

# Development in College Park Georgia

## Airport Proximity Concerns

College Park, Georgia, is fortunate to be located adjacent to Hartsfield-Jackson Atlanta International Airport (ATL), the world's busiest. ATL is controlled by the City of Atlanta's Department of Aviation (DOA).

Because of our location adjacent to the ATL airport, there are several considerations that must be understood regarding airport proximity development.

**At least 45 days prior to any construction, Form 7460-1 should be submitted to the FAA.**  
<https://www.faa.gov/forms/index.cfm/go/document.information/documentID/186273>

Early in the design process, meetings should be held with representatives of the City of Atlanta's Department of Aviation (ATL/DOA). Note that the ATL/DOA Airport General Manager has the right, as noted in the aviation easement(s), to restrict some types of uses.

To verify whether or not a property is within the noise contours I suggest that a builder/developer contact the ATL/DOA's Dr. Tom Nissalke at [Tom.Nissalke@atl.com](mailto:Tom.Nissalke@atl.com).

**Heights of buildings/structures must be reviewed to prevent any interference with airport operations**, and/or airport/airplane navigation controls. See FAA Form 7460-1 notes below. Note that College Park had to cut down our trees along Main Street because they grew too tall for their proximity to the ends of runway(s).

**Reflective surfaces and solar arrays are restricted** due to the danger glare might pose to arriving and/or departing aircraft.

**Water elements, as part of a landscape design, are to be avoided**, and are a special concern due to their possibility to attract birds and due to the risk of bird aircraft strikes.

**Additional information relevant to development in College Park, Georgia, especially restrictions on residential development, is below:**

College Park *Business and Industrial Development Authority* (BIDA) owned property that was acquired from the Department of Aviation (Master Land and Non-Master Land Agreements) has **restrictive covenants and aviation easements**. Housing is not allowed.

*Examples of 'Avigation Easement' and 'Restrictive Covenant' language are attached. Note that the wording of the avigation easements and restrictive covenants changed over time.*

*The 'City Property Map' is attached. City owned properties most likely have avigation easements and restrictive covenants.*

Some private property owners may have had airport sponsored noise mitigation work done on a structure on the site. Some private property owners accepted cash in exchange for agreeing to an avigation easement. If so, the site will carry the avigation easement and restrictive covenant. Properties where owners accepted noise mitigation funds and/or had airport sponsored noise mitigation work done, are not shown on any map.

**It is the property buyer's responsibility to do the proper due diligence to determine if there are any Avigation Easements and/or Restrictive Covenants on any parcel.**

If a site was not owned by the ATL/DOA, then buyer/developer's due diligence and title search may find that there are no ATL/DOA restrictions.

The FAA's guideline is that **sites above 65DNL are not suited for residential construction.** (Note: The FAA only provides guidelines. The FAA does not restrict residential unless the avigation easement and restrictive covenant are present.)

*A Noise Contours map is attached.*

Please **read the FAA's guidelines in the attached Land Use Compatibility document** regarding property noted as N(1):

*(No) = Land Use and related structures (Residential) are not compatible and should be prohibited.*

- (1) Where a community determines that residential or school use must be allowed, measures to achieve outdoor to indoor Noise Level Reduction (NLR) of at least 25dB and 35dB should be incorporated into building codes and be considered in individual approvals. Normal residential construction can be expected to provide a NLR of 20 dB, thus, the reduction requirements are often stated as 5, 10 or 15 dB over standard construction and normally assume mechanical ventilation and closed windows year round. However, the use of NLR criteria will not eliminate outdoor noise problems.*

Oscar Hudson, College Park's Director of Inspections, should be included in any meetings related to development, especially residential, in noise contours above 65 DNL, to verify if special noise mitigation construction standards will be required.

The FAA, and the U.S. Department of Transportation, has concern if an airport impacts low income and minority residential communities.

From ATL's Draft Environmental Assessment (DEA) for Concourse G: "...Environmental Justice impacts result when minority or low-income populations experience an environmentally disproportionate impact from the implementation of a proposed project. U.S. Department of Transportation (DOT) Order 5610.2(a) Department of Transportation Actions to Address Environmental Justice in Minority Populations and Low Income Populations updates previous

U.S. DOT Guidance on this topic....” The buyer/builder may want to be familiar with these DOT concerns.

[https://www.fhwa.dot.gov/environment/environmental\\_justice/ej\\_at\\_dot/orders/order\\_5610\\_2a/](https://www.fhwa.dot.gov/environment/environmental_justice/ej_at_dot/orders/order_5610_2a/) (Note: This DOT Order is directed towards an airport. However, I include this for reference purposes.)

If you have questions related to the items above, please contact the Office of the Director of Airport Affairs at 404-669-9262