



**CITY OF FOREST PARK  
PLANNING COMMISSION MEETING**

Thursday, December 15, 2022 at 6:00 PM  
Environmental Courtroom- Planning & Community Development Building

**Website:** [www.forestparkga.gov](http://www.forestparkga.gov)  
**Phone Number:** (404) 366-4720

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

## AGENDA

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

**CALL TO ORDER/WELCOME:**

**ROLL CALL:**

**APPROVAL OF MINUTES:**

1. Minutes from the October 20, 2022 Planning Commission Meeting

**OLD BUSINESS:**

**NEW BUSINESS:**

2. **PC-2022-10** - Variance at 0 Fort Gillem for 50-foot undisturbed buffer and 75-foot no-impervious Stream Buffer Encroachment on designated buffered waters

**ADJOURNMENT:**



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## Planning Commission Minutes October 20, 2022

**Call to Order:** Andy Porter called the meeting of the City of Forest Park Planning Commission to order at 6:04 p.m. on October 20, 2022.

**Roll Call:** Andy Porter, Azfar Haque and Michael Clinkscales were present. Also present was Caitly Chandler, Planner and Director of Department of Planning and Community Development, LaShawn Gardiner.

**Approval of Minutes:** Michael Clinkscales made a motion to approve minutes from the September 15, 2022, Planning Commission meeting. Azfar Haque seconded the motion. The vote was unanimous.

**Old Business:**

**Item 1:** Case: PC-2022-09

### Variance at 3953 Jonesboro Road

**To reduce the number of required parking spaces from 55 to 44 as part of a new gas station development. Tabled from September 15, 2022, meeting.**

Caitlyn Chandler states the applicant, Kinh Enterprises Inc, is requesting a variance to reduce the number of required parking spaces from 55 to 44 as part of a new gas station development. The applicant plans to build a gas station with retail spaces upon 1.33 acres on the northern end of Jonesboro Road. The applicant stated that due to the shape of the property, parking will need to be placed around the whole building. With this design, they are requesting a reduction in the number of required parking spaces for the development. The parking standards in Sec. 8-8-90 states: Gasoline Service Stations – 1 space for each 100 square feet of gross floor area and Other Retail Service Uses – 1 space for each 500 square feet of gross floor area. Caitlyn Chandler stated that a concern in the last meeting was that 73 spaces was needed instead of 55. The applicant agreed to make both spaces beside the restaurant retail to reduce the parking to 55.

Staff recommends APPROVAL of a variance to reduce the number of required parking spaces from 55 to 44 as part of a new gas station and retail development. 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



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adjacent to the property included in the variance will not be affected in a substantially adverse manner.

The representative, Jim Joiner, stated that the reason for reducing parking spots from 55 to 44 because the beverage trucks. It would be easier to not impose on traffic on Jonesboro Road and having more room to get in and out. Jim Joiner states that the city has full control of what type of business goes inside of the empty spaces. He also said that later the city can come back and reevaluate the parking spot situation.

Andy Porter asks if anyone is in opposition of the variance.

No one was in opposition.

Michael Clinkscales asks if the applicant is still doing the restaurant.

Jim Joiner answers that they are strictly doing retail and convenience store route. He states that anything that would bring in a lot of traffic would not work as far as a drive-thru food place or regular restaurant.

Azfar Haque made approval to the parking with conditions:

1. There will be no expansions to the convenience store
2. There will be no restaurant allowed
3. No places of gathering ex: church or event hall
4. No fast-food restaurants allowed

Michael Clinkscales seconds the approval of the Variance at 3953 Jonesboro Road with conditions. The vote was unanimous.

Zee Shan Thobhani, the owner, states that when he applied for the Variance, he was unclear about his intentions. He never wanted to put a restaurant in that space.

Andy Porter states that a Variance goes with the land so if the project doesn't go through for some reason the variance still applies to the next person who wants to go in that space.

**New Business:** No new business.

**Other Business:**

**Adjournment:** There being no further business, Michael Clinkscales motioned to adjourn the meeting. Azfar Haque seconded the motion. Voting was unanimous. The meeting adjourned at 6:16pm.



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### Staff Report-Variance

**Public Hearing Date:** December 15, 2022

**Case:** PC-2022-10

**Proposed Request:** Variance for 50-foot undisturbed buffer and 75-foot no-impervious Stream Buffer Encroachment on designated buffered waters

**Staff Report Compiled By:** LaShawn Gardiner

**Staff Recommendation:** Approval of Variance

**APPLICANT INFORMATION**

<b>Owner of Record:</b> United States of America U.S. Army Engineer Dist. Savannah 100 W Oglethrope Ave Savannah, GA 31401	<b>Applicant:</b> Robinson Weeks 1 Glenlake Parkway, Ste. 900 Atlanta, GA 30328
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**PROPERTY INFORMATION**

<b>Parcel Number:</b> 12204 205003	<b>Acreage:</b> 58
<b>Address:</b> 0 Fort Gillem	<b>FLU:</b> Industrial
<b>Current Zoning:</b> Gillem District (GZ)	

**SUMMARY & BACKGROUND**

The project is a 58-acre undeveloped site with mixed-age pine and hardwood forest located in the Gillem Logistics Center. The nearest named body of water is Upton Creek. The applicant proposes to construct two industrial warehouse facilities. Building 600 is proposed to be 567,000 square feet and Building 650 proposed to be approximately 157,000 square feet and associated infrastructure within the designated buffer zone.

The Stream Buffer Protection Ordinance (Chapter 9, Section 8-9-5) requires that an undisturbed natural vegetative buffer be maintained for fifty (50) feet, measured horizontally, on both banks (as applicable) of the stream as measured from the top of the stream bank. An additional setback shall be maintained for twenty-five (25) feet, measured horizontally, beyond the undisturbed natural vegetative buffer, in which all impervious cover shall be prohibited. Grading, filling, and earthmoving shall be minimized within the setback.

The applicant is requesting a Variance for 50-foot ‘undisturbed’ (stream 1) and 75-foot ‘no-impervious’ stream buffer encroachment (Stream 2) on designated buffered waters to allow for

the construction of the warehouse development. The proposed project will impact 24,974 square feet of 50-foot regulated stream buffer and 20,237 square feet of 75-foot regulated stream buffer.

The permitted activity is subject to a U.S. Army Corps of Engineer Compliance Inspection. A Certificate of Compliance permit with the Department of the Army Nationwide is in progress and is anticipated in January or February of 2023.

**SITE PLAN**



**ZONING CLASSIFICATIONS OF CONTIGUOUS PROPERTIES**

<u>Directions</u>	<u>Zoning &amp; Use</u>	<u>Directions</u>	<u>Zoning &amp; Use</u>
<u>North</u>	GZ Gillem District Industrial	<u>East</u>	GZ Gillem District Industrial
<u>South</u>	Residential-Not in Forest Park	<u>West</u>	GZ Gillem District Industrial

**SITE PHOTO**

**From Anvil Block Road**



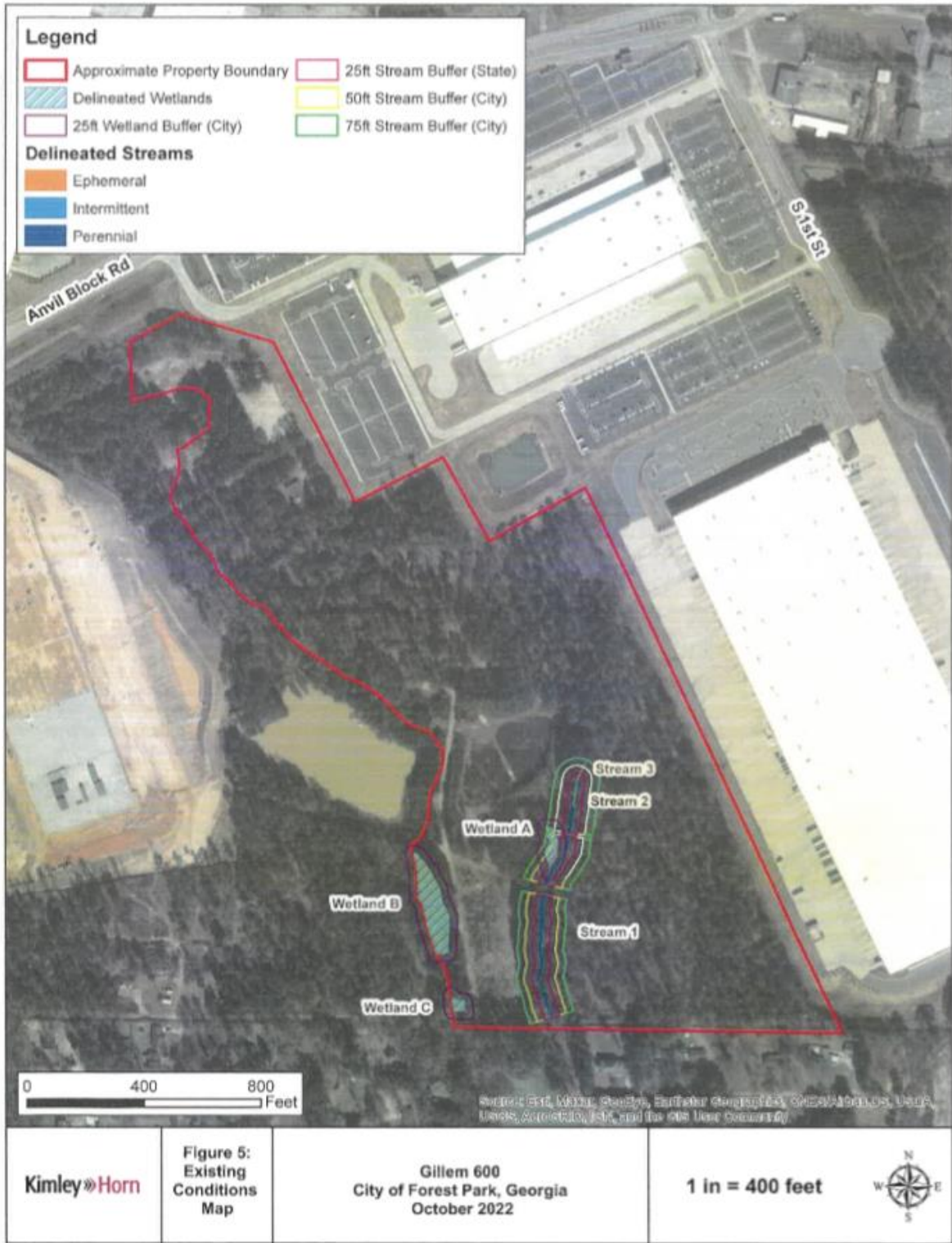
### Aerial View of Site

**Subject Property**

**Amazon Building**



### AERIAL MAP OF LIMITS OF DISTURBANCE





**CONDITIONS FOR VARIANCES**

The following factors will be considered by planning commission in determining whether to issue a variance.

1. The shape, size, topography, slope, soils, vegetation, and other physical characteristics of the property;
2. The location of all streams on the property, including along property boundaries;
3. The locations and extent of the proposed buffer or setback intrusion;
4. Whether alternative designs are possible which require less intrusion or no intrusion.
5. The long-term and construction water-quality impacts of the proposed variance; and
6. Whether issuance of the variance is at least as protective of natural resources and the environment.

**STAFF RECOMMENDATION**

Due to the physical characteristics of the property, staff recommends **APPROVAL** of a Variance for 50-foot undisturbed (Stream 1) and 75-foot no-impervious stream buffer encroachment (Stream 2) on designated buffered waters to allow for the construction of the warehouse development on the following condition:

1. The applicant submits a copy of the Certificate of Compliance with the Department of the Army Nationwide permit to the Planning & Community Development Department upon receipt of the document.
2. The applicant complies with conditions that the U.S. Army Corps of Engineers imposes upon its inspection as a result of the Certificate of Compliance process and provides PCD staff a written letter on applicant letterhead agreeing to those conditions at the time the Certificate of Compliance is submitted to the PCD Department.