

**STATE OF GEORGIA  
COUNTY OF CLAYTON**

**ORDINANCE NO. 2025-\_\_\_\_\_**

1           AN ORDINANCE BY MAYOR ANGELYNE BUTLER AND COUNCILMEMBERS  
2   KIMBERLY JAMES, DELORES A. GUNN, HECTOR GUTIERREZ, LATRESA AKINS-  
3   WELLS, AND ALLAN MEARS OF THE CITY OF FOREST PARK, GEORGIA TO  
4   AUTHORIZE A CONDITIONAL USE PERMIT FOR CERTAIN REAL PROPERTY LOCATED  
5   AT 0 MAIN STREET, FOREST PARK, GEORGIA 30297 (PARCEL ID 13050B K006), 752  
6   MAIN STREET, FOREST PARK, GEORGIA 30297 (PARCEL ID 13050B K001), 760 MAIN  
7   STREET, FOREST PARK, GEORGIA 30297 (PARCEL ID 13050B K005), AND 770 MAIN  
8   STREET, FOREST PARK, GEORGIA 30297 (PARCEL ID 13050B K002); TO PROVIDE  
9   SEVERABILITY; TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES AND  
10   RESOLUTIONS; TO PROVIDE AN ADOPTION AND EFFECTIVE DATE; AND TO  
11   PROVIDE FOR OTHER LAWFUL PURPOSES.

12           **WHEREAS**, the governing body of the City of Forest Park, Georgia (the “City”) is the  
13   Mayor and Council thereof; and

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

16           **WHEREAS**, the total subject property is approximately 1.62 acres located at 0 Main  
17   Street, Forest Park, Georgia 30297 (Parcel ID 13050B K006), 752 Main Street, Forest Park,  
18   Georgia 30297 (Parcel ID 13050B K001), 760 Main street, Forest Park, Georgia 30297 (Parcel ID  
19   13050B K005), and 770 Main Street, Forest Park, Georgia 30297 (Parcel ID 15050B K002)  
20   (collectively referred to as the “Property”), and is currently zoned within the Downtown Mainstreet  
21   district (“DM Zoning District”); and

22           **WHEREAS**, Prestwick Land Holdings, LLC (“Applicant”), has requested a Conditional  
23   Use Permit (“CUP”) to authorize construction of a total sixty (60) unit mixed-use development  
24   (“Project”) within the DM Zoning District; and

25           **WHEREAS**, the Project lies within the Traditional Downtown Core, which supports  
26   higher-density, mixed-use development in alignment with the City’s land use and economic  
27   development goals; and

28           **WHEREAS**, although the Project shall improve access to amenities, reduce commuting  
29   needs, and support downtown revitalization efforts, a Conditional Use Permit (“CUP”) is required  
30   pursuant to Section 8-8-188 of the City’s Code of Ordinances (“Code”) because the proposed  
31   density exceeds the maximum limit of twelve (12) units per acre; and

32           **WHEREAS**, the City Planner and Planning Commission recommend approval of the CUP  
33   application *subject to certain conditions* included in the City’s Staff Report, more particularly  
34   described in **Exhibit A** attached hereto and incorporated herein; and

35           **WHEREAS**, the governing authority finds that the CUP application does conform to the  
36   requirements of its designated zoning district, and the proposed use shall not negatively impact the  
37   surrounding properties and is consistent with the City’s future land use; and

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

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

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

44           **Section 1.** The Applicant’s request for a Conditional Use Permit for the collective Property

to construct a total sixty (60) unit mixed-use development within the DM Zoning District is hereby granted, subject to all conditions being met contained within the City's Staff Report.

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

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

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase 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 judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability 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 4.** The effective date of this Ordinance shall be the date of adoption unless otherwise specified herein.

**Section 5.** All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed to the extent of such conflict.

**Section 6.** The 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 provisions 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 7.** 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 5th day of May, 2025.

**CITY OF FOREST PARK, GEORGIA**

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Angelyne Butler, *Mayor*

**ATTEST:**

\_\_\_\_\_(SEAL)  
*City Clerk*

**APPROVED AS TO FORM:**

\_\_\_\_\_  
*City Attorney*

## EXHIBIT A STAFF REPORT



### CITY OF FOREST PARK

Planning & Community Development Department  
785 Forest Parkway  
Forest Park, Georgia 30297  
(404) 366-4720

#### Staff Report – Conditional Use Permit

Public Hearing Date: April 17, 2025

City Council Meeting: May 05, 2025

**Case:** CUP-2025-02

**Current Zoning:** Downtown Mainstreet District (DM)

**Proposed Request:** Applicant is requesting a Conditional Use Permit to authorize the construction of an additional forty-eight units, bringing the total number of units to sixty, as part of a proposed mixed-use development within the Downtown Mainstreet District (DM) Ward 2.

**Ward District:** 2

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

**Staff Recommendation:** Approval of Conditional Use with Conditions

#### APPLICANT INFORMATION

**Owner of Record:**

**Name:** Tejejo Investments LLC and  
Development Authority of Forest Park

**Address:** 0, 752, 760, and 770 Main Street

**City/State:** Forest Park, GA 30297

**Applicant:**

**Name:** Prestwick Land Holdings  
(Edrick Harris)

**Address:** 0, 752, 760, and 770 Main Street

**City/State:** Forest Park, GA 30297

#### PROPERTY INFORMATION

**Parcel Number:** 13050B K006, 13050B K005 and 13050B K0002

**Address:** 0 Main ST., 752 Main ST

760 Main ST., and 770 Main ST

**Acreage:** 1.62 +/-

**FLU:** Institutional/Mixed Use Commercial

#### SUMMARY & BACKGROUND

The applicant for 0, 752, 760 and 770 Main St. is requesting a Conditional Use Permit (CUP) to authorize the construction of a 60-unit mixed use development on a 1.62+/- acre parcel located within the Traditional Downtown Core (TDC) of the Downtown Mainstreet District (DM). The proposed development falls within the residential density guidelines outlined in Section 8-8-54.8(a)(2) of the zoning ordinance, which stipulates that residential densities within this district must range from 6 to 12 units per acre. However, the proposed density exceeds the maximum limit of twelve units per acre, necessitating approval through the CUP process as specified in Section 8-8-188 of the ordinance.

### ZONING CLASSIFICATIONS OF CONTIGUOUS PROPERTIES

Direction	Zoning & Use	Direction	Zoning & Use
North	RT: Two-Family Residential	East	DM: Downtown Mainstreet District
South	DM: Downtown Mainstreet District	West	DM: Downtown Mainstreet District

### AERIAL MAP



### ZONING MAP





SURVEY

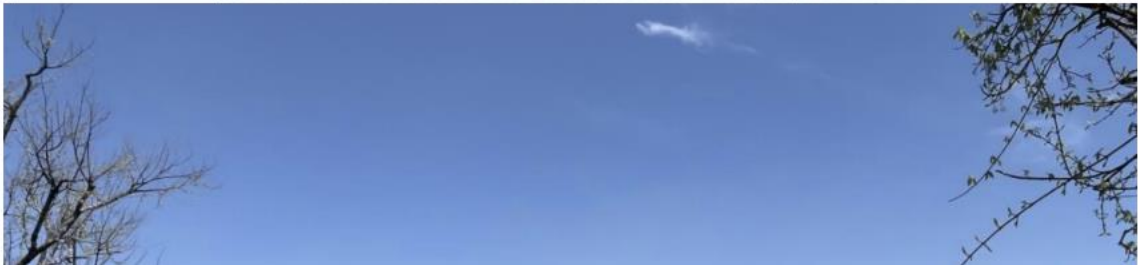








**SITE PHOTOS**





1. **Would the proposed amendment be consistent and compatible with the City's land use and development, plans, goals, and objectives?** The proposed could be considered consistent and compatible with the City's land use and development plans, goals, and objectives, provided that the Conditional Use Permit (CUP) is approved. The project is located within the Traditional Downtown Core (TDC) of the Downtown Mainstreet District (DM), an area likely designated for higher-density, mixed-use development to support vibrant urban growth. Per the Future Land Use Map, one of the parcels are listed as institutional and the other three parcels are listed as Mixed - Use Commercial. All parcels are located within the Downtown Mainstreet District, which does permit mixed use developments.
2. **Would the proposed amendment tend to increase, to decrease, or to have no impact on traffic safety and congestion in the streets?** The proposed is likely to have an impact on traffic safety and congestion, with the exact effect depending on several factors, including the design of the development and its integration with the surrounding infrastructure. Given that the development is located within the Traditional Downtown Core (TDC) of the Downtown Mainstreet District (DM), which typically encourages higher-density development, there could be an increase in both residential and commercial traffic. However, the impact on traffic safety and congestion may be mitigated if the development includes pedestrian-friendly features, adequate parking, and access to public transportation. In addition, mixed-use developments often generate less traffic per unit than purely residential or commercial developments, as residents are more likely to walk to nearby businesses, reducing the overall traffic burden.
3. **Would the proposed amendment tend to increase, to decrease, or to have no relationship to safety from fire and other dangers?** The proposed could have an impact on safety from fire and other dangers, but the effect would largely depend on the design and construction standards of the development. Generally, higher-density developments like the one proposed tend to increase the complexity of fire safety planning due to the larger number of residents and potentially mixed-use spaces (residential, commercial, etc.). However, if the development adheres to modern building codes and safety standards, such as fire-resistant materials, fire suppression systems (e.g., sprinklers), emergency access routes, and adequate separation of uses, the risk from fire and other dangers could be mitigated. Additionally, the development may benefit from being built with more advanced safety features that could provide enhanced protection compared to older structures in the area.
4. **Would the proposed amendment tend to promote, to diminish, or to have no influence on the public health and general welfare of the city?** The proposed amendment is likely to promote the public health and general welfare of the city, as it supports the development of additional housing in the downtown area, potentially increasing access to amenities, reducing the need for long commutes, and fostering a more vibrant, mixed-use community. If designed well, it could also contribute to walkability, improved infrastructure, and economic growth, all of which can enhance overall quality of life if the Conditional Use Permit is granted.



5. **Would the proposed amendment tend to increase, to decrease or to have no influence on the adequacy of light and air?** The proposed amendment could potentially decrease the adequacy of light and air, depending on the building's design, height, and proximity to neighboring properties. Higher-density developments can sometimes lead to reduced natural light and airflow, particularly if the structure is large or closely positioned to surrounding buildings. However, proper design and setbacks could mitigate these effects.
6. **Would the proposed amendment tend to cause, to prevent, or to have no influence on the overcrowding of land?** Though the area is in the low-density part of the downtown core, the proposed amendment could still help prevent overcrowding by promoting efficient use of available land. Higher-density development in urban areas like this typically helps reduce sprawl and encourages growth within existing infrastructure, making it a more sustainable option. However, it would be important for the development to align with zoning regulations and ensure that it integrates well with the surrounding neighborhood to avoid negative impacts like congestion or overcrowding.
7. **Would the proposed amendment tend to cause, to prevent, or to have no relationship with the population distribution within the city, thus creating any area so dense in population as to adversely affect the health, safety, and general welfare of the city?** The proposed amendment is unlikely to cause an adverse effect on the population distribution within the city. While it increases density in the downtown core, if properly planned, it should not create overcrowding or negatively impact health, safety, or general welfare. Instead, it can help focus growth in an area designed for higher density, promoting more sustainable urban development.
8. **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?** The proposed amendment could facilitate the adequate provision of transportation, water, sewage, and other public services, as it focuses development within the downtown core, where infrastructure is typically already in place or can be more easily upgraded to accommodate increased demand. However, this depends on proper planning and integration with existing services.
9. **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?** The proposed amendment could be compatible with environmental conditions in the downtown core, as it aligns with urban growth goals and utilizes existing infrastructure. However, factors such as increased density, traffic congestion, or reduced access to light and air could potentially diminish the value, use, and enjoyment of surrounding properties, depending on the development's design and integration with the area.
10. **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?** The proposed amendment could promote the aesthetic effect of the area if designed to complement the surrounding architecture and enhance the urban environment. However, if the design is out of scale or incompatible with existing properties, it could diminish the aesthetic quality of the area.

11. **Would the proposed amendment have measurable adverse economic effect on the value of surrounding or adjacent property?** The proposed amendment is unlikely to have a measurable adverse economic effect on the value of surrounding or adjacent property, especially if the development is well-integrated and enhances the area's appeal. The use appears suitable for the nearby properties based upon its current existing use.
12. **Would the proposed amendment create an isolated district unrelated to adjacent and nearby districts?** The Conditional Use Permit is unlikely to create an isolated district, as the proposed development is located within the downtown core, an area typically integrated with surrounding districts. If well-designed, the development should connect smoothly with adjacent areas and contribute to the overall urban fabric.

#### STAFF RECOMMENDATION

According to Section 8-8-54.8(a)(2) of the ordinance, the residential density within this zoning district must range from 6 to 12 units per acre. However, residential densities exceeding twelve (12) units per acre are subject to approval through a Conditional Use Permit.

The proposed development, with a total of sixty residential units, would exceed the maximum residential density allowed by right within this district, thereby necessitating the request for a Conditional Use Permit to authorize any additional units.

It is important to note that while the ordinance establishes the framework for this application, the ultimate decision regarding the approval of the Conditional Use Permit rests with the Mayor and Council, as they are the final decision-makers in this matter. Their determination will consider both the requirements outlined in the ordinance and the specific merits of the applicant's request, taking into account the potential impact of the additional units on the surrounding community and the overall development within the Downtown Mainstreet District.

In conclusion, the staff acknowledges the applicant's request in alignment with the ordinance and provides this information for the Mayor and Council's consideration in their review of the Conditional Use Permit application.

If granted approval staff recommends the following conditions:

1. If the Mayor and Council approve the development of the sixty units, staff recommends that the applicant preserve the architectural design as presented in the rendered photo provided to staff.

Attachments Included:

- Application
- Letter of Intent
- Authorization of Property Owner
- Floor Plan