

Staff Report – Variance

Public Hearing Date: December 19, 2024

Case: VAR-2024-10

Current Zoning: DM – Downtown Mainstreet District

Ward: 2

Proposed Request: Parking variance to decrease the minimum parking requirements for retail sales use from 20 spaces to 14 spaces to allow the construction of a new five (5) unit, 4 story mixed used townhome development within the Downtown Mainstreet District (DM).

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

Staff Recommendation: Approval of Variance

APPLICANT INFORMATION

Owner of Record: Name: Development Authority of The City of Forest Park 4888 Evans Dr Forest Park, GA 30297	Applicant: Ima Udoh (Hillview LLC/Udoh Enterprises) 8735 Dunwoody Place, STE R Atlanta, GA 30350
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PROPERTY INFORMATION

Parcel Number: 13050B H003	Acreage: 0.39 +/-
Address: 4888 Evans Dr	FLU: Duplex Residential

ZONING CLASSIFICATIONS OF CONTIGUOUS PROPERTIES

Direction	Zoning & Use	Direction	Zoning & Use
North	DM: Downtown Mainstreet District	East	DM: Downtown Mainstreet District
South	DM: Downtown Mainstreet District	West	RT: Two-Family Residential District

SUMMARY & BACKGROUND

The subject property is a vacant parking lot parcel located on approximately 0.39 +/- acres of land at the intersection of Evans Drive and Hill Street. The site of the location and its peculiar shape has caused hardship and conformity issues for the applicant and has limited the property

owner’s ability to be compliant with the district parking requirements for retail sales uses. The applicant is requesting a parking variance to decrease the minimum parking requirements for retail sales use from 20 spaces to 14 spaces to allow the construction of a new five (5) unit, 4 story mixed used townhome development within the Downtown Mainstreet District (DM). The mixed used townhomes will have an upper level for residential use and retail/commercial use will be on the ground level, split into two buildings, with three 3,500 sf units west of the parcel and two 3,000 sf units east of the parcel. This development will also feature a courtyard in between each building that will have both residential and retail/commercial usage. The retail portion of the development will have three 720 sf units to the west and two 600 sf units to the east and the parking lot for the retail portion of the development will face Hill Street. Per Sec **8-8-90. - Parking standards** All required parking spaces, and lots shall conform to all of the following requirements:

- 1) Driving surfaces. All parking areas, including parking spaces, interior drives, and ingress/egress into parking areas must be paved with asphalt or concrete. All parking areas shall be clearly painted to show each parking space.
- 2) Drainage. Parking areas must be constructed to allow proper drainage which shall be subject to the review and approval of the city engineer.
- 3) Access to public streets. Parking areas must be designed as to prevent vehicles from having to back into or maneuver in public streets.
- 4) Locations. Parking lots shall not be located in any right-of-way, easement, or any required buffer yard.
- 5) Lighting. Lighting for parking areas shall conform with the applicable requirements of the lighting standards section of this article.
- 6) Landscaping. Landscaping for parking areas shall conform with the applicable requirements of the landscaping standards section of this article.
- 7) Required parking spaces. Accessory off-street parking spaces shall be provided and maintained in accordance with the requirements set forth in the following table:

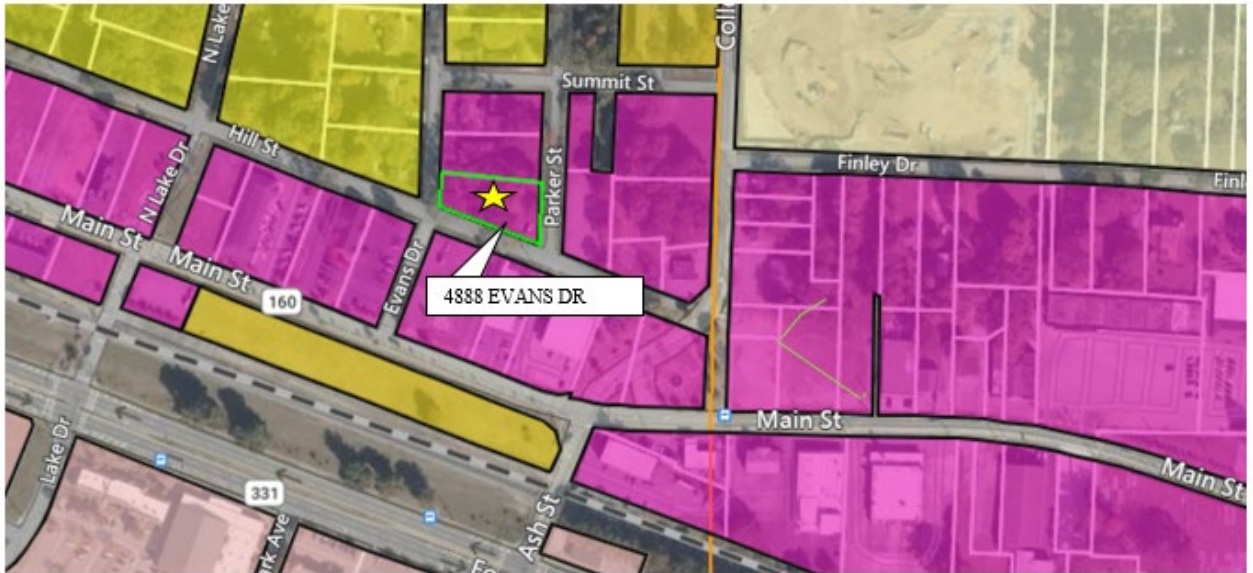
Retail Sales Uses	
Bars, taverns, restaurants, and other eating places	1 for each employee, plus 1 for each 100 square feet of floor area devoted to patron use or 1 for each 4 seats based on maximum seating capacity, whichever is greater.
Other retail service uses	1 for each 500 square feet of gross floor area.

Based on the parking requirements and calculations, the applicant would be required to have 20 parking spaces to accommodate the five proposed retail spaces that will be included in the mixed-use development. The approval of this variance to allow 14 parking spaces, will allow the applicant to move forward with their construction plans to construct a new five (5) unit, 4 story mixed used townhome development within the Downtown Mainstreet District (DM) and also accommodate any future use of potential new restaurants that may utilize this location in the future.

AERIAL MAP



ZONING MAP

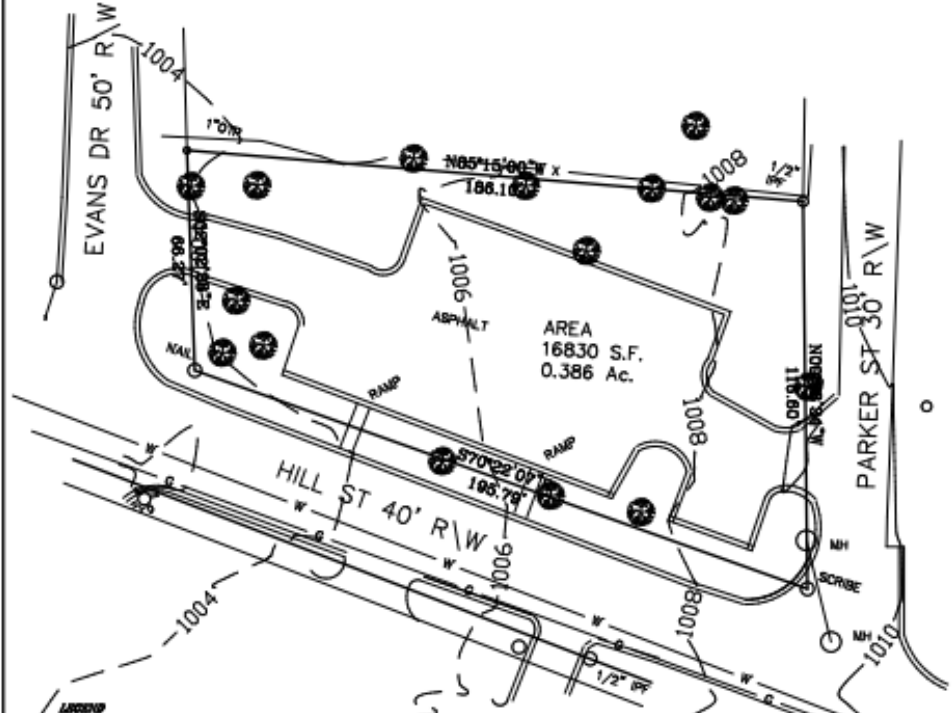


PROPOSED DEVELOPMENT



SURVEY

ALL MATTERS OF TITLE ARE EXCEPTED. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHTS-OF-WAY PUBLIC OR PRIVATE.
 NOTE: PROPERTY LINES SHOWN ON THIS SURVEY/PLAT REPRESENT PHYSICAL FIELD CONDITIONS BY EVIDENCE OF APPARENT POSSESSION (IRON PINS FOUND, OLD & ESTABLISHED FENCE LINES, OLD WALL LINES, BRUSH & HEDGE LINE, HOUSE LOCATIONS, ETC.) THEY MAY DIFFER AND BE IN CONFLICT WITH EVIDENCE FOUND AT THE APPLICABLE COUNTY COURTHOUSE. THEY MAY ALSO DIFFER FROM OTHER SURVEYOR OPINIONS AND/OR NEIGHBORS SURVEYS/PLATS. A FULL LAND TITLE REPORT OPINION ON ALL PROPERTIES, INCLUDING ADJACENT AND CONTIGUOUS PROPERTIES MAY BE NEEDED TO RESOLVE ALL POSSIBLE PROPERTY LINE DISPUTES OR DISCREPANCIES.
 THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT, EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT AND BURDEN THIS PROPERTY. THIS SURVEY IS SUBJECT TO REVISIONS AND UPDATE UPON RECEIPT OF SAID TITLE COMMITMENT.



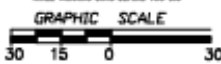
- - IRON PIN FOUND
- - IRON PIN SET
- R/W - RIGHT OF WAY
- BAR - MAGNETIC
- P.O.B. - POINT OF BEGINNING
- A/S - ADJACENT LOTS
- S.E. - SURVEYOR EASEMENT
- N/S - NOW ON PERMITS
- IP - IRON PIN
- W - WOODING
- P/P - POWER POLE
- FR - FOR REFERENCE PLAT

UTILITY PROTECTION CENTER
 BY THE
 CLAYTON COUNTY
 PUBLIC WORKS DEPT.
 DATE: 09/11/24

CLAYTON DATA
 FIELD CLOSED - 12 BY 24.00 -
 AVIATION FENCE - 0.14
 EQUIPMENT USED - TOTAL STATION GPS
 MANAGEMENT METHOD - TOTAL STATION GPS
 PLAT CLOSED - 1 BY 100.00

CURRENT SETBACKS SHOULD BE VERIFIED THRU ZONING DEPT PRIOR TO DESIGN OR CONSTRUCTION.

DECLARATION IS MADE TO ORIGINAL PURCHASER OF THIS SURVEY, ANY USE BY THIRD PARTIES IS AT THEIR OWN RISK. SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND ORIGINAL SIGNATURE OF SURVEYOR



THIS PROPERTY DOES NOT LIE WITHIN A 100 YEAR FLOOD PLAIN ACCORDING TO REFERENCE PLAT.

PREPARED FOR:
Udoh Enterprises

BY SIGNING THIS PLAN, I, A LICENSED PROFESSIONAL LAND SURVEYOR, HAVE BEEN PROMISED IN CONFORMANCE WITH THE REVENUE STANDARDS AND REQUIREMENTS OF LAW.

4888 PARKER DR NO TAX ID # 13060B H003		
LOT: NA	LAND LOT: 50	DATE: 09/11/24
BLOCK:	DISTRICT: 13 TH	
SCALE: 1"=30'	COUNTY: CLAYTON	JOB NO: 4888EV/24



SAWHNEY & ASSOCIATES
 523 HASTINGS WAY JONESBORO GA 30238
 PH.# (678)-600-4366

SITE PLAN

EVANS DRIVE Townhouse Complex with Retail

5 TOWNHOUSES
5 RETAIL'S UNIT

BUILDING APARTMENT AREA

TYPE A - 3 BED 3.5 BATH 3,500 SF
2 CAR GARAGE 400 SF
TOTAL AREA TYP A = 3,900 SF

TOTAL TYPE A - 3 UNITS - RESIDENTIAL = 11,700 SF

TYPE B - 3 BED 2.5 BATH 3,000 SF
2 CAR GARAGE 400 SF
TOTAL AREA 3,400 SF

TOTAL TYPE B - 2 UNITS - RESIDENTIAL = 6,800 SF

RESIDENTIAL = 18,500 SF

3 RETAIL AREA = 700 SF
2 RETAIL AREA = 600 SF

TOTAL BUILDING - 5 UNITS + RETAIL = 3,300 SF

PROJECT #

Evans Street Townhomes
Commercial Dwg

Forest Park, GA

DATE

Architectural Site Plan
Copy 1

NO. 1

A1

NOT FOR CONSTRUCTION

1 ARCHITECTURAL SITE PLAN HILL ST
SCALE: 1/16" = 1'-0"

SITE PHOTOS



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 the parking variance to decrease the minimum parking requirements for retail sales use from 20 spaces to 14 spaces to allow the construction of a new five (5) unit, 4 story mixed used townhome development within the Downtown Mainstreet District (DM). 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