

**Proposed Ordinance: #0-8-21**  
**Subject Matter: Rezoning of 8.13-acre Campaign TRL tract (Parcel 0523 023)**  
**PCD Planned Community Development to PCD Planned Community**  
**Development**  
**Date of Published Notice of Public Hearing: May 5, 2001**  
**Date of Planning and Zoning Commission Public Hearing: April 27, 2021**  
**Date First Presented at City Council Public Meeting: June 3, 2021**  
**Date of Public Hearing and Adoption: June 17, 2021**

**CITY OF FAYETTEVILLE**  
**COUNTY OF FAYETTE**  
**STATE OF GEORGIA**

**ORDINANCE NUMBER 0-08-21**  
**CITY OF FAYETTEVILLE, GEORGIA**

**PREAMBLE AND FINDINGS**

The City of Fayetteville (the "City") has received an application for rezoning by Caballero Holdings, LLC for property located at the intersection of Highway 54 West and Lafayette Avenue, Fayetteville GA, Parcel No. 0523 023 (8.13 acres) described in EXHIBIT "A". Said parcel of property is presently zoned PCD Planned Community Development and permitted for 24 independent living villas with attached garages, a 60-unit assisted living building and a 30-unit memory care building. The Applicant desires to modify the conditions of the PCD Planned Community Development zoning and replace these units with an 89-unit townhome development.

The City has given notice to the public of this proposed rezoning 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**

The zoning classification of the property described in Exhibit "A" attached hereto and incorporated herein, shall be, and is hereby established as PCD Planned Community

Development, pursuant to the City of Fayetteville's Comprehensive Zoning Ordinance, and in accordance with the understandings and conditions imposed by the Mayor and City Council.

The City's new ordinance classification upon the described property shall become immediately effective. The City's Comprehensive Zoning Map is hereby amended to reflect this rezoning.

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Any ordinance or part of any ordinance in conflict herewith is hereby repealed.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

## **ARTICLE IV**

This ordinance shall become immediately effective upon its adoption, subject to the any conditions contained in the minutes of the City Council, which are part of this ordinance; any representations submitted by the applicant to the City Council, accepted by the City Council, and reflected in the minutes of the City Council; all of which representations shall be an amendment to the rezoning application and a part of this ordinance.

**BE IT RESOLVED**, that the Mayor and Council of the City of Fayetteville, Georgia do hereby adopt the attached City of Fayetteville ordinance.

**SO RESOLVED**, this 17<sup>th</sup> day of June, 2021.

**Attest:**

\_\_\_\_\_  
Edward J. Johnson, Jr., Mayor

\_\_\_\_\_  
Darryl Langford, Mayor Pro Tem

Attest:

\_\_\_\_\_  
T. Joe Clark, Councilmember

\_\_\_\_\_  
Anne Barksdale, City Clerk

\_\_\_\_\_  
Richard J. Hoffman, Councilmember

\_\_\_\_\_  
Paul C. Oddo, Jr., Councilmember

\_\_\_\_\_  
Scott Stacy, Councilmember

## Exhibit "A"

### Legal Description

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 124 OF THE 5TH DISTRICT, CITY OF FAYETTEVILLE, FAYETTE COUNTY, GEORGIA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWING:

BEGINNING AT AN IRON PIN SET AT THE SOUTHEASTERLY END OF A MITERED INTERSECTION FORMED BY THE NORTHWESTERLY RIGHT-OF-WAY OF GEORGIA HIGHWAY 54 (VARIABLE RIGHT- OF-WAY) AND THE NORTHEASTERLY RIGHT-OF-WAY OF CAMPAIGN TRAIL (VARIABLE RIGHT-OF- WAY), SAID POINT BEING THE POINT OF BEGINNING THENCE NORTH 63 DEGREES 2 MINUTES 53 SECONDS WEST, A DISTANCE OF 38.14 FEET TO A HALF INCH REBAR AND CAP FOUND; THENCE ALONG SAID MITER NORTH 17 DEGREES 29 MINUTES 10 SECONDS WEST, A DISTANCE OF 85.60 FEET TO A POINT; THENCE DEPARTING SAID MITERED RIGHT-OF-WAY OF GEORGIA HIGHWAY 54 (VARIABLE RIGHT-OF-WAY) ALONG THE RIGHT-OF-WAY OF CAMPAIGN TRAIL (VARIABLE RIGHT- OF-WAY) THE FOLLOWING COURSES AND DISTANCES:

THENCE ALONG A CURVE TO THE LEFT A DISTANCE OF 188.57 FEET HAVING A RADIUS OF 277.00 FEET, A CHORD DIRECTION OF NORTH 36 DEGREES 59 MINUTES 13 SECONDS WEST AND CHORD LENGTH OF 184.95 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT A DISTANCE OF 74.57 FEET HAVING A RADIUS OF 173.00 FEET, A CHORD DIRECTION OF NORTH 44 DEGREES 8 MINUTES 23 SECONDS WEST AND CHORD LENGTH OF 73.99 FEET TO A POINT; THENCE NORTH 17 DEGREES 55 MINUTES 37 SECONDS WEST, A DISTANCE OF 82.91 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT A DISTANCE OF 78.40 FEET HAVING A RADIUS OF 527.00 FEET, A CHORD DIRECTION OF NORTH 8 DEGREES 19 MINUTES 26 SECONDS WEST AND CHORD LENGTH OF 78.33 FEET TO A POINT; THENCE NORTH 22 DEGREES 0 MINUTES 18 SECONDS WEST, A DISTANCE OF 75.76 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT A DISTANCE OF 208.83 FEET HAVING A RADIUS OF 520.00 FEET, A CHORD DIRECTION OF NORTH 32 DEGREES 21 MINUTES 14 SECONDS WEST AND CHORD LENGTH OF 207.43 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT A DISTANCE OF 135.40 FEET HAVING A RADIUS OF 580.00 FEET, A CHORD DIRECTION OF NORTH 37 DEGREES 10 MINUTES 16 SECONDS WEST AND CHORD LENGTH OF 135.09 FEET TO A HALF INCH REBAR FOUND; THENCE DEPARTING SAID RIGHT-OF-WAY NORTH 85 DEGREES 23 MINUTES 27 SECONDS EAST, A DISTANCE OF 592.20 FEET TO A POINT; THENCE SOUTH 4 DEGREES 3 MINUTES 6 SECONDS EAST, A DISTANCE OF 539.97 FEET TO AN IRON PIN SET; THENCE SOUTH 53 DEGREES 46 MINUTES 42 SECONDS EAST, A DISTANCE OF 136.14 FEET TO AN IN IRON PIN SET; THENCE NORTH 85 DEGREES 01 MINUTE 4 SECONDS EAST, A DISTANCE OF 161.33 FEET TO AN IRON PIN SET; THENCE SOUTH 23 DEGREES 40 MINUTES 35 SECONDS EAST, A DISTANCE OF 70.54 FEET TO AN IRON PIN SET ON THE NORTHWESTERLY RIGHT-OF-WAY OF GEORGIA HIGHWAY 54 (VARIABLE RIGHT-OF-WAY); THENCE ALONG SAID RIGHT-OF-WAY ALONG A CURVE TO THE RIGHT A DISTANCE OF 419.97 FEET HAVING A RADIUS OF 3,763.72 FEET, A CHORD DIRECTION OF SOUTH 66 DEGREES 45 MINUTES 14 SECONDS WEST AND CHORD LENGTH OF 419.75 FEET TO A POINT; THENCE DEPARTING SAID RIGHT-OF-WAY NORTH 18 DEGREES 43 MINUTES 54 SECONDS WEST, A DISTANCE OF 28.92 FEET TO A POINT; THENCE SOUTH 70 DEGREES 44 MINUTES 30 SECONDS WEST, A DISTANCE OF 54.37 FEET TO A POINT; THENCE SOUTH 19 DEGREES 3 MINUTES 39 SECONDS EAST, A DISTANCE OF 29.28 FEET TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY OF GEORGIA HIGHWAY 54 (VARIABLE RIGHT-OF-WAY); THENCE SOUTH 72 DEGREES 0 MINUTES 53 SECONDS WEST, A DISTANCE OF 10.72 FEET TO THE POINT OF BEGINNING.

CONTAINS 354,223 SQUARE FEET OR 8.132 ACRES, MORE OR LESS.

AS SHOWN ON AN ALTA/NSPS LAND TITLE SURVEY FOR ONE STREET DEVELOPMENT, LLC AND FIRST AMERICAN TITLE INSURANCE COMPANY PREPARED BY INTEGRATED SCIENCE & ENGINEERING DATED 8/5/19.