



**CITY OF FOREST PARK
PLANNING COMMISSION MEETING**

Thursday, January 18, 2024 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

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 meeting to order at 6:02pm.

ROLL CALL:

A quorum was established.

PRESENT:

Azfar Haque
Michael Clinkscales
Roderick Jackson
Donald Williams

OTHERS PRESENT:

Danielle Matricardi, City Attorney
SaVaughn Irons, Principal Planner
Latonya Turner, Planning & Community Development Office Coordinator
Bridgette Jackson-Barney, Permit Technician

APPROVAL OF MINUTES:

1. Approval of November 16, 2023 Meeting Minutes
It was moved to motion to approve the November 16, 2023 meeting minutes as printed.
Motion made by Roderick Jackson, Seconded by Donald Williams. Motion approved.

OLD BUSINESS:**NEW BUSINESS:****2. Case# VAR-2024-01 - Variance for 1299 Waverly Dr., Parcel# 12240C E025, Forest Park, Georgia**

SaVaughn Irons delivered the staff report:

- 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. 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: 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. 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 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 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 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.

OTHER DISCUSSION:

Azfar Haque - asked if the applicant had gotten a justification letter from the next door neighbor.

SaVaughn Irons - stated not as of yet and that's why we recommend for an approval with the condition that they are only to be granted an approval if we obtain a letter from their neighbor advising they're ok with the construction.

PUBLIC COMMENTS: (All Speakers will have 2 Minutes)

Jestoni Rico – (translating on behalf of the applicant Maria Isabel Argos Rios) stated she's at 1299 Waverly Drive and just basically wants to make her house bigger for her family and for her husband's vehicles for the garage as well because he has pretty big trucks with trailers that he wants to be able to put inside the garage. She also has letters here from her neighbors if you guys want to see them.

SaVaughn Irons – noted that the letters were written in Spanish.

Azfar Haque – asked that the letters be translated.

Jestoni Rico – (reading aloud from letter written in Spanish) stated Hi Veronica Garcia resident of Forest Park 1305 Waverly Drive, Forest Park, Georgia 30297. He stated it's just basically saying that it doesn't affect her in any way that Ms. Rios built her garage so close to the property as long as she does everything by code. He noted that's basically it that she has no problem with her building so close to the property line. He noted that he could not see the name on the next letter. He stated the date was written at the top and a signature at the bottom but that he did not know what it is.

Jestoni Rico – (translating on behalf of the applicant Maria Isabel Argos Rios) stated Arbelica three houses down from her at 1273 Waverly Drive, Forest Park. It's on the same street just three houses away from hers.

Jestoni Rico – (reading aloud from letter written in Spanish) stated they've known each other for ten years already and she's never had a problem with her and it's ok for her to basically build and it doesn't affect her in any way.

Michael Clinkscales – asked if we received a letter from the neighbor that's right next door.

SaVaughn Irons – asked what the address is next door.

Danielle Matricardi – stated 1287 and then 1305.

Jestoni Rico – (translating on behalf of the applicant Maria Isabel Argos Rios) stated no, no one's really living there. I believe someone already passed away, the owner or whatever and whoever owns the house now comes like once a month or once every two months so they don't really get to see them very often.

SaVaughn Irons – stated the addresses on these letters aren't the adjacent neighbor that's next door to the property that it will affect.

Azfar Haque – stated we would have to have it from the next door neighbors because they are the people who are affected by your remodeling reconstruction.

Jestoni Rico – (translating on behalf of the applicant Maria Isabel Argos Rios) stated they're only able to get in contact with whoever the new next door neighbor is over the phone. They have no way I guess of coming and giving them a (unintelligible) letter or something. They've got letters of one to the left the front and three doors down.

SaVaughn Irons – stated that she will provide them with contact information for the office and they can have the property owner send an email with the property information that we can link to them then we will accept that.

It was moved to motion to approve the Variance.

Motion made by Michael Clinkscales with the condition that the next door neighbor is contacted by email or telephone call, Seconded by Donald Williams. Motion approved.

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**

SaVaughn Irons delivered the staff report:

- 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. 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 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. Staff recommends APPROVAL OF THE PRELIMINARY PLAT for 803, 805, 829, 837, 845, 847, 861 Main Street with the FOLLOWING CONDITIONS: 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 design and construction of sanitary sewer and water improvements necessary to serve the proposed plat. Sidewalks shall serve each lot and shall be designed and constructed in accordance with City Standards. 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. 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.

PUBLIC COMMENTS: (All Speakers will have 2 Minutes)

Frank Bailey – stated he is here to answer any questions about the proposed plat and look forward to breaking ground on this very soon.

Rob Franks – stated we've got a pavilion along the eastern side there at Ash Street with some picnic tables and grills and things like that for the community. He noted along the western side there will be adding a dog park and some public parking which will be converted for shared public parking for the community as well as for the new subdivision and both of those amenities will be open to the public as well.

Michael Clinkscales – asked if you guys are in agreement and compliance for the conditions to be met.

Frank Bailey – stated absolutely no problem.

Michael Clinkscales – asked if the city had been notified as far as the conditions.

Danielle Matricardi – stated the city council has not been notified of these conditions. She noted that she believes the City Manager is aware. She has a question concerning density and asks if there was a prior variance associated with this property. She states that the city code is 16 units per acre under the multi-family residential, so this exceeds that amount as it's 1.5 acres.

Rob Franks – stated he's been working on this project now for between 4-5 years to get it to this point and actually we were initially at a lower density and the city had actually requested we increase the density. He stated you wouldn't necessarily be aware of that, but they wanted a higher density product on Main Street. He notes they wanted to use the land more wisely so that was that goes back to I dealt with Lois Wright when she was director and the point is it goes back quite a while as we've worked through to get to this point. We had 33 units, we're at 32. He stated originally, we started out with I don't remember the exact density but we were in the 20's like I said they requested and we increased the density so therefore that's why we're where we are.

Danielle Matricardi – stated I would recommend a variance be added as a condition in the event one was not previously granted one would need to be granted as a part of the approval process for this.

Azfar Haque – stated I somehow tend to agree with you when you say that because I've been involved with the city for quite a few years and the 28 number sounds very close to what you're saying but I also seem to agree with you when you say the number of units per acre seems a lit bit over extended.

Roderick Jackson – stated when you look at the one talking about the acreage it's talking about a flat plateau but they're going up 3 floors. He notes that that kind of changes that because of that.

Danielle Matricardi – stated but it's 32 townhomes so they're not like condos on top of each other they're individual units.

Rob Franks – stated what we did is we initially started out with 24 foot wide units and then we narrowed it and we wound up at 17 (unintelligible) and the reason for that was in the past just moving forward the request had been to increase the density because we were trying to do the walkabale and bring residential to Main Street. He stated it's from rooftops to revenue when I say that I'm talking about just the simple fact of revitalizing Main Street and getting some rooftops up there. He stated the city actually did the zoning for me because my wife was sick, and I was out of town. So actually, Bruce Abraham and I believe Lois actually walked it through just because of illness that took me away so I can't tell you exactly the details of that meeting itself.

SaVaughn Irons – stated I just wanted to make the comment that in our meeting that we had last year with Mr. Bailey, the City Manager, myself, and Director Gardiner we did have a discussion with them on the units as well as how it was set up. She stated that previously they were going to do two buildings and Mr. Clark advised them to break up the building into four per the density to allow the units to work like this. She noted we've had previous meetings with them as I advised as well through my summary and background. She stated they have met with all city departments pertaining to the structure and has changed it a few times to appease our vision as well as moving things

forward with the City of Forest Park but I definitely do understand your plight Ms. Matricardi regarding the variance on the number of townhome units but so just to back what they were saying previously it was meeting that we had with myself, Director Gardiner, the City Manager as well as Mr. Abraham which got us to this point here.

Danielle Matricardi – stated that although there is a consensus of approval it's still just a formality because since it wasn't advertised that you would be considering a potential variance for this tonight it would need to be advertised and applied for for the next meeting.

Azfar Haque – stated I think that's a great idea for the legality portions of it I think we should look at it and consider that and that way these gentlemen and their company don't face any challenges down the street.

SaVaughn Irons – stated I have made a notation of that as well in my notes as far as today's meeting as well so they're in agreeance with adding that as a condition and I'll update the report to reflect that as well.

Azfar Haque – stated that not to go through all the approval recommendations that you've listed so instead of five there'll be number six added on to that.

It was moved to motion to approve the Preliminary Plat.

Motion made by Roderick Jackson with the condition of the addition of category number six, Seconded by Donald Williams. Motion approved.

ADJOURNMENT:

It was moved to motion to adjourn the meeting at 6:38pm.

Motion made by Donald Williams, Seconded by Michael Clinkscales. Motion approved.