

OFFICE OF THE MAYOR
THE HONORABLE ANGELYNE BUTLER, MPA



CITY OF
FORESTPARK

July 24, 2023

Forest Park City Council
Forest Park City Hall
745 Forest Parkway
Forest Park, GA 30297

Re: Veto Message (4140 Jonesboro Road)

Dear Colleagues:

After careful consideration, I hereby exercise my veto authority pursuant to Section 2.32(b) of the Charter and apply said authority to the resolution approving a Conditional Use Permit for Self-Storage located at 4140 Jonesboro Road, during the July 17th, 2023, meeting of the City Council of Forest Park. During the course of the staff presentation on the request in question, the following was brought to the attention of the Governing Body and hereby serves as the premise for my veto:

- I. First, and most egregious, is evidence of a widespread lack of compliance with our occupation tax code. In the most simplistic term, at the location in question, there were several businesses operating sans occupation tax certificates (business licenses).
- II. Staff offered several new conditions that were not previously presented to the Governing Body in an effort to address this lack of compliance. As such, sufficient time to consider these new conditions nor sufficient time to address alternative methods of achieving compliance was present. The only conditions that were available for our prior review were those included in the agenda packet.
- III. Additionally, the applicant stated at the meeting that the self-storage units would only be used by existing tenants at 4140 Jonesboro Road and not be available to the general public.
- IV. The application itself, which was submitted to staff and presented to the Governing Body, indicated that said units would be for the general public to use.

All persons operating within our jurisdiction limits of the City of Forest Park must be in full compliance with all local laws. To grant a request knowing someone is in any manner in non-compliance with the laws set forth by the Governing Body is not a practice we should normalize. Moreover, the Governing Body must approve the information presented in writing to us. Any changes should also be placed in writing and should restart the process to ensure staff has the appropriate time to review said changes before coming to the Governing Body. There is no room nor opportunity for ambiguity. But of the reasons listed above, (lack of compliance and blatant admission and application contradiction) said request, is hereby vetoed. In order for sufficient consideration, it is my desire that the applicant addresses the specific reasons for the denial and resubmit their application accordingly.

With the Utmost Respect,

Angelyne Butler, MPA
Mayor

cc: Ricky L. Clark, Jr., City Manager, Michelle Hood, Interim City Clerk



CITY OF FOREST PARK

Planning & Community Development Department
785 Forest Parkway
Forest Park, Georgia 30297
(404) 608-2300 Fax: (404) 608-2306

Staff Report – Conditional Use Permit

Public Hearing Date: June 15, 2023

City Council Meeting: July 3, 2023

Case: CUP-2023-05

Current Zoning: GC – General Commercial District

Proposed Request: Conditional Use for self-storage.

Staff Report Compiled By: SaVaughn Irons, City Planner

Staff Recommendation: Approval

APPLICANT INFORMATION

Owner of Record:

Name: Old Peachtree Properties, LLC

Address: 645 Elmwood D.

City/State: Forest Park, GA 30297

Applicant:

Name: Gerald Tirella

Address: 4140 Jonesboro Rd.

City/State: Forest Park, GA 30297

PROPERTY INFORMATION

Parcel Number: 13015D C007

Acreage: 0.43

Address: 4140 Jonesboro Rd., Forest Park, GA 30297

FLU: Commercial

SUMMARY & BACKGROUND

The applicant is requesting a Conditional Use Permit to allow a 6,152-square foot renovation of the rear of the International Discount Mall to build self-storage units in the rear of the facility to be rented by existing mall tenants and general public. Presently, the space is utilized as an International Discount Mall at 4140 Jonesboro Rd. This property is currently zoned General Commercial (GC). The intent of the GC district is to provide a land use category for a diversity of commercial uses that provide products and services on a regional level. Per Sec 8-8-40 General Commercial District (GC) mini-warehouses and storage buildings are only permitted under a conditional use permit. West of the arterial street is Scott Rd. The street frontage for this parcel is Jonesboro Rd; North, West and South of the parcel are commercial/retail businesses and east of the parcel is outside the city limits.

Property Zoned Institutional Commercial (IC)

ZONING CLASSIFICATIONS OF CONTIGUOUS PROPERTIES

Direction	Zoning & Use	Direction	Zoning & Use
North	GC: General Commercial District	East	Outside of City Limits
South	GC: General Commercial District	West	GC: General Commercial District

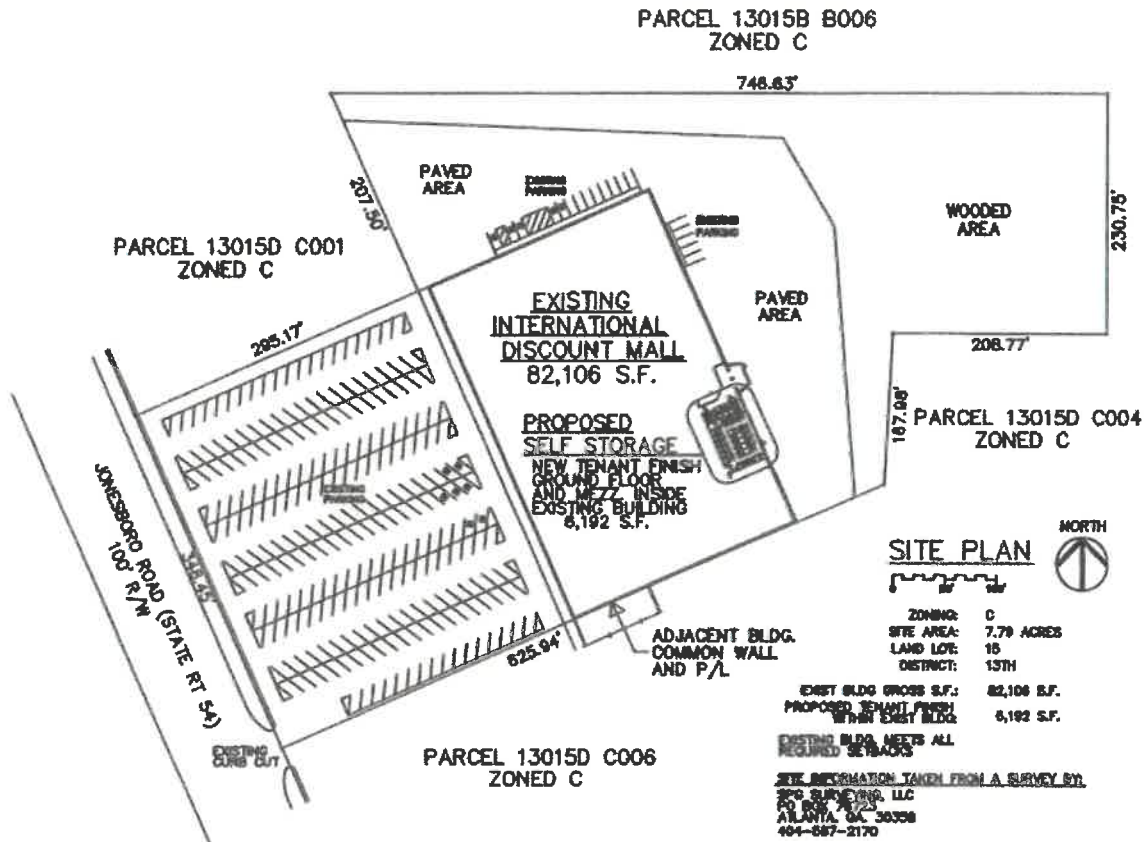
AERIAL MAP

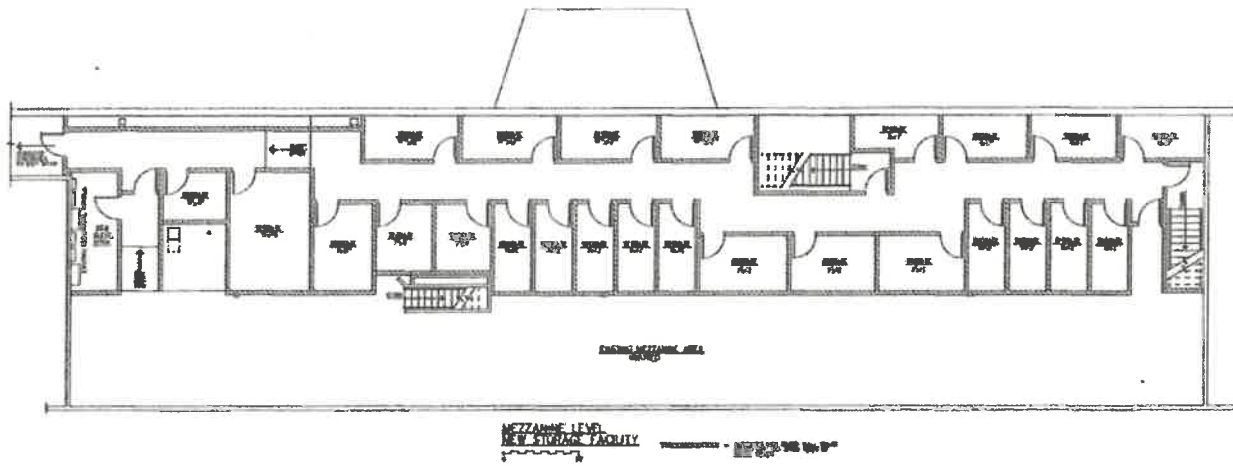


ZONING MAP



SITE PLAN





SITE PHOTOS – MARCH 2023



ZONING CRITERIA AND ANALYSIS

- 1. Would the proposed amendment be consistent and compatible with the City's land use and development, plans, goals, and objectives?** The proposed use is compatible and consistent with the City's land use and development goals and objectives. The new interior addition to the existing discount mall will be built as self-storage for mall tenants. There will not be any renovations to the exterior of building.
- 2. Would the proposed amendment tend to increase, to decrease, or to have no impact on traffic safety and congestion in the streets?** The proposal will not cause a significant impact on the transportation infrastructure.
- 3. Would the proposed amendment tend to increase, to decrease, or to have no relationship to safety from fire and other dangers?** The proposed use will not have an increase, decrease of the relationship to safety from fire and other dangers if event space attendee numbers are minimized.
- 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 development does not appear to be a detriment to the public health, safety, morals, or general welfare 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 use will not increase, decrease or have any influence on the adequacy of light and air.
- 6. Would the proposed amendment tend to cause, to prevent, or to have no influence on the overcrowding of land?** No.
- 7. 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 so dense in population as to adversely affect the health, safety, and general welfare of the City?** The proposed use will not increase the population or density as to adversely affect the health, safety, and general welfare of the City.
- 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 use will not cause any additional impact on the water/sewer and other utilities or other public 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 subject property value has no existing zoning restriction that would diminish the value and enjoyment of surrounding properties.
- 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? Granting a Conditional Use Permit would not diminish the future uses of the property and surrounding area.

11. **Would the proposed amendment have measurable adverse economic effect on the value of surrounding or adjacent property?** The use appears suitable for the nearby properties. The applicant has advised that the updates made to said property will be internal only. There is no indication of any potential detrimental causes that would decrease the property value of surrounding or adjacent property.
12. **Would the proposed amendment create an isolated district unrelated to adjacent and nearby districts?** The Conditional Use Permit would not create an isolated district.

STAFF RECOMMENDATION

Staff recommends **APPROVAL OF A CONDITIONAL USE PERMIT** to allow a self-storage addition in the rear of the International Discount Mall within the General Commercial District (GC) **WITH THE FOLLOWING CONDITIONS:**

1. The applicant must obtain a building permit for interior renovations.
2. The applicant will provide a letter of approval/consent from the property owner.
3. The applicant will provide detail rendering of what proposed addition will look like
4. The applicant will provide storage policies for owners.
5. The applicant will provide a Circulation plan for entry and exit of location for self-storage.

Attachments Included:

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

FP City Council
July 17th

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

NOTICE IS HEREBY GIVEN: The City of Forest Park City Council 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 Monday, July 17, 2023, at 7:00 p.m. at Forest Park City Hall, Council Chambers, 745 Forest Parkway, Forest Park, GA 3029.

CUP-2023-04 Conditional Use for 5370 Ash St., Parcel # 13079D 0010 Forest Park, Georgia. The applicant, Cynthia Waters, is requesting a conditional use permit to allow a youth performing arts facility, rehabilitation group home for teens, summer camp, health clinic and an adult education program in a church within the Single-Family residential District (RS).

CUP-2023-05 Conditional Use for 4140 Jonesboro Rd., Parcel # 13015D C007 Forest Park, Georgia. The applicant, Gerald Treha, is requesting a conditional use permit to allow a 6,152-sf renovation of the rear of the International Discount Mall to build self-storage units to be rented by existing mall tenants and the general public.

RZ-2023-01-Rezoning for Parcel # 13015C A006, 0 Scott Road, Forest Park, Georgia. The applicant, Divine Dream Homes ATL, LLC, is requesting to rezone 1.69 acres from RS (Single-Family Residential) to RM (Multi-family Residential) to build townhomes.

RZ-2023-02-Rezoning for Parcels # 13015C A003, 13015C A009, and 13015C A002, 0 Scott Road, Forest Park, Georgia. The applicant, Divine Dream Homes ATL, LLC, is requesting to rezone 1.628 acres from RS (Single-Family Residential) to RM (Multi-family Residential) to build townhomes.

RZ-2023-03-Rezoning for 4233 Thurman Rd., Parcel # 13017A B014, Forest Park, Georgia. The applicant, KINH Enterprises Inc. is requesting to rezone 0.287 acres from RS (Single-Family Residential) to GC (General Commercial) to rebuild a convenience store.

LaShawn Gardner, Director
Planning & Community
Development Department
404-366-4720
8003-351134
6/28/23 7/5,12,2023

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LaShawn Gardner, Director
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404-366-4720
8003-351134
6/28/23 7/5,12,2023

0020 Service/Construction Bids

The Clayton County Water Authority will open sealed proposals from qualified vendors via a Virtual Terms Meeting on Thursday July 20, 2023, at 2:00 p.m. local time for the:

Annual Contract for Mitigation Services

Any proposals received after this date and time will be considered non-responsive.

A Non-Mandatory Pre-Pro

sign (b)(6)(c)
0020-348264,
6/7,14,21,28,7/5,2023

Request for Proposals
RFP No. 018-23

Clayton County Public Schools is seeking Requests for Proposals from prequalified Construction Management at Risk firms for the Riverdale Early Learning Center located at 6630 Camp Street, Riverdale, GA 30296.

Only prequalified firms can submit proposals.

The proposed project scope of work consists of, but not limited to the following:

The new construction 500 capacity pre-kindergarten facility will include a 2 story Administration wing that will contain offices and conference rooms, 4 classroom pods that will consist of 8 classrooms and a collaboration space, A media center, STEM lab, play, art and music rooms, a fully functional kitchen and cafeteria. On-site parking, bus and parent drop-offs. Outdoor playgrounds and lawn learning areas.

The Pre-Proposal Meeting is mandatory for all Pre-qualified Firms and will be held at 218 Stockbridge Road, Jonesboro, GA 30236 at 2 pm on June 14, 2023. Any Firm that fails to attend the mandatory Pre-Proposal Meeting shall not be permitted to submit a proposal on the project.

The proposed project scope of work consists of, but not limited to the following:

The new construction 500 capacity pre-kindergarten facility will include a 2 story Administration wing that will contain offices and conference rooms, 4 classroom pods that will consist of 8 classrooms and a collaboration space, A media center, STEM lab, play, art and music rooms, a fully functional kitchen and cafeteria. On-site parking, bus and parent drop-offs. Outdoor playgrounds and lawn learning areas.

The Pre-Proposal Meeting is mandatory for all Pre-qualified Firms and will be held at 218 Stockbridge Road, Jonesboro, GA 30236 at 2 pm on June 14, 2023. Any Firm that fails to attend the mandatory Pre-Proposal Meeting shall not be permitted to submit a proposal on the project.

Only prequalified firms can submit proposals.

Proposal submission
Deadline: July 10, 2023 at 3:00 pm.

CCPS will only accept on-line submissions for this RFP.

Firms must register in Bonfire as a vendor at: <https://claytonk12ga.bonfire.com/portal?tab=login> in order to submit a proposal prior to the submission deadline.

Proposals and all required forms must be fully completed signed in ink and

to make immediate payment to the undersigned, this 11th day of May, 2023.

This 19th day of May, 2023

Glenn A. Townsend, Executor of the Estate of Edwin C. Altman deceased c/o Daniel C. Haygood Attorney at Law Two South Main Street Suite C
P.O. Box 207
Wadkinsville, Georgia
30677
9025-348734
6/14,21,28,7/5,2023

GDP2157
5097

Notice to debtors and creditors

All Creditors of the Estate of Shirley Jean Short, late of Gwinnett County, Georgia, are hereby notified to render in their demands to the undersigned according to law, and all persons indebted to said Estate are required to make immediate payment.

This 5 day of July, 2023.
Catherine L. Shepard & Cynthia J. Reiskov, co-Executrix Estate of Shirley Jean Short
3055 Alston Way, Suwanee, Gwinnett, GA 30029
123 NW 13th Street, Oak Island, Brunswick, NC 33445
7/5,12,19,24,2023

NOTICE TO DEBTORS AND CREDITORS

STATE OF GEORGIA, COUNTY OF CLAYTON

All creditors of the estate of IRENE FRANKS, Estate number 2022-0171E, deceased, late of Clayton County, Georgia are hereby notified to submit their demands by filing same with the Probate Court of Clayton County, 121 S. McDonough Street, Bldg 3, Jonesboro, Georgia, 30236 according to law, and all persons indebted to said Estate are required to make immediate payment to the undersigned.

This the 13th day of June, 2023.

/s/ TED N. ECHOLS, ESQ.
Attorney
ECHOLS LAW GROUP, P.C.
505 Corporate Center Dr., Ste 106 Stockbridge, GA 30281
9025-349582
6/21,28,7/5,12,2023

NOTICE TO DEBTORS AND CREDITORS

STATE OF GEORGIA, COUNTY OF CLAYTON

All creditors of the estate of JACQUELINE REGINA POTTS, Estate number 2023-0430E, deceased, late of Clayton County, Georgia are hereby notified to render their demands by filing same with the Probate Court of Clayton County, 121 S. McDonough Street, Bldg 3, Jonesboro, Georgia, 30236 according to law, and all persons indebted to said Estate are required to make immediate payment to the undersigned.

This the 8th day of June, 2023

/s/ Christopher J. Horton, Attorney

CHRISTOPHER J. HORTON, ESQ.
ECHOLS LAW GROUP, P.C.
505 Corporate Center Dr., Ste 106 Stockbridge, GA 30281
9025-349456.