

CITY OF FOREST PARK PLANNING COMMISSION MEETING

Thursday, January 18, 2024 at 6:00 PM City Hall | Council Chambers

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

PLANNING & COMMUNITY DEVELOPMENT

745 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 November 16, 2023 Meeting Minutes

OLD BUSINESS:

NEW BUSINESS:

- 2. Case# VAR-2024-01 Variance for 1299 Waverly Dr., Parcel# 12240C E025, Forest Park, Georgia
- 3. Case# PP-2024-01 Preliminary Plat 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, Forest Park, Georgia

ADJOURNMENT:



CITY OF FOREST PARK PLANNING COMMISSION MEETING

Thursday, November 16, 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

MINUTES

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

CALL TO ORDER/WELCOME:

Azfar Haque called the Planning Commission meeting on November 16, 2023, to order at 6:02pm.

ROLL CALL: A quorum was established.

PRESENT:

Azfar Haque Roderick Jackson Donald Williams

ALSO PRESENT:

LaShawn Gardiner, Director of Planning & Community Development SaVaughn Irons, Principal Planner Latonya Turner, Planning & Community Development Administrative Supervisor

APPROVAL OF MINUTES:

1. Approval of October 19, 2023, Meeting Minutes
Member Jackson made a motion to approve the October 19, 2023, meeting minutes. Member Williams seconded the motion. Motion approved unanimously.

OLD BUSINESS:

NEW BUSINESS:

SaVaughn Irons made a request to amend the agenda to include a discussion regarding the December meeting schedule and the change in meeting location beginning in January.

2. Case# VAR-2023-14 - Variance for 0 Scott Rd., Parcel# 13015C A006, Forest Park, Georgia.

BACKGROUND/HISTORY:

The applicant, Divine Dream Homes ATL, LLC, requested a variance to decrease the minimum lot area from 8,200 sq ft to 6,000 sq ft, decrease the minimum lot width from 80 ft to 50 ft, decrease the rear yard setback from 30 ft to 20 ft, decrease the front yard setback from 25 ft to 15 ft and decrease the side yard setback from from 10 ft to 7.5 ft to build 9 new construction single family homes.

SaVaughn Irons – delivered the staff report. Staff is recommending approval of the variance with conditions. Per Section 8-8-29 Single Family Residential District (RS) Standards, the city should promote an average density of 5 dwelling units per acre. Based on the district intent and total acreage of proposed development, staff is requesting the applicant to decrease the number of homes by 1, to allow a total of 8 new construction homes to be developed, instead of the nine 9 that was initially requested. With this requested change, it should allow an increase of the requested minimum lot area, minimum lot width and setback changes.

PUBLIC COMMENTS:

Frank Holtzclaw – stated he is concerned about the removal of trees, increased vehicle traffic, lack of parking for visitors, and potential for increased crime in the neighborhood. He asked if a red light would be put up at the intersection of Scott Rd.

Member Jackson – stated that there will be a tree buffer that will still be there.

Vice Chairman Haque – stated he thinks there has to be development coming into the City of Forest Park. He believes it's good for the city, neighborhood, county, and the taxes. He likes the proposal by staff to only allow 8 homes instead of 9. He asked if 8 homes is the max that would fit in per the acreage allowed.

SaVaughn Irons – answered that 8 homes is the max staff would like to have fit in as far as the maximum lot width in the area.

Vice Chairman Haque – stated that the development is going to come and you can only fight it so much.

Russel Rogers – stated he is here on behalf of the applicant who is out of town. He's here to answer any questions.

Vice Chairman Haque – asked if he was ok with the Planning Commission only approving 8 homes.

Russel Rogers – answered that initially the applicant was trying to fit 12 homes in there. He says that if that is what the board wants to vote in favor of that they're happy to move forward.

Nicholas Elliott – stated that trees are very important and that the schematics doesn't call out the tree buffer that was referenced. He thinks the buffer should be referenced or documented somewhere in the schematics or verbiage somewhere.

SaVaughn Irons – stated that the city's ordinance requires a certain amount of trees. She says the original scope of plans, which can't necessarily fit in here because of the size, the buffers are indeed on there. The Light Industrial District and the warehouses that are on the opposite side have a buffer as well. There will be a buffer of trees surrounding this property as well as the trees that are already in place.

Director Gardiner – stated that this is just for the variance request. They will still have to submit site plans and development plans for review by our engineer and our office as well. That's where the tree buffers and all of that type of information will be explained, provided, and documented.

It was motioned to approve the variance.

Motion made by Member Jackson to approve the variance with the stated conditions of 8 homes and the tree buffer in place. Member Williams seconded the motion. Motion approved unanimously.

3. Case# TA-2023-05 - Text Amendment of Article B: Zoning Districts, Overlay Districts, and Design Guidelines within the City of Forest Park Code of Ordinances.

BACKGROUND/HISTORY:

The Planning & Community Development Department has discovered that Title 8, Section 8 of the current Zoning Ordinance does not adequately address the use of certain transportation businesses, such as taxi and limousine services, taxi and limousine dispatch and storage service, and ambulance services. The requested amendments will not be injurious to the public health, safety, morals, and general welfare of the community. The use will not be affected in a substantial, adverse manner.

Director Gardiner – delivered the staff report. She stated that staff continues to review our Zoning Ordinance and Code of Ordinances and as we find things that we need to amend we will be bringing forth text amendments. This ordinance is in regards to transportation related businesses such as ambulances, ambulance services, taxicab services, limousine services, and limousine dispatchers. As far as your limitation on certain businesses in regards to spacing, there is a area in the code where certain businesses cannot be within a mile of one another so we placed those recommended businesses under that category.

COMMENTS/DISCUSSION FROM BOARD:

Member Jackson – asked if businesses that provide the same function such as a print company that only prints certain documents that the other company wouldn't be providing the same type of services.

Director Gardiner – answered that we look at each business based on what they do.

Vice Chairman Haque – asked if a UPS store that does packaging as well as printing would be allowed next to a full-blown print shop.

SaVaughn Irons – stated we don't want an area condensed with hair salons or tire shops because then it limits the types of businesses we can offer.

It was motioned to approve the text amendment.

Motion made by Member Jackson. Member Williams seconded the motion. Motion approved unanimously.

4. Case# TA-2023-06 - Text Amendment of Article C. Development and Use Standards. Section. 8-8-73 Lot/Yard Standards.

BACKGROUND/HISTORY:

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. The following text amendments have been proposed: An amendment to Article C. Development and Use Standards. Section. 8-8-73. Lot/Yard Standards, adding subsection (c) Commonly Owned Lots. This update provides clarity for property owners with contiguous individual parcels and lots under common ownership to disregard Front yard, side yard and rear yard setbacks, found in Article B of the City of Forest Park Zoning Ordinance as long as the setbacks occur on the actual lines of ownership.

SaVaughn Irons - delivered the staff report.

COMMENTS/DISCUSSION FROM BOARD:

Vice Chairman Haque – asked for further explanation.

SaVaughn Irons – stated that if you own 3 lots and they're all consecutively next to each other typically each lot has its setback requirements front, rear, and side yard but because you own these 3 lots and they're parallel contiguous next to each other and you're trying to do some type of development at that point you would not have to honor the setback requirements in that section because you own contiguous lots and there property lines meet. It allows some additional flexibility for property owners who own contiguous lots next to each other.

Vice Chairman Haque – stated provided I was doing all 3 lots development.

SaVaughn Irons – stated correct. If you were combining the lots that would be a separate story.

It was motioned to approve the text amendment.

Motion made by Member Jackson. Member Williams seconded the motion. Motion approved unanimously.

OTHER DISCUSSION:

SaVaughn Irons – stated the next scheduled meeting would be Thursday, December 21st. Some of the other meetings, such as Council, were moved to January. We're just giving you all an opportunity to move.

It was motioned to approve the rescheduling of the December 21st meeting to January 18th.

Motion made by Member Jackson. Member Williams seconded the motion. Motion approved unanimously.

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ADJOURNMENT:

Member Jackson made a motion to adjourn the meeting at 6:41pm. Member Williams seconded the motion. Motion approved unanimously.







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

Staff Report – Variance

Public Hearing Date: January 18, 2024

Case: VAR-2024-01

Current Zoning: RS – Single Family Residential District

Proposed Request: Variance Request to decrease the minimum right side yard setback from

the required 10 feet to 1 foot to construct an enclosed attached garage.

Staff Report Compiled By: SaVaughn Irons, Principal Planner

Staff Recommendation: Approval of Variance with Conditions

APPLICANT INFORMATION

Owner of Record: Applicant:

Name: Maria Isabel Argos Rios Maria Isabel Argos Rios

1299 Waverly Dr. 1299 Waverly Dr.

Forest Park, GA 30297 Forest Park, GA 30297

PROPERTY INFORMATION

Parcel Number: 12240C E025 Acreage: 0.26+/-

Address: 1299 Waverly Dr., Forest Park, GA 30297 FLU: S.F. Residential

ZONING CLASSIFICATIONS OF CONTIGUOUS PROPERTIES

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



CITY OF FOREST PARK

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SUMMARY & BACKGROUND

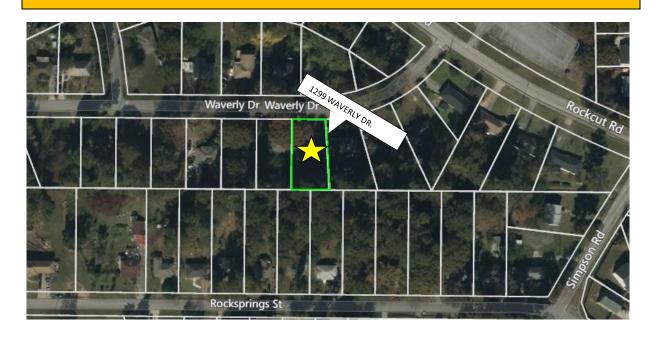
The subject property is a residential home located at 1299 Waverly Dr., on approximately 0.26 +/- acres. The home was built in 1958 with a total building area square footage of 975sq feet. The applicant is requesting a variance to decrease the minimum right side yard setback from the required 10 feet to 1 foot to construct an enclosed attached garage. Per Sec. 8-8-29 Single Family Residential District (RS) Standards the minimum requirement for side yard setbacks is 10 feet. Currently, the property has a stop work order due to applicant beginning to construct front porch without proper permitting. Plans were submitted to staff for the review of front porch and garage construction but did not meet the side yard setback requirements to receive an approval during the plan review process. The applicant has plans to construct an attached garage on the right side of the structure. The applicant did speak with staff and was advised that the minimum side yard setback of one (1) foot would not be ideal for safety reasons, and the side yard setback requirement would have to be met unless granted a variance approval from the planning commission. Based on the dimensions and size of the lot, the placement of the driveway on said property is near the property line and there is a fence present. Applicant advised staff that the left side of the property would maintain the minimum required setback of 10 feet. If this variance request is approved, it will allow the applicant to construct an enclosed garage on the right side of the primary structure and provide an approval to move forward with a minimum side yard setback of 1(one) foot instead of the required minimum side yard setback of 10 feet.



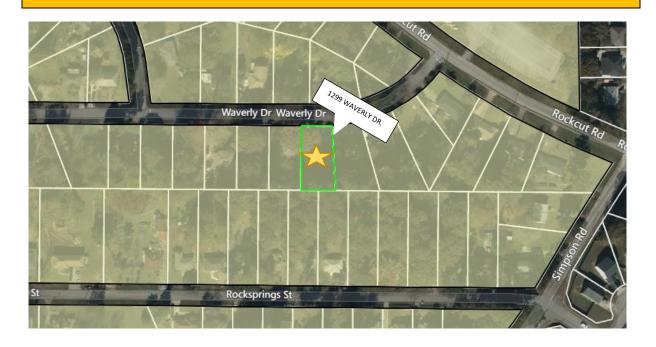
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AERIAL MAP



ZONING MAP

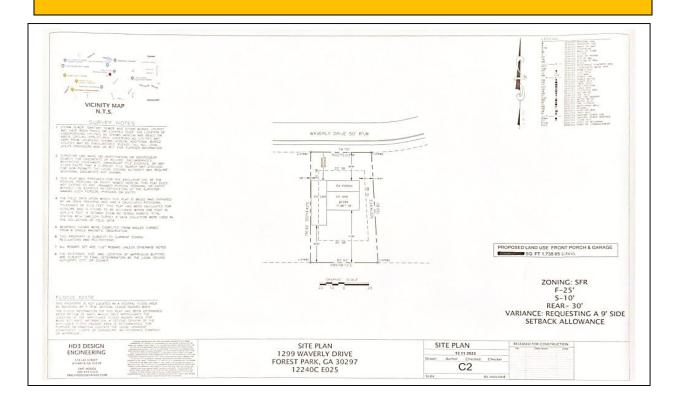




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SITE PLAN



SITE PHOTOS







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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 with Conditions to allow a minimum rear yard setback of one (1) foot instead of the required minimum side yard setback of ten (10) feet for the construction of an attached garage to the right side of primary structure. Applicant will need to





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provide staff with a letter of consent from the property owner on the right of the property where the garage will be constructed. With the provision of the letter of consent from the adjacent property owner, 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

Item #3.



CITY OF FOREST PARK

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

STAFF REPORT – Preliminary Plat

Public Hearing Date: January 18, 2024

Case: PP-2024-01

Current Zoning: Multiple-Family Residential District (RM)

Proposed Request: Preliminary Plat for 803, 805, 829, 837, 845, 847, 861 Main Street – 32-

Unit Townhome Development

Staff Report Compiled By: SaVaughn Irons, Principal Planner

Staff Recommendation: Approval of Preliminary Plat with Conditions

APPLICANT INFORMATION

Owner of Record: Applicant:

Name: Cultivate Communities Name: Frank Bailey

Address: 1075 Peachtree Street, NE, Suite 6 #570248 Address: 1075 Peachtree Street, NE, Suite 6 #570248

City/State: Atlanta, Georgia 30318 City/State: Atlanta, GA 30309

PROPERTY INFORMATION

Parcel Number: 13050B L001A, L002 - L007 Acreage: 1.55

Address: 803, 805, 829, 837, 845, 847, 861 Main Street **FLU: Institutional, Commercial**

SUMMARY

The applicant is requesting the approval of a Preliminary Plat for 803 Main Street to subdivide a 1.55+/- acre parcel to create 32 townhome units.

FINDINGS OF FACT

The subject property is a vacant lot located north of the railroad tracks between Forest Parkway and Main Street, and the corners of Lake Drive and Ash Street, with approximately 1.55 acres. The applicant has met with the City of Forest Park City Manager, Planning & Community Development Department, Economic Development Department, and the Urban Design Review Board to discuss this project. The applicant is seeking approval of the Preliminary Plat to begin the process of developing the property into a subdivision consisting of thirty-two (32) townhome units. Adjacent zoning land uses north, east and west of the subject property consist

Staff Report – 803, 805, 829, 837, 845, 847, 861 Main Street Preliminary Plat



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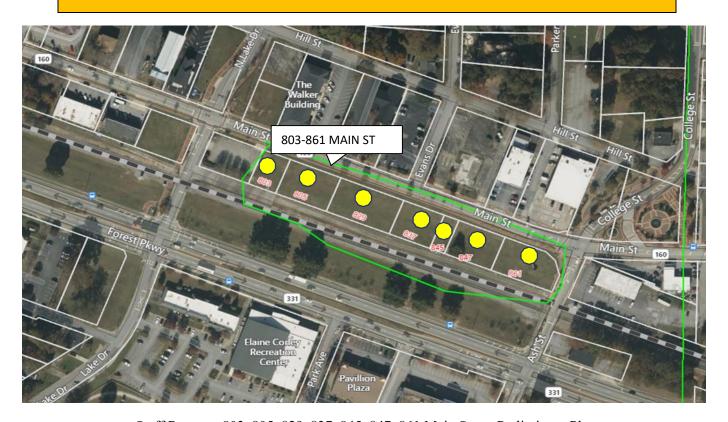
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of the Downtown Mainstreet District (DM District). South of the property is zoned Institutional Commercial District (IC District).

Each of the thirty-two (32) townhomes will be constructed into four (4) Separate buildings, featuring rear loading two (2) car garages, and a mixture of seventeen (17) feet and twenty (20) feet wide units. Three (3) of the townhome buildings will be two-story (2), and one building will be three (3) stories. The units range from 2,052 sq ft to 2,286 sq ft gross and 1,500 sq ft to 1,734 sq ft heated. Each end unit on each building will be slightly wider than the middle units. The front exterior of the buildings will include a combination of brick, faux stone siding panels, vertical Hardie board plank, and Hardie shingle plank.

The entrance will feature a walk-up design, with wrought iron railings and minimum front yard space from the sidewalk to provide an urban, walkable environment while still providing a small-town charm. The upper levels of the rear elevations will consist of Hardie plank and the lower, garage level exterior will be brick. Side elevations of the buildings will mimic the same materials as the rear elevations, upper levels utilizing Hardie plank and the lower-level brick. The front exterior of each townhome unit per building will also have an assorted color and material combination.

AERIAL MAP



Staff Report - 803, 805, 829, 837, 845, 847, 861 Main Street Preliminary Plat



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ZONING MAP



Multiple Family Residential (RM)

Zoning Classifications of Contiguous Properties

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





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CURRENT CONDITIONS





CITY OF FOREST PARK

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Staff Report - 803, 805, 829, 837, 845, 847, 861 Main Street Preliminary Plat

Item #3.

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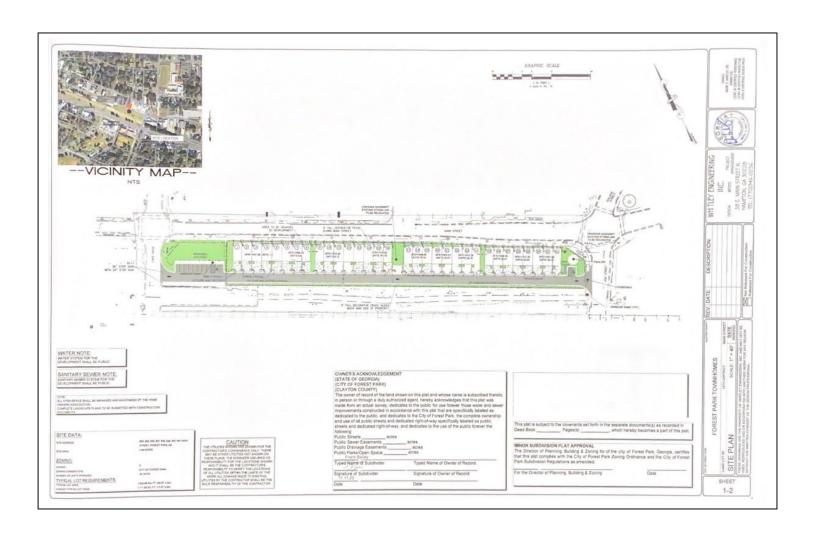
Staff Report - 803, 805, 829, 837, 845, 847, 861 Main Street Preliminary Plat





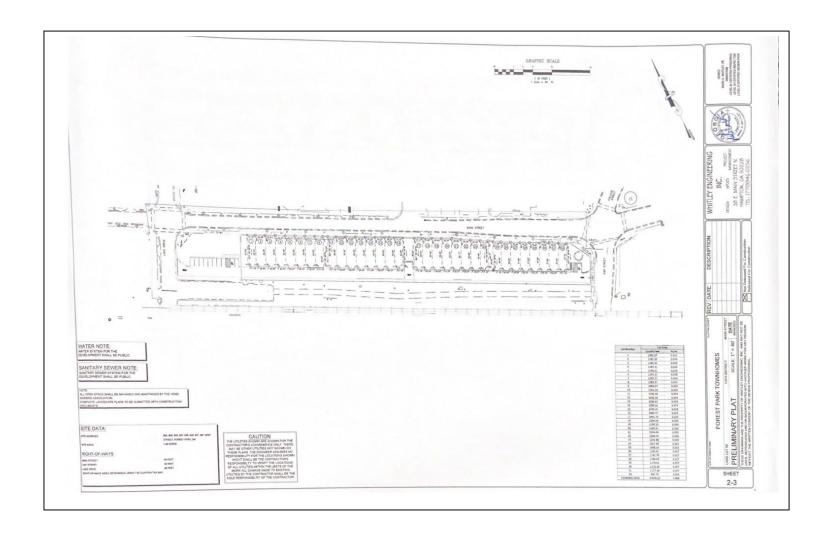
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SITE PLAN





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STAFF RECOMMENDATION

Staff recommends **APPROVAL OF THE PRELIMINARY PLAT** for 803, 805, 829, 837, 845, 847, 861 Main Street 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.

Staff Report - 803, 805, 829, 837, 845, 847, 861 Main Street Preliminary Plat





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- 3. Sidewalks shall serve each lot and shall be designed and constructed in accordance with City Standards.
- 4. Applicant must complete a land combination application and submit to the city of Forest Park to Combine separate addresses and parcels prior to the final Plat submission.
- 5. Applicant must complete a Lot Split Application and submit to the City of Forest Park to subdivide lots for 32 units to be provided individual Parcel ID numbers prior to the final plat submission.

Attachments Included

• Site Plan