



CITY OF FOREST PARK
PLANNING COMMISSION MEETING

Thursday, May 15, 2025 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

Azfar Haque, Chairman
Michael Clinkscales, Vice Chairman
Roderick Jackson, Member
Donald Williams, Member
Lois Wright, Member

CALL TO ORDER/WELCOME:

ROLL CALL:

ADOPTION OF THE AGENDA WITH ANY ADDITIONS/DELETIONS:

APPROVAL OF MINUTES:

1. Approval of April 17, 2025 Meeting Minutes

PUBLIC COMMENTS: (All Speakers will have 3 Minutes)

OLD BUSINESS:

NEW BUSINESS:

2. Case # RZ-2025-01 – Rezone Request for 5116 Sargent Street., Parcel # 13080A E005. The applicant, Terrell Rental Properties, LLC (Tony Terrell), is requesting a rezoning of the .208+/- acre lot within the Single-Family Residential District (RS) to Two-Family Residential District (RT) to allow a two-family home/duplex in Ward 3.

ADJOURNMENT:



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MINUTES

Azfar Haque, Chairman
Michael Clinkscales, Vice Chairman
Roderick Jackson, Member
Donald Williams, Member
Lois Wright, Member

CALL TO ORDER/WELCOME: Vice Chairman Michael Clinkscales called the meeting to order at 6:00 pm.

ROLL CALL: A quorum was established.

PRESENT:

Michael Clinkscales; Roderick Jackson; Donald Williams; Lois Wright

ABSENT: Azfar Haque

ALSO PRESENT:

Nicole Dozier, Director of Planning & Community Development; SaVaughn Irons-Kumassah, Principal Planner; Latemia Richards, Planner I; Latonya Turner, Board Secretary and Department of Planning & Community Development Office Coordinator

ADOPTION OF THE AGENDA WITH ANY ADDITIONS/DELETIONS:

It was motioned to adopt the agenda as printed.

The motion was made by Lois Wright and seconded by Donald Williams.

The motion was approved unanimously.

PUBLIC COMMENTS: (All Speakers will have 3 Minutes)

APPROVAL OF MINUTES: Approval of March 20, 2025 Meeting Minutes

It was motioned to approve the March 20, 2025 printed meeting minutes.

The motion was made by Lois Wright and seconded by Donald Williams.

The motion was approved unanimously.

OLD BUSINESS: None

NEW BUSINESS:

1. **Case# CUP-2025-02 - Conditional Use Permit Request for 0 Main Street, 752 Main Street, 760 Main Street, and 770 Main Street, Parcel# 13050B K006, 13050B K005, and 13050B K0002.** The applicant, Prestwick Land Holdings, LLC (Edrick Harris), is seeking a Conditional Use Permit to authorize the construction of 60 apartment units as part of a mixed-use development project within the Downtown Mainstreet District (DM) Ward 2.

Background/History:

The applicant for 0, 752, 760 and 770 Main St. is requesting a Conditional Use Permit (CUP) to authorize the construction of a 60-unit mixed use development on a 1.62+/- acre parcel located within the Traditional Downtown Core (TDC) of the Downtown Mainstreet District (DM). The proposed development falls within the residential density guidelines outlined in Section 8-8-54.8(a)(2) of the zoning ordinance, which stipulates that residential densities within this district must range from 6 to 12 units per acre. However, the proposed density exceeds the maximum limit of twelve units per acre, necessitating approval through the CUP process as specified in Section 8-8-188 of the ordinance. Staff recommends approval of the Conditional Use Permit with the following condition:

1. If the Mayor and Council approve the development of the sixty units, staff recommends that the applicant preserve the architectural design as presented in the rendered photo provided to staff.

Edrick Harris, representing Prestwick Land Holdings, introduced himself and noted that his team had several meetings with the city's Economic Development team and Downtown Development Authority to ensure that their design elements aligned with the city's future hopes and goals for Main Street, such as making the area attractive, bringing in additional retail and pedestrian activity, and adding some additional residences.

Delores Gunn, City Council, Ward 2, stated she is against the proposed development. She's concerned that increasing the number of units will decrease living space and cause an increase in parking and traffic congestion around the city. She's discussed this project with residents in her ward, and many don't feel that this project is conducive right now. She thinks the city should focus on filling up Main Street before allowing an influx of additional persons, families, and congestion, which will impact the surrounding residents. She wants to bring in retail and viable places to eat to build up Main Street.

Ann Keith, a resident of Forest Park, stated that she was in favor of the project. She has lived in Forest Park for most of her life and wants something to happen on Main Street. She is ready for this to happen. She is concerned about parking because it is a small space for 60 apartments, but she wants to walk out of her house, around the corner, sit down, and have dinner somewhere. She's looking forward to having new people in the community who can share its goodness.

Angelyne Butler, Mayor, stated she's here to support this project. This community's residents have spoken and told us for the last few years what they want to see in the city. And it's now coming to fruition. We have an opportunity here unlike any other, and not to welcome it is really disheartening. It's counter to what everyone has said based on the LCI presented for the last five to ten years. We want

people to come to the city; we need businesses and the people here to sustain the business. It's incumbent upon us to seize this opportunity before it slips away.

Latresa Akins-Wells, City Council, Ward 4, stated that she agrees with both Mayor Butler and Councilwoman Gunn. Like Ms. Keith, she grew up here and was raised in Forest Park, just like me. Of course, we want to see some things happen in our community because our community is really dead right now. We need some life on Main Street. However, I don't think the project is the problem; I think the project size is the problem. We don't want to congest our areas yes, we need name brand grocery stores we need eateries, we need to be able to live work and play in our communities and right now we can't do that so I don't think Councilwoman Gunn's against it I'm not against it. Still, I am against changing it from 12 units to 60, as that's excessive.

Rochelle Dennis, Interim Economic Development Director, encouraged the board to support the conditional use permit for Prestwick development. As we look at economic development in any city, but particularly in ours, the lynch pin of growth, particularly in Forest Park lies within Main Street, where the mayor spoke about having restaurants and grocery stores. All of the amenities and things that we work very hard to bring to our city every day, part of the challenge that we have is that we need the density, we need people, and that is the constant narrative that we get, and it's a little bit of that, somebody said chicken and egg. Still, it is very much the chicken and egg, somebody has to go first. I am very thankful to Prestwick for coming to the table and working through our last-minute negotiations and finally walking out with a signed contract just this week with our Development Authority, which is in favor and very enthusiastic in their support. Still, I encourage you to do the same. The concerns around sizes, etc., but again going back to the chicken and egg, until we address and attract and keep people in the downtown footprint, the retail will follow retail follows people, and so for us to have the retail.

LaWanda Folami, resident of Forest Park, stated that the project becoming a new thrive for Main Street my concern would be what is the condition of use that the investor is looking to have and how would that help improve Main Street I can attest that I have seen development in Hapeville start out just as this but to leave from a uh first request asking for 6 or 12 unit then expand it to 60 my question would be why when you came to the table you didn't come directly with that 60 number and I would like to know what is the special condition for this housing project to be developed and also I heard about the chicken I heard about the egg but nevertheless we have to be considerate we are in a population some people say 19 I say 21 and we do need sustainable housing and we need affordable housing but we need to make sure these contracts are locked in that then these resident tenants future come to purchase or rent out the place they're not dealing with hyped up renter situation getting it something that they can't afford they are renting apartment but they're almost paying for housing to purchase I would like to be more transparent within how does the city benefit for it with no development throughout Forest Park.

Mr. Harris responded that there a few questions out there see if I can address as many as possible I think first was I guess kind of the 60 units as we know we are in an ever-changing economic lending environment we'll just put it as simple as I know everybody reads the news so all the you know lending programs everything has been changing day by day so number one this is an opportunity that right now is available there are requirements to the monies that are available and we typically have a requirement that we're about 70 to 75 homes when we build these types of communities and but because we understood the you know we knew that we were pushing the envelope with the request which this there was only one request when the original request went in it was for 75 units or 70 units plus we backed that down to 60 so there was never a changing of asking for the minimum and going up we've actually decreased and we've actually gone to the bare minimum that will allow us to get the funding that's

needed to complete this development so anything less unfortunately kills the opportunity that we have before us to move this forward.

SaVaughn Irons-Kumassah, Principal Planner, stated she wanted to provide some additional context, so based on the LCI that was also mentioned by our mayor, the downtown core has different density requirements in different areas, so there's a low-density corridor, and there's a medium-density corridor. There's a high density area of the ordinance um so the ordinance does state that any density for the traditional downtown core um low density area which where this these properties are listed for this proposed development does state that it is required for 6 to 12 units per acre, the applicant does have 1.6 plus or minus acres. The only way to bypass them to have that approval is through the conditional use process.

Comments/Discussion from Governing Body:

Lois Wright stated that as a former chairman of the Development Authority housing was presented to the board and council about 5 or 6 years ago we were going to put in 28 condos on Main Street that got shut down now you want to put 60 in a acre and a half how is that flying on Main Street on the place that you didn't want 28 but you're going to put 60 and go straight up we don't had a space and then you then he talks about across the street adjacent parking that's city property are they do they want to buy that property for parking for that 60 unit apartment complex on Main Street 60 units come on that's way too much for Main Street it will be congested it will be a mess and where they going to park at where's the parking in the back in the front or across the street on other city property so personal personally knowing the development and how we had gotten approval and from the past Economic Director Bruce Abraham, the planner Shelby, and everybody respect Shelby, but it still got turned down because, I guess, you didn't like the developers, the city, or I should say the mayor didn't like the developers.

Roderick Jackson commented that it's time for this city to stop sitting down. Let's move toward moving and adding on some different types of revenues. Let's put people in this city who want to come here and don't mind flying over the airport and saying Forest Park is the city to go to. He noted we need to raise the economics of the city and put some people on that street.

It was motioned to approve the Conditional Use Permit with the stated condition.

The motion was made by Roderick Jackson and seconded by Donald Williams.

Lois Wright voted in opposition. The motion was approved 3-1.

2. **Case# VAR-2025-06 - Variance request for 0 Main Street, 752 Main Street, 760 Main Street, and 770 Main Street, Parcel# 13050B K006, 13050B K005, and 13050B K0002. The applicant, Prestwick Land Holdings, LLC, is requesting a variance to increase the allowed density within the *Traditional downtown core* from the required six to twelve (6-12) units to sixty (60) units, reduce the required parking from the 1.75 stalls/units to 1.6 stalls/unit, reduce the required minimum bedroom size by 150 square feet for each one, two and three bedroom type, reduce the minimum floor-to-ceiling height on first floor from eighteen (18) feet to ten (10) feet and reduce the retail glazing to 50% of the length of the retail portion of the building to transparent glazing to 30-40% of the length of the building, for the construction of a new mixed-use development within the Downtown Mainstreet District (DM) Ward 2.**

Background/History:

The applicant is seeking a series of variances to facilitate the development of a proposed new mixed-use project on a 1.62+/- acre parcel within the Traditional Downtown Core (TDC) of the Downtown Mainstreet District (DM). The proposed development includes a request to increase residential density from the required 6-12 units per acre by 48 units to equal 60 units, reduce parking requirements from 1.75 stalls per unit to 1.6 stalls per unit, decrease the setback minimum to 10 feet to install on street parking stalls, decrease minimum bedroom sizes by 150 square feet, reduce first-floor ceiling height from 18 feet to 10 feet, and lower the required transparent glazing on the retail portion of the building from 50% to 30-40%.

Staff recommends approval of the Variance with the following conditions:

1. Staff recommends receiving final approval from mayor and council to obtain approval to develop 60 units due to Section 8-8-54.8(a)(2) of the ordinance, stating the residential density within this zoning district must range from 6 to 12 units per acre. This section also advises that residential densities exceeding 12 units per acre are subject to approval through a Conditional Use Permit. If Granted approval by Mayor & Council to proceed with the development of 60 units, Variance on number of units shall be granted.
2. Staff recommends approval of the front set back to 10 feet to create on street parking so as long as parking stalls are constructed as depicted in the provided site plan.
3. Staff recommends denial of the reduction of unit size by 150 sq ft, per section 8-8-37 Downtown Mainstreet District standards, the minimum living area for a studio shall be 600 sq ft, 1 bedroom, 800 sq ft, 2 bedroom, 1000 sq ft and a three bedroom is 1,100 sq ft. by maintaining the minimum living area, we are able to ensure we offer an adequate living space and comfortability for future residents.
4. Staff recommends a height adjustment for floor-to-ceiling height on the first floor to be 14 feet instead of the requested 10 feet which would be a 4 feet reduction instead of the requested 8-foot reduction.
5. Staff recommends maintaining glazing at 50% on the retail portion of the building to enhance visibility, attract foot traffic, and showcase products effectively. Additionally, larger windows support brand identity, provide visual connectivity for security, and help deter crime by offering clear sightlines into the space. The increased transparency ensures a safer environment by allowing employees to monitor both the interior and the surrounding area. Furthermore, the glazing improves safety for drivers and pedestrians by offering better visibility of the store's activities, reducing blind spots and potential hazards near the building.
6. Staff recommends maintaining the parking requirement of 1.75 stalls per unit. If the applicant is approved for 60 units, no parking variance will be needed, as the proposed parking is adequate with 1.75 stalls per unit. However, the applicant must obtain approval from the neighboring lot and provide staff with a parking agreement from the lot owners west of the property, confirming that the development is authorized to utilize their spaces for parking. This agreement must be submitted to staff prior to the issuance of the certificate of occupancy.
7. If the Mayor and Council approve the development of the 60 units, staff recommends that the applicant preserve the architectural design as presented in the rendered photo provided to staff.

It was motioned to approve the Variance with the stated conditions.

The motion was made by Roderick Jackson and seconded by Donald Williams.

Lois Wright voted in opposition. The motion was approved 3-1.

3. **Case# PP-2025-01 - Preliminary Plat for Cherry Street Single Family Homes - 730 South Ave and 5050 Park Ave, Parcel # 13050C G021 and 13050C G001. The applicant, Sandy Epstein (Billy Freeman – Technique Concrete Construction, LLC), is requesting an approval of the Preliminary Plat for 730 South Ave and 5050 Park Ave to subdivide a 0.648 +/- acre parcel to create seven (7) lots to construct six (6) single-family detached homes within the Single-Family Residential District (RS) Ward 2.**

Background/History:

The applicant is requesting the approval of a Preliminary Plat for 730 South Ave and 5050 Park Ave to subdivide two parcels of land equally 0.641 +/- acre to create 6 detached single-family homes. The intent of the development is to provide additional housing options within the neighborhood by constructing six new single-family homes. The development aims to utilize the subject property better to increase density in alignment with current development trends. Lot One, an existing single-family home, will remain and is not part of the proposed development. Staff recommends approval with the condition that the applicant will submit protective covenants to regulate land use in the subdivision and otherwise protect the proposed subdivision; the developer will be responsible for all costs associated with the design and construction of sanitary sewer and water improvements necessary to serve the proposed plat; sidewalks will be installed from the development's starting point at the corner of South Avenue and Cherry Street to its terminus at the corner of Cherry Street and Park Avenue. These sidewalks will serve each lot and shall be designed and constructed in accordance with City Standards.

Staff recommends approval of the Preliminary 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 the design and construction of sanitary sewer and water improvements necessary to serve the proposed plat.
3. Sidewalks will be installed from the development's starting point at the corner of South Avenue and Cherry Street to its terminus at the corner of Cherry Street and Park Avenue, which will serve each lot, and shall be designed and constructed in accordance with City Standards.

Billy Freeman, representing Technique Construction, stated that this development here has been coming for a while. I am actually on Cherry Street itself, where the development is. There's only one house that's owned by Erica, who lives over on the side of me; it runs down the side of one of the houses that I reside in. I actually own the house on the other side of the street this it's this project here is going to be more of a it's something that's really needed in Forest Park but it's kind of a vanity project too this this right here could be the one street because I own a lot of properties in Forest Park it's always a nice house next to a not so nice house and that's how Forest Park is kind of spotted like that this could be this street here could be what Forest Park could be this is the one street that the house is not going to be overly big or overly expensive they're going to be more in the \$350,000 range three bedrooms two and a half bath deck on the top to barbecue or whatever and a one car garage I was put I wanted to put the sidewalks

down the street to just make this thing this is a gateway into Starr Park a big walkway on top it's a to make it more of a walking neighborhood we don't have a lot of uh on not my particular street we don't have sidewalks but to make it a walking neighborhood.

It was motioned to approve the Preliminary Plat with the stated conditions.
The motion was made by Donald Williams and seconded by Roderick Jackson.
Lois Wright abstained. The motion was approved 3-1.

4. **Case# VAR-2025-04 - Variance request for 0 Ferguson Ct., Parcel# 13049A A031. The applicant, Gaetan Gachelin, is requesting a variance to decrease the side yard setback from the required twenty-five (25) feet to ten (10) feet and reduce the rear yard setback from the required thirty-five (35) feet to thirty (30) feet to allow the construction of a new two-family duplex within the Multiple-Family Residential District (RM) Ward 2.**

Background/History:

In 2024, the applicant was granted the approval by both the Planning Commission and Mayor and council to rezone the property from Single Family Residential (RS) to Multiple Family Residential (RM). The applicant's intent is to construct a duplex comprising two residential units, each with three bedrooms and 2.5 bathrooms, and a parking pad for two vehicles per unit on the subject property. Although the lot size meets the minimum requirements for duplex development, the proposed duplex will occupy approximately 2,532 square feet of the land, a significant portion of the available space. The applicant is requesting approval for a variance to reduce the side yard setback from the required twenty-five (25) feet to ten (10) feet, and to decrease the rear yard setback from the required thirty-five (35) feet to thirty (30) feet, in order to facilitate the construction of a new two-family duplex on a 0.16-acre (approximately 6,970 square feet) lot within the Multiple Family Residential District (RM). This request comes in response to the challenges presented by the lot's size and configuration, which make it difficult to fully comply with all zoning standards while maintaining functional living spaces for the intended duplex.

Staff recommends approval of the Variance with the following condition:

1. Staff recommends that the applicant adds a rear entry door to the property of each unit for safety reasons. The addition of this rear entry door is essential to ensure proper emergency access and egress, enhancing the overall safety of the building. The rear entry should be designed and installed in compliance with local safety codes and regulations, and proof of this installation will be required prior to final approval. Please ensure that all necessary adjustments are made promptly to meet these safety requirements.

Gaetan Gachelin, Applicant, stated that his goal for this property is to house his family and comply with the community here in Forest Park. He says he loves this city and community and that he's all about helping people. He stated that he can meet the conditions imposed by the staff, and then he will have the updated designs that he will share with the staff.

Caroyln McMillian, a Forest Park resident, asked when she would receive the information regarding whether this would be approved for a duplex.

Mrs. Irons-Kumassah responded that the applicant did receive approval from the Mayor and Council to rezone the property to multi-family to allow the construction of the duplex in 2024. She noted that staff sends out a public notice 15 calendar days prior to any public hearing, as well as property notices to surrounding property owners and signs in the yard of each property where we've had a hearing.

It was motioned to approve the Variance with the stated condition.

The motion was made by Roderick Jackson and seconded by Donald Williams.

The motion was approved unanimously.

5. **Case# VAR-2025-05 - Variance request for 556 Kay Street., Parcel# 13078D A009. The applicant, J & B Builders (Jesus Gonzalez), is requesting a variance to decrease the lot width from the required eighty (80) feet to sixty (60) feet to construct a new single-family home within the Single-Family Residential District (RS) Ward 4.**

Background/History:

The subject property at 556 Kay Street is located within the Single-Family Residential (RS) District on a 0.203 +/- acre lot. Per sec. 8-8-29 Single-family residential district (RS) standards require the minimum required lot width for properties in the RS District to be eighty (80) feet. However, the subject lot is only sixty (60) feet wide, which does not meet this requirement.

Tiffany McDay, resident of Forest Park, asked if the neighbors would be notified before the demolition of the house happened so they could move their cars and get things together on the street. She also wanted to know if the house would be pushed back to the middle of the property as shown on the survey.

Mrs. Irons-Kumassah responded that the survey gives an overview of the site's current state. A site plan will show the new proposed home and its location. She stated the applicant will have to obtain approval before demolishing the property.

Walter Gooden, a resident of Forest Park, expressed concern about traffic being impeded on Kay Street and safety hazards when construction starts on the property.

Alton Matthews, Public Works Director, responded that all construction should always allow ingress and egress for private property. In the event that an incident does happen, there's always a point of contact for the developer or contractor that the city has contact with.

It was motioned to approve the Variance.

The motion was made by Donald Williams and seconded by Roderick Jackson.

The motion was approved unanimously.

6. **Case# TA-2025-02 - Text Amendment for Title 8. – Planning and Development, Chapter 8. Zoning, Article C. – Development and Use Standards, of the City of Forest Park Code of Ordinances to amend such section, adding section 8-8-97 mini-warehouse and storage facilities.**

Background/History:

To ensure adequate development of storage facilities throughout the city, definitions and development standards have been developed to incorporate these facilities based on mass and scale of surrounding structures. These defined terms and development standards will provide clarity and direction to the storage development community.

It was motioned to approve the Text Amendment.

The motion was made by Roderick Jackson and seconded by Donald Williams.

The motion was approved unanimously.

ADJOURNMENT: It was motion to adjourn at 7:47 PM.

The motion was made by Lois Wright and seconded by Donald Williams.

The motion was approved unanimously.

In compliance with the Americans with Disabilities Act,
those requiring accommodation for meetings should notify
the City Clerk's Office at least 24 hours prior to the meeting at 404-366-4720

STAFF REPORT
Planning Commission Meeting: May 16, 2024
City Council Meeting: June 3, 2024

Case: RZ-2025-01

Current Zoning: RS- Single Family Residential

Proposed Request: Rezone property from RS (Single-Family Residential) to RT (Two-Family Residential District) to allow a two-family home/duplex in Ward 3.

Staff Report Compiled By: SaVaughn Irons-Kumassah, Principal Planner

Staff Recommendation: Defer to Mayor & Council to Rezone to RS (Single-family residential district) to RT (Two-Family Residential District).

APPLICANT INFORMATION

Owner of Record: Terrell Rental Properties, LLC
Address: 449 Trouseau LN.
City/State: McDonough, GA 30252

Applicant: Tony Terrell
Address: 5116 Sargent St.
City/State: Forest Park, GA 30297

PROPERTY INFORMATION

Parcel Number: 13080A E005
Address: 5116 Sargent St.

Acreage: 0.208 +/-
FLU: Low Density Residential

SUMMARY & BACKGROUND

The subject property is a residential dwelling located at 5116 Sargent Street, situated on approximately 0.208+/- acres at the southeast corner of South Avenue and Sargent Street in Ward 3. It is currently zoned RS (Single-Family Residential District) and, according to Clayton County property records, consists of a two-bedroom, one-bath, ranch-style single-family home measuring approximately 1,632 square feet. On March 6, 2024, the applicant submitted a plan check application with the stated scope of work described as "Complete renovation / Rebuild Deck." On March 11, 2024, Planning & Zoning reviewed and approved the application based solely on the deck rebuild, as no information was provided indicating a change of use or exterior structural remodel. The following day, March 12, 2024, the Building Official conducted its initial review of the building renovation plans and issued a denial letter. The denial cited insufficient detail to confirm compliance with the 2018 International Residential Code (IRC) R507 requirements for decks and requested full construction details, including footings, framing, stair attachments, railings, and electrical plans.

On March 22, 2024, the applicant submitted revised plans with an updated description of work: "Full renovation of property inside and out. Not extending or altering structure – rebuilding old deck." Because the zoning review had already been completed based on the original scope, the Building Division solely reviewed the resubmitted plans. The Building Official approved the plans and included a standard disclaimer on the approved plan set stating: *"Every effort has been made to identify code violations. Any oversight by the reviewer shall not be considered as authority to violate, set aside, cancel, or alter applicable codes and ordinances. The plan review and permit issuance shall not be considered a warranty or guarantee."*

Following the approval, construction was completed and inspections passed; however, it was during the final stages that the City identified the property had been converted into a two-family dwelling—a use not permitted in the RS zoning district. The applicant now seeks to rezone the property from RS (Single-Family Residential) to RT (Two-Family Residential District) to bring the use into compliance.

It is also noted that the Clayton County tax records continue to classify the property as a single-family ranch home. City records do not show any permits issued for structural additions, such as a second level or expanded square footage, which would typically be associated with a conversion to a two-family dwelling. Additionally, had the applicant disclosed a full interior and exterior remodel upfront with their initial submission on March 06, 2024, the project would have required review and approval by the City's Mayor and council for the duplex/rezoning to RT and Urban Design Review Board (UDRB) for exterior alterations, which was not conducted.

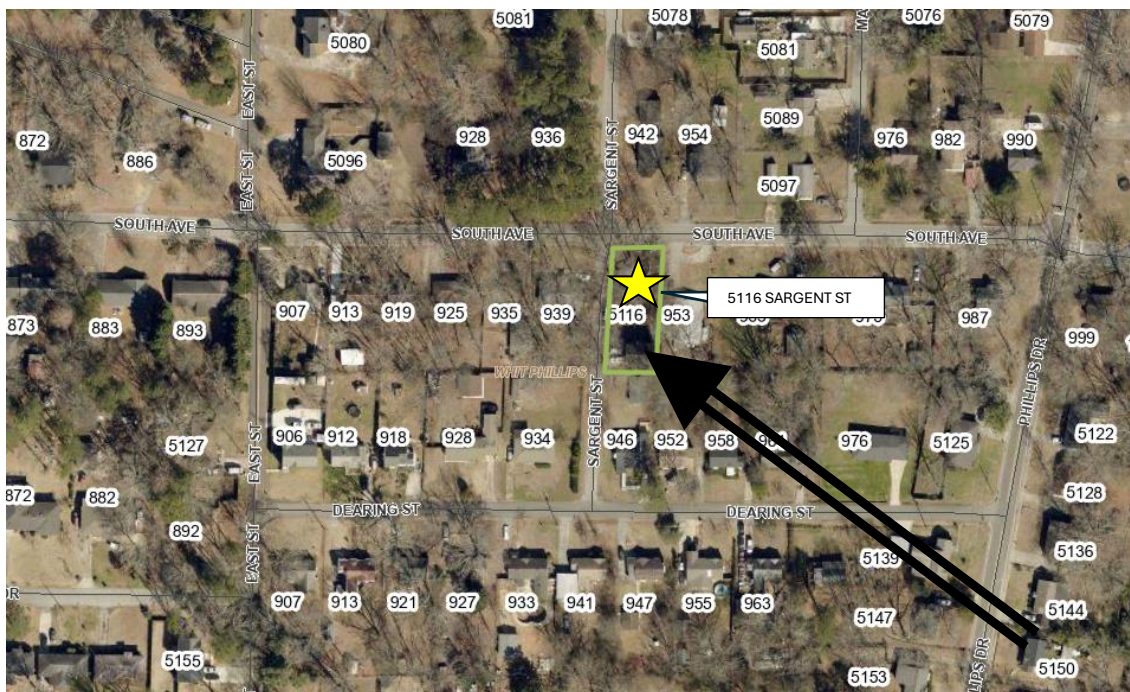
Per Section 8-8-28 of the zoning ordinance, the RS (Single-Family Residential District) district is intended to promote an average residential density of five (5) dwelling units per acre. The subject property, at 0.208+/- acres, is below the minimum size generally needed to accommodate two dwelling units while maintaining the intended density and character of the surrounding single-family neighborhood.

As such, the current request for rezoning aims to reconcile the built condition of the property with the City's zoning regulations.

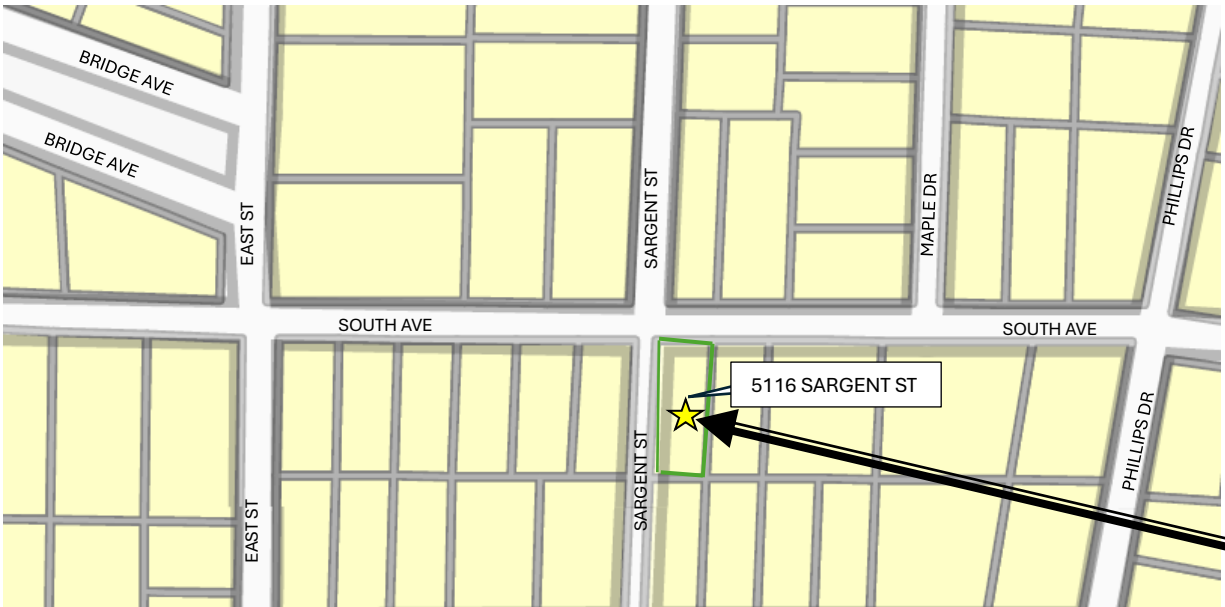
ZONING CLASSIFICATION OF CONTIGUOUS PROPERTIES

North	RS (Single-Family Residential)	East	RS (Single-Family Residential)
South	RS (Single-Family Residential)	West	RS (Single-Family Residential)

AERIAL MAP

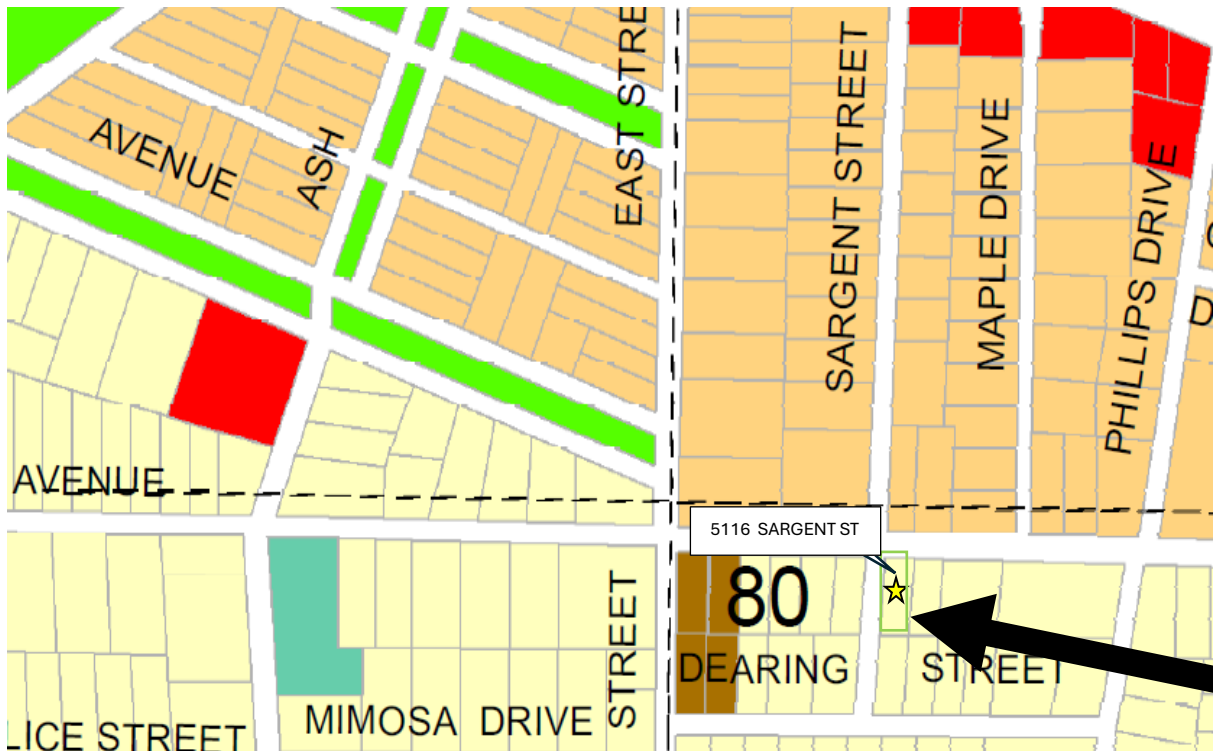


ZONING MAP



Current Zoning: RS (Single-Family Residential)

FUTURE LAND USE MAP



Future Land Use: Low Density Residential

SITE PHOTOS





SURROUNDING PROPERTIES



**Residential: Zoned RS (Single-Family Residential)
(West of Parcel)**



**Residential: Zoned RS (Single-Family Residential)
(East of Parcel)**

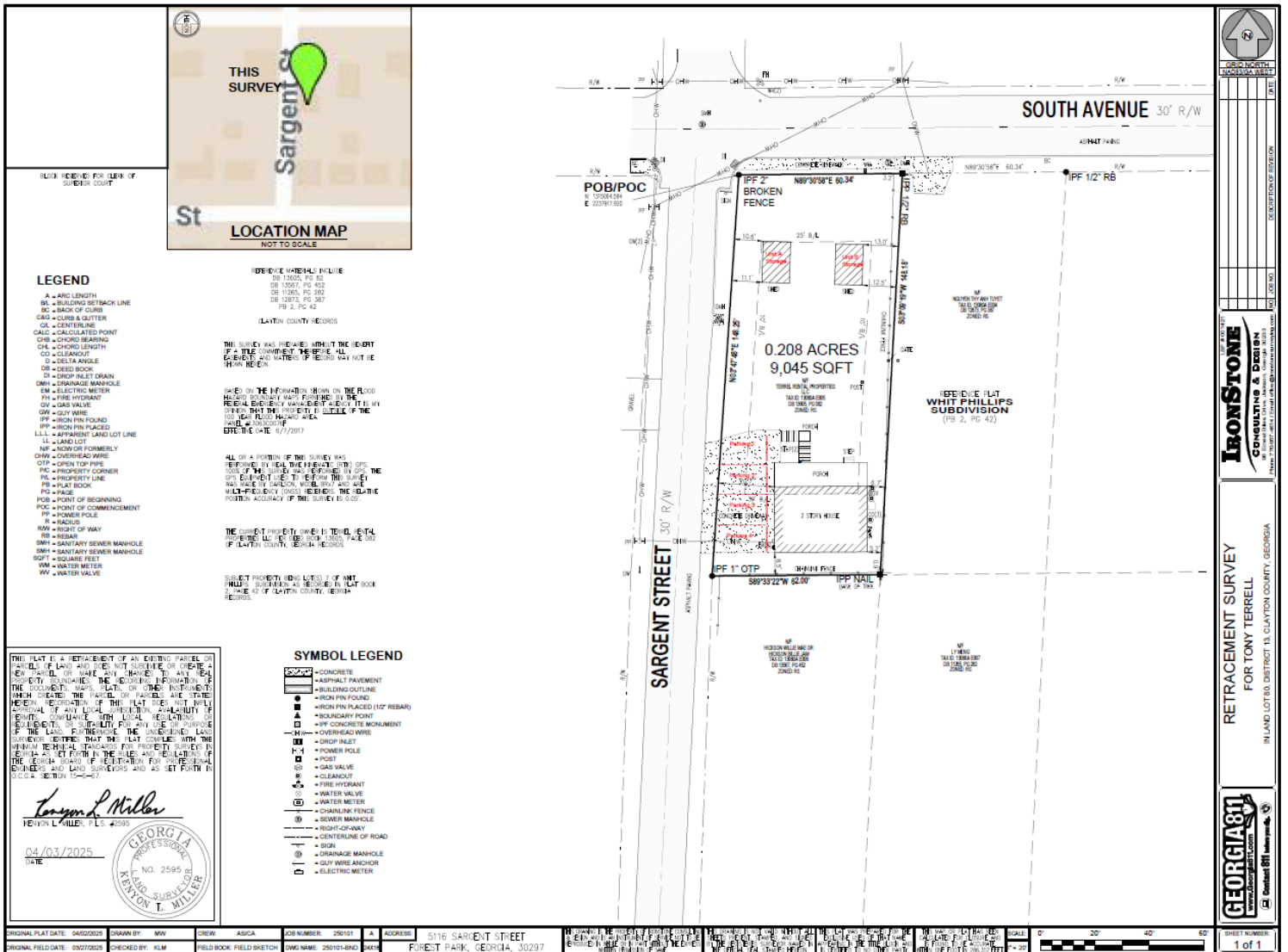


**Residential: Zoned RS (Single-Family Residential)
(South of Parcel)**



**Residential: Zoned RS (Single-Family Residential)
(North of Parcel)**

SITE PLAN





Impact Summary

Would the proposed amendment be consistent and compatible with the city's land use and development, plans, goals, and objectives? ☐ **Yes** ☒ **No** *The proposed amendment to rezone the property from RS (Single-Family Residential) to RT (Two-Family Residential) is not consistent or compatible with the City's adopted land use plans, zoning ordinance, or development goals. The property is designated for Low-Density Residential use, which supports single-family development and limits residential density. The introduction of a two-family dwelling on this lot would exceed the intended density, disrupt the surrounding single-family character, and conflict with the City's policy against spot zoning.*

Would the proposed amendment tend to increase, to decrease, or to have no impact on traffic safety and congestion in the streets? ☒ **Increase** ☐ **Decrease** ☐ **No Impact** *The proposed amendment to rezone the property from RS (Single-Family Residential) to RT (Two-Family Residential) could increase traffic in the area due to the addition of a second dwelling unit. While the property is located on a residential street, the introduction of a duplex may lead to higher vehicle volumes, potentially impacting on traffic safety and congestion, particularly on South Avenue and Sargent Street, which may not be designed to accommodate the increased traffic load.*

Would the proposed amendment tend to increase, to decrease, or to have no relationship to safety from fire and other dangers? ☐ **Increase** ☐ **Decrease** ☒ **No Relationship** *The proposed amendment to rezone the property from RS (Single-Family Residential) to RT (Two-Family Residential) is unlikely to have a significant impact on safety from fire or other dangers, provided that the structure complies with all building and fire codes. However, the introduction of a second dwelling unit may increase the overall density and occupancy, which could slightly elevate risks in the event of an emergency, depending on the building's design, accessibility, and safety features.*

Would the proposed amendment tend to promote, to diminish, or to have no influence on the public health and general welfare of the city? ☐ **Promote** ☒ **Diminish** ☐ **No Influence** *The proposed amendment to rezone the property from RS (Single-Family Residential) to RT (Two-Family Residential) may diminish the public health and general welfare of the city by introducing a duplex in an area designated for low-density, single-family housing. This change could alter the character of the neighborhood, potentially affecting the quality of life for existing residents. Additionally, the increased density may strain local infrastructure and public services, potentially impacting overall neighborhood stability and community well-being.*

Would the proposed amendment tend to increase, to decrease or to have no influence on the adequacy of light and air? ☐ **Promote** ☐ **Diminish** ☒ **No Influence**

Would the proposed amendment tend to cause, to prevent, or to have no influence on the overcrowding of land? ☒ **Cause** ☐ **Prevent** ☐ **No Influence** *The proposed amendment to rezone the property from RS (Single-Family Residential) to RT (Two-Family Residential) could tend to cause overcrowding of land by allowing a higher-density residential use on a lot that is currently designated for single-family homes. The addition of a second dwelling unit on a 0.208± acre lot may not be consistent with the intended low-density development of the area, potentially leading to increased density and strain on available space.*

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 as dense in population as to adversely affect the health, safety, and general welfare of the city? ☒ **Cause** ☐ **Prevent** ☐ **No Influence** *The proposed amendment to rezone the property from RS (Single-Family Residential) to RT (Two-Family Residential) could tend to cause an increase in population density in the area. While the impact may be limited to this particular property, the introduction of a duplex in a low-density residential neighborhood could set a precedent for higher density in the surrounding area, potentially affecting the health, safety, and general welfare of the city if it leads to overcrowding or strain on infrastructure and services.*

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?

☒ **Impede** ☐ **Facilitate** ☐ **No Impact.** *The proposed amendment to rezone the property from RS (Single-Family*

Residential) to RT (Two-Family Residential) could tend to impede the adequate provision of public services and utilities. The increase in residential density may place additional demand on local transportation, water, sewer, and other public services, which could strain the existing infrastructure, potentially affecting the quality and availability of services in the area.

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? ☐ Yes ☒ No *The proposed amendment to rezone the property from RS (Single-Family Residential) to RT (Two-Family Residential) may not be fully compatible with the surrounding environmental conditions and development patterns. The surrounding area consists primarily of single-family homes, and the introduction of a duplex could alter the neighborhood's character. Factors such as increased density, potential strain on local infrastructure, and changes in the aesthetic appeal of the area could diminish the value, use, and enjoyment of neighboring properties.*

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?

☐ Promote ☒ Diminish ☐ No Influence *The proposed amendment to rezone the property from RS (Single-Family Residential) to RT (Two-Family Residential) could diminish the aesthetic effect of the existing and future uses of the property and surrounding area. The introduction of a duplex may disrupt the prevailing single-family character of the neighborhood, potentially altering the visual cohesion and appeal of the area, particularly if the structure is not in harmony with existing architectural styles.*

Would the proposed amendment have measurable adverse economic effect on the value of surrounding or adjacent property? ☒ Yes ☐ No *The proposed amendment to rezone the property from RS (Single-Family Residential) to RT (Two-Family Residential) could have a measurable adverse economic effect on the value of surrounding or adjacent properties. The remodel of the property into a duplex, within a neighborhood of older homes built in the 1950s, may create a visual and aesthetic contrast. This change in use and potential exterior alterations could disrupt the architectural harmony of the area, potentially reducing the appeal of surrounding properties and affecting their market value.*

Would the proposed amendment create an isolated district, unrelated to adjacent and nearby districts?

☒ Yes ☐ No *The proposed amendment to rezone the property from RS (Single-Family Residential) to RT (Two-Family Residential) could create an isolated district that is not well-integrated with the adjacent and nearby single-family residential areas. The introduction of a duplex in a predominantly single-family neighborhood may result in a zoning change that disrupts the continuity of the surrounding district, potentially creating a distinct, isolated use that is inconsistent with the existing residential fabric of the area.*

Staff Review

Public Works, Police and Fire did not conduct a review due to the structure being built and modified without full staff review. The Building Inspector is the only additional department staff to review.

Planning & Community Development Department

Planning staff recognizes that the property is approximately 0.208 acres (9,065 square feet) and may limit its ability to accommodate the proposed two-family use under the current zoning. The request to rezone from RS (Single-Family Residential) to RT (Two-Family Residential) could result in a use that is inconsistent with the surrounding single-family residential district, especially given the property's size. The proposed rezoning may create an isolated district that does not align with the established pattern of low-density, single-family development in the area, disrupting the zoning continuity and potentially affecting the character of the neighborhood. If rezoning is approved, the current Two Family Residential (RT) zoning district requires the following minimum front, side, and rear setbacks:

Front: 25 ft.
Side: 10 ft.
Rear: 30 ft.

Staff Recommendation

Staff has reviewed the applicant's request to rezone the property at 5116 Sargent Street from RS (Single-Family Residential) to RT (Two-Family Residential) to permit the continued use of the structure as a two-family dwelling. While the applicant has stated that the work was completed in good faith and in coordination with the City's permitting process, the current zoning designation, zoning ordinance (Section 8-8-28), future land use map, and surrounding neighborhood all support low-density, single-family residential development at an average of five (5) dwelling units per acre. The subject property, at approximately 0.208± acres, does not meet the intended density when proposed for two units and is located within a consistently RS-zoned area.

Additionally, the City's planning policies generally discourage spot zoning, which is the rezoning of individual parcels in a way that is inconsistent with the surrounding zoning pattern and long-term land use vision. Such practices can undermine the integrity of the zoning map and create compatibility challenges within stable residential neighborhoods.

Given these factors, staff finds that the proposed rezoning does not align with current zoning guidelines or the character of the surrounding area. However, in recognition of the unique permitting circumstances, staff defers the final decision to the Mayor and City Council for consideration and recommends that the body weigh this request carefully in light of applicable zoning regulations and future land use guidance.

Should the Mayor and Council choose to approve the request, staff recommends the following conditions be applied:

1. Use Limitation: The property shall be limited to a maximum of two dwelling units and shall not be further subdivided or converted into any form of multi-family or short-term rental use.
2. Occupancy and Licensing: The applicant shall obtain all necessary occupancy permits, inspections, and business licensing (if applicable) prior to any residential use of the second unit.
3. Architectural Review Compliance: The applicant will be required to apply to the Urban Design Review Board for review and approval of the landscaping, exterior architectural design, and the building façade. Any future exterior modifications or additions shall require review and approval by the Urban Design Review Board (UDRB) to ensure compatibility with surrounding properties.
4. Tax Record Update: Should the rezoning be approved, the applicant would be required to coordinate with Clayton County to update the property classification and structure details in the official tax records to reflect its current two-family use and appropriate square footage.
5. Parking Compliance: The applicant shall ensure that adequate off-street parking is provided on site in accordance with the City's zoning ordinance.
6. Conformance with RT Zoning Standards: Approval of the rezoning from RS to RT shall require the applicant to comply with the requirements of Section 8-8-31: Two-Family Residential District (RT) Standards, including:
 - a. Based on the submitted site plan, the applicant must apply for a variance request to allow the reduction of the side yard setback from the required 10ft to 8.5ft for the left side of the home.

- b. Based on the submitted site plan, the applicant must apply for a variance request to allow the reduction of the rear yard setback from the required 30 ft to 5.2ft.
 - c. Each Unit proposed should have a parking capacity of two vehicles per unit.
- 7. Zoning Map Amendment: This approval shall apply solely to the property at 5116 Sargent Street and shall not be construed as precedent for similar requests in surrounding RS-zoned neighborhoods.