

AGENDA

REGULAR MEETING OF MAYOR AND COUNCIL OF MARCH 5, 2018

6:00 P.M. Work Session

- | | |
|--|----------------|
| • Call to Order | Mayor Butler |
| • City Manager's Report | Angela Redding |
| • Discussion of an Employee Appreciation Day | Councilwoman |
| | Bagley |
| • Sister City Powerpoint Presentation by Felicia Davis | Councilman |
| | Antoine |
| • Adjournment | |

- I. Call to Order – 6:30 p.m.
- II. Invocation
- III. Pledge of Allegiance
- IV. Roll Call
- V. Comment Period
- VI. Approval of Minutes
 1. Work Session of Mayor & Council of February 19, 2018
 2. Regular Meeting of Mayor & Council of February 19, 2018
- VII. Recess for a Public Hearing
- VIII. Open a Public Hearing to receive comments on the proposed rezoning of 0 Scott Road, Forest Park, Parcel 13015C A006 from R-80 Residential to C-1 Commercial.

BACKGROUND AND SUMMARY: The owner of the property, Scott Bennings proposes to construct an approximately 4500 square foot single story modular building to serve as the Administrative offices of Larsell Enterprises. The property is currently zoned R-80 and in order for the intended business to operate at this address, the property needs to be rezoned to C-1 (Commercial).

Currently this property is a vacant lot, located at the end of Scott Road. North and west of the property is zone LI (Light Industrial), east of the property is R80 (Residential) with houses located on these properties, south of the property is zoned HI (Heavy Industrial) but is currently a vacant lot. The properties at the entrance to Scott Road are zoned C1 (General Commercial).

The Planning Commission met on February 22nd and recommended approval.

IX. Close Public Hearing and reconvene meeting

X. Agenda Items

1. *Tabled from February 19, 2018 Regular Meeting:*

Consider a Resolution regarding the Downtown Development Authority of the City of Forest Park, Filling Certain Expired Terms in the offices of the Directors of the Downtown Development Authority; Designating a revised Downtown Development Area; providing for severability; repealing inconsistent Resolutions; providing for an effective date of this Resolution; and for other purposes

BACKGROUND AND SUMMARY: It is proposed that the Downtown Development Authority (DDA) of the City be reactivated and begin operating to finish the development of the Fort Gillem project. The resolution would “reactivate” the DDA and designate a new area which encompasses the Main Street area, the City’s Opportunity Zone and the Fort Gillem Redevelopment area as the City’s Downtown Development area. It also names new members to the DDA.

2. Appointment of Solicitor

3. Consider rezoning request of 0 Scott Road, Forest Park, Parcel 13015C A006 from R-80 Residential to C-1 Commercial.

4. Consider an Ordinance to amend the 2017-2018 Operating Budget to appropriate funds to cover cost of the Legislative Department; providing for severability; repealing inconsistent Ordinances; providing for an effective date; and for other purposes

BACKGROUND AND SUMMARY: The budget amounts for two line items in the Legislative Department (Mayor and Council) need to be amended to cover costs expected to be incurred and not anticipated in

the original budget. The line items to be amended are Office Supplies and Capital Outlay.

5. Consider a Resolution repealing a certain Moratorium relating to the Enforcement of the Assembly Use Provisions of the Zoning code; authorizing the Execution of all Documents necessary to effectuate the purpose of this Resolution; authorizing the City Clerk to attest signatures and affix the Official Seal of the city, as necessary; providing for an effective date of this Resolution; and for other purposes

BACKGROUND AND SUMMARY: This resolution ends the current moratorium on place for assembly uses in the zoning code. In November, the Council imposed a moratorium on the enforcement of the assembly use provisions in the zoning code. Since then, a number of matters have been resolved with the staff. Accordingly, the moratorium is no longer necessary.

6. Presentation of Proclamation to Forest Park High School Wrestling Team
- XI. Executive Session for Personnel, Litigation, and Real Estate Matters
 - XII. Legal Matters
 - XIII. Comments by Governing Body
 - XIV. Adjournment

MINUTES

WORK SESSION OF MAYOR AND COUNCIL OF FEBRUARY 19, 2018

Call to Order: The Work Session of Mayor and Council of February 19, 2018, was called to order by Mayor Angelyne Butler at 6:00 p.m.

Present: Mayor Angelyne Butler, Councilmembers Kimberly James, Allan Mears, and Latresa Wells. Councilman Dabouze Antoine arrived at 6:22 p.m.

Absent: Councilwoman Sandra Bagley

Also present were:

Angela Redding	City Manager
Deputy Chief Matt Jackson	Fire
Major Chris Matson	Police
Mike Blandenburg	Director Finance
Jeff Eady	Director Public Works
Christine Terrell	Director Support Services
Darren Duke	Director IT
David New	Interim Director PB & Z
Michael Williams	Attorney

City Managers Report: Ms. Redding stated the Steering Committee for the Comprehensive Plan had their first meeting Thursday, February 15, 2018. The next step in the process is to hold a public meeting.

Ms. Redding stated that First Baptist Church of Forest Park would like to recognize our City Officials as well as employees and their families for their work for the City of Forest Park at their church service February 25, 2018, @ 10:45 a.m.

Ms. Redding stated that the Clayton County Board of Health has temporarily closed their facility on Battlecreek Rd. They are operating out of the 685 Forest Parkway, Forest Park location. Limited services are available.

Governor's Glen: Andrew Bell, Community Relations Coordinator, for Presentation Governor's Glen gave a presentation about the programs at Governor's Glen. Governor's Glen Memory Impaired Community is a privately owned and operated assisted living community. Our full time staff provides care for people who

have memory disorders such as dementia, Alzheimer's disease, or other memory problems that affect their daily lives. At Governor's Glen, our high energy, accommodating staff provides a variety of assisted living options including residential assisted living with long term care, short term respite care, or adult daycare.

With a licensed nurse on staff and a board certified psychiatrist on call, our residents have access to regular podiatrist visits, in house dentist visits, on site physical therapy, as well as daily medication management.

Because our goal is to improve the quality of life of our residents through socialization and stimulation of the body and mind, we strive to create a vibrant, active community. We take pride in not being some old folks home for senior citizens to sit and pass the time.

From our full time chef who makes nutritious meals from scratch every day to our onsite beauty parlor and barber shop, our residents feel a sense of belonging. Everyday our activities director creates fun activities to engage seniors who suffer from cognitive impairment. In addition to exercise classes geared toward seniors at different stages of Alzheimer's or dementia, we offer activities like pet therapy, music therapy, and sensory stimulation activities.

Whether a loved one is a long term care resident, a short term respite care resident, or a daily visitor in our adult day care program, we provide high quality personal care that extends beyond access to medical treatment by striving to create a stimulating, enjoyable community.

Black History Month: Councilwoman James presented a video on Black History Month.

Meeting Minutes: Work Session of Mayor & Council of February 5, 2018.
Regular Meeting of Mayor & Council of February 5, 2018.

Agenda Items: *Resolution activating the Downtown Development Authority of the City of Forest Park, naming and appointing Directors of the Downtown Development Authority, and designating a downtown development area.*

Mr. Mears asked if this would do away with the present URA board members. Mayor Butler stated no it would not.

Legal Matters: None

Adjournment: Councilwoman Wells made a motion to adjourn the Work Session. Councilwoman James seconded the motion. Voting was unanimous in favor of the motion.

MINUTES

REGULAR MEETING OF MAYOR AND COUNCIL OF FEBRUARY 19, 2018

Call to Order: The Regular Meeting of Mayor and Council of February 19, 2018, was called to order by Mayor Angelyne Butler at 6:30 p.m.

Invocation: The invocation was given by Rev. Hoyt Noel, followed by the Pledge of Allegiance to the American Flag.

Roll Call: Mayor Angelyne Butler, Councilmembers Kimberly James, Allan Mears, and Latresa Wells. Councilman Dabouze Antoine arrived at 6:22 p.m.

Absent: Councilwoman Sandra Bagley

Also present were:

Angela Redding	City Manager
Deputy Chief Matt Jackson	Fire
Major Chris Matson	Police
Mike Blandenburg	Director Finance
Jeff Eady	Director Public Works
Christine Terrell	Director Support Services
Darren Duke	Director IT
David New	Interim Director PB & Z
Michael Williams	Attorney

Comment Period: Zack Parker – He stated he had an issue with the appointments made by City Council of January 3, 2018, specifically, Mr. Naeem Thobhani. He said these appointments were for the Urban redevelopment Agency and he failed to understand why this man was appointed to this position. He stated he and his father own about 20 houses in this city and at least 3 were boarded up and unlivable. He asked how is it that a man who has owned these homes since 2011 is now tasked with helping redevelop Fort Gillem and Main Street.

Mr. Carl Evans – addressed problems with the Council referring to the previous administration. He asked why we are here on Presidents day and the meeting should be rescheduled for tomorrow. He stated there are problems with appointments being made where Council has appointed members to the

Ethics Board that were charged and dismissed from Council for criminal activity.

Kinetha Gwinn – She stated on February 16th, her son had 5 guns drawn on him. She stated her son was mistaken for someone else and he now has post-traumatic stress and will be seeking legal action.

Lisa Dukes - stated she would like to address the pay for City Council. She stated after researching, Forest Park is paid the 3rd highest in the State of Georgia.

Samuel Ibenez – stated Council should be more active and answer phone calls to respond to citizens and stated there needs to be more time during these meetings to talk to Council.

Lawanda Folomi – thanked the County and the City for addressing the fuel tax. She also acknowledged Ms. Virginia Ford who is receiving the Servant Award in Forest Park.

Dr. Leon Beeler - stated he is moving into Forest Park. They decided to sell their property and buy 1000 Main Street because they wanted to be in this City.

Representative Kim Schofield – updated Council on HB719 that gives preference for homeless vets, House Resolution 941 creating transparency with minority contracts, which has been a big issue in the State. She stated we are still working on the fuel tax and will continue to fight.

Approval of Minutes: Councilwoman Wells made a motion to combine and approve the minutes of the Work Session and Regular Meeting of February 5th. Councilwoman James seconded the motion. Motion carries unanimously in favor of the motion.

Proclamations: Councilwoman Wells presented a proclamation to Coach Josh Froneberger of the Forest Park High School Baseball Team.

Councilwoman Wells presented a proclamation to Pastor Jeremy C. Tuck of Living faith Tabernacle.

Resolution: Request was made to consider a Resolution urging the Georgia (De-annexation Legislation) General Assembly to oppose de-annexation Legislation, to create new municipalities; providing for severability; repealing inconsistent resolutions, providing an effective date; and for other purposes.

Ms. Wells made a motion to approve the Resolution, seconded by Ms. James. Voting for the motion was unanimous.

Resolution:
(Downtown
Development
Authority) Request was made to consider a Resolution regarding the Downtown Development Authority of the City of Forest Park; filling certain expired terms in the offices of the Directors of the Downtown Development Authority; Designating a revised Downtown Development Area; providing for severability; repealing inconsistent resolutions; providing for an Effective Date of this Resolution; and for other purposes.

Ms. James made a motion to table this Resolution, seconded by Ms. Wells. Voting for the motion was unanimous.

Legal Matters: None

Adjournment: Councilwoman James made a motion to adjourn. Councilwoman Wells seconded the motion. The motion carries unanimously in favor of the motion.



CITY OF FOREST PARK

Planning, Building and Zoning

785 Forest Parkway
Forest Park, Georgia 30297
(404) 608-2303 fax (404) 608-2305
www.forestparkga.org

Jonathan Jones, Director

February 1, 2018

Clayton News Daily
P.O. Box 368
Jonesboro, Ga. 30237

Please run the following Public Notice in the Legal Section of the February 7th, 2018 and February 14th, 2018 editions:

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

NOTICE IS HEREBY GIVEN, that the Planning Commission (Planning and Zoning Board) will hold a Public Hearing on Thursday, February 22nd, 2018 at 6:00 p.m. in the courtroom located within the Agnes B. Bateman Community Development Building, 785 Forest Parkway, Forest Park, Georgia 30297. The Public Hearing is being held for the purpose of hearing public comments, if any, with regard to the proposed rezoning of 0 Scott Road, Forest Park, Georgia 30297 Parcel 13015C A006 from R-80 Residential to C-1 Commercial.

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 15 of the 13th District of Clayton County, Georgia, and being more particularly described as follows:

BEGINNING at a point on the North side of Scott Road, said point being 745 feet West of where the North side of Scott Road intersects the West right of way line of State Highway no. 54 as measured along the Northern line of Scott Road; running thence North 4 degrees East 338 feet to an iron pin; thence in a Southwesterly direction 228.6 feet to an iron pin; thence South along the East line of Cemetery Property 333.4 feet to an iron pin on the North side of Scott Road; thence East along the North side of Scott Road 194.9 feet to an iron pin and point of beginning.

A second Public Hearing will be held on March 5th, 2018 in the Council Chambers at City Hall, 745 Forest Parkway, Forest Park, Georgia 30297 at 6:00 p.m. Also, during the regularly scheduled Council meeting, the petition will be considered and a final determination by Mayor and Council will be rendered that same night.

David New
Interim Director
Planning, Building & Zoning Department

February 7, 2018
February 14, 2018

Planning Commission

Minutes

February 22, 2018

- Call To Order:** Chairman Darnell Moorer called the meeting of the Planning Commission to order at 6:00 p.m. on Thursday, February 22, 2018.
- Roll Call:** Darnell Moorer - Chairman, Don Wright, Janice Colvin, Deverick Williams and Gail Brooks, Secretary. Also present was David New, Interim Director of Planning, Building & Zoning.
- Approval of Minutes:** Deverick Williams made a motion to approve minutes. Don Wright seconded the motion. Voting on the motion was unanimous.
- Old Business:** No Old Business.
- New Business:**
- Item 1:** Consider a rezoning of 0 Scott Road from R-80 to C-1.

David New presented the staff report. He stated the proposed property is a vacant lot located at the end of Scott Road. North and West of the property is zoned L1 – Light Industrial and is currently owned by JB Hunt. East of the property is zoned R80 – Residential with houses located on these properties. South of the property is zoned H1 – Heavy Industrial, but is currently a vacant lot. The properties at the entrance to Scott Road are zoned C1 – Commercial.

After reviewing the applicant's request for rezoning from R-80 to C-1 with the primary use being administrative offices, it is believed that this would be the highest and best use for this vacant undeveloped property. Therefore the staff recommends approval of the rezoning.

Scott Bennings and April Bennings, the applicants, stated there would be no heavy vehicles utilizing Scott Road as their field techs drive their vehicles home. On a daily basis, there would be approximately 4-6 employees in the building and that would be the only traffic. The applicant stated his intentions were to keep 30-40% of the trees to be used as a buffer. The applicant presented a site plan which showed the building to be placed more west of the property in order to keep a buffer of trees between the residents and the administrative office.

Frank Holtzclaw of 738 Scott Road stated he and his wife have remodeled their home as their retirement home and had several concerns regarding the natural buffer these trees create for JB Hunt and other trucking businesses on Ruskin Road. He raised concerns about drainage and traffic on the street.

Kay Holtzclaw of 738 Scott Road stated she was representing the other residents who were not able to make it because of health or age issues. She also stated they have remodeled this family home to be their retirement home and is very concerned about the buffer of trees being taken down.

Janice Colvin made a motion to approve the rezoning of 0 Scott Road from R-80 to C-1. Don Wright seconded the motion. Voting was unanimous.

Other Business: No other business.

Adjournment: There being no further business, the meeting was adjourned.



Staff Report- Rezoning Petition

City of Forest Park
Planning, Building and Zoning Department
785 Forest Parkway, Forest Park, Georgia
(404) 608-2300

Date: 2/19/2018

Case: Z-2018-002

Current Zoning: R-80

Proposed Rezoning: C-1

Staff Report Compiled By: David New, Interim Director

Staff Recommendation: Approval

Hearing Dates: Planning and Zoning Board: 2/22/2018

Mayor and Council: 3/5/2018

Applicant Information

Owner of Record:

Name: Larsell Enterprises, Scott Bennings

Address: 5925 Yellowwood Ct.

City/State/Zip: College, Park, GA 30349

Applicant:

Name: Scott Bennings

Address: 0 Scott Road

City/State/Zip: Forest Park, GA 30297

Property Information

PIN (s): 13015C A006

Acreage: 1.628

Address: 0 Scott Road

Summary

Scott Bennings proposed intent is to construct an approximately 4500 square foot single story modular building to serve as the administrative offices of Larsell Enterprises. The property is currently zoned R-80 (residential) and in order for the intended business to operate at this address, the property needs to be rezoned to C-1 (Commercial).

History and Background

The subject property is a vacant property located at the end of the Scott Road. North and West of the property is zoned L1- Light industrial and is currently owned by a JB Hunt. East of the property is zoned R80 – Residential with houses located on these properties. South of the property is zoned H1 – Heavy industrial, but is currently also a vacant lot. The properties at the entrance of Scott Road and along Jonesboro Road are zone C1 – Commercial.

Present Zoning District: R-80, Single Family Residential



Zoning Classifications of Contiguous Properties

Direction	Zoning	Direction	Zoning
North	L1	East	R-80
South	H1	West	L1

Aerial View





Front View

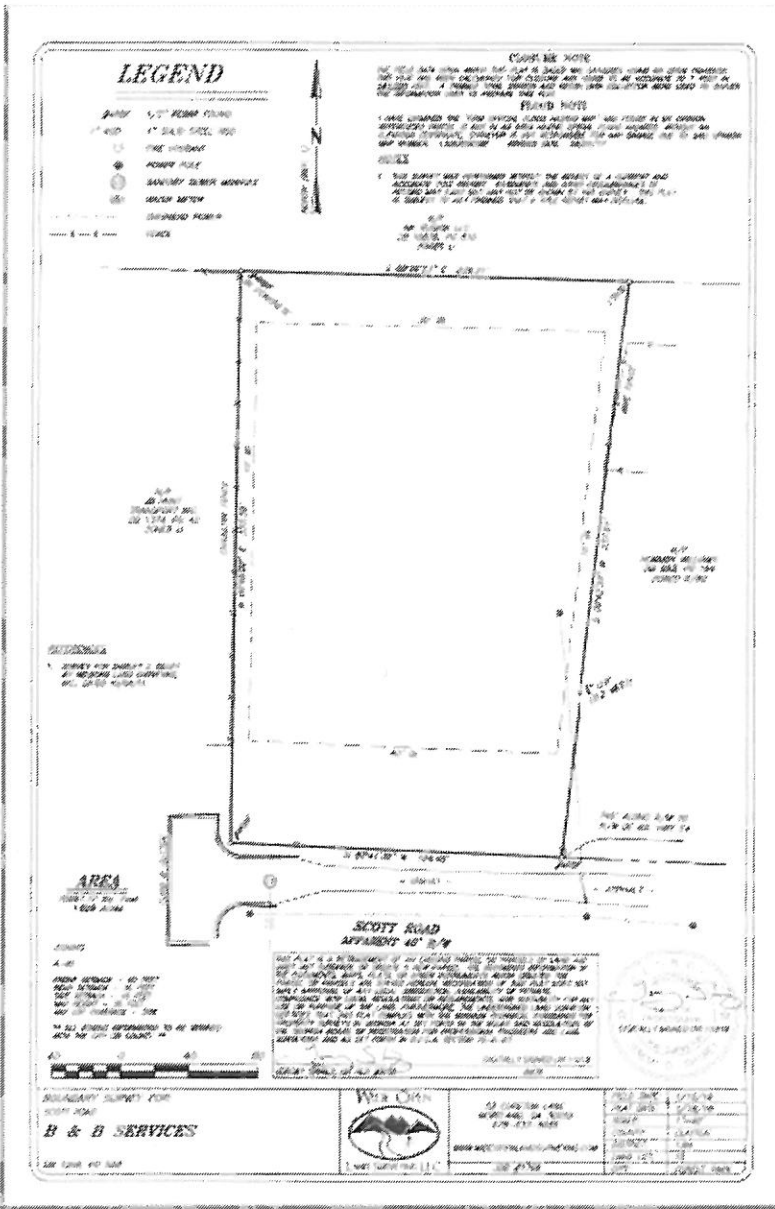


Right Side View



Driveway View

Site Plans



Impact Summary

Would the petition for rezoning be consistent and compatible with the city's land use and development, plans, goals and objectives: ☒ Yes ☐ No.

Would the petition for rezoning tend to increase, decrease, or to have no impact on traffic safety and congestion in the streets? ☐ Increase ☐ Decrease ☒ No Impact

Would the petition for rezoning tend to increase, decrease, or to have no relationship to safety from fire and other dangers? ☐ Increase ☐ Decrease ☒ No Relationship

Would the petition for rezoning tend to promote, to diminish, or to have no influence on the public health and general

welfare of the city? ☐ Promote ☐ Diminish ☒ No Influence

Would the petition for rezoning tend to increase, to decrease or to have no influence on the adequacy of light and air?
☐ Promote ☐ Diminish ☒ No Influence

Would the petition for rezoning tend to cause, to prevent, or to have no influence on the overcrowding of land? ☐ Cause ☐ Prevent ☒ No Influence

Would the petition for rezoning 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 petition for rezoning 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 petition for rezoning 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 petition for rezoning 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

Would the petition for rezoning have measurable adverse economic effect on the value of surrounding or adjacent property? ☐ Yes ☒ No

Staff Recommendation

After reviewing Mr. Bennings' request for rezoning from R-80 to C-1 for administrative offices, it is believed that this would be the highest and best use of this vacant undeveloped property. The three remaining occupied residential structures on this street were built in the 1950-1960's, and it is anticipated that future development of surrounding properties on this street would be for commercial use. For these reasons, staff recommends that rezoning be APPROVED.



REZONING APPLICATION

**DEPARTMENT
OF
PLANNING, BUILDING & ZONING
785 FOREST PARKWAY
FOREST PARK, GA. 30297
404-608-2303**

**SUBMITTAL CHECKLIST FOR
REZONING APPLICATION**

- Submit complete **APPLICATION** with notarized signatures.
- Submit **AUTHORIZATION(S) OF PROPERTY OWNER(S)**.
- Submit notarized **AUTHORIZATION(S) OF ATTORNEY**, if an attorney is filing the application on behalf of a property owner.
- Submit **LETTER OF INTENT**.
- Submit a copy of a **SURVEY PLAT** of the property to be considered.
- Submit a written **LEGAL DESCRIPTION** in metes and bounds.
- Submit a conceptual **SITE PLAN** drawn to scale depicting the proposed use of the property including:
 - A correct scale and north arrow;
 - The proposed land use and building outline as it would appear should the zoning map amendment application be approved;
 - The present zoning classification of all adjacent parcels;
 - The gross square footage of all proposed buildings;
 - The proposed location of all driveways and entry/exit points for vehicular traffic, using arrows to depict direction of movement;
 - The location of all required off-street parking and loading spaces, including number of spaces and driveway dimensions;
 - Required yard setbacks appropriately dimensioned;
 - The location and extent of required buffer areas, depicting extent of natural vegetation and type and location of additional vegetation if required.
- File application with the Forest Park Planning, Building & Zoning Dept.
- Pay application fee. **(\$250.00)** Make check payable to the City of Forest Park.
- The Planning, Building & Zoning Dept. will not accept an incomplete application.
- Submittal of partial or incomplete applications will not be considered for placement on the Planning Commission agenda until the application is accepted as complete and the appropriate fee paid.

CITY OF FOREST PARK, GA.
PLANNING, BUILDING & ZONING DEPT.
REZONING APPLICATION

Name of Applicant SCOTT BENNINGS
Mailing Address 5925 YELLOWWOOD CT., COLLEGE PK, GA 30349
Telephone (678) 283-3059 Mobile (404) 895-3597
Property Owner(s) LARSELL ENTERPRISES | SCOTT BENNINGS
Mailing Address 5925 YELLOWWOOD CT., COLLEGE PK, GA 30349
Telephone (678) 283-3059 Mobile (404) 895-3597
Address/Location of Property:
0 SCOTT RD., FOREST PK, GA 30297
Map # _____ Size of Property: Square foot 19,696 Acres 1.6
Present Zoning Classification: R80 Proposed Zoning Classification: C1
Present Land Use: VACANT LAND
Proposed Land Use: COMMERCIAL

I hereby make application to the City of Forest Park, Georgia to rezone the above referenced property. I do hereby swear or affirm that the information provided here and above is true, complete and accurate, and I understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application. I understand that the City of Forest Park, Georgia reserves the right to enforce any and all ordinances regardless of any action or approval on this application. I further understand that it is my/our responsibility to conform with all of City of Forest Park's ordinances in full. I hereby acknowledge that all requirements of the City of Forest Park shall be adhered to. I can read and write the English language and/or this document has been read and explained to me and I have full and voluntarily completed this application. I understand that it is a felony to make false statements or writings to the City of Forest Park, Georgia pursuant to O.C.G.A. 16-10-20 and I may be prosecuted for a violation thereof.

332 2/19/18
Applicant's Signature / Date

Sworn to and subscribed before me

This 19 day of January, 2018.
[Signature]
Notary Public

LETTER OF INTENT

In detail, provide a summary of the proposed project in the space provided below. Include the proposed use of each existing or proposed building, and the proposed land use.

PURPOSE: To permit the construction of a proposed single story modular commercial building that will serve as the administrative offices of Russell Enterprises, Inc. The proposed building will be approximately 4500 square feet with designated parking spaces. The proposed development will remain privately owned and maintained by the business owner. Access to the property will be by one access point from Scott Rd.

What are the reasons the property cannot be used in accordance with the existing regulations?

The property is currently classified as Residential (vacant lot) (R20)

Will the proposed zoning change, create an isolated zoning district that is unrelated to adjacent and nearby districts? Yes: _____ No: X

If so, why should this property be placed in a different zoning district than all adjoining property?

How would the proposed zoning change impact on public facilities and services?

There are no foreseen impact on public facilities and services.

What environmental impacts would the proposed project have?

There are no foreseen impacts on the environment due to there not being any hazardous chemicals or material involved.

Describe the effect the proposed zoning request will have on the adjacent properties and how it will impact the character of the neighborhood.

Minimal impact to the character of the neighborhood as the adjacent properties are commercial, vacant land and are old abandoned property.

Are there any proffered conditions you would like to apply to and be made part of this application for rezoning? Yes _____ No ☒

Please list any written proffered conditions below.

Any development and site plans or other demonstrative materials presented as proffered conditions shall be referenced below and attached to this application as follows: (Please include a date or other identifiable information of each piece of material attached)

N/A

AUTHORIZATION OF PROPERTY OWNER

I CERTIFY THAT I AM THE OWNER OF THE PROPERTY LOCATED AT:

0 SCOTT RD., FOREST PARK, GA 30297

City of Forest Park, County of Clayton, State of Georgia

WHICH IS THE SUBJECT MATTER OF THIS APPLICATION. I AUTHORIZE THE APPLICANT NAMED BELOW TO ACT AS THE APPLICANT IN PURSUIT OF A REZONING OF THE PROPERTY.

Name of Applicant: SCOTT BENNINGS

Address of Applicant: 5925 YELLOWWOOD CT, COLLEGE PK, GA 30347

Telephone of Applicant: (678) 283-3059

332
Signature of Owner
LARSELL ENTERPRISES /
SCOTT BENNINGS
Print Name of Owner

Personally Appeared Before Me this 19 day of January, 2019.

[Signature]
Notary Public

CITY OF FOREST PARK, GA.
PLANNING, BUILDING & ZONING DEPT.
REZONING APPLICATION

Date: _____

AUTHORIZATION OF ATTORNEY

**THIS SERVES TO CERTIFY THAT AS AN ATTORNEY-AT-LAW, I HAVE BEEN
AUTHORIZED BY THE OWNER(S) TO FILE THE ATTACHED APPLICATION FOR
REZONING OF THE PROPERTY LOCATED AT:**

City of Forest Park, County of Clayton, State of Georgia

Name of Attorney

Address

Telephone

**CITY OF FOREST PARK, GA.
PLANNING, BUILDING & ZONING DEPT.
REZONING APPLICATION**

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND GIFTS

Application filed on March 25, 2018 for action by the City Council on the following rezoning:

O SCOTT RD., FOREST PARK, GA 30297
Address to be rezoned COMMERCIAL (C1)

All individuals, business entities or other organizations having a property or other interest in said property that is subject of this application are as follows:

LARSELL ENTERPRISES, INC. SCOTT BENNINGGS

The undersigned below, making application for rezoning, has complied with the Official Code of Georgia Section 36-67A-1, et. Seq., Conflict of Interest in Zoning Actions, and has submitted or attached the required information on this form as provided.

Have you as applicant or anyone associated with this application or property, within the two (2) years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the Forest Park City Council? Yes _____ No X

If YES, please complete the following section (attach additional sheets if necessary):

Name and Official Position of Government Official	Contributions (List all which aggregate to \$250.00 or more)	Date of Contribution (Within last two (2) years)

I do hereby certify the information provided herein is both complete and accurate to the best of my knowledge.

332
Signature of Applicant

SCOTT BENNINGGS / OWNER-CEO
Type or Print Name and Title

Katharine Pappas
Signature of Applicant Representative

Katharine Pappas / PA
Type or Print Name and Title

[Signature]
Signature of Notary Date 3/25/18

(Affix Seal Here)

CLAYTON COUNTY FEDERAL SAVINGS & LOAN ASSOCIATION

JONESBORO, GA.

WARRANTY DEED

STATE OF GEORGIA COUNTY OF CLAYTON

THE INDENTURE, Made the 2nd day of May, in the year
one thousand nine hundred Sixty-Four, between

H. H. WILLIAMS

of the County of Clayton, and State of Georgia, as party or parties of the
first part, hereinafter called Grantor, and

MRS. SHIRLEY J. GILLEY

as party or parties of the second part, hereinafter called Grantee (the words "Grantor and
"Grantee" to include their respective heirs, successors and assigns where the context requires or
permits).

WITNESSETH that: Grantor, for and in consideration of the sum of

TEN DOLLARS AND OTHER VALUABLE CONSIDERATIONS--- --(\$10.00) DOLLARS
in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby
acknowledged, has granted, bargained, sold aliened, conveyed and confirmed, and by these presents
does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

All that tract or parcel of land lying and being in Land Lot
15 of the 13th District of Clayton County, Georgia, and being
more particularly described as follows:

BEGINNING at a point on the North side of Scott Road, said
point being 745 feet West of where the North side of Scott
Road intersects the West right of way line of State Highway
no. 54 as measured along the Northern line of Scott Road; running
thence North 4 degrees East 338 feet to an iron pin; thence in a
Southwesterly direction 228.6 feet to an iron pin; thence South
along the East line of Cemetery Property 333.4 feet to an iron
pin on the North side of Scott Road; thence East along the North
side of Scott Road 194.9 feet to an iron pin and point of beginning.

GEORGIA, CLAYTON COUNTY

Filed for Record May 19, 1964



TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights,
members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the
only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above
described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above
written.

Signed, sealed and delivered in presence of:

Elmer S. Kemp
Betty K. Jorgensen

H. H. Williams
H. H. Williams

(Seal)

(Seal)

(Seal)

Notary Public, Clayton County, Ga.

OHP = OVERHEAD POWER
 CLF = CHAIN LINK FENCE
 BW/F = BARB WIRE FENCE
 FH = FIRE HYDRANT
 MH = MAN HOLE
 CB = CATCH BASIN
 SS = SANITARY SEWER

IPF 1/2" RE-BAR
IN CONCRETE

S 88°36'23" E 229.17'

1" IRON ROD

N/F
 J B HUNT TRANSPORT INC
 DB 1374 PG 40

TOTAL AREA:

1.628 +/- ACRES

(70,953 SQ.FT.)

N 00°48'02" E 333.40'

S 06°41'59" W 337.80'

(TIE)

745.0' ALONG R/W
 R/W OF GA HWY. N
 PER DB 543 PG 538

N 87°43'53" W 194.50'

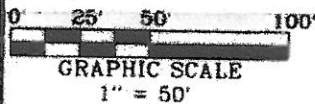
SCOTT ROAD ~ 40' R/W

POB 80.00'

S 89°30'00" E

GRAVEL

ASPHALT



ACCORDING TO THE LATEST CLAYTON COUNTY
 F.I.R.M. COMMUNITY PANEL NO. 13063C0038E
 DATED SEPTEMBER 5, 2007 THIS PROPERTY DOES
 NOT WITHIN A 100 YEAR FLOOD HAZARD ZONE.

SURVEY FOR:

SHIRLEY J. GILLEY

CLOSURE DATA: DATE: OCTOBER 3, 2011
 FIELD CLOSURE: 1' IN 15,000' +
 ANGLE POINT ERROR: 05"
 EQUIPMENT USED: SOKKIA SRX 5
 ADJUSTMENT METHOD: NO ADJUSTMENT
 PLAT CLOSURE: 1' IN 100,000' +

SUBDIVISION:	PARCEL ID 13015C A006	D.B.	543
LOT:	LAND LOT: 15	DISTRICT:	
CITY: FOREST PARK	COUNTY: CLAYTON	STATE:	
SCALE: 1" = 50'	DATE: 10/04/11	JOB NO:	

WELBORN LAND SURVEYING, INC.

507 HOOD ROAD

PHONE: 770-254-1383

NEWNAN, GEORGIA 30263

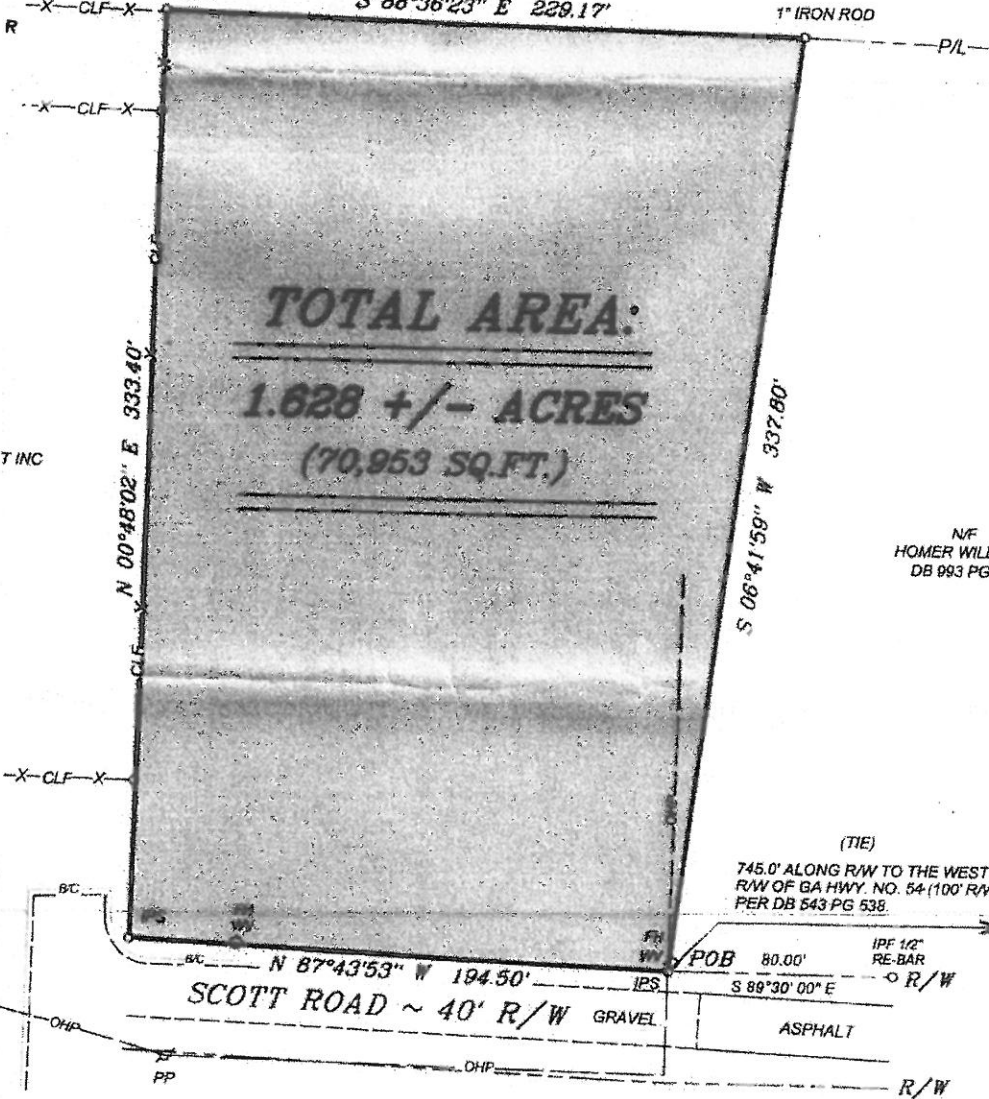
ENCEMENT
NING
2" RE-BAR

RLY
UMENT FOUND

ENT

IER
E
CE

IPF 1/2" RE-BAR
IN CONCRETE



N/F
HOMER WILLIAMS
DB 993 PG 194

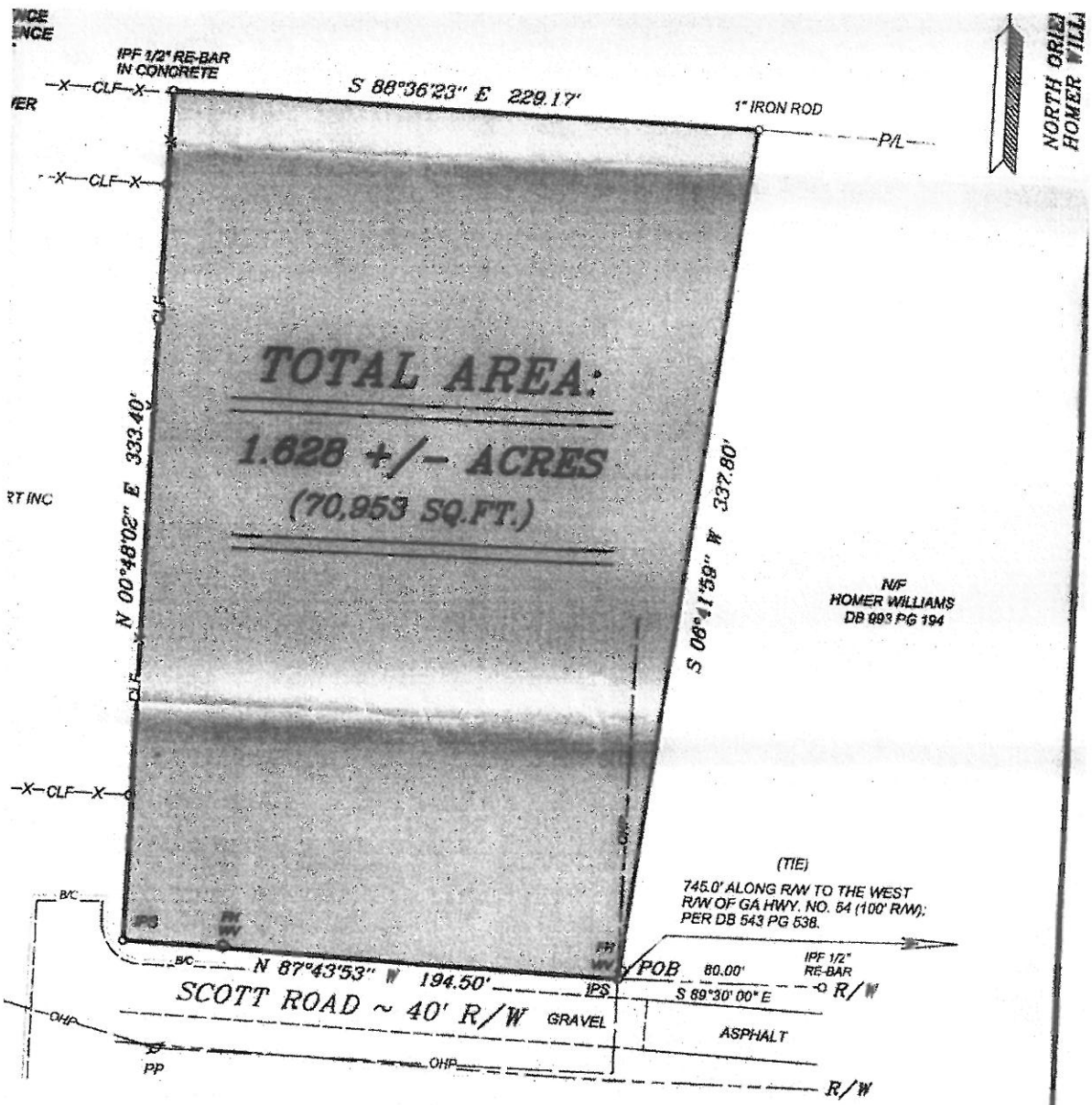


ACCORDING TO THE LATEST CLAYTON COUNTY
F.I.R.M. COMMUNITY PANEL NO. 13063C0038E
DATED SEPTEMBER 5, 2007 THIS PROPERTY DOES
NOT WITHIN A 100 YEAR FLOOD HAZARD ZONE.



CLOSURE DATA: DATE: OCTOBER 3, 2011
FIELD CLOSURE: 1" IN 15,000' ±
ANGLE POINT ERROR

BY J. GILLEY



N/F
HOMER WILLIAMS
DB 893 PG 194

(TIE)
745.0' ALONG RAW TO THE WEST
R/W OF GA HWY. NO. 54 (100' R/W);
PER DB 543 PG 538.



ACCORDING TO THE LATEST CLAYTON COUNTY
F.I.R.M. COMMUNITY PANEL NO. 13063C0038E
DATED SEPTEMBER 5, 2007 THIS PROPERTY DOES
NOT WITHIN A 100 YEAR FLOOD HAZARD ZONE.

EY J. GILLEY

CLOSURE DATA: DATE: OCTOBER 3, 2011
FIELD CLOSURE: 1' IN 15,000' +
ANGLE POINT ERROR: 05"
EQUIPMENT USED: SOKKIA SRX 5
ADJUSTMENT METHOD: NO ADJUSTMENT
PLAT CLOSURE: 1' IN 100,000' +

PARCEL ID 13015C A006		D.B.	543	PG.	538
LAND LOT:	15	DISTRICT:	13TH		
COUNTY:	CLAYTON	STATE:	GEORGIA		
DATE:	10/04/11	JOB NO:	WLS-11-0054		

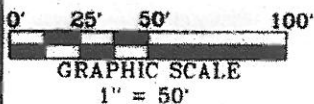
WELBORN LAND SURVEYING, INC.

507 HOOD ROAD
NEWNAN, GEORGIA 30263

FAX: 770-254-1383

POC: = POINT OF COMMENCEMENT
 POB: = POINT OF BEGINNING
 IPS: = IRON PIN SET, 1/2" RE-BAR
 IPF: = IRON PIN FOUND
 R/W: = RIGHT-OF-WAY
 C/L: = CENTERLINE
 P/L: = PROPERTY LINE
 N/F: = NOW OR FORMERLY
 CMF: = CONCRETE MONUMENT FOUND
 PP: = POWER POLE
 LLL: = LAND LOT LINE
 E/P: = EDGE OF PAVEMENT
 B/C: = BACK OF CURB
 B/L: = BUILDING LINE
 OHP: = OVERHEAD POWER
 CLF = CHAIN LINK FENCE
 BWF = BARB WIRE FENCE
 FH: = FIRE HYDRANT
 MH: = MAN HOLE
 CB: = CATCH BASIN
 SS: = SANITARY SEWER

IPF 1/4"
 IN CC
 —X—CLF—X—



CLOSURE DATA: DATE: OCTOBER 3, 2011
FIELD CLOSURE: 1' IN 15,000' +

**STATE OF GEORGIA
CITY OF FOREST PARK**

RESOLUTION NO. _____

A RESOLUTION REGARDING THE DOWNTOWN DEVELOPMENT AUTHORITY OF THE CITY OF FOREST PARK; FILLING CERTAIN EXPIRED TERMS IN THE OFFICES OF THE DIRECTORS OF THE DOWNTOWN DEVELOPMENT AUTHORITY; DESIGNATING A REVISED DOWNTOWN DEVELOPMENT AREA; PROVIDING FOR SEVERABILITY; REPEALING INCONSISTENT RESOLUTIONS; PROVIDING FOR AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, the City of Forest Park (“City”) is a municipal corporation located within Clayton County, Georgia duly organized and existing under the laws of the State of Georgia and is charged with providing public services to residents located within the corporate limits of the City;

WHEREAS, O.C.G.A. § 36-42-1 *et seq* (the “Downtown Development Authorities Law”) provides a process whereby Georgia cities can activate downtown development authorities in order to assist in the revitalization and redevelopment of central business districts of the municipal corporations of the state;

WHEREAS, the Downtown Development Authorities Law creates in and for each municipal corporation in the State of Georgia a downtown development authority for the purpose of revitalizing and redeveloping the central business district of such municipal corporation and promoting the public good and general welfare, trade, commerce, industry, and employment opportunities, and promoting the general welfare of the State of Georgia;

WHEREAS, O.C.G.A. § 36-42-5(a) requires that in its resolution activating its downtown development authority, the governing body *SHALL* (1) designate as the

downtown development area that geographical area within the municipal corporation which, in the judgment of the governing body, constitutes the central business district and (2) appoint the initial directors of the authority;

WHEREAS, on September 4, 1985, the City adopted a proper resolution (the “1985 Resolution”) activating a downtown development authority;

WHEREAS, on January 20, 2009, the City adopted a resolution purporting to repeal the 1985 Resolution and thus deactivating the City’s downtown development authority;

WHEREAS, there is no provision in the Downton Development Authorities Law for the deactivation or dissolution of a downtown development authority by a municipality;

WHEREAS, it has been determined by the Mayor and Council of the City of Forest Park, Georgia (the “City”) that there is a continuing need in the City for the revitalization and redevelopment of the central business district of the City to develop and promote for the public good and general welfare, trade, commerce, industry, and employment opportunities and to promote the general welfare of the State of Georgia by creating a climate favorable to the location of new industry, trade, and commerce and the development of existing industry, trade, and commerce within the City;

WHEREAS, it has been determined by the Mayor and Council of the City that revitalization and redevelopment of the central business district of the City will develop and promote for the public good and general welfare, trade, commerce, industry, and employment opportunities, and will promote the general welfare of the State of Georgia;

WHEREAS, it has been determined by the Mayor and Council of the City that it is in the public interest and is vital to the public welfare of the people of the City and of the people of the State of Georgia to continue to revitalize and develop the central business district of the City;

WHEREAS, the City finds it necessary to re-designate its downtown development area, finds that there are no incumbent members of its downtown development authority whose terms have not expired, and finds that it is necessary to appoint new members to fill expired terms on the board of its downtown development authority; and

WHEREAS, the City Council finds that this is a proper resolution with respect to the Downtown Development Authority of the City of Forest Park and is necessary and beneficial to its citizens.

NOW THEREFORE, THE MAYOR AND CITY COUNCIL OF THE CITY OF FOREST PARK HEREBY RESOLVE AS FOLLOWS;

Section 1. Determination of Continuing Need; Name. – The Mayor and City Council of the City of Forest Park hereby find and determine that there is a continuing need for a downtown development authority to function in such municipal corporation. Said authority was activated on September 4, 1985 and is known as “The Downtown Development Authority of the City of Forest Park.”

Section 2. Board of Directors – Pursuant to O.C.G.A. § 36-42-6, the Mayor and City Council of the City of Forest Park resolve that there are hereby named and appointed as members of the Board of Directors of the Downtown Development Authority of the City of Forest Park the following seven (7) named persons, each of whom, in the judgment of the Mayor and City Council, meets the qualifications set forth in the Downtown Development Authorities Law:

<u>Names</u>	<u>Terms of Office</u>
_____	Two Years
_____	Two Years
_____	Four Years
_____	Four Years
_____	Six Years
_____	Six Years
_____	Six Years

The Mayor and Council of the City further resolve that commencing with the date of adoption of this resolution each of the persons named above as directors shall serve in such capacity for the term set forth opposite his or her respective name, however, that after the expiration of their initial terms, the terms shall be as provided under the Downtown Development Authorities Law.

Section 3. Designation of Downtown Development Area – Pursuant to O.C.G.A. § 36-42-6, the Mayor and City Council hereby designate the area outlined in blue on the map attached hereto as Exhibit A and made a part hereof as if fully set forth herein as the Downtown Development Area of the City of Forest Park.

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

Section 5. Severability - To the extent any portion of this Resolution is declared to be invalid, unenforceable, or non-binding, that shall not affect the remaining portions of this Resolution.

Section 6. Repeal of Conflicting Provisions - All City resolutions inconsistent with this Resolution are hereby repealed.

Section 7. Effective Date - This Resolution shall be effective immediately upon the date of its adoption by the City Council and Mayor as provided in the City Charter.

Section 8. Recitals – The Recitals above are part of this Resolution and are hereby incorporated herein by reference.

SO RESOLVED, this the _____ day of _____, 2018.

CITY OF FOREST PARK, GEORGIA

Mayor, Angelyne Butler

Councilmember, Kimberly James, Ward 1

Councilmember, Dabouze Antoine, Ward 2

Councilmember, Sandra Bagley, Ward 3

Mayor Pro-tem, Latresa Wells, Ward 4

Councilmember, Allan Mears, Ward 5

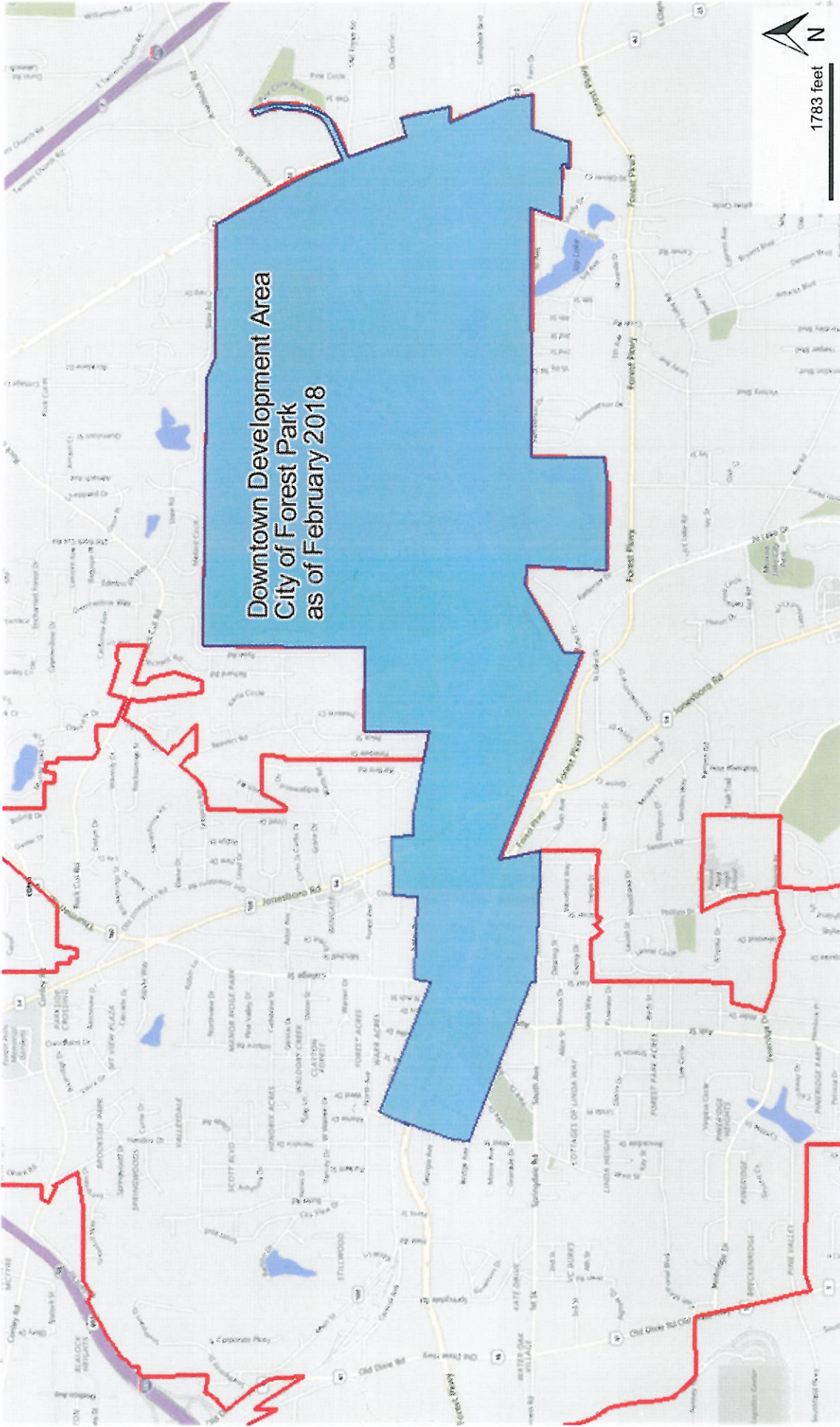
ATTEST:

City Clerk (SEAL)

APPROVED AS TO FORM:

City Attorney

EXHIBIT A
DOWNTOWN DEVELOPMENT AREA



STATE OF GEORGIA

CITY OF FOREST PARK

ORDINANCE NO. 18 - _____

AN ORDINANCE TO AMEND THE 2017-2018 OPERATING BUDGET TO APPROPRIATE FUNDS TO COVER COSTS FOR THE LEGISLATIVE DEPARTMENT; PROVIDING FOR SEVERABILITY; REPEALING INCONSISTENT ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, Section 6.33 of the City Charter (“the City Charter”) for the City of Forest Park, Georgia (“the City”) provides that the City Council “shall by ordinance adopt the final operating budget” for the City for each fiscal year, and a final operating budget has been adopted for the current fiscal year; and

WHEREAS, Section 6.35 of the City Charter provides that the City Council “may make changes in the appropriations contained in the current operating budget” with the limitations provided for therein; and

WHEREAS, amounts are requested to be appropriated to the Office Supplies and Capital Outlay expense line items for the Legislative Department (Mayor and City Council). The appropriation is needed to cover the costs needed to be incurred by the Department, and unfunded; and

WHEREAS, the increase to the Office Supplies and Capital Outlay line items will require an appropriation to the operating budget in the total amount of \$3,850.00.

NOW THEREFORE BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF FOREST PARK, GEORGIA, as follows:

Section 1. The sum of \$3,850.00 is hereby appropriated from line item number 100-22-1510-57-9000, Reserve For Contingencies, to line item 100-20-1110-53-1102, Office Supplies in the amount of \$850.00, and to line item 100-20-1110-54-2502, Capital Outlay in the amount of \$3,000.00, for the 2017-2018 annual budget for the City of Forest Park, Georgia;

Section 2. That the changes to the ordinances set forth above shall not be included in the City of Forest Park Code of Ordinances.

Section 3. Severability. If any section, paragraph, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional for any reason by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance, which such portions shall remain in full force and effect.

Section 4. Repealer. All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 5. Effective Date. This Ordinance shall be in full force and effect immediately upon and after its final passage.

SO ORDAINED this _____ day of _____, 2018.

CITY OF FOREST PARK, GEORGIA

Angelyne Butler, **Mayor**

Kimberly James
Councilmember, Ward One

Dabouze Antoine
Councilmember, Ward Two

Sandra Bagley
Councilmember, Ward Three

Latresa Wells
Mayor Pro-tem, Ward Four

Allan Mears
Councilmember, Ward Five

ATTEST:

City Clerk

(THE SEAL OF THE CITY OF
FOREST PARK, GEORGIA)

Approved as to form:

City Attorney

STATE OF GEORGIA
CLAYTON COUNTY
CITY OF FOREST PARK

RESOLUTION NO. _____

A RESOLUTION REPEALING A CERTAIN MORATORIUM RELATING TO THE ENFORCEMENT OF THE ASSEMBLY USE PROVISIONS OF THE ZONING CODE; AUTHORIZING THE EXECUTION OF ALL DOCUMENTS NECESSARY TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION; AUTHORIZING THE CITY CLERK TO ATTEST SIGNATURES AND AFFIX THE OFFICIAL SEAL OF THE CITY, AS NECESSARY; PROVIDING FOR AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

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 providing public services to residents located within the corporate limits of the City;

WHEREAS, on November 20, 2017 the City Council adopted a resolution establishing a 183-day moratorium on the enforcement of the assembly use provisions of the zoning code; and

WHEREAS, the City Council finds it necessary and beneficial to its citizens and to the efficient operation of the City that the moratorium be repealed.

THEREFORE, IT IS NOW RESOLVED BY THE CITY COUNCIL OF THE CITY OF FOREST PARK GEORGIA AS FOLLOWS:

SECTION 1. Repeal of Resolution - The resolution dated November 20, 2017 establishing a 183-day moratorium on the enforcement of the assembly use provisions of the zoning code is hereby repealed.

SECTION 2. Approval of Execution - The Mayor is hereby authorized to sign all documents and to perform all other necessary acts necessary to effectuate this Resolution on behalf of the City of Forest Park. The City Clerk is authorized to execute, attest to, and seal any document which may be necessary to effectuate this Resolution.

SECTION 3. Severability - To the extent any portion of this Resolution is declared to be invalid, unenforceable, or non-binding, that shall not affect the remaining portions of this Resolution.

SECTION 4. Repeal of Conflicting Provisions – All City Resolutions inconsistent with this Resolution are hereby repealed.

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

SO RESOLVED this 5th day of March 2018.

Mayor Angelyne Butler

Council Member Kimberly James, Ward 1

Council Member Dabouze Antoine, Ward 2

Council Member Sandra Bagley, Ward 3

Council Member Latresa Wells, Ward 4

Council Member Allan Mears, Ward 5

ATTEST:

City Clerk (SEAL)

APPROVED AS TO FORM:

City Attorney