than the planned publication of the agenda for such
136 hearing. After such a deadline, the hearing will be deemed to have commenced. After
137 the hearing has commenced, the applicant may request to withdraw an application
138 prior to a final decision by the Mayor and Council. Such withdrawal shall be subject
139 to the approval of the Mayor and Council by vote during the hearing of the case. In
140 any case, no application fees will be refunded.

141 (4) ~~(1)~~ *Application.* The petitioner shall submit a conditional use application, affidavit, and
142 consent of property owner (if the owner is someone other than the petitioner), a deed for
143 the property involved, the required filing fee, and required supportive information.
144 Supportive information shall include, but not be limited to the following:

145 a. A site plan drawn with a straight edge, signed, and dated, clearly showing the
146 entire layout of the property and all features relevant to the conditional use
147 request.

148 b. A letter of intent to the planning commission describing the details of the
149 conditional use request, including, but not limited to:

150 1. The ways in which the conditional use shall comply with the
151 applicable development standards of this Code,

152 2. The ways in which the conditional use shall be consistent with the
153 required findings of fact described by section 8-8-186(1).

154 c. For proposals using septic systems, a letter from the County Health Department
 155 shall be provided verifying that the ~~any~~ proposed new development makes
 156 appropriate use of the septic system and will be adequately served.

157 d. For proposals using public sewers, a letter from ~~the service provider~~ **Clayton**
 158 **County Water Authority** shall be included verifying that any proposed new
 159 development will be served.

160 (5) ~~(2)~~ *Notification.* Notification for the scheduled public hearing regarding the conditional
 161 use request shall be completed consistent with section 8-8-185, notice of public hearing.

162 (6) ~~(3)~~ *Public hearing.* The planning commission will then, in a public hearing scheduled
 163 consistent with the adopted calendar of filing and meeting dates, review the conditional
 164 use application, and ~~the~~ required supportive information.

165 a. Either the petitioner or a representative of the petitioner must be present at the
 166 public hearing to present the petition and address the required findings of fact.

167 b. The planning commission shall consider a report from the ~~director~~ **Planning**
 168 **Staff**, testimony from the petitioner, and testimony from the public and
 169 interested parties at the hearing.

170 c. The presentation of reports and testimony and all other aspects of the public
 171 hearing shall be consistent with the requirements of the rules and procedures
 172 of the planning commission.

173 d. The planning commission shall either forward the petition to the mayor and
 174 city council with a favorable recommendation, a favorable recommendation
 175 an unfavorable recommendation, or no recommendation, or table the request.

176 1. The petition shall be forwarded with a favorable recommendation if
 177 it is found to be consistent with the decision criteria listed below in
 178 this article.

179 2. The petition shall be forwarded with an unfavorable
 180 recommendation if it is found to be inconsistent with the decision
 181 criteria listed below in this article.

182 3. The petition may be forwarded with no recommendations if, by a
 183 majority vote of the commission, it is determined that the petition
 184 includes aspects which the commission is not able to evaluate.

185 (7) ~~(4)~~ *Certification.* The ~~director~~ **Planning Staff** shall certify the planning commission's
 186 recommendation and staff report to the mayor and city council.

187 (8) ~~(5)~~ *Mayor and city council hearing.* The mayor and city council shall hold a public
188 hearing and vote on the proposed conditional use permit.

File Attachments for Item:

5. Council Discussion and Approval of a Task Order for Precision Planning Inc. to perform General Contractor Procurement and Contract Administration for the Rite Aid Renovation (Grapevine) Project-Planning and Community Development Department

Background/History:

Precision Planning, Inc. (PPI) has completed the design and construction documents to renovate the existing Rite Aid building that will function as a business incubator. The staff is requesting to move forward with General Contractor Procurement and Contract Administration for the project.



CITY OF
FORESTPARK

City Council Agenda Item

Subject: Council discussion to approve a Task Order for Precision Planning Inc. to perform General Contractor Procurement and Contract Administration for the Rite Aid Renovation (Grapevine) Project

Submitted By: James Shelby

Date Submitted: May 22, 2024

Work Session Date: June 3, 2024

Council Meeting Date: June 3, 2024

Background/History:

Precision Planning, Inc. (PPI) has completed the design and construction documents to renovate the existing Rite Aid building that will function as a business incubator. The staff is requesting to move forward with General Contractor Procurement and Contract Administration for the project.

The Scope of Work as outlined in the attached Task Order will include but not limited to assistance with issuing the project for public bid, answer bidder questions, attend pre-bid conference and bid opening, check references, and make a recommendation of award of contract.

Once the project begins PPI will oversee the construction of the project and conduct bi-weekly site visits during construction, including photographic field reports. PPI will review and certify General Contractor's pay applications and recommend Issuance of Certificate of Substantial Completion.

Cost: Procurement and Contract Administration \$77,715.00

Budgeted for: Yes No

Financial Impact: The project is funded from CDBG 325-51-4110-54-1201

Action Requested from Council: Approval of a Task Order for Precision Planning Inc. to perform General Contractor Procurement and Contract Administration for the Rite Aid Renovation (Grapevine) Project

RESOLUTION NO. 2024-_____

A RESOLUTION BY COUNCILMEMBERS KIMBERLY JAMES, DABOUZE ANTOINE, HECTOR GUTIERREZ, LATRESA AKINS-WELLS, AND ALLAN MEARS TO AUTHORIZE THE ISSUANCE OF A TASK ORDER TO PRECISION PLANNING INC. FOR THE GRAPEVINE PROJECT.

WHEREAS, the City of Forest Park (“City”) is a municipal corporation duly organized and existing under the laws of the State of Georgia and is charged with being fiscally responsible concerning the use and expenditure of all public funds; and

WHEREAS, Precision Planning, Inc. (“PPI”) has completed the design and construction documents to renovate the former Rite Aid building that will function as a business incubator (“Grapevine Project”); and

WHEREAS, City Staff is requesting that the City Council approve Task Order No. 2024.03b, under which PPI would provide procurement and contract administration for the Grapevine Project.

THEREFORE, THE CITY COUNCIL OF THE CITY OF FOREST PARK HEREBY RESOLVES:

SECTION 1. Approval. PPI’s Task Order No. 2024.03b for procurement and contract administration as presented to the Mayor and City Council on June 3, 2024 is hereby approved.

SECTION 2. Public Record. This document shall be maintained as a public record by the City Clerk and shall be accessible to the public during all normal business hours of the City of Forest Park.

SECTION 3. Authorization of Execution. The Mayor or her designee is hereby authorized to sign all documents necessary to effectuate this Resolution.

SECTION 4. Attestation. The City Clerk is authorized to execute, attest to, and seal any documents which may be necessary to effectuate this ordinance, subject to approval as to form by the City Attorney.

SECTION 5. Effective Date. This Resolution shall become effective immediately upon its adoption by the Mayor and City Council of the City of Forest Park as provided in the City Charter.

[SIGNATURES ON FOLLOWING PAGE]

SO RESOLVED this 3rd day of June, 2024.

Angelyne Butler, Mayor

ATTEST:

City Clerk (SEAL)

APPROVED AS TO FORM:

City Attorney

Task Order PPI 2024.03b



400 Pike Boulevard
Lawrenceville, GA 30046

To: CITY OF FOREST PARK
745 Forest Pkwy.
Forest Park, GA 30297

Date: May 7, 2024

Attn: Mr. James Shelby
Director of Planning, Building and Zoning

From: Precision Planning, Inc.

Project: RITE AID RENOVATION (GRAPEVINE)

Task Order No.: PPI 2024.03b

Project Understanding

Precision Planning, Inc. (PPI) previously completed Design and Construction Documents for the above referenced project. We understand that the City of Forest Park (Client) would like to move forward with General Contractor Procurement and Contract Administration for this project and is requesting services from PPI as outlined below.

Scope of Work

- I. Procurement and Contract Administration
 - A. Assistance with issuing the project for public bid, including answering bidder questions, attendance at a pre-bid conference, attending bid opening, checking references and making a recommendation of award of contract
 - B. Attendance at a pre-construction conference with the successful General Contractor
 - C. Attendance at monthly Owner/Architect/Contractor (OAC) meetings; five (5) meetings included; one (1) site visit and associated field report will be included with the OAC meeting each month
 - D. Bi-weekly site visits during construction, including photographic field reports; six (6) site visits are included, in addition to the OAC meetings/site visits indicate above
 - E. Review and certification of General Contractor’s pay applications
 - F. Review of General Contractor Requests for Information and Change Order Proposal Requests
 - G. Preparation of Change Orders as required
 - H. Submittal review (no more than two reviews of each submittal); twenty (20) total submittal reviews included
 - I. Reviews and responses to General Contractor’s Requests for Information (RFIs); twenty (20) responses included
 - J. Punch list site visit and report at substantial completion of the project; one (1) punch list visit included
 - K. Issuance of Certificate of Substantial Completion
 - L. Final site visit and punch list verification and recommendation of final payment
 - M. Closeout document submittal review; one (1) initial review and one (1) re-submittal review included

Compensation:

PPI proposes to provide the Scope of Services listed above for the following Not to Exceed (N.T.E.) Fees:

	<u>N.T.E. FEE</u>
I. Procurement and Contract Administration	\$76,215.00
<u>Reimbursable Expenses N.T.E.</u>	<u>\$1,500.00</u>
Total N.T.E. Fees:	\$77,715.00

PPI will invoice monthly based on actual man-hours according to the contracted Schedule of Hourly Rates, plus reimbursable expenses (printing and mileage).

Task Order PPI 2024.03b



400 Pike Boulevard
Lawrenceville, GA 30046

Additional Services:

The following are additional services which may be provided and may be invoiced according to the attached Schedule of Hourly Rates:

1. Additional meetings or site visits required or requested by the Client
2. Services required due to significant changes in the project including, but not limited to, size, quality, complexity or Client's schedule
3. LEED Certification services

Exclusions and Assumptions:

1. Re-zoning or special use permits
2. Environmental engineering, i.e., wetlands, Phase I audits, stream buffer variances
3. Geotechnical, special inspections or materials testing

AUTHORIZATION TO PROCEED – THIS TASK ORDER ONLY

Using Department

Authorized by: _____	Title: <u>City of Forest Park City Manager</u>
Print Name: <u>Ricky L. Clark, Jr.</u>	Date: _____

Approved for Funding

Authorized by: _____	Title: <u>Director of Finance</u>
Print Name: _____	Date: _____
Budget Line Item # _____	Project # _____

G:\DOCUMENT\24\A24-000\1502\Forest Park Standby Services\TO 2024.03b Rite Aid Renovation CA\TO No. 2024.03b Rite Aid (PPI).Docx