



**CITY OF FOREST PARK
PLANNING COMMISSION MEETING**

Thursday, May 18, 2023 at 6:00 PM
Environmental Courtroom- Planning & Community Development Building

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

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

AGENDA

BOARD MEMBERS: Andy Porter, Azfar Haque, Michael Clinkscales, Roderick Jackson, Donald Williams

CALL TO ORDER/WELCOME:

ROLL CALL:

APPROVAL OF MINUTES:

1. Approval of April 20, 2023 Meeting Minutes

OLD BUSINESS:

NEW BUSINESS:

2. **Case # VAR-2023-06- Variance for 5909 PINECREEK Road, Parcel # 13112C F012**, Forest Park, Georgia. The applicant, Aiden Cuong, is requesting a variance to reduce the Minimum side yard setback from ten (10) feet to two (2) feet for a constructed carport.

ADJOURNMENT:



**CITY OF FOREST PARK
PLANNING COMMISSION MEETING**

Thursday, April 20, 2023, at 6:00 PM
Environmental Courtroom- Planning & Community Development Building

Website: www.forestparkga.gov
Phone Number: (404) 366.4720

PLANNING BUILDING AND ZONING
785 Forest Parkway
Forest Park, GA 30297

MINUTES

BOARD MEMBERS: Andy Porter, Azfar Haque, Michael Clinkscales, Roderick Jackson, Donald Williams

CALL TO ORDER/WELCOME: Azfar Haque called the meeting to order at 6:02pm.

ROLL CALL: A quorum was established.

Present: Azfar Haque, Michael Clinkscales, Roderick Jackson, Donald Williams

Absent: Andy Porter

Others Present: LaShawn Gardiner, Planning & Community Development Director; SaVaughn Irons, City Planner; Latonya Turner, Planning & Community Development Administrative Supervisor

APPROVAL OF MINUTES:

1. Approval of March 16, 2023, Meeting Minutes

Michael Clinkscales made a motion to approve the minutes of the March 16, 2023, meeting. Roderick Jackson seconded the motion. Motion approved unanimously.

OLD BUSINESS:

NEW BUSINESS:

2. Text Amendments to Title 8, Planning & Development, and Chapter 8, Zoning, Sec.8-8-4, Sec.8-8-38, Sec.8-8-44, and Sec.8-8-48 of the City of Forest Park Code of Ordinances; to provide for codification; to provide for severability; to repeal conflicting ordinances; to provide an adoption date; to provide an effective date; and for other purposes allowed by law.

SaVaughn Irons, City Planner, read aloud the staff report which stated that:

1. The Planning & Community Development Department is proposing five text amendments to the Code of Ordinances. Case # TA-2023-01 includes an amendment providing an addition to SEC 8-8-4

Definitions, an update to SEC. 8-8-38, SEC 8-8-44 and SEC 8-8-48 Permitted Uses and Conditional Uses, and an amendment addition of SEC. 8-8-84.1 Blood Banks, Blood Plasma, and similar blood donation center Standards – Text Amendment Report for Blood Plasma Centers, Blood Banks, and Similar Blood Product donation centers.

The Planning & Community Development Department has discovered some areas of the Code of Ordinances that need to be amended for clarity. 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. The following text amendments have been proposed:

2. An amendment to Section 8-8-4 Definitions adding, Blood Banks, Blood Plasma Center, Blood Donation Center, Urgent Care Centers, Kidney Dialysis Centers, Primary Care physician/Dentist Offices, Medical/Dental/Physical Therapy Specialists and Public Health Center.
3. An amendment to Section 8-8-38 Institutional Commercial District (IC) permitted uses for types of medical offices, clinics, and physical therapy facilities.
4. An amendment to Section 8-8-44 Light Industrial District (LI) for Permitted Uses
5. An amendment to Section 8-8-48 Planned Industrial District (PI) for Conditional Uses
6. An amendment adding Section 8-8-84.1 Blood Banks, Blood Plasma, and similar blood donation center Standards.

This update creates a standard for the type of facilities allowed in per said zoning districts on a permitted or conditional use basis. The previous ordinance was not explicit in its requirements, leaving too much room for interpretation. This update will clarify the requirements.

ARTICLE A. GENERAL PROVISIONS

Sec. 8-8-4. Definitions – The Addition of New Definitions

Blood Banks – A Blood Bank or Blood banking is the process that takes place in the lab to make sure that donated blood, or blood products, are safe before they are used in blood transfusions and other medical procedures. Blood banking includes typing the blood for transfusion and testing for infectious diseases.

Blood Plasma Center – A Blood Plasma Center is an establishment where patrons receive compensation for donating blood plasma.

Blood Donation Center – A Blood Donation Center is a facility, fixed or mobile, that is operated by a blood bank and used for the collection of blood, plasma or cytopheresis products, or separation of whole blood into components.

Urgent Care Centers – Urgent Care Centers are walk-in clinics that provide treatment for minor ailments and injuries outside of a traditional hospital-based or freestanding emergency department.

Kidney Dialysis Centers – Kidney Dialysis Centers are an independent or hospital-based units/facilities, approved and licensed to furnish outpatient dialysis services (maintenance dialysis services, home dialysis training and support services or both) directly to end stage renal disease (ESRD) patient(s).

Primary Care Physician/Dentist Offices - A primary care physician or a Primary Care Dentist Office is a specialist in family medicine, general internal medicine, Dental or general pediatrics who provides definitive care to the undifferentiated patient at the point of first contact and takes continuing responsibility for providing the patient's comprehensive care.

Medical/Dental/Physical Therapy specialists (specialized treatment of the human anatomy)

- a. **Medical Specialist** - Medical practitioner who has been registered as a specialist in a specialty or subspecialty in medicine in terms of the Regulations relating to the Specialties and Subspecialties in Medicine and Dentistry.
- b. **Dental Specialist** – Dental Specialist is any dental practitioner who is registered by the Dental Council under the Health Practitioners Competence Assurance Act 2003 as a dental specialist in one of the approved branches of dentistry and who is employed in that branch of dentistry or in a similar capacity with minimal oversight.
- c. **Physical Therapy Specialist** – Physical Therapy means services provided by a qualified physical therapist directed toward improving quality of life and well-being following an injury, with a specific focus on mobility and function.

Public health center (immunizations, vital records, etc.)

- d. **A Public Health Center** is a publicly owned facility for the provision of public health services, including related facilities such as laboratories, clinics, and administrative offices operated in connection with public health centers.

ARTICLE B. ZONING DISTRICTS, OVERLAY DISTRICTS, AND DESIGN GUIDELINES ESTABLISHED

Sec. 8-8-38. Institutional Commercial District—Retail/Business Uses. Amendment of Permitted Uses.

Permitted Uses. Retail/Business Uses.

Retail/Business Uses

- Bakeries
- Banks and loan associations
- Barber shop and beauty salon
- Bookstores
- Child and adult day care centers
- Clothing and apparel store
- Convenience stores
- Coin laundry, dry cleaning, and pick up stations
- Day spa and aesthetician
- Dental offices and clinics
- Florist and gift shops
- Fruit, vegetable, meat seafood markets
- Grocery store
- Group day care home
- Hardware store
- Hospitals
- Jewelry store
- **Medical offices, clinics, and physical therapy facility**
 1. **Urgent Care centers (medical and dental)**

2. **Kidney dialysis centers**
3. **Primary care physician/dentist offices**
4. **Medical/dental/physical therapy specialists (specialized treatment of the human anatomy)**
5. **Public health center (immunizations, vital records, etc.)**

- Museums and art galleries
- Nonprofit fraternal organizations and clubs
- Pharmacy
- Private school K-12
- Professional offices
- Pub and tavern
- Repair shops (watches, radio, television, shoe, etc.)
- Restaurants having no drive through

Public/Institutional

- Municipal, county, state, or federal buildings
- Public school K-12

Conditional Uses

Retail/Business Uses

- Colleges, universities, and vocational technical schools
- Places of assembly
- Places of worship
- Funeral home/mortuary establishments
- Veterinary clinics.

(Ord. No. 21-11, § 1(Exh. A), 9-7-2021)

Sec. 8-8-44. Light Industrial District— Amendment of Permitted Uses, Retail and Businesses

Permitted Uses

Industrial and Warehousing

- *Agricultural implementation and equipment establishments*
- *Auto engine, body repair, and undercoating shops when completely enclosed*
- *Automobile rental and leasing facilities*
- *Automobile, truck, or trailer repair facilities*
- *Breweries and distilleries*
- *Building materials and lumber supply establishments*

- *Commercial parking garages and lots*
- *Computer and data processing services*
- *Gasoline service stations and truck stops*
- *Greenhouses and nurseries, including landscaping services*
- *Manufacturing, compounding, processing, or assembling food or consumer goods*
- *Mini-warehouses and storage*
- *Newspaper and printing plants*
- *Nonprofit fraternal organizations and clubs*
- *Offices and administrative facilities*
- *Public utilities such as electric substations, storage of materials and trucks, repair facilities, offices and electric generating plants*
- *Recreational vehicle/boat sales and service*
- *Repair, reconditioning, and manufacturing*
- *Research, experimental, testing laboratories, Blood Plasma Centers, Blood Banks, Similar blood products and/or Donation centers*
- *Truck, trailer, tractor sales and service*
- *Towing, wrecking, and impound service*
- *Tractor and trailer parking and storage*
- *Trade shops, including electrical, plumbing, heating/cooling, and roofing*
- *Trade/industrial/vocational schools*
- *Wholesale business, warehouse, distribution, trucking terminal, and similar non processing storage and distribution uses*

Public/Institutional

- *Municipal, county, state or federal buildings*

Communications/Utilities

- *Utility substation*
- *Water tower*

Conditional Uses

Retail and Business Uses

- *Bowling alley, billiard hall, indoor archery and firearm range, indoor tennis courts, indoor skating rink, or similar*
- *Automobile sales*
- *Places of assembly*
- *Places of worship.*

Communications/Utilities

(Ord. No. 21-11, § 1(Exh. A), 9-7-2021)

Sec. 8-8-48. Planned Industrial District (PI) – Amendment of Conditional Uses, Retail and Businesses.

Permitted Uses

Industrial and Warehousing

- Agricultural implementation and equipment establishments
- Building materials and lumber supply establishments
- Cafeteria/food courts and recreational services when completely enclosed solely for employees of businesses
- Computer and data processing services
- Greenhouses and nurseries, including landscaping services
- Manufacturing, compounding, processing, or assembling food or consumer goods
- Newspaper and printing plants
- Offices and administrative facilities
- Pre-K and day care centers solely for employees of businesses
- Research, experimental, testing laboratories
- Travel/motor coach/RV camper park
- Wholesale business, warehouse, distribution, trucking terminal, and similar non processing storage and distribution uses

Public/Institutional

- Municipal, county, state or federal buildings
- Trade/industrial/vocational schools

Communications/Utilities

- Utility substation
- Water tower

Conditional Uses

Retail and Business Uses

- Places of assembly
- Places of worship.
- Blood Plasma Centers, Blood Banks, Similar blood products and/or Donation centers

Industrial and Warehousing

- Tractor and trailer storage

Communications/Utilities

- Wireless telecommunications

Accessory Uses

- Gate and security buildings
- Outdoor storage

(Ord. No. 21-11, § 1(Exh. A), 9-7-2021)

Sec. 8-8-84.1. Blood Banks, Blood Plasma, and similar blood donation center Standards.

1. *A blood plasma collection facility or similar blood centers must not be located within one mile radius of another blood plasma collection facility.*
2. *Shall be located at least three hundred (300) Linear feet away from any single-family residential use; elementary, middle, or high school facility; church or other house of worship facility.*
3. *Hours of operation for Blood Plasma Facilities or similar blood centers shall be between 8:00 a.m. and 8:00 p.m. only.*
4. *Facilities must include a waiting and departure area of at least five hundred (500) square feet in area to accommodate all customers.*
5. *No persons shall be permitted to stand in line outside or otherwise loiter around Blood Plasma Facilities or similar blood centers.*
6. *Shall only be located on major roads or highways throughout the City of Forest Park.*
7. *The minimum floor area for the facility is ten thousand (10,000) square feet.*
8. *Separate restroom facilities for customers and staff must be provided.*
9. *Facilities must develop and follow a management plan for handling litter, security, and loitering. A copy of said plan must be provided to the city.*
10. *Cash transactions between the facility and customers are prohibited.*

The Purpose of this amendment is to update the City of Forest Park Code of Ordinances for the Institutional Commercial District, The Light Industrial District, the Planned Industrial district and to add 8.8.84.1 Blood Banks, Blood Plasma, and similar blood donation center Standards. The permitted uses and conditional uses are used to

specify the types of facilities, clinics, laboratories, researching, and testing facilities that are permitted under each code. The Blood Banks, Blood Plasma, and similar blood donation center Standards are set in place to regulate type of facilities and limitations set forth. With this amendment to the Ordinance, there will be specific standards for types of businesses allowed within the City of Forest Park in each specified Zoning Districts. The previous ordinance was not explicit in its standards, leaving too much room for interpretation. This update is more specific with its standards. Staff recommends approval of Text amendment.

- Azfar Haque questioned the need for the amendments.
- LaShawn Gardiner explained that on October 3, 2022, the City Council instituted a moratorium on blood plasma centers and similar facilities in response to a proposal by a facility. The moratorium was then extended in March to allow staff more time to propose amendments.
- Azfar Haque stated that he is very much in favor of the amendments.
- Michael Clinkscales stated that he agreed and that there should be an order in place.
- Azfar Haque then asked if the moratorium would be lifted upon approval of the amendments by the Board.
- LaShawn Gardiner stated that the City Council would make the final decision regarding lifting the moratorium.
- Azfar Haque asked if anyone had any questions and then, after receiving no questions, asked that a motion be made to approve the proposed amendments.
- Michael Clinkscales made a motion to approve the proposed text amendments. Roderick Jackson seconded the motion. Motion approved unanimously.
- LaShawn Gardiner stated that there would be additional amendments in the future for different sections of the ordinance.

ADJOURNMENT: Azfar Haque adjourned the meeting at 6:17pm.



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

Staff Report – Variance

Public Hearing Date: May 18, 2023

Case: VAR-2023-06

Current Zoning: RS – Single Family Residential District

Proposed Request: Variance request to reduce side yard setback.

Staff Report Compiled By: SaVaughn Irons, City Planner

Staff Recommendation: Approval of Variance

APPLICANT INFORMATION

Owner of Record:

Name: Aiden Cuong
 5909 Pine Creek Rd.
 Forest Park, GA 30297

Applicant:

Aiden Cuong
 5909 Pine Creek Rd.
 Forest Park, GA 30297

PROPERTY INFORMATION

Parcel Number: 13112C F012 **Acreage:** 0.26
Address: 5909 PINE CREEK RD, Forest Park, GA 30297 **FLU:** S.F. Residential

ZONING CLASSIFICATIONS OF CONTIGUOUS PROPERTIES

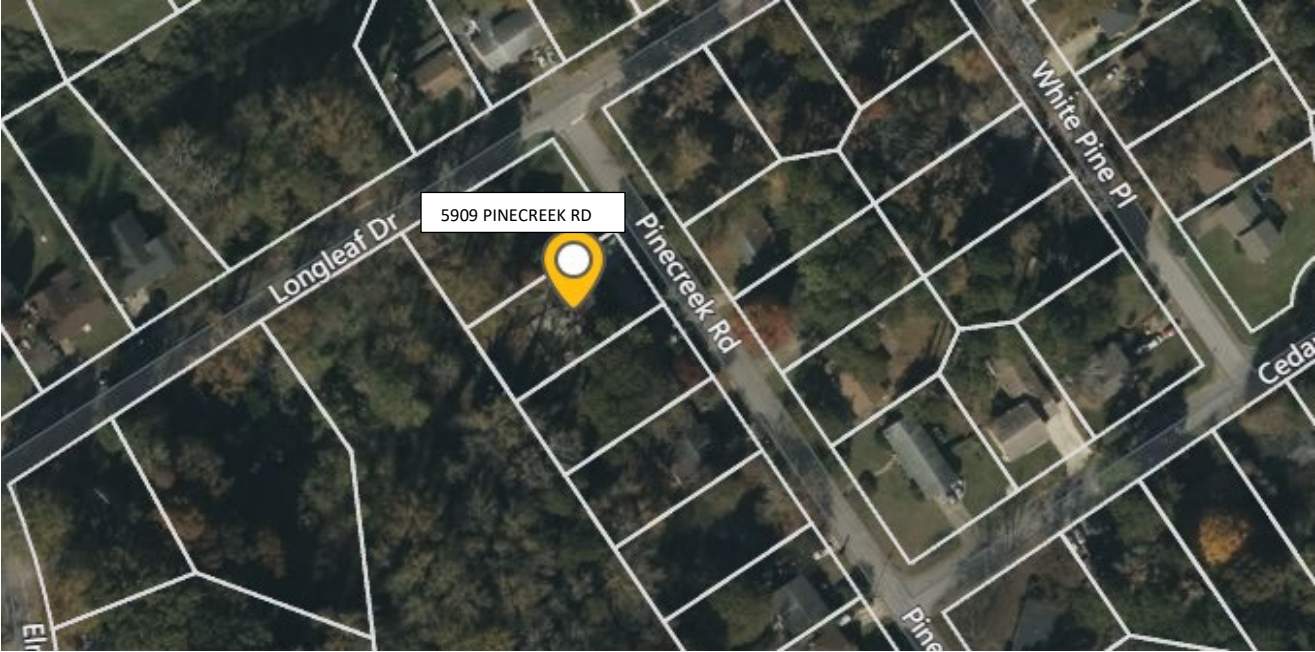
Direction	Zoning & Use	Direction	Zoning & Use
North	RS: Single Family Residential District	East	RS: Single Family Residential District
South	RS: Single Family Residential District	West	RS: Single Family Residential District

SUMMARY & BACKGROUND

The subject property is a residential home located on approximately 0.26 +/- acres. The home was built in 1964. The applicant is requesting a variance for the constructed carport that he has recently built to allow a minimum side yard setback of two (2) feet instead of the required

minimum ten (10) foot side yard setback per Sec. 8-8-29 Single Family Residential District (RS) Standards. Currently, there is a fence located at the property line where the constructed carport has a two (2) feet setback. Adjacent property owner has provided consent of the constructed carport. This variance will allow the applicant to keep his constructed carport.

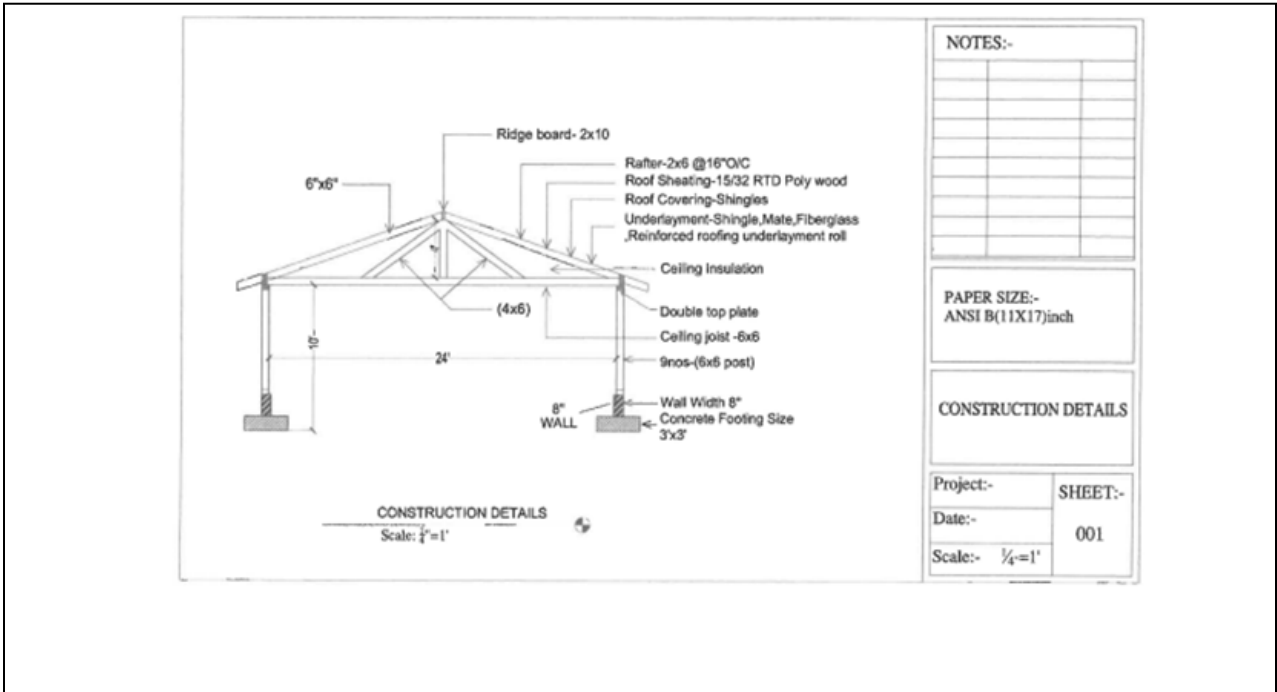
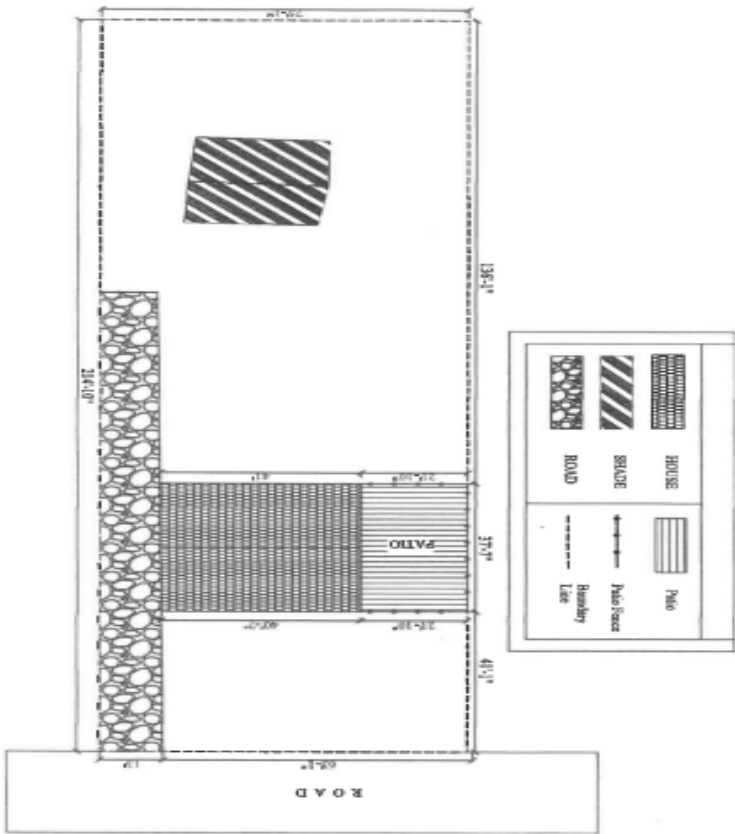
AERIAL MAP



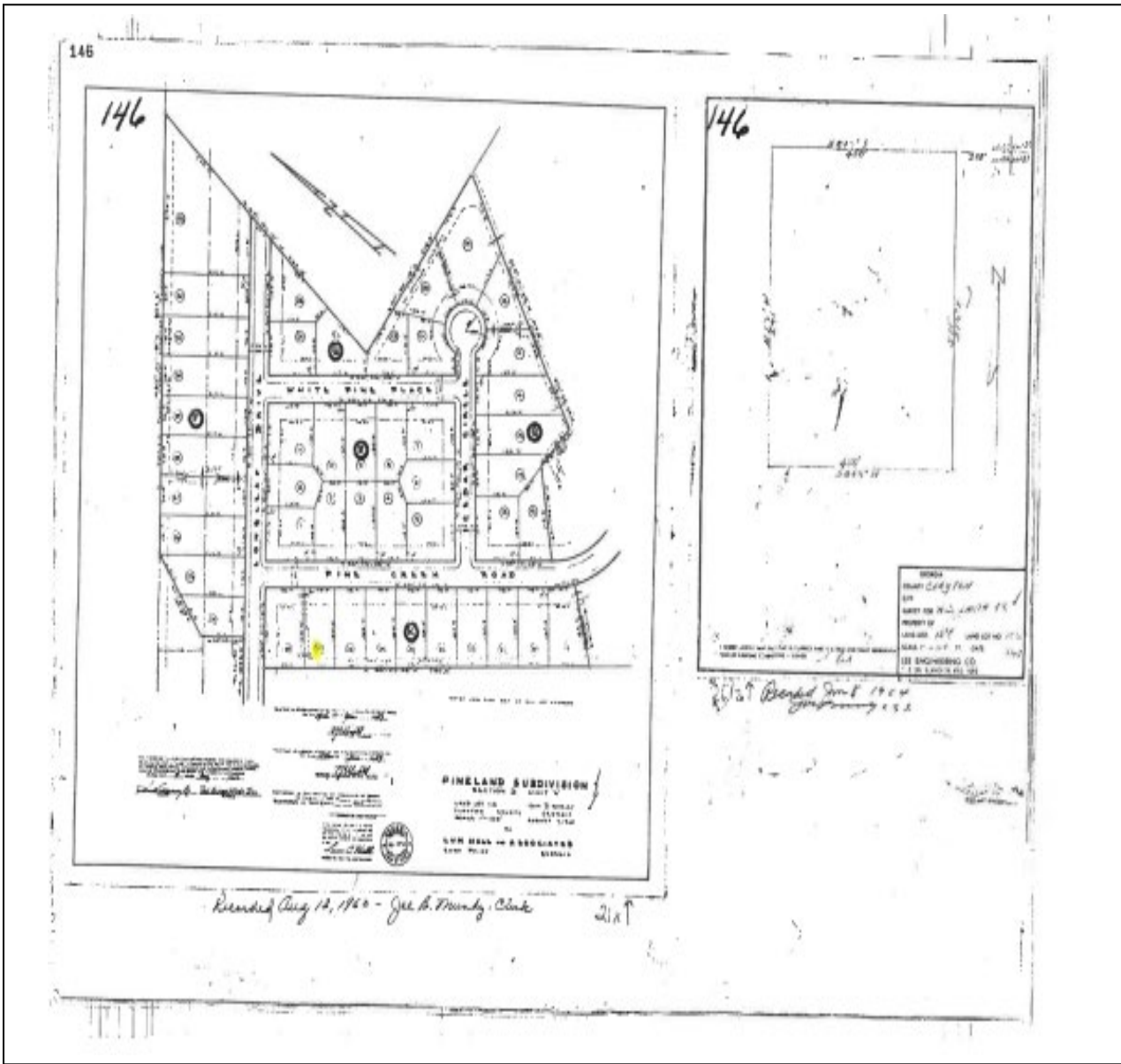
ZONING MAP



SITE PLAN



NOTES:-	
PAPER SIZE:- ANSI B(11X17)inch	
CONSTRUCTION DETAILS	
Project:-	SHEET:-
Date:-	001
Scale:- 1/4"=1'	



SITE PHOTOS



VARIANCE JUSTIFICATION

The Planning Commission may grant a variance from the development standards of this chapter where permitted 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 a variance to allow a minimum side yard setback of two (2) feet instead of the required minimum side yard setback of ten (10) foot for the preconstructed carport. This approval allows the previously constructed development to remain on said property. 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
- Letter of Consent from Adjacent Property Owner