

Proposed Ordinance: #0-24-23
Subject Matter: Amend Paragraph 13(f) – The Villages Dev. Agreement
Parcel Number: 0523 107
Date of Published Notice of Public Hearing: August 2, 2023
Date of Planning Commission Public Hearing: August 22, 2023
Date of City Council Public Hearing and Adoption: September 21, 2023

CITY OF FAYETTEVILLE
COUNTY OF FAYETTE
STATE OF GEORGIA

ORDINANCE NUMBER 0-24-23
CITY OF FAYETTEVILLE, GEORGIA

PREAMBLE AND FINDINGS

WHEREAS, the City of Fayetteville (the “City”) on July 20, 2023, approved Ordinance Number #0-11-23 to amend the Development Agreement for The Villages at Lafayette specifically as they relate to a 5.29-acre tract of land as described in **EXHIBIT “A”** (hereinafter referred to as “the subject parcel”); and

WHEREAS, the subject tract is zoned PCD Planned Community Development and subject to The Villages at Lafayette Development Agreement; and

WHEREAS, said ordinance was adopted with understandings and conditions that are subject to discretionary amendments by this City Council; and

WHEREAS, this City Council finds it necessary to amend conditions 2 and 6 as identified in Exhibit “B” and specifically as they relate to the type of kitchen appliances that may be permitted within each guest room; and

WHEREAS, the City has given notice to the public of this proposed action as required by law and public hearings have been conducted as required by law. The City complied with the requirements of O.C.G.A. § 36-36-4 and § 36-36-5 prior to the adoption of this Ordinance.

ORDINANCE

IT IS HEREBY ADOPTED AND ORDAINED BY THE CITY OF FAYETTEVILLE AS FOLLOWS:

ARTICLE I

Pursuant to the authority granted to the City Council of the City of Fayetteville, it is hereby ordained that the understandings and conditions related to this rezoning and adopted by this City Council on July 20, 2023 in Ordinance Number #0-11-23, are amended as identified in **EXHIBIT "B"**, which includes any representations submitted by the applicant to the City Council, and accepted by the City Council, and reflected in the minutes of the City Council, which representations shall be a part of this ordinance.

ARTICLE II

Any ordinance or part of any ordinance in conflict herewith is hereby repealed.

ARTICLE III

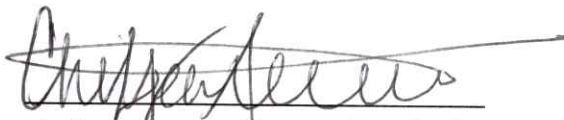
If any section, subsection, sentence, clause, phrase, or other portion of this ordinance for any reason is held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed as a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portion hereof.

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF FAYETTEVILLE at a regular meeting of the Mayor and Council on the 21 day of Sept, 2023, by the following voting for adoption.

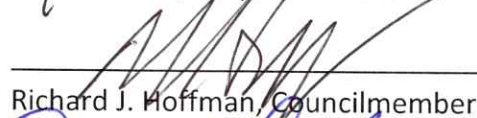
Attest:

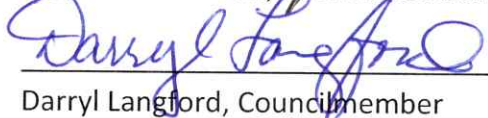

Edward J. Johnson, Jr., Mayor

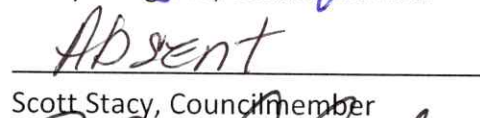
Attest:


Chelsea Sieman, Deputy City Clerk


Niyah Glover, Mayor Pro Tem


Richard J. Hoffman, Councilmember


Darryl Langford, Councilmember


Absent
Scott Stacy, Councilmember


T. Joe Clark, Councilmember

Exhibit "A"
Legal Description

Parcel No. 0523 107

All that tract of land lying and being in Land Lot 124 of the 5th District of Fayette County, Georgia, and being 6.25 acres as shown on the boundary survey for Village Corners, LLC prepared by George T. White, R.L.S., dated August 22, 2007, which plat is recorded at Plat Book 44, Page 132 in the office of the Clerk of the Superior Court of Fayette County, Georgia, said plat being made part hereof by reference.

Less and except:

Beginning at a found ½" rebar at the northwest corner of the 6.25 acre tract, as shown on a plat recorded in Plat Book 44, Page 132; Thence along the north line of said Tract, North 86 degrees 47 minutes 56 seconds East, a distance of 253.39 feet to a set ½" rebar with cap LSF 136; Thence leaving said north line, South 03 degrees 17 minutes 01 seconds East, a distance of 30.93 feet to a set ½" rebar with cap LSF 136; Thence South 63 degrees 03 minutes 16 seconds East, a distance of 30.03 feet to a set ½" rebar with a cap LSF 136; Thence South 86 degrees 47 minutes 56 seconds West, a distance of 130.28 feet to a set ½" rebar with cap LSF 136; Thence South 03 degrees 12 minutes 07 seconds East, a distance of 135.48 feet to a found ½" rebar; Thence South 86 degrees 47 minutes 34 seconds West, a distance of 70.92 feet to the right-of-way of Meeting Place Drive and a found ½" rebar; Thence along said right-of-way, South 86 degrees 47 minutes 56 seconds West, a distance of 79.09 feet to a found ½" rebar; Thence North 03 degrees 12 minutes 04 seconds West a distance of 220.18 feet to the POINT OF BEGINNING.

Containing 0.86 acres, more or less.

Exhibit "B"

Amendments to Development Agreement The Villages at Lafayette

1. Paragraph 13(b) of The Villages at Lafayette Development Agreement shall be amended as follows:
Within Parcel Number 0523 107, there shall be no more than 30 multi-family units on the 2nd, 3rd and 4th floors above retail shops and commercial space.
2. Paragraph 13(f) of The Villages at Lafayette Development Agreement shall be amended as follows:
Within Parcel Number 0523 107, there shall be no more than 208 hotel rooms on the property. It is understood one of the hotel buildings shall be no more than three (3) stories in height and the other shall be no more than five (5) stories in height. Ingress and egress to all hotel rooms shall be from internal corridors via an interior lobby, supervised by a person in charge at all hours. **Said hotels may be "all suites" but may not offer weekly, monthly or other long-term rates for hotel guests.**

In addition to an on-site dining facility, it is understood each guestroom may include a microwave, refrigerator, dishwasher, coffee maker and sink. It is further understood that mounted stoves and/or cooktops found within a residential kitchen shall not be located within the guestrooms.

3. Approval of the rezoning does not serve as approval of the conceptual site plan or the schematic building elevations. Each phase of the development shall adhere to the established conceptual site plan submittal process prior to being presented to the Planning and Zoning Commission. Should there be substantial modifications to the conceptual site plan and/or the schematic building elevations as presented, the Applicant shall be required to resubmit the conceptual site plan and/or the schematic building elevations for review and approval.
4. The Applicant shall coordinate with the Fire Marshal to ensure the design of the internal road network provides safe and sufficient access for emergency apparatus.
5. It is understood that as a part of the site development plan process the Applicant shall coordinate with the City Engineer and the Georgia Department of Transportation to determine if additional lane and/or traffic signal improvements are warranted along West Lanier Avenue and/or Tiger Trail.
6. "No trailer parking" signs shall be posted on site.
- ~~7. Kitchen facilities, with the exception of a small refrigerator, microwave, sink, and coffee maker shall be prohibited within each guest room.~~