

CITY OF HAMPTON

STATE OF GEORGIA

ORDINANCE NO. 2022-571

**TO AMEND THE OFFICIAL ZONING MAP FOR THE CITY OF HAMPTON;
TO REZONE A CERTAIN PARCEL OF LAND FROM SINGLE FAMILY
RESIDENTIAL (R-1) TO PLANNED DEVELOPMENT DISTRICT (PD); TO
ALLOW FOR SINGLE-FAMILY AND TOWNHOME DEVELOPMENT; TO
PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING
ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER
LAWFUL PURPOSES.**

THE COUNCIL OF THE CITY OF HAMPTON HEREBY ORDAINS:

WHEREAS, the Mayor and Council are the governing body of the City of Hampton, Georgia;

WHEREAS, a certain parcel of land bearing address 0 East King Road, and being a portion of Parcel Identification No. 022-01002000, and being 30.08 +/- acres; and

WHEREAS, the owner of said property is desirous of rezoning to PD (Planned Development District) to allow for single-family and townhome development; and

WHEREAS, a public hearing on the application was conducted by the Mayor and Council on March 8, 2022, pursuant to O.C.G.A. § 33-66-1, et seq. and local ordinances at the Hampton Train Depot; and

WHEREAS, the City agrees with the Owner and is desirous of amending the City's zoning map to provide for PD zoning of this certain parcel of land bearing address 0 East King Road, and being a portion of Parcel Identification No. 022-01002000, and being 30.08 +/- acres; and to allow for single-family and townhome use; and

WHEREAS, the City has sought the guidance of its staff and the Mayor and Council to determine if any conditions that must accompany the rezoning, and any and all alternate proposals or amendments, the report of Staff, and all data and evidence taken at the public hearing; and

NOW THEREFORE, IT IS HEREBY ORDAINED after a vote by the Mayor and Council of the City of Hampton that:

Section 1. Rezoning

The Zoning Map of the City of the Hampton be amended to provide for the rezoning of a certain parcel of land bearing address 0 East King Road, and being a portion of Parcel Identification No. 022-01002000, and being 30.08 +/- acres in size described in Exhibit "A" incorporated by reference, and that all conditions recommended by staff and/or the Mayor and Council, be adopted to allow for the rezoning from R-1 (Single-Family Residential) to PD (Planned Use District) subject to the following twenty-six (26) conditions:

General Conditions:

1. Applicant shall submit an environmental evaluation as described in Hampton Code of Ordinances Section 5-6. (J)18 for review by Community Development Department.
2. Owner/Developer shall provide a Concept Site Plan in accordance with Hampton Code of Ordinances, Article 3. Section 3. for review and approval for compliance with PD Zoning District and conditions of zoning ORD. 2022-570 which shall resemble the rendering "Glenmaye" (Attachment A). Maximum density of 3.5 units per gross acre with maximum 52% of units being attached townhome units.
3. Owner/Developer shall provide architectural drawings of the residential products for approval by Community Development Department. Product shall be representative of images presented to Mayor and Council at March 1, 2022 Work Session.

Townhomes:

4. Residential townhomes shall be minimum 24' wide with 2' staggered front and rear elevation with minimum 20' separation between buildings and shall be constructed with brick, stone, or any combination thereof and may include the use of cement siding material for architectural accents including gable, eaves, fascia, etc.
5. Owner/Developer shall provide low height decorative aluminum fencing with brick columns within a maximum 15' wide landscape strip outside of the public right-of-way along the front yard of townhomes 1 through 40, 64 through 71, 85, 86, and 87 to establish an entry streetscape consistent with images presented to Mayor and Council on March 1, 2022 for review and approval by Community Development Department.

6. Owner/Developer shall provide decorative fencing along the rear alley of the townhomes adjacent to Bear Creek Senior Center property and decorative fencing with masonry columns spaced not greater than 100' o.c. along the Hampton-Locust Grove property line.

Single-family Residential:

7. Owner/Developer shall include a combination of 1, 1.5, and 2-story homes within the development.
8. Owner/Developer shall utilize a combination of side entry garages, detached front entry garages, and minimum 5' recessed garage placement for single family residential lots with front access drives.
9. Single-family alley loaded lots shall be a minimum 40' wide with minimum 10' frontyard setback from right-of-way, 10' sideyard setback, and 20' rearyard setback.
10. Single-family front loaded lots shall be a minimum 60' wide with minimum 20' frontyard setback from right-of-way, 10' sideyard setback, and 20' rearyard setback.

Throughout Development:

11. Owner/Developer shall install an irrigation system with rain sensor controller for all lawn, trees, and shrub and ground cover areas within amenity areas and all common areas managed by the development's HOA. Standalone trees and shrubs/ground cover shall be planted in a mulch bed area.
12. Owner/Developer shall install exterior lighting on building structures with full cut off light fixtures and full cut off light fixtures on decorative poles when installed on the grounds and parking areas.
13. Owner/Developer shall provide short term bicycle parking facilities at the clubhouse amenity area.
14. Owner/Developer shall provide one shade tree and one small tree for each single family lot. Small tree requirement per lot may be satisfied as street tree if requirement of a street tree falls within lot frontage. Street trees shall be placed within the 5' landscape strip located between the curb and sidewalk and planted at 80' o.c. where possible.

Landscape plan(s) for the development shall be prepared by a registered landscape architect.

15. Owner/Developer shall provide a 10' wide landscape buffer for rear loaded townhomes that back up to Hampton-Locust Grove Road.
16. Owner/Developer shall provide on-street visitor parking for rear loaded townhomes and rear loaded single family detached homes. The location and quantity of on-street parking shall be approved by the Community Development Department.
17. Owner/Developer shall provide one 12' wide multi-use trail from the development's amenity area containing pool and clubhouse and extend through East Hampton Community Park to connect with the park's 12' wide multi-use trail. Final alignment to be approved by Community Development Department.
18. Owner/Developer shall develop pocket parks to include benches and accent landscaping.
19. Development shall provide decorative street signage in accordance with City of Hampton Gateway Signage - Standard Street ID.
20. Owner/Developer shall provide one clubhouse or meeting facility (1,300 min. sf) in adherence with City of Hampton Code, Article 3. Section 3-4 which satisfies amenity requirement for Single Family Development with 51-100 units.
21. Owner/Developer shall provide required amenities in adherence with City of Hampton Code, Article 3. Section 3-4 for Townhouse Development with 51-100 units.
22. Owner/Developer shall provide a 20-foot access exclusive of residential lot area as designated entrance to all stormwater detention facilities. Stormwater facilities shall be enclosed by a 5' high black chain link fence with 10' wide gated vehicular access. Facilities shall be landscaped around the fence perimeter to minimize visual impact fencing has on the development.
23. Owner/Developer shall provide a 20' access easement along HWY 20 for construction of a multi-use trail to connect with City of Hampton Greenway Trail Master Plan.

24. Owner/Developer shall establish a Homeowner's Association (HOA) or similar agreement for maintenance of the property to ensure uniformity in the appearance and maintenance of the townhomes and common areas including parking facilities, entry monument signage, amenity structures, accessory structures, lighting, bike facilities, landscaping, parks, open space, fencing, stormwater facilities, and the like. The agreement shall be filed with Clerk of Superior Court, Henry County, GA prior to City of Hampton approval of final plat for the development.

25. Owner/Developer agrees that the entirety of the development shall be separately metered utilities including water, sewer, and electric and shall be occupied by a family as defined by City of Hampton Code Appendix A. Article 2. Definitions.

26. Owner/Developer agrees that the development shall not permit a rental residential use within, or on the same lot as, a principle residential structure.

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. This Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City of Hampton.

Section 4. This Ordinance shall take effect immediately upon its adoption. All Ordinances in conflict herewith are expressly repealed. It is the intention of the governing body, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances, City of Hampton, Georgia, and the sections of this Ordinance may be renumbered, if necessary, to accomplish such intention.

Section 5.

- 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, and 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

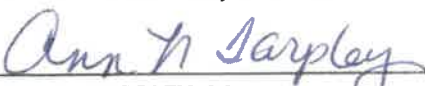
by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or Sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and Sections of the Article shall remain valid, constitutional, enforceable, and of full force and effect.

Section 6. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 7. The effective date of this Ordinance shall be the date of adoption unless otherwise specified herein.

SO ORDAINED, this 12 day of April, 2022.

CITY OF HAMPTON, GEORGIA



ANN N. TARPLEY, Mayor

ATTEST:



RASHIDA FAIRLEY, City Clerk

APPROVED AS TO FORM:



L'ERIN BARNES WIGGINS, City Attorney

First Reading: 3/8/2022

Second Reading/Adoption: 4/12/2022

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 144 of the 3rd District, Henry County, Georgia, and being more particularly described as follows:

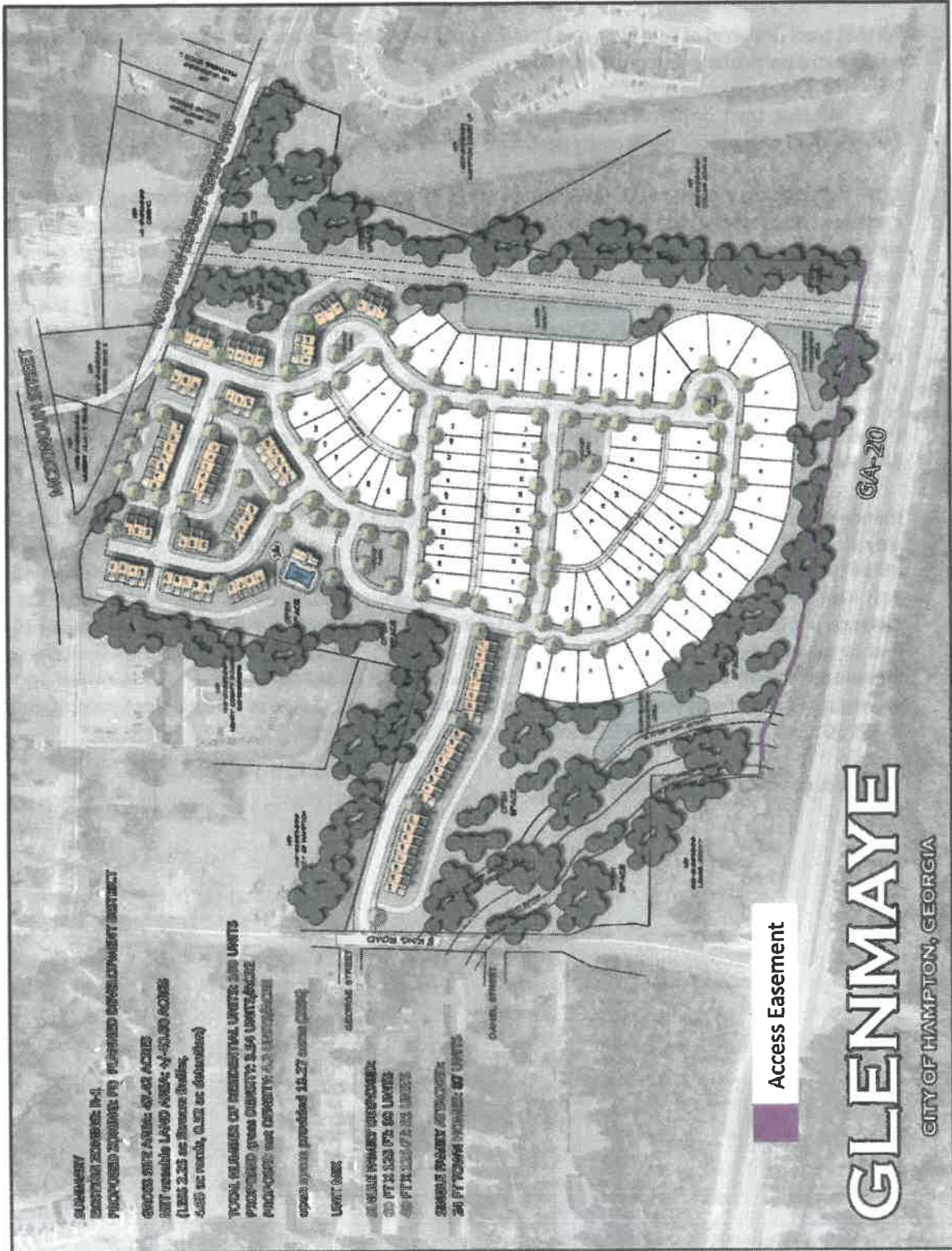
All that tract or parcel of land lying and being in Land Lot 144 of the 3rd District, Henry County, Georgia, and being more particularly described as follows:

COMMENCING at a point at the intersection of the southerly right-of-way of McDonough Street (60' R/W) and the southwesterly right-of-way of Hampton - Locust Grove Road (80' R/W); thence along the southerly right-of-way of McDonough Street South 85°53'46" West, a distance of 118.15 feet to a 5/8 inch found; thence leaving said right-of-way South 07°48'05" West, a distance of 842.46 feet to an axle found, being the **POINT OF BEGINNING**; thence South 73°35'16" East, a distance of 999.19 feet to a point; thence South 00°36'10" West, a distance of 342.52 feet to a 1/2 inch rebar found; thence South 05°01'45" West, a distance of 69.32 feet to a 1/2 inch rebar found; thence South 02°10'23" West, a distance of 346.93 feet to a point on the northerly right-of-way of Georgia Highway 20 (R/W Varies); along said right-of-way the following calls: thence North 79°38'36" West, a distance of 378.30 feet to a concrete monument found; thence North 79°55'43" West, a distance of 599.69 feet to a concrete monument found; thence North 67°02'46" West, a distance of 205.00 feet to a point;

thence North 87°12'11" West, a distance of 107.21 feet to a 1/2 inch rebar set; thence leaving said right-of-way North 00°19'37" East, a distance of 218.34 feet to a 1/2 inch rebar with cap found; thence North 86°34'07" West, a distance of 351.08 feet to a 1/2 inch rebar with cap found on the easterly right-of-way of East King Road (R/W Varies); thence along said right-of-way the following calls: North 10°09'21" East, a distance of 62.04 feet to a concrete monument found; thence North 02°25'47" West, a distance of 104.23 feet to a concrete monument found; thence North 21°14'17" West, a distance of 55.19 feet to a concrete monument found; thence North 01°09'10" East, a distance of 547.58 feet to a 1/2 inch rebar set; thence leaving said right-of-way South 71°56'34" East, a distance of 539.62 feet to a 3 inch pipe found; thence South 71°35'36" East, a distance of 170.11 feet to an axle found, being the **POINT OF BEGINNING**.

Said tract contains 30.088 acres of land.

ATTACHMENT - A
(CONCEPT PLAN)



SUMMARY
 EXISTING ZONING: R-1
 PROPOSED ZONING: PD PLANNED DEVELOPMENT DISTRICT

GEORGIA SITE PLAN: 67.02 ACRES
 NET AVAILABLE LAND AREA: 47-50.00 ACRES
 (LESS 2.25 ac. Blomson Road,
 0.55 ac. roads, 0.52 ac. drainage)

TOTAL NUMBER OF RESIDENTIAL UNITS: 200 UNITS
 PROPOSED YRHS COMPLY 2.54 UNITS/ACRE
 PROPOSED MAX DENSITY: 4.3 UNITS/ACRE

open space provided 18-27 acres (42%)

UNIT TYPE
 ALL SINGLE-FAMILY OPERABLE:
 200 FT 1-1/23 FT 60 UNITS
 400 FT 1-1/23 FT 20 UNITS

STREETS
 200 FT 1-1/23 FT 60 UNITS

Access Easement

GLENMAYE
 CITY OF HAMPTON, GEORGIA

G.A-20