



CITY OF FOREST PARK
PLANNING COMMISSION MEETING

Thursday, March 21, 2024 at 6:00 PM
City Hall | 745 Forest Parkway, Forest Park, GA 30297

Website: www.forestparkga.gov
Phone Number: (404) 366-4720

PLANNING & COMMUNITY DEVELOPMENT
785 Forest Parkway
Forest Park, GA 30297

AGENDA

Andy Porter, Chairman
Azfar Haque, Vice Chairman
Michael Clinkscales, Member
Roderick Jackson, Member
Donald Williams, Member

CALL TO ORDER/WELCOME:

ROLL CALL:

APPROVAL OF MINUTES:

1. Approval of February 15, 2024 Meeting Minutes

OLD BUSINESS:

NEW BUSINESS:

2. Case# CUP-2024-01 - Conditional Use Permit for 4959 West St., Parcel# 13051D A067, - The applicant, Arzeria Davis, is requesting a Conditional Use Permit to establish a childcare center and preschool for children between the ages of 6 weeks to 12 years of age within the Single-Family Residential District (RS).
3. Case# VAR-2024-03 - Variance request for 4971 Courtney Dr., Parcel# 13049D-C005, 1099 Main St., Parcel# 13049D-C007, 1095 Main St., Parcel# 13049D-C008, and 1105 Main St., Parcel # 13049D-C006. The applicant, Jasber Management Services, LLC, is requesting a Variance to reduce the rear yard setback from 10 ft. to 5 ft., reduce the side yard setbacks from 10 ft. to 5ft, and increase the number of allowed apartment units from 47 units to allow the construction of 154 apartments on a 1.97+/- acre tract of land and construct a hotel that has 110 unit occupancy on a 1.32+/- acre tract of land in the Downtown Mainstreet District (DM).

ADJOURNMENT:



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PLANNING & COMMUNITY DEVELOPMENT
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MINUTES

- Andy Porter, Chairman**
- Azfar Haque, Vice Chairman**
- Michael Clinkscales, Member**
- Roderick Jackson, Member**
- Donald Williams, Member**

CALL TO ORDER/WELCOME:

Andy Porter called the meeting to order at 6:02 pm.

ROLL CALL:

A quorum was established.

PRESENT:

Andy Porter, Azfar Haque, Michael Clinkscales

OTHERS PRESENT:

LaShawn Gardiner, Planning & Community Development Director; SaVaughn Irons, Principal Planner; Latonya Turner, Planning & Community Development Office Coordinator; Bridgette Jackson-Barney, Permit Technician; Danielle Matricardi, City Attorney

APPROVAL OF MINUTES:

1. Approval of January 18, 2024 Meeting Minutes

It was moved to motion to approve the January 18, 2024 meeting minutes.

Motion made by Michael Clinkscales, Seconded by Azfar Haque. Motion carried.

OLD BUSINESS:

NEW BUSINESS:

2. **Case# TA-2024-01 - Text Amendment for Article G. - Zoning Amendments, Sec.8-8-190. - Termination of Conditional Use Permit of the City of Forest Park Code of Ordinances to amend**

such section and replace with a new section 8-8-190. - Termination of Conditional Use Permit, adding new descriptions in subsection (a) and subsection (b).

SaVaughn Irons delivered the staff report:

The Planning & Community Development Department has discovered some areas of the Code of Ordinances that need to be amended for clarity and formal processes. The requested text amendments will not be injurious to the public health, safety, morals, and general welfare of the community, and the use will not be affected in a substantially adverse manner. Current Article G. Section 8-8-190: Sec. 8-8-190. Termination of conditional use permit. A conditional use permit may cease to be authorized and terminated with proper public notification, public hearing, and approval by the mayor and city council if construction has not been completed and approved within six (6) months of the date the conditional use permit is granted. (Ord. No. [21-11](#), § 1(Exh. A), 9-7-2021) The following text amendments have been proposed: 2. An amendment to Article G. – Zoning Amendments, Section 8-8-190. Termination of conditional use permit, to amend such section and replace it with a new section 8-8-190. – Termination of conditional use permit, adding new descriptions in subsection (a) and subsection (b). This update provides clarity for when to terminate conditional use permit and when a conditional use permit may continue pertaining to the uses requested for properties per length of time.

OTHER DISCUSSION:

SaVaughn Irons, in response to questions from the Commission, stated that about half of the permits issued in the past have gone dormant and that six months is adequate time. This amendment would give the city termination rights and provide additional clarity as to how and when a permit can be terminated or when it can continue pertaining to the requested length of time. Before it was just a blanket termination that the mayor and council had parts in it, but with the clarification of the text, some they may have hand in but some would just expire without them having to have a vote.

It was moved to motion to approve the text amendment.

Motion made by Azfar Haque, Seconded by Michael Clinkscales. Motion carried.

- 3. Case# VAR-2024-02 - Variances for 803, 805, 829, 837, 845, 847, 861 Main St., Parcel# 13050B L001A, 13050B L002, 13050B L003, 13050B L004, 13050B L005, 13050B L006, 13050B L007 - The applicant, Frank Bailey, is requesting a variance to allow 32 townhome units on a 1.55+/- acre lot in the multiple family residential district (RM) which only allows 16 units per acre.**

SaVaughn Irons delivered the staff report:

Variance Request to increase the maximum allowed dwelling units per acre from 16 dwellings units per acre to allow the construction of 8 additional townhome units for a total construction of 32 townhomes on a 1.55+/- acre lot, to decrease the minimum required side yard setback from 25 ft to 10 ft, and to decrease the minimum distance between buildings from the requirement of 20 ft to allow a minimum distance between buildings of 10 ft to construct a 32-unit townhome development on Main Street.

PUBLIC COMMENTS: (All Speakers will have 2 Minutes)

Frank Bailey, of Cultivate Communities, stated the variance request is for the slight increase in density as well as the setbacks. There will be no encroachment of other business on the east and west side. The east

side will have a grill and pavilion area for public use. The west side will have a park and dog park as well as parking.

OTHER DISCUSSION:

Danielle Matricardi informed the Commission that at the last meeting the applicant's preliminary plat was being considered and one of the conditions of that is that they get a variance. Generally, they're considered at the same time but, in this instance, because it's been a long process with the city there wasn't an accompanying variance. This variance is one of the conditions for approval of the preliminary plat.

SaVaughn Irons, in response to questions from the Commission, stated that currently the property is subdivided into multiple parcels. Another condition of approval for the preliminary plat is that the applicant submit a lot combination application, which they did. They received their approval letter and it's now recorded with the county. They also had to submit a lot split application which can't be done until the lots are combined. Once the county records the lot combination the applicant will be able to subdivide the property into 32 lots. Previous meetings were held with the applicant and the City Manager to discuss traffic flow and overflow parking for residents and visitors.

It was moved to motion to approve the variance.

Motion made by Azfar Haque, Seconded by Michael Clinkscales. Motion carried.

- 4. Case# FP-2024-01 - Final Plat for 437 North Ave., Parcel# 13051A A008 - The applicant, Forest Park Townhomes, LLC, is requesting an approval of the Final Plat for 437 North Ave. to subdivide a 1.61+/- acre parcel to create 16 lots of a 16 unit townhome subdivision.**

SaVaughn Irons delivered the staff report:

The applicant is requesting the approval of a Final Plat for 437 North Ave to subdivide a 1.61+/- acre parcel into a 16-unit townhome subdivision. Staff recommends approval of the final plat with the following conditions:

1. The applicant will submit protective covenants to regulate land use in the subdivision and otherwise protect the proposed subdivision.
2. The developer will be responsible for all costs associated with design and construction of sanitary sewer and water improvements necessary to serve the proposed plat.
3. Sidewalks shall serve each lot and shall be designed and constructed in accordance with City Standards.

OTHER DISCUSSION:

SaVaughn Irons, in response to questions from the Commission, stated that this process began in 2020 when the zoning was different. A lot of the areas were rezoned in 2022 and the zoning of the property changed. Based on the preliminary plat this final plat is still consistent with those requirements.

It was moved to motion to approve the final plat per staff recommendations.

Motion made by Michael Clinkscales, Seconded by Azfar Haque. Motion carried.

ADJOURNMENT:

It was moved to motion to adjourn the meeting at 6:33 pm.

Motion made by Michael Clinkscales, Seconded by Azfar Haque. Motion carried.

DRAFT



CITY OF FOREST PARK

Item #2.

Planning & Community Development Department
785 Forest Parkway
Forest Park, Georgia 30297
(404) 608-2300 Fax: (404) 608-2306

Staff Report – Conditional Use Permit

Public Hearing Date: March 21, 2024

City Council Meeting: April 1, 2024

Case: CUP-2024-01

Current Zoning: GC – General Commercial District

Proposed Request: Applicant is requesting a Conditional Use Permit to open and operate a childcare center for children aged 6 weeks to 12 years of age within the Single-Family Residential District (RS).

Staff Report Compiled By: SaVaughn Irons, Principal Planner

Staff Recommendation: Approval of Conditional Use

APPLICANT INFORMATION

Owner of Record:	Applicant:
Name: Arzeria Davis	Name: Arzeria Davis
Address: 4959 & 4965 West St	Address: 4959 & 4965 West St
City/State: Forest Park, GA 30297	City/State: Forest Park, GA 30297

PROPERTY INFORMATION

Parcel Number: 13051D A067 and 13051D A066	Acreage: 0.43 and 0.26
Address: 4959 and 4965 West St, Forest Park, GA 30297	FLU: Office/Professional

SUMMARY & BACKGROUND

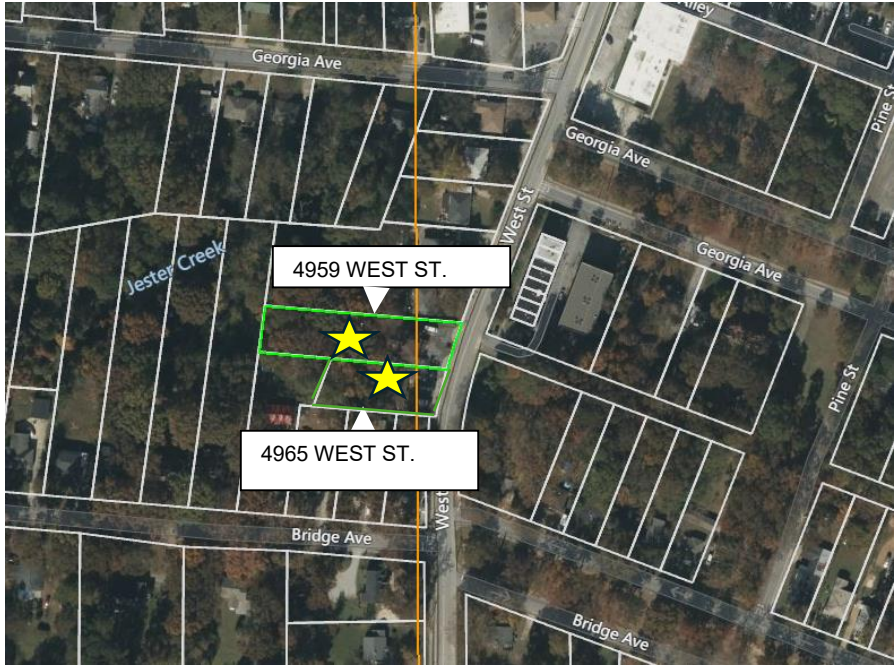
The applicant is requesting a Conditional Use Permit to open and operate a childcare center for children aged 6 weeks to 12 years of age at 4959 and 4965 West St. The applicant is proposing to utilize each building at this location to cater to the specific needs of each age group. One building will be used to serve infant and toddlers from 6 weeks of age to 2 years old, another building will be used to serve preschool and Pre-Kindergarten children ages 3-5 and the last building will be used to served school aged children ages 5-12 years of age. The operation hours will be Monday through Friday 7am - 6pm. This property is located within the Single-Family Residential District (RS). Per Section 8-8-28 Single-Family Residential District (RS), Pre-K and day care centers require conditional use permits to operate within this district. Currently, the property is located within a residential neighborhood.

Property Zoned General Commercial District (GC)

ZONING CLASSIFICATIONS OF CONTIGUOUS PROPERTIES

Direction	Zoning & Use	Direction	Zoning & Use
North	RS- Single Family Residential	East	RM- Multiple Family Residential
South	RS- Single Family Residential	West	RS- Single Family Residential

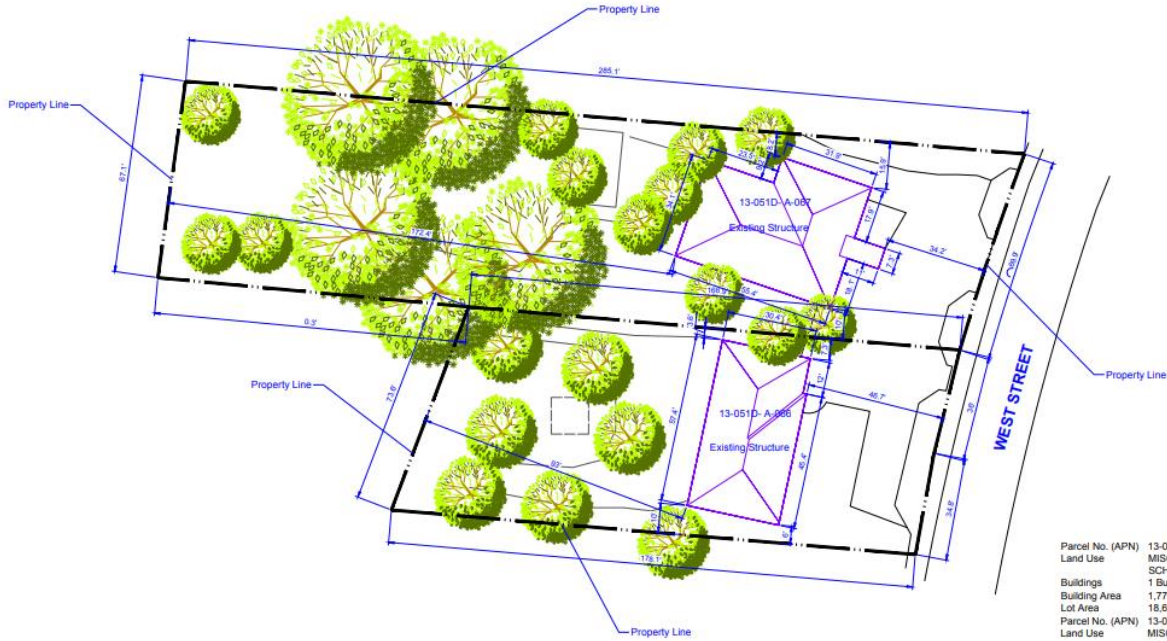
AERIAL MAP



ZONING MAP



SITE PLAN



Parcel No. (APN)	13-051D-A-067
Land Use	MISCELLANEOUS
Buildings	1 Building
Building Area	1,773 SF
Lot Area	16,687 SF (0.43 ACRES)
Parcel No. (APN)	13-051D-A-066
Land Use	MISCELLANEOUS
Buildings	1 Building
Building Area	1,377 SF
Lot Area	11,456 SF (0.26 ACRES)

ADDRESS: 4959 and 4965 West Street
 Forest Park, Ga, 30297
 Scale: 1"=30'

THIS IS NOT A LEGAL SURVEY, NOR IS IT INTENDED TO BE OR REPLACE ONE
 This work product represents only generalized locations of features, objects or boundaries and should not be relied upon as being legally authoritative for the precise location of any feature, object or boundary.



SITE PHOTOS





ZONING CRITERIA AND ANALYSIS

1. **Would the proposed amendment be consistent and compatible with the City's land use and development, plans, goals, and objectives?** The proposed use is compatible and consistent with the City's land use and development goals and objectives. The property is located within the Single-Family Residential District (RS) and was previously a childcare center. The property has since obtained new ownership with a new business name.
2. **Would the proposed amendment tend to increase, to decrease, or to have no impact on traffic safety and congestion in the streets?** The proposal will not have a significant impact on the transportation infrastructure due to the previous use, however, depending on the number of students enrolled, traffic could increase around drop off and pick up times which can cause an increase of traffic in the area that could potentially aid in congestion in the streets within the area.
3. **Would the proposed amendment tend to increase, to decrease, or to have no relationship to safety from fire and other dangers?** The proposed use will not have an increase, decrease of the relationship to safety from fire and other dangers depending upon enrollment size and based off the previous use of property prior to new ownership.
4. **Would the proposed amendment tend to promote, to diminish, or to have no influence on the public health and general welfare of the city?** The proposed development does not appear to be a detriment to the public health, safety, morals, or general welfare if the Conditional Use Permit is granted.
5. **Would the proposed amendment tend to increase, to decrease or to have no influence on the adequacy of light and air?** The proposed use will not increase, decrease, or have any influence on the adequacy of light and air.
6. **Would the proposed amendment tend to cause, to prevent, or to have no influence on the overcrowding of land?** No.
7. **Would the proposed amendment tend to cause, to prevent, or to have no relationship on the population distribution within the city, thus creating any area so dense in population as to adversely affect the health, safety, and general welfare of the city?** The proposed use will not increase the population or density as to adversely affect the health, safety, and general welfare of the city.
8. **Would the proposed amendment tend to impede, to facilitate, or to have no impact on the adequate provision of transportation, water, sewerage, other public services, utilities, or facilities?** The proposed use will not cause any additional impact on the water/sewer and other utilities or other public services considering the previous use of this property was a childcare center in the past.
9. **Would the proposed amendment tend to be compatible with environmental conditions in light of surrounding developments? If compatible, what factors, if**

any, would diminish the value, use and enjoyment of surrounding properties?

The subject property value has no existing zoning restriction that would diminish the value and enjoyment of surrounding properties. The area is zoned Single Family Residential District (RS), and childcare centers are permitted within this district as long as approved for conditional use. As long as applicant communicates with neighboring residents about school schedules to ensure it does not disturb daily lives of surrounding residences.

- 10. Would the proposed amendment tend to promote, to diminish, or to have no influence upon the aesthetic effect of existing and future uses of the property and the surrounding area?** Granting a Conditional Use Permit would not diminish the future uses of the property and surrounding area.
- 11. Would the proposed amendment have measurable adverse economic effect on the value of surrounding or adjacent property?** The use appears suitable for the nearby properties based on the City of Forest Park Zoning Ordinance Sec 8-8-28 Single Family Residential District (RS). This section of the ordinance states that Pre-k and Daycare centers are permitted as a conditional use under this said ordinance. There is no indication of any potential detrimental causes that would decrease the property value of surrounding or adjacent property.
- 12. Would the proposed amendment create an isolated district unrelated to adjacent and nearby districts?** The Conditional Use Permit would not create an isolated district.

STAFF RECOMMENDATION

Staff recommends **APPROVAL OF A CONDITIONAL USE PERMIT** to open and operate a childcare center for children aged 6 weeks to 12 years of age within the Single-Family Residential District (RS). **WITH THE FOLLOWING CONDITIONS:**

1. The applicant must adhere to the City of Forest Park, GA Zoning Ordinance Parking standards outlined in Section 8-8-90.

Attachments Included:

- Application
- Letter of Intent
- Authorization of Property Owner
- Floor Plan



CITY OF FOREST PARK

Department of Planning & Community Development
785 Forest Parkway
Forest Park, Georgia 30297
(404) 366-4720

Staff Report – Variance

Public Hearing Date: March 21, 2024

Case: VAR-2024-03

Current Zoning: Downtown Mainstreet District (DM)

Proposed Request: Variance Request to reduce the rear yard setback from 10 ft to 5 ft, reduce the side yard setbacks from 10 ft to 5 ft and increase the number of allowed apartment units from 47 units to allow the construction of 154 apartment units on 1.97 +/- acre tract of property, and construct a hotel with 110-unit occupancy on a 1.32 +/- acre tract in the Downtown Mainstreet District (DM).

Staff Report Compiled By: LaShawn Gardiner, Director

Staff Recommendation: Approval of Variance

APPLICANT INFORMATION

Owner of Record:

Name: Jasber Management Services, LLC

Address: P.O. Box 2207

City/State: Forest Park, GA 30297

Applicant:

Name: Steve Bernard

Address: P.O. Box 2207

City/State: Forest Park, GA 30297

PROPERTY INFORMATION

Parcel Numbers: 13049D-C005

13049D C006

13049D C007

13049D C008

Acreage: 1.35 +/-

1.21 +/-

1.01 +/-

0.96 +/-

4.53 +/- total acres

Address: 4971 Courtney Drive

1099 Main Street

1095 Main Street

FLU: MXD TVD (Mixed-Use Transit Village)



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Department of Planning & Community Development
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 Forest Park, Georgia 30297
 (404) 366-4720

1105 Main Street
 Forest Park, GA 30297

ZONING CLASSIFICATIONS OF CONTIGUOUS PROPERTIES

Direction	Zoning & Use	Direction	Zoning & Use
North	DM: Downtown Mainstreet District	East	DM: Downtown Mainstreet District
South	IC: Institutional Commercial District	West	DM: Downtown Mainstreet District

SUMMARY & BACKGROUND

The four subject properties are adjacent tracts and each currently has a structure on them. There is no commercial or retail activity on the parcels, with the exception of parcel 13049D C006, the Jasper Plaza commercial complex. A boarded-up building currently exists on parcel 13049D C005, also identified as 4971 Courtney Drive, and is located west of the United Postal Service building. A 110-room hotel with retail is proposed for this parcel. Several restaurants (i.e. Wing Topia, Kingston Grill, Mad Mac’s, Topsy Tortilla, and Yojay’s Ice Cream) are located in the Jasper Plaza building, which is located on parcel 13049D C006, 1105 Main Street. Parcels 13049D C007 and 13049D C008 which are immediately west of the Jasper Plaza commercial complex is the previous Bank of America drive-through and overflow parking lot and has been used over the years for July 4th outdoor concerts/festivals and firework shows hosted by the property owner. A 154-unit apartment building is proposed for the two parcels that provided drive-through services to Bank of America customers. The parcels are located north of Forest Parkway and south of Main Street near the traffic light of a unique 4-way stop where Main Street and Courtney Drive intersect. The proposed hotel with retail, apartments, and parking deck will be constructed to be inclusive of the existing Jasper Plaza restaurant complex serving as the center anchor providing dining choices for hotel guests and residents creating a mini-mixed use development. The applicant is requesting a variance to reduce the rear and side yard setbacks from 10 ft. to 5 ft. and increase the density/number of permitted apartment units from 47 units to 154 units per the Mixed-Use Village Subarea as specified in the Zoning Ordinance, per Section 8-8-54.8 Special Building Standards for Development Subareas in Downtown.

Per Zoning Code Section 8-8-36. – Downtown Mainstreet (DM) District. The intent of this district is to maintain, enhance and expand the development patterns and mixed use and open space character of Downtown Main Street. It is also to encourage compatible infill and redevelopment opportunities. Development standards within the district is intended to continue historic patterns and



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promote a predominant land use activity for retail, dining, entertainment, cultural events, community festivals, and residential options while allowing other uses in the district. Section 8-8-37 DM-Downtown Mainstreet District standards states that the minimum required side and rear yard setback is 10 feet.

Section 8-8-73 (C). *Lot/Yard Standards, states that setbacks referenced in Sections 8-8-73 (b) (1), (2), and (3) may be disregarded when a structure is intended to be built on contiguous individual parcels or lots which are under common ownership, provided that the disregarded setbacks shall only occur along the actual line (s) of common ownership.*

The setback requirements would not apply to the two interior parcels, 13049D C006 and 13049D C007 because they are under common ownership. Mixed-use and commercial buildings shall have zero setback from the back of sidewalk and all buildings shall be oriented to a public street with pedestrian entrances located along the sidewalk and primary building entrances shall be at grade for universal accessibility.

The subject parcels are in the **Mixed-Use Village subarea**, one of the city's four subareas that are defined for future mixed-use development, per Section 8-8-54.8- Special Building Standards for Development Subareas in Downtown and are an addition to the general development standards. The subareas are defined and are delineated in the Downtown Forest Park Livable Centers Initiative Study that the city adopted in 2021. The subareas encourage compact and higher density development, narrow lot single-family, single-family attached and multi-family, walkable and pedestrian-oriented streets, shared parking strategies, and parking and drive-throughs on the rear of the development, with each subareas having its own development pattern. The Mixed-Use Village subarea allows medium density mixed-use with retail/commercial and single-family attached and multi-family. The height of buildings in the mixed-use village subarea is 3 to 4 stories, with a density of 15-24 per acre, and commercial size of 6,000 to 15,000 sq.ft. Proposed parking for the hotel and the apartment is proposed to be underground of each building with an additional parking deck to be constructed in the rear of the parcels, connecting the current Jasber Plaza to the new construction developments for additional required parking.

With this proposed development being in the downtown Mainstreet district area and Mixed-Use subarea, the applicant is able to build to meet the zero-lot line need, for a more modern, walk up, look, and feel. Increasing density will promote the creation of a stronger and more accessible downtown core, allowing more walkability and providing a greater urbanized look and feel for the area. The efforts of the additional increased density will also revitalize the City of Forest Park housing stock in the downtown Mainstreet District (DM) area. The city would also be provided with a quality hotel in downtown Forest Park with the intent to provide accommodation for senior and executive personnel of companies that conduct business at Gillem Logistics Center and surrounding communities. The applicant has submitted a Concept Site Plan to staff, surveys of each property, proposed parking layout, and proposed square footage information of each proposed

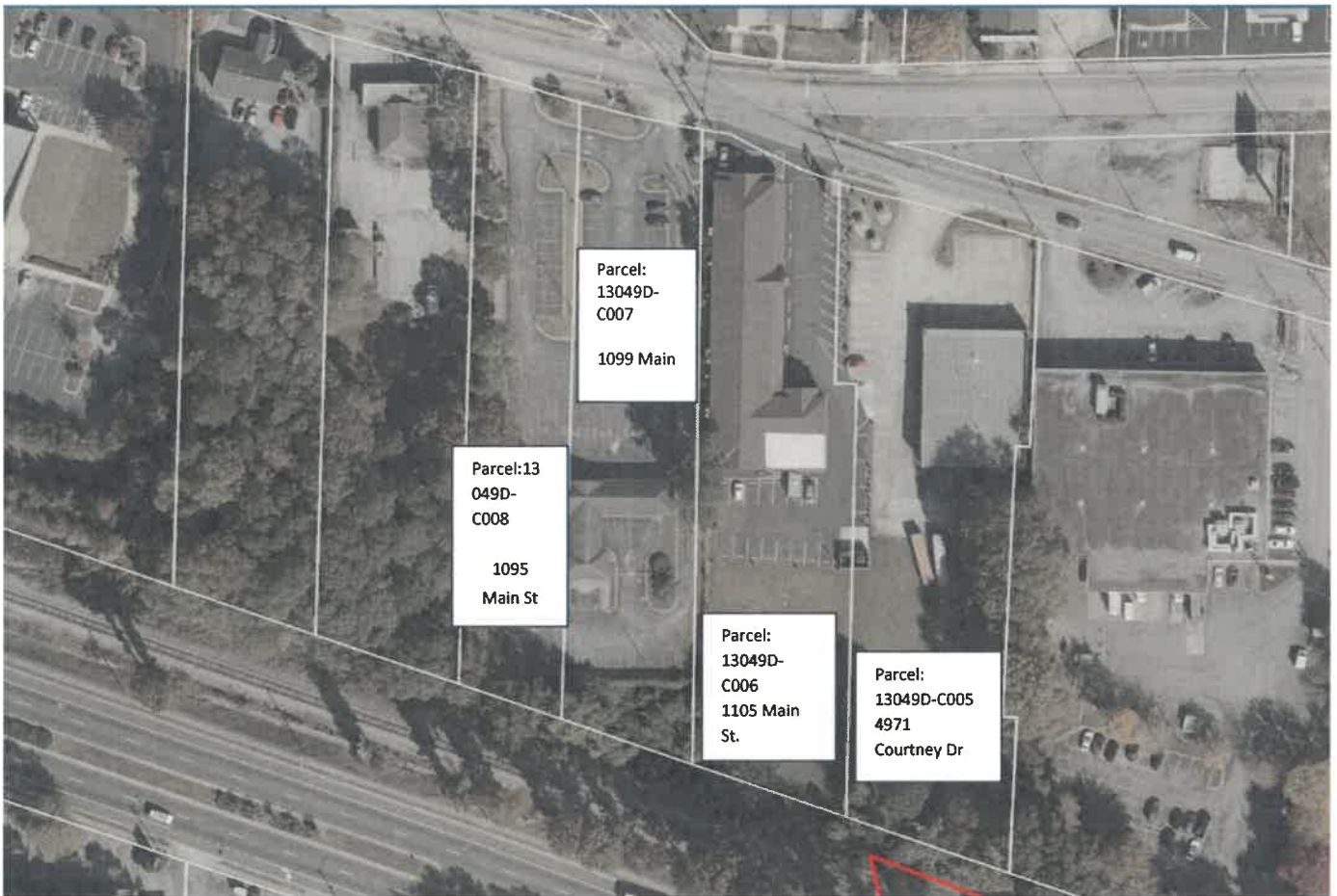


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commercial/retail use. If this variance request is approved, it will allow the applicant to move forward with the next step of submitting the preliminary plat for approval by the Planning Commission and Urban Design Review to begin the LDP (Land Disturbance Permit) process. Additional variances may be required as the concept plan becomes fully developed to ensure the development is aligned closely to the adopted vision of the LCI and DM zoning district.

AERIAL MAP





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...up the way...

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ZONING MAP



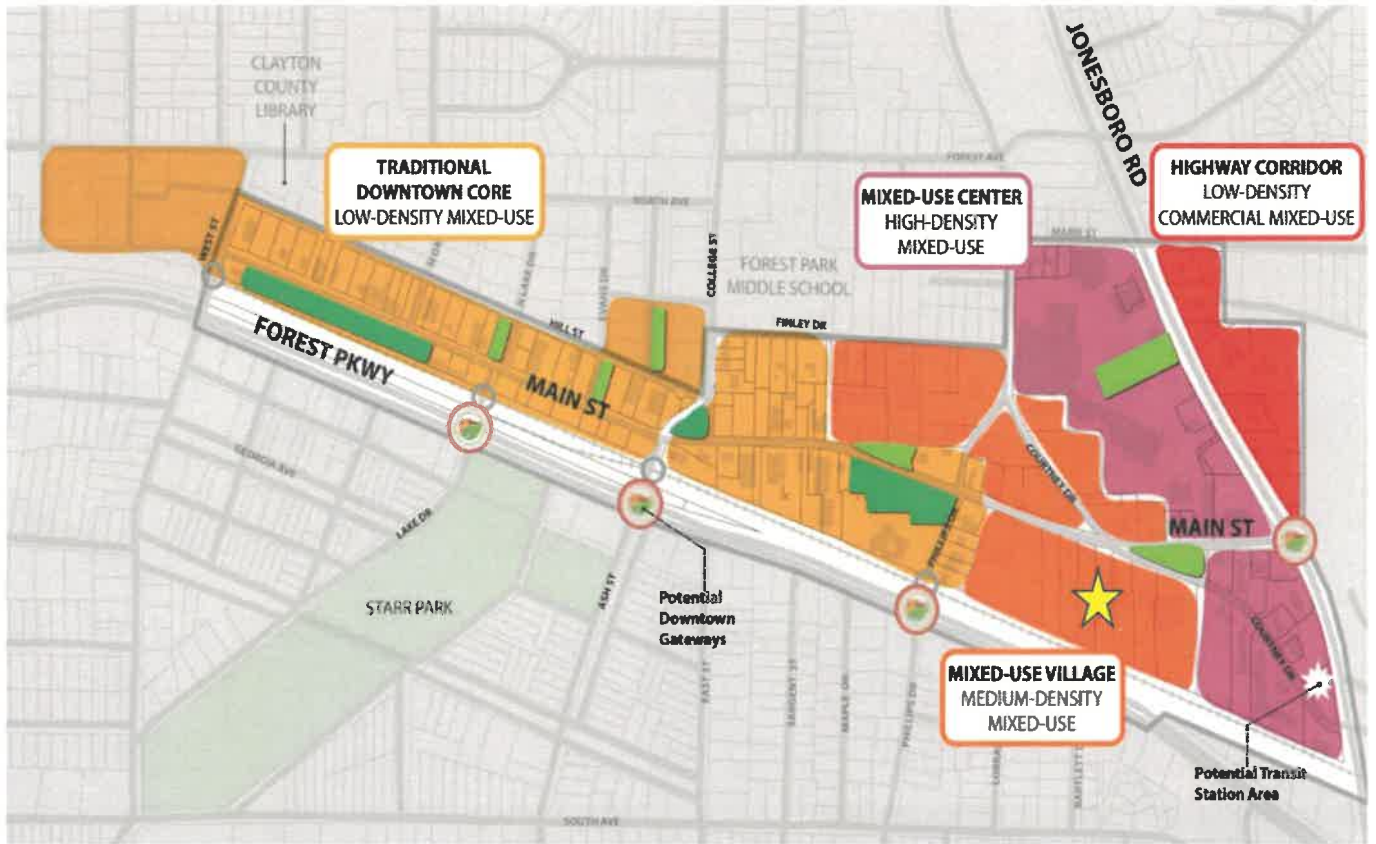
Downtown Main Street (DM)



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LCI MIXED USE SUBAREA



Mixed -Use Village, Jasber Management Properties



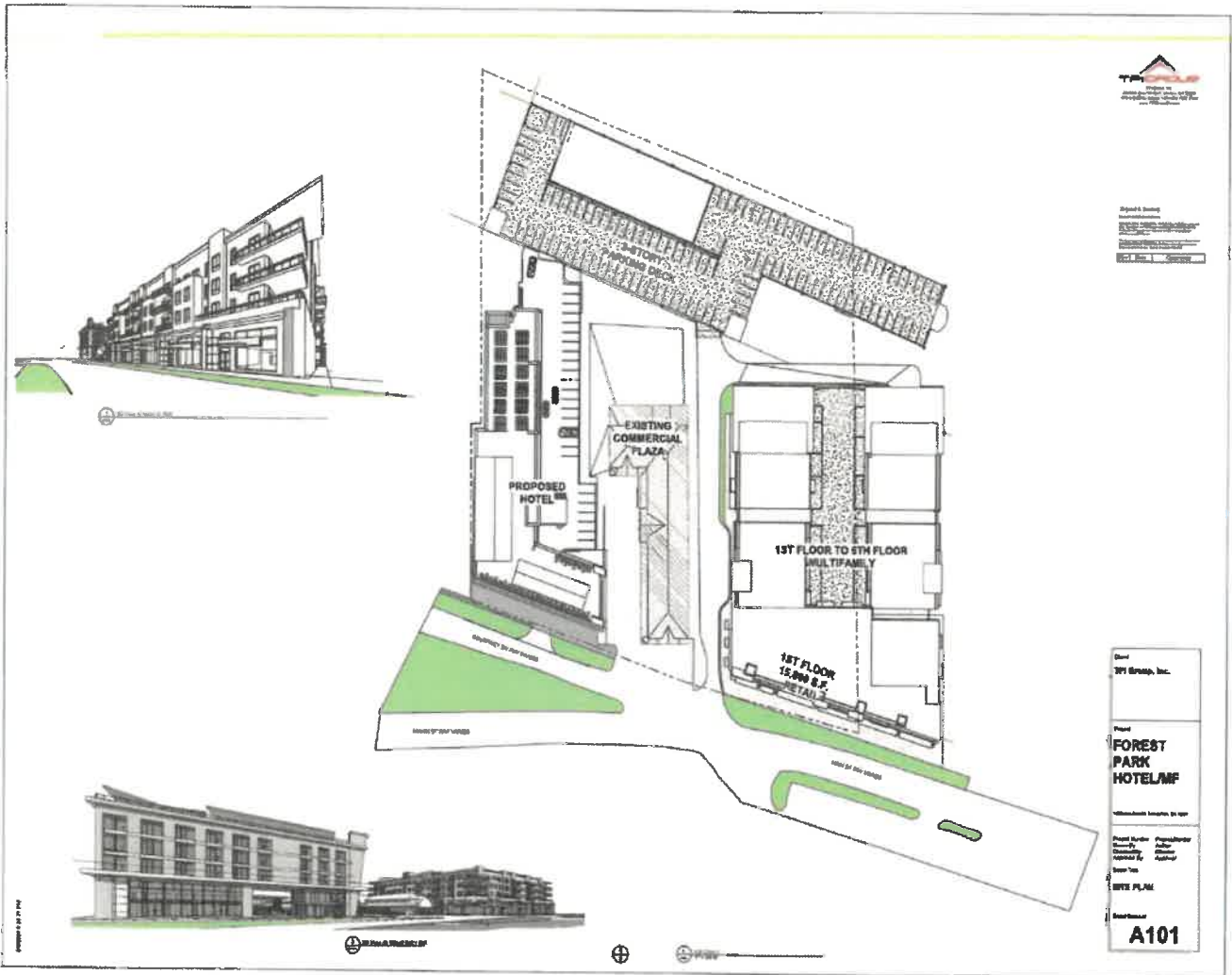
CITY OF
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by the way

Item #3.

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785 Forest Parkway
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SITE PLAN





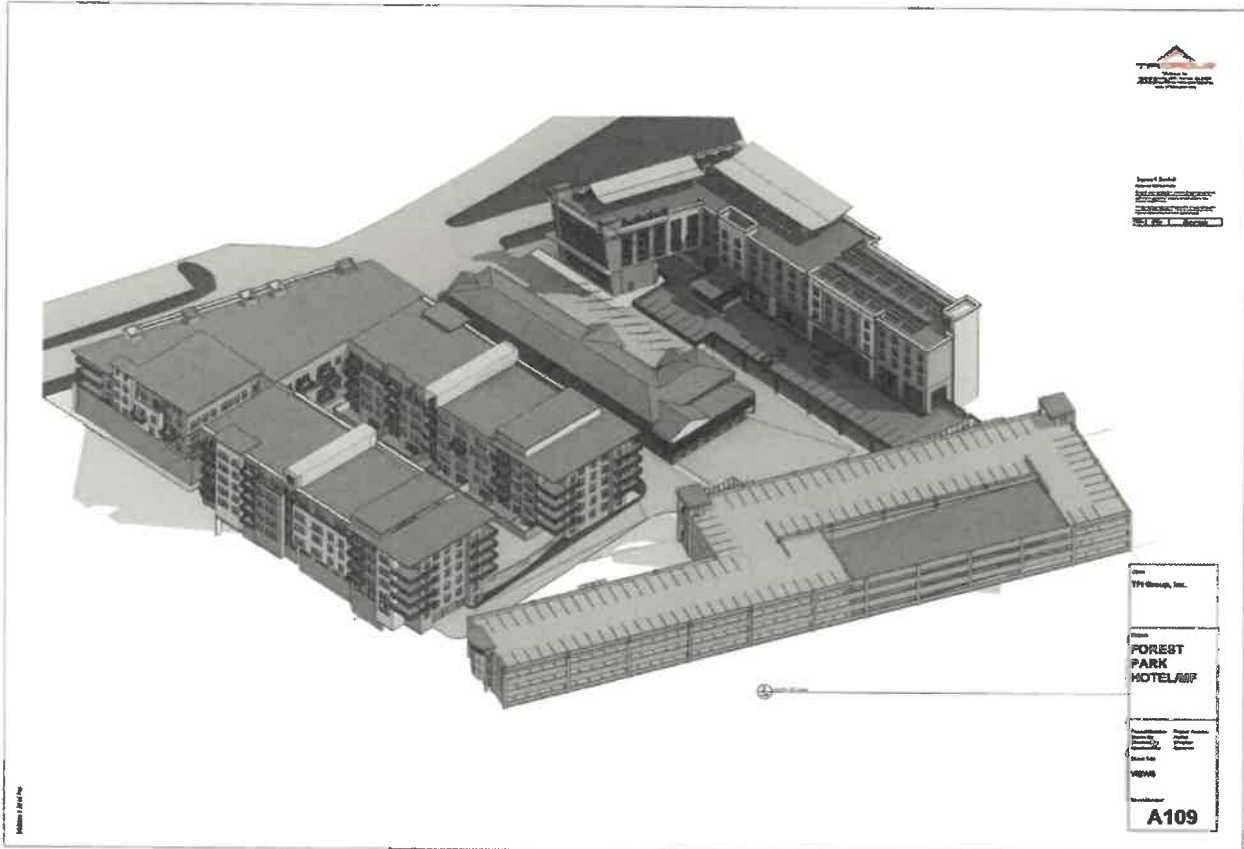
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FORESTPARK
A City for Every Season

Item #3.

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PROPOSED CONCEPT DEVELOPMENT RENDERINGS



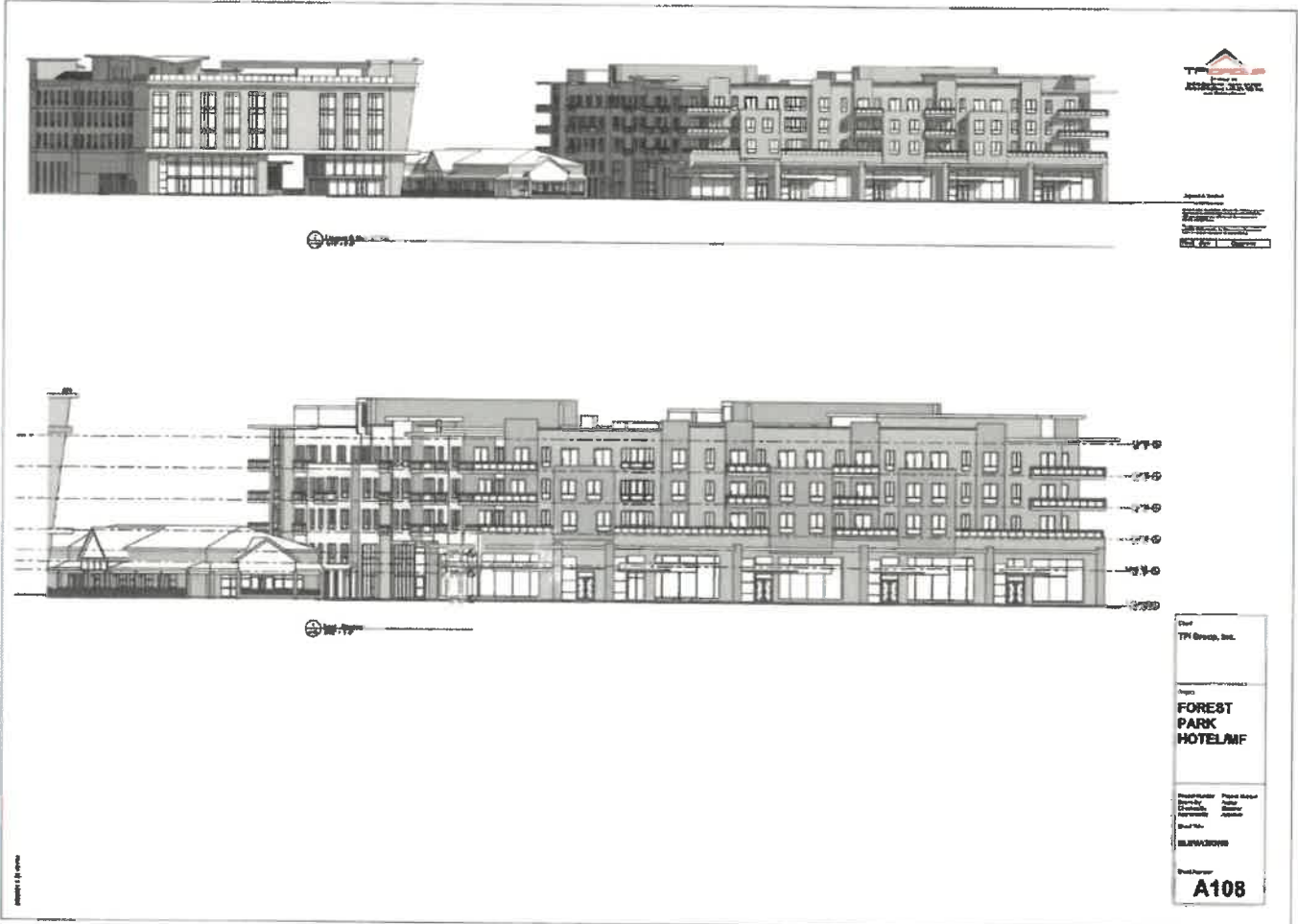


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Item #3.

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Life. Love. Legacy.

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SITE PHOTOS



Old Bank of America Drive Through



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Vacant, Boarded Up Building



Jasber Plaza



VARIANCE JUSTIFICATION

The Planning Commission may grant a variance from the development standards of this chapter in permittance under this chapter, if, after a public hearing, it makes findings of facts in writing, that:

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community, per Sec. 8-8-193. (a) (1) of the Code of Ordinances.
2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner per Sec. 8-8-193. (a) (2) of the Code of Ordinances; and
3. The strict application of the terms of this ordinance will result in practical difficulty in the use of the property. This situation shall not be self-imposed, nor be based on a perceived reduction of, or restriction on, economic gain, per Sec. 8-8-193. (a) (3) of the Code of Ordinances.

STAFF RECOMMENDATION

Staff recommends **APPROVAL of Variance** to reduce the side and rear yard setbacks from 10 ft. to 5 ft. to allow the construction of a hotel and apartment building. The vision is to attract more people and have higher density downtown, however, staff recommends **Denial of a Variance** for 154 apartment units in the Downtown Mainstreet and Mixed-Use Village subarea. The applicant may be required to request additional variances for the square footage of the retail and commercial spaces and parking as the project moves forward.

The requested variance will not be injurious to the public health, safety, morals, and general welfare of the community, and the use and value of the area adjacent to the property included in the variance will not be affected in a substantially, adverse manner.

Attachments Included:

- Justification Letter
- Conceptual Site Plan
- Surveys
- Property Deeds