

1 **STATE OF GEORGIA**
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3 **CITY OF COLLEGE PARK**

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6 **RESOLUTION NO. 2016-07**
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9 A RESOLUTION TO AUTHORIZE CERTAIN CONDITIONAL USES AND
10 CONDITIONAL HEIGHT PERMITS FOR PARCELS OF PROPERTY LOCATED AT
11 1762 TEMPLE AVENUE, 1770 TEMPLE AVENUE, 1776 TEMPLE AVENUE, 1784
12 TEMPLE AVENUE, 1792 TEMPLE AVENUE, AND 3661 JEFFERSON STREET; TO
13 PROVIDE SEVERABILITY; TO PROVIDE A PENALTY; TO PROVIDE FOR
14 REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS; TO PROVIDE
15 AN ADOPTION AND EFFECTIVE DATE; AND TO PROVIDE FOR OTHER
16 LAWFUL PURPOSES.

17 **WHEREAS**, the governing body of the City of College Park, Georgia (“City”) is
18 the Mayor and Council thereof; and

19 **WHEREAS**, Article XIX, Conditional Use Regulations, Section 2, Other
20 Conditional Uses, of the Zoning Ordinance of the City of College Park, Georgia,
21 authorizes the governing body to permit uses which are not listed as permitted or
22 prohibited in all commercial zoning districts of the City; and

23 **WHEREAS**, the subject properties are zoned TSC Transit Station Commercial
24 District; and

25 **WHEREAS**, the property owner or such owner's representative has requested to a
26 Conditional Use Permit to allow for construction of a 150-185 unit renter-occupied multi-
27 family residential building with ground floor dwelling units at the subject property; and

28 **WHEREAS**, Article XIV-F, “TSC” Transit Station Commercial District
29 Regulations, Section 3(b)(4)(a), Uses Permitted Only Upon Approval of Mayor and
30 Council, of the Zoning Ordinance of the City of College Park, Georgia, provides that
31 residential uses must be approved by the governing body; and

32 **WHEREAS**, the Mayor and Council find that the proposed use of the property
33 would contribute to the revitalization of that area of the City; and

34 **WHEREAS**, the Mayor and Council find that the use of said property would be
35 compatible with the TSC Transit Station Commercial District’s character; and

36 **WHEREAS**, the Mayor and Council find that the proposed use of said property is
37 compatible with other uses allowable by right in the TSC Transit Station Commercial
38 District; and

39 **WHEREAS**, the amendments contained herein would benefit the health, safety,
40 morals and welfare of the citizens of the City of College Park.

41 **BE IT AND IT IS HEREBY RESOLVED** by the Mayor and Council of the
42 City of College Park, Georgia, and by the authority thereof:

43 **Section 1.** That the development of the 150-185 unit renter-occupied multi-
44 family residential building with ground level units, upon parcels of property located at
45 1762 Temple Avenue (PARCEL ID # 14-0160-0001-035-2), 1770 Temple Avenue
46 (PARCEL ID # 14-0160-0001-034-5), 1776 Temple Avenue (PARCEL ID # 14-0160-
47 0001-033-7), 1784 Temple Avenue (PARCEL ID # 14-0160-0001-050-1), 1792 Temple
48 Avenue (PARCEL ID # 14-0160-0001-048-5), and 3661 Jefferson Street (PARCEL ID #
49 14-0160-0001-037-8), is an approved conditional use in the TSC Transit Station
50 Commercial District pursuant to Section 2 of Article XIX of the Zoning Ordinance of the

51 City of College Park.

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

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

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

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

74 effect.

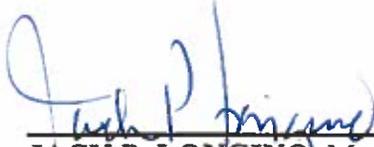
75 **Section 4.** All resolutions and parts of resolutions in conflict herewith are hereby
76 expressly repealed.

77 **Section 5.** Penalties in effect for violations of Chapter 1 of the Code of
78 Ordinances, City of College Park, Georgia at the time of the effective date of this
79 Resolution shall be and are hereby made applicable to this Resolution and shall remain in
80 full force and effect.

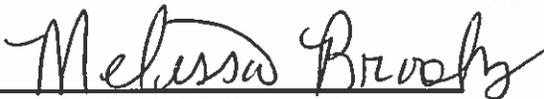
81 **Section 6.** The effective date of this Resolution shall be the date of adoption
82 unless otherwise specified herein.

83 **RESOLVED** this 19th day of January, 2016.

84 **CITY OF COLLEGE PARK, GEORGIA**

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90 **JACK P. LONGINO**, Mayor

91 **ATTEST:**

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96 **MELISSA BROOKS**, City Clerk

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99 **APPROVED AS TO FORM:**

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103 **STEVEN FINCHER**, City Attorney
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