

**STATE OF GEORGIA
COUNTY OF CLAYTON**

ORDINANCE NO. 2025-_____

AN ORDINANCE BY MAYOR ANGELYNE BUTLER AND COUNCILMEMBERS KIMBERLY JAMES, DELORES A. GUNN, HECTOR GUTIERREZ, LATRESA AKINS-WELLS, AND ALLAN MEARS OF THE CITY OF FOREST PARK, GEORGIA, TO APPROVE AN APPLICATION TO REZONE CERTAIN REAL PROPERTY LOCATED AT 486 MAIN STREET (PARCEL ID 13080A E005) FROM THE MULTIPLE-FAMILY RESIDENTIAL ZONING DISTRICT TO THE GENERAL COMMERCIAL ZONING DISTRICT; TO AMEND THE OFFICIAL ZONING MAP; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER LAWFUL PURPOSES.

WHEREAS, the City of Forest Park, Georgia (“City”) is a municipal corporation duly organized and existing under the laws of the State of Georgia; and

WHEREAS, the Mayor and Council of the City is the duly elected governing authority thereof; and

WHEREAS, the governing body is authorized by its Charter to regulate zoning within the limits of the City; and

WHEREAS, the subject properties within the rezoning application consist of three (3) vacant parcels totaling approximately 1.23 acres; and

WHEREAS, one of the parcels is located at 486 Main Street, Forest Park, Georgia 30297 (Parcel ID 13080A E005) and is located within the Multiple-Family Residential zoning district (“RM Zoning District”); and

WHEREAS, the other two (2) parcels are located at 0 Burks Road, Forest Park, Georgia

30297 (Parcel ID Numbers 13051A A004 and 13051A A006), and are currently located within the Two-Family Residential zoning district (“RT Zoning District”); and

WHEREAS, Yaritza Hernandez (the "Applicant") has requested to rezone all three (3) parcels from residential to the General Commercial zoning district (“GC Zoning District”) to allow for the development of a unified parking area supporting future business operations; and

WHEREAS, the City Planner and Planning Commission recommend partial approval of the rezoning request, specifically to rezone only Parcel ID 13080A E005 from the RM Zoning District to the GC Zoning District; subject to certain conditions included in the City's Staff Report, more particularly described in **Exhibit A** attached hereto and incorporated herein; and

WHEREAS, the City Planner and Planning Commission recommend the other two parcels (Parcel IDs 13051A A004 and 13051A A006) to remain within the RT Zoning District, and

WHEREAS, the Mayor and Council have considered the Staff Report and have found that this partial approval balances the Applicant's operational needs with the City's planning goals, promotes appropriate commercial development along the Main Street corridor, preserves the residential character of the adjacent neighborhood, and is consistent with the City's Comprehensive Land Use Plan; and

WHEREAS, a public hearing pursuant to the provisions of the Zoning Procedures Act has been properly held prior to the adoption of this Ordinance; and

WHEREAS, the health, safety, morals, and general welfare of the citizens of the City will be positively impacted by the adoption of this Ordinance.

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

Section 1. That the Applicant's request to rezone Parcel ID 13080A E005 located at 486

Main Street, Forest Park, Georgia 30297 from the RM Zoning District to the GC Zoning District is hereby approved, subject to all conditions being met contained within the City's Staff Report.

Section 2. That Parcel ID Numbers 13051A A004 and 13051A A006 located at 0 Burks Road, Forest Park, Georgia 30297 shall retain their current RT Zoning District designation.

Section 3. That the Zoning Ordinance of the City be amended, and the Official Zoning Map of the City established in connection therewith be amended to reflect the rezoning of Parcel ID 13080A E005 from the RT Zoning District to the GC Zoning District . The City Clerk is hereby directed to update and maintain the official copy of said Zoning Map.

Section 4. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 5. (a) The approval granted herein is subject to all applicable local, state, and federal regulations.

(b) It is hereby declared to be the intention of the Mayor and Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgement or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining

phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 6. The effective date of this Ordinance shall be the date of adoption unless otherwise specified therein.

Section 7. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed to the extent of such conflict.

Section 8. This Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City of Forest Park, Georgia. It is the intention of the governing body, and it is hereby ordained that the provision of this ordinance shall become and be made part of the Code of Ordinances, City of Forest Park, Georgia, and the sections of this Ordinance may be renumbered to accomplish such intention.

Section 9. The City Clerk, with the concurrence of the City Attorney, is authorized to correct any scrivener's errors found in this Ordinance, including its exhibits, as enacted.

SO ORDAINED this 2nd day of September, 2025.

CITY OF FOREST PARK, GEORGIA

Angelyne Butler, *Mayor*

ATTEST:

_____(SEAL)
City Clerk

APPROVED BY:

City Attorney

**EXHIBIT A
STAFF REPORT**

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

Case: RZ-2025-02

Current Zoning: RS- Single Family Residential

Proposed Request: Rezone property from Multiple-Family Residential District (RM) to General Commercial District (GC) to allow the development of a unified parking area supporting future business operations in Ward 2.

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

Staff Recommendation: Partial Approval of Rezoning Request.

APPLICANT INFORMATION			
Owner of Record: Yaritza Hernandez		Applicant:	Yaritza Hernandez
Address: 486 Main St		Address:	486 Main St
City/State: Forest Park, GA 30297		City/State:	Forest Park, GA 30297
PROPERTY INFORMATION			
Parcel Number: 13080A E005, 13051A A004, and 13051A A006			Acreage: 1.23 +/-
Address: 486 Main Street 0 Burks Rd			FLU: Commercial Medium Density Residential
SUMMARY & BACKGROUND			

The subject property consists of three vacant parcels totaling approximately 1.23± acres in Ward 2. The primary parcel is located at 486 Main Street, occupying the southwest corner of Main Street and Burks Road. The two additional vacant parcels are situated immediately behind the proposed parcel to the west of the existing commercial structure, occupying the northwest portion of the block formed by Burks Road and North Avenue

Currently, the corner parcel fronting Main Street is zoned Multiple-Family Residential District (RM) and is adjacent to existing multifamily residential development to the west. The two interior parcels along Burks Road are zoned Two-Family Residential District (RT) and are surrounded by a mix of townhomes and single-family residences.

The applicant is requesting a rezoning of all three parcels from residential to commercial to support the development of a unified off-street parking area in preparation for relocating future commercial operations to the site. While County records classify one of the parcels as commercial, it remains zoned residential under current City zoning and thus requires formal rezoning to allow for commercial use. The intent is to consolidate the parcels into a single, functional parking area that will meet City code requirements for future business use, including provisions for customer access, staff parking, and delivery logistics.

As part of their proposal, the applicant has engaged a licensed architect to ensure compliance with City standards related to grading, access, stormwater management, landscaping, and buffer requirements, and has expressed commitment to maintaining compatibility with the surrounding residential context.

After careful staff analysis, it is recommended that only the RM-zoned corner parcel fronting Main Street be approved for rezoning to a commercial district. This recommendation is based on its strategic location at the intersection of two roads, its adjacency to a commercially trending corridor, and its suitability for accommodating commercial land use without disrupting the established residential character of the interior lots. Retaining the RT zoning for the two rear parcels will provide a necessary transition and buffer, preventing commercial encroachment into the residential core of the neighborhood and preserving land use compatibility along Burks Road.

This approach balances the applicant’s operational needs with the City’s broader planning goals by facilitating appropriate commercial activity along Main Street, while protecting the residential scale and fabric of the surrounding community.

Should the request be approved, the applicant will be able to move forward with developing a compliant parking area on the front lot to support future commercial operations, while preserving residential integrity at the rear of the site.

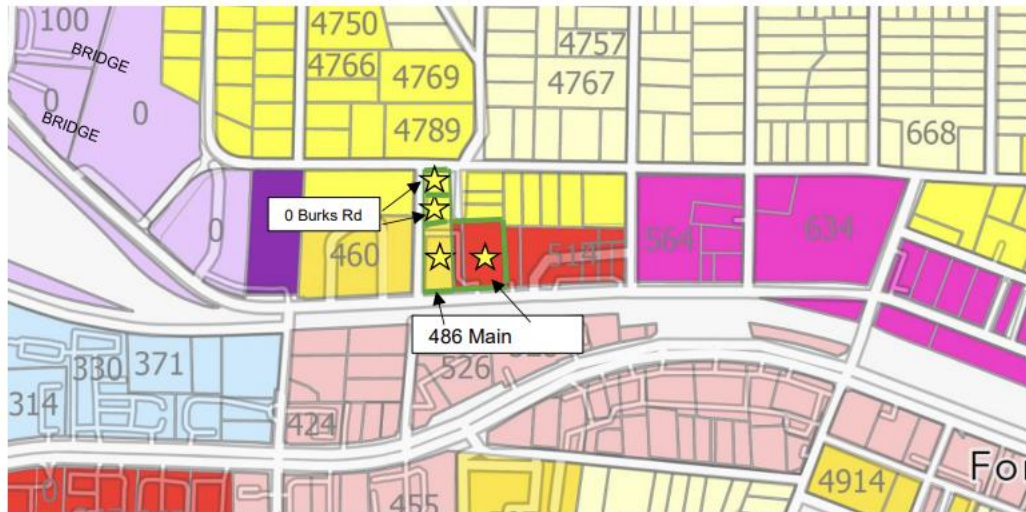
ZONING CLASSIFICATION OF CONTIGUOUS PROPERTIES

North	RT (Two-Family Residential District)	East	GC (General Commercial District)
South	IC (Institutional Commercial District)	West	RM (Multiple-Family Residential)

AERIAL MAP

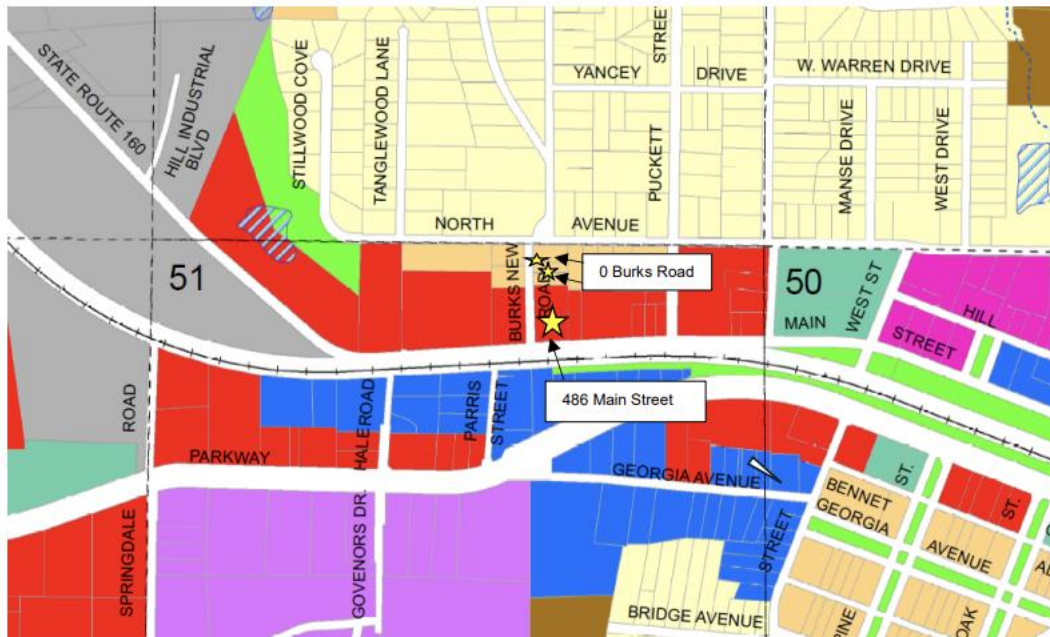


ZONING MAP



Current Zoning: RS (Single-Family Residential)

FUTURE LAND USE MAP



Future Land Use: Commercial and Medium Density Residential

SITE PHOTOS



486 Main Street. Vacant Parcel on the Corner of Main Street and Burks Rd.



Vacant parcel



Northwest Corner of Burks Rd and North Avenue



Rear of site

SURROUNDING PROPERTIES



**Residential: Zoned RM (Multiple-Family Residential District)
(West of Parcel)**



**Residential: Zoned RT (Two-Family Residential District)
(West of Parcel)**



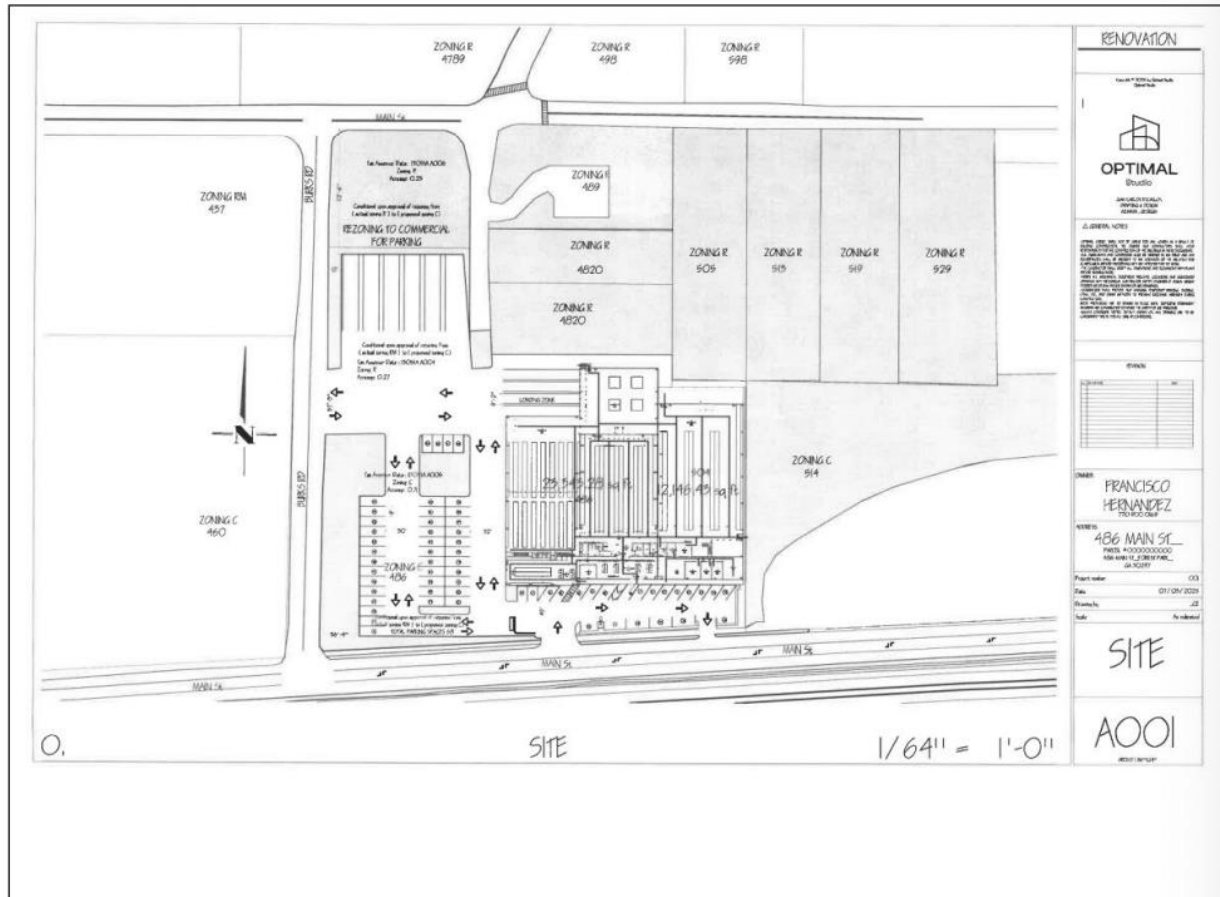
**Commercial: Zoned GC (General Commercial District)
(East of Parcel)**



**Railroad and Commercial: Zoned IC (Institutional Commercial District)
(South of Parcel)**



**Residential: Zoned RT (Two-Family Residential)
(North of Parcel)**



Impact Summary

Would the proposed amendment be consistent and compatible with the city's land use and development, plans, goals, and objectives? ☒ **Yes** ☐ **No** *Yes, the proposed amendment is consistent with the City's land use plans and goals. Rezoning only the corner lot supports commercial use along Main Street while preserving residential character behind it, aligning with the City's objective for balanced, context-sensitive development.*

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** *The proposed amendment is expected to have minimal impact on traffic safety and congestion. Limiting the rezoning to the corner lot allows for controlled commercial use along Main Street, a corridor better suited to handle increased activity. The applicant's plan to develop a dedicated, code-compliant parking area in advance of operations will help manage vehicle circulation, reduce on-street parking, and minimize potential congestion.*

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** *The proposed amendment is expected to have no negative impact on safety from fire or other dangers. Any future development on the rezoned parcel will be required to meet all applicable fire codes, building standards, and safety regulations. The applicant is working with a licensed architect to ensure compliance, which supports safe site design and emergency access.*

Would the proposed amendment tend to promote, to diminish, or to have no influence on the public health and general welfare of the city? ☒ **Promote** ☐ **Diminish** ☐ **No Influence** *The proposed amendment is expected to promote the public health and general welfare of the city. By supporting appropriately scaled commercial use along Main Street and preserving residential zoning in the rear, the amendment encourages orderly development, reduces potential land use conflicts, and ensures that future business operations can provide adequate parking and infrastructure—contributing to a safer, more functional environment for residents and visitors.*

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** *Rezoning is limited to the corner lot along Main Street, which is adjacent to commercial and multifamily uses, while the rear residential parcels remain unchanged. This preserves the existing residential character and spacing that ensures adequate light and air for surrounding properties.*

Would the proposed amendment tend to cause, to prevent, or to have no influence on the overcrowding of land? ☐ **Cause** ☐ **Prevent** ☒ **No Influence** *The proposed amendment is expected to have no influence on the overcrowding of land. The rezoning is limited to the corner parcel and will facilitate organized commercial development with adequate parking, rather than increasing density or overloading the site. The surrounding residential parcels remain unchanged, maintaining existing land use patterns.*

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 Influence** *The proposed amendment is expected to have no relationship to population distribution or density. The rezoning focuses on commercial use of a corner lot and does not involve residential development changes that would significantly affect population patterns or density in the area. Therefore, it will not impact the city's health, safety, or general welfare related to population concentration.*

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**. *The proposed amendment is expected to facilitate the adequate provision of transportation, water, sewerage, and other public services. By allowing a planned commercial use with a dedicated parking area, the amendment supports organized development that meets City infrastructure standards. The applicant's commitment to working with licensed professionals ensures compliance with all necessary public service and utility requirements, promoting efficient and sustainable service provision.*

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** *The proposed amendment is compatible with the surrounding environmental conditions and development patterns. Rezoning is limited to the corner lot along a busy corridor, which is already transitioning toward commercial use. The preservation of residential zoning on the rear parcels helps maintain neighborhood character and buffers. The applicant's plans for stormwater management, landscaping, and buffering will further minimize any potential negative impacts. Factors that could diminish the value or enjoyment of surrounding properties are expected to be minimal due to thoughtful site design and adherence to City standards. Continued monitoring of landscaping and buffer effectiveness is recommended to ensure ongoing compatibility.*

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 is expected to promote the aesthetic quality of the property and surrounding area. By concentrating commercial use on the corner lot along Main Street, where such development is appropriate, and preserving residential zoning in the rear, the amendment encourages a well-planned transition in land use. The applicant's commitment to landscaping, buffer zones, and compliance with design standards will enhance the visual appeal and maintain neighborhood character.*

Would the proposed amendment have measurable adverse economic effect on the value of surrounding or adjacent property? ☐ **Yes** ☒ **No** *The proposed amendment to rezone the property from RM (Multiple-Family Residential) to GC (General Commercial) is not expected to have a measurable adverse economic effect on the value of surrounding or adjacent properties. The rezoning is focused on a corner lot already suited for commercial use, and the preservation of residential zoning on the rear parcels helps protect the character and stability of the neighborhood. Thoughtful site design, buffering, and compliance with City standards will help maintain property values and neighborhood desirability.*

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

☐ **Yes** ☒ **No** *No, the proposed amendment would not create an isolated district. Rezoning the corner parcel to commercial use aligns with existing commercial and multifamily uses along Main Street, creating a logical extension of the commercial corridor. The retention of residential zoning on the adjacent rear parcels maintains a cohesive transition to surrounding residential neighborhoods, ensuring land use compatibility.*

Staff Review

Public Works, Police, and Fire departments did not conduct formal reviews for this rezoning request, as no site development or building plans have been submitted at this stage. Additional departmental reviews will be required during the site plan and permitting process.

Planning & Community Development Department

Planning Staff has conducted a full review of the rezoning request and supports the recommendation to rezone only the corner parcel fronting Main Street. This recommendation is based on land use compatibility, existing zoning patterns, and alignment with the City's development goals. The remaining

parcels should retain residential zoning to preserve neighborhood character and provide an appropriate buffer between commercial and residential uses.

Staff Recommendation

Staff recommends **APPROVAL** of the rezoning request for the corner parcel located at 486 Main Street (Parcel #13080A E005) from Multiple-Family Residential District (RM) to General Commercial District (GC), with the condition that the two rear parcels (Parcel #13051A A004 and #13051A A006) remain zoned Two-Family Residential (RT).

This recommendation is based on a detailed review of existing land use patterns, zoning compatibility, infrastructure capacity, and the City's long-range development goals. The subject corner lot fronts Main Street, a corridor that exhibits a mix of residential, institutional, and commercial uses, and is generally appropriate for limited commercial activity. The lot's location at a signalized intersection provides suitable access and visibility for commercial use without burdening the surrounding residential streets.

Rezoning only the front-facing parcel strikes a balance between accommodating the applicant's stated intent, to develop a code-compliant parking area supporting future commercial operations and maintaining the integrity of the adjacent residential neighborhood. Staff finds that this approach creates a logical land use transition and avoids the potential for commercial encroachment deeper into the block, which could disrupt established residential patterns and diminish neighborhood character.

The following **conditions** shall apply:

1. **Limit of Rezoning:** Only the parcel at 486 Main Street (Parcel #13080A E005) shall be rezoned. The two rear parcels (Parcel #13051A A004 and #13051A A006) shall remain zoned RT.
2. **Site Plan Review:** Prior to any construction or use of the site for commercial purposes, the applicant shall submit a full site plan for review and approval by the Planning Department and applicable City departments. The site plan must address:
 - o Parking layout and access points.
 - o Landscaping and buffer requirements.
 - o Stormwater management.
 - o Compliance with all applicable zoning and development standards.
3. **Buffering:** A landscape buffer, as required by the City's zoning ordinance, shall be provided along the western and northern edges of the commercial parcel to mitigate visual and noise impacts on adjacent residential properties.
4. **Use Restrictions:** The commercial zoning shall be limited to uses that are compatible with neighborhood-scale development, as determined by the final zoning designation and subject to Planning Commission review and Final approval by Mayor & Council, if applicable.

Staff finds that this conditional approval facilitates the applicant's operational needs, supports orderly development along a transitioning corridor, and preserves the residential quality of the neighborhood interior. The recommendation aligns with sound planning principles and the City's broader goals for sustainable, context-sensitive growth.