



CITY OF FOREST PARK

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

Staff Report – Variance

Public Hearing Date: March 21, 2024

Case: VAR-2024-03

Current Zoning: Downtown Mainstreet District (DM)

Proposed Request: Variance Request to reduce the rear yard setback from 10 ft to 5 ft, reduce the side yard setbacks from 10 ft to 5 ft and increase the number of allowed apartment units from 47 units to allow the construction of 154 apartment units on 1.97 +/- acre tract of property, and construct a hotel with 110-unit occupancy on a 1.32 +/- acre tract in the Downtown Mainstreet District (DM).

Staff Report Compiled By: LaShawn Gardiner, Director

Staff Recommendation: Approval of Variance

APPLICANT INFORMATION

Owner of Record:

Name: Jasber Management Services, LLC

Address: P.O. Box 2207

City/State: Forest Park, GA 30297

Applicant:

Name: Steve Bernard

Address: P.O. Box 2207

City/State: Forest Park, GA 30297

PROPERTY INFORMATION

Parcel Numbers: 13049D-C005

13049D C006

13049D C007

13049D C008

Acreage: 1.35 +/-

1.21 +/-

1.01 +/-

0.96 +/-

4.53 +/- total acres

Address: 4971 Courtney Drive

1099 Main Street

1095 Main Street

FLU: MXD TVD (Mixed-Use Transit Village)



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1105 Main Street
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ZONING CLASSIFICATIONS OF CONTIGUOUS PROPERTIES

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

SUMMARY & BACKGROUND

The four subject properties are adjacent tracts and each currently has a structure on them. There is no commercial or retail activity on the parcels, with the exception of parcel 13049D C006, the Jasper Plaza commercial complex. A boarded-up building currently exists on parcel 13049D C005, also identified as 4971 Courtney Drive, and is located west of the United Postal Service building. A 110-room hotel with retail is proposed for this parcel. Several restaurants (i.e. Wing Topia, Kingston Grill, Mad Mac's, Topsy Tortilla, and Yojay's Ice Cream) are located in the Jasper Plaza building, which is located on parcel 13049D C006, 1105 Main Street. Parcels 13049D C007 and 13049D C008 which are immediately west of the Jasper Plaza commercial complex is the previous Bank of America drive-through and overflow parking lot and has been used over the years for July 4th outdoor concerts/festivals and firework shows hosted by the property owner. A 154-unit apartment building is proposed for the two parcels that provided drive-through services to Bank of America customers. The parcels are located north of Forest Parkway and south of Main Street near the traffic light of a unique 4-way stop where Main Street and Courtney Drive intersect. The proposed hotel with retail, apartments, and parking deck will be constructed to be inclusive of the existing Jasper Plaza restaurant complex serving as the center anchor providing dining choices for hotel guests and residents creating a mini-mixed use development. The applicant is requesting a variance to reduce the rear and side yard setbacks from 10 ft. to 5 ft. and increase the density/number of permitted apartment units from 47 units to 154 units per the Mixed-Use Village Subarea as specified in the Zoning Ordinance, per Section 8-8-54.8 Special Building Standards for Development Subareas in Downtown.

Per Zoning Code Section 8-8-36. – Downtown Mainstreet (DM) District. The intent of this district is to maintain, enhance and expand the development patterns and mixed use and open space character of Downtown Main Street. It is also to encourage compatible infill and redevelopment opportunities. Development standards within the district is intended to continue historic patterns and



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promote a predominant land use activity for retail, dining, entertainment, cultural events, community festivals, and residential options while allowing other uses in the district. Section 8-8-37 DM-Downtown Mainstreet District standards states that the minimum required side and rear yard setback is 10 feet.

Section 8-8-73 (C). *Lot/Yard Standards, states that setbacks referenced in Sections 8-8-73 (b) (1), (2), and (3) may be disregarded when a structure is intended to be built on contiguous individual parcels or lots which are under common ownership, provided that the disregarded setbacks shall only occur along the actual line (s) of common ownership.*

The setback requirements would not apply to the two interior parcels, 13049D C006 and 13049D C007 because they are under common ownership. Mixed-use and commercial buildings shall have zero setback from the back of sidewalk and all buildings shall be oriented to a public street with pedestrian entrances located along the sidewalk and primary building entrances shall be at grade for universal accessibility.

The subject parcels are in the **Mixed-Use Village subarea**, one of the city's four subareas that are defined for future mixed-use development, per Section 8-8-54.8- Special Building Standards for Development Subareas in Downtown and are an addition to the general development standards. The subareas are defined and are delineated in the Downtown Forest Park Livable Centers Initiative Study that the city adopted in 2021. The subareas encourage compact and higher density development, narrow lot single-family, single-family attached and multi-family, walkable and pedestrian-oriented streets, shared parking strategies, and parking and drive-throughs on the rear of the development, with each subareas having its own development pattern. The Mixed-Use Village subarea allows medium density mixed-use with retail/commercial and single-family attached and multi-family. The height of buildings in the mixed-use village subarea is 3 to 4 stories, with a density of 15-24 per acre, and commercial size of 6,000 to 15,000 sq.ft. Proposed parking for the hotel and the apartment is proposed to be underground of each building with an additional parking deck to be constructed in the rear of the parcels, connecting the current Jasber Plaza to the new construction developments for additional required parking.

With this proposed development being in the downtown Mainstreet district area and Mixed-Use subarea, the applicant is able to build to meet the zero-lot line need, for a more modern, walk up, look, and feel. Increasing density will promote the creation of a stronger and more accessible downtown core, allowing more walkability and providing a greater urbanized look and feel for the area. The efforts of the additional increased density will also revitalize the City of Forest Park housing stock in the downtown Mainstreet District (DM) area. The city would also be provided with a quality hotel in downtown Forest Park with the intent to provide accommodation for senior and executive personnel of companies that conduct business at Gillem Logistics Center and surrounding communities. The applicant has submitted a Concept Site Plan to staff, surveys of each property, proposed parking layout, and proposed square footage information of each proposed

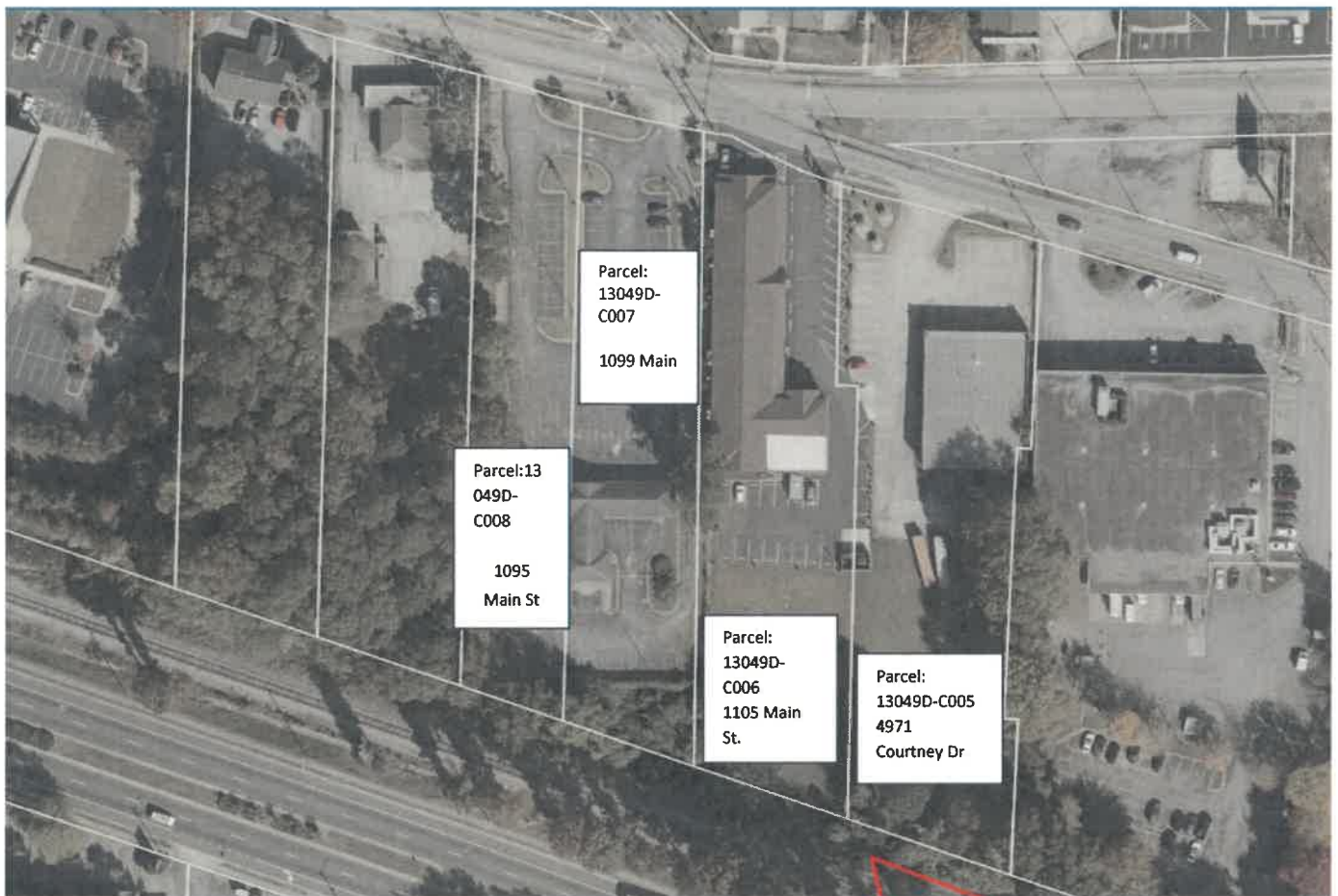


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commercial/retail use. If this variance request is approved, it will allow the applicant to move forward with the next step of submitting the preliminary plat for approval by the Planning Commission and Urban Design Review to begin the LDP (Land Disturbance Permit) process. Additional variances may be required as the concept plan becomes fully developed to ensure the development is aligned closely to the adopted vision of the LCI and DM zoning district.

AERIAL MAP



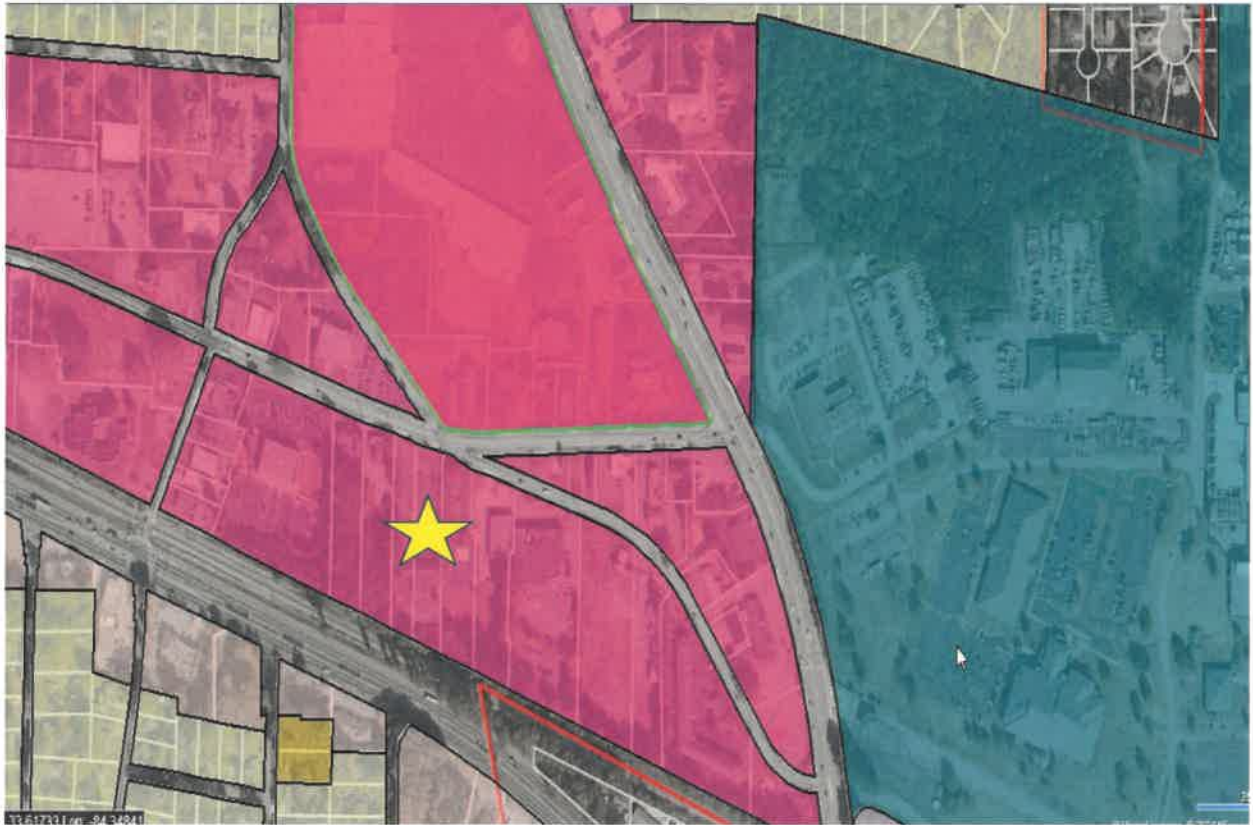


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ZONING MAP



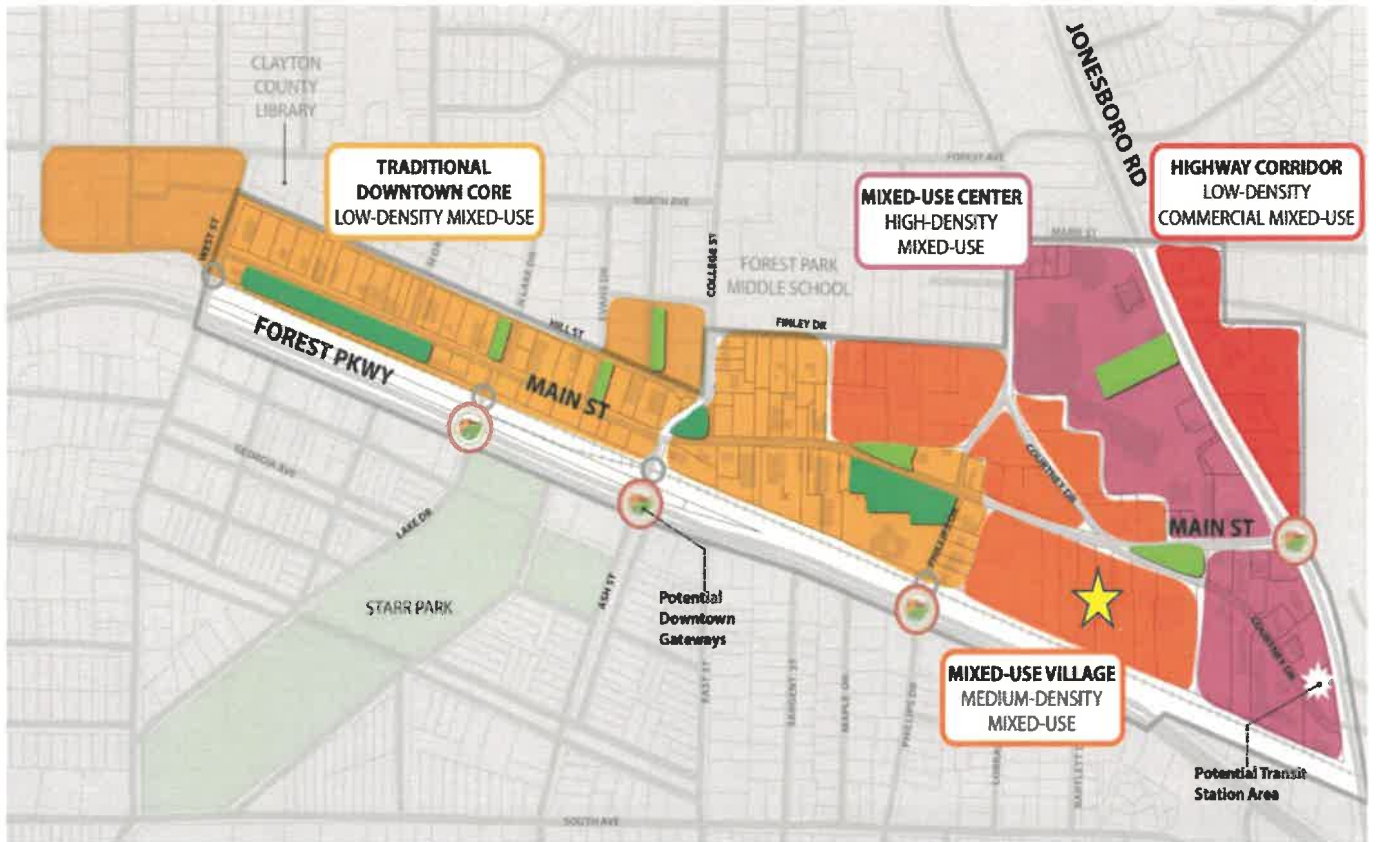
Downtown Main Street (DM)



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LCI MIXED USE SUBAREA



Mixed -Use Village, Jasber Management Properties

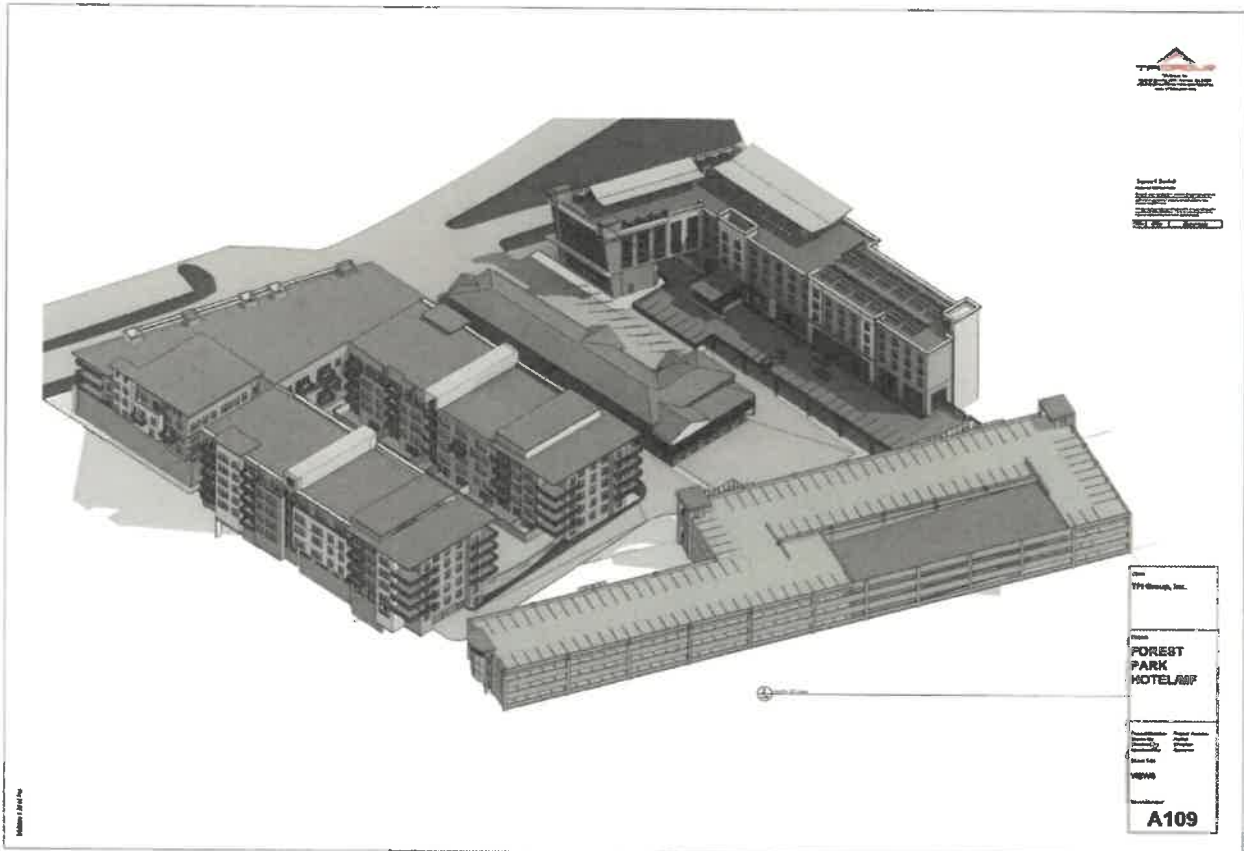


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PROPOSED CONCEPT DEVELOPMENT RENDERINGS

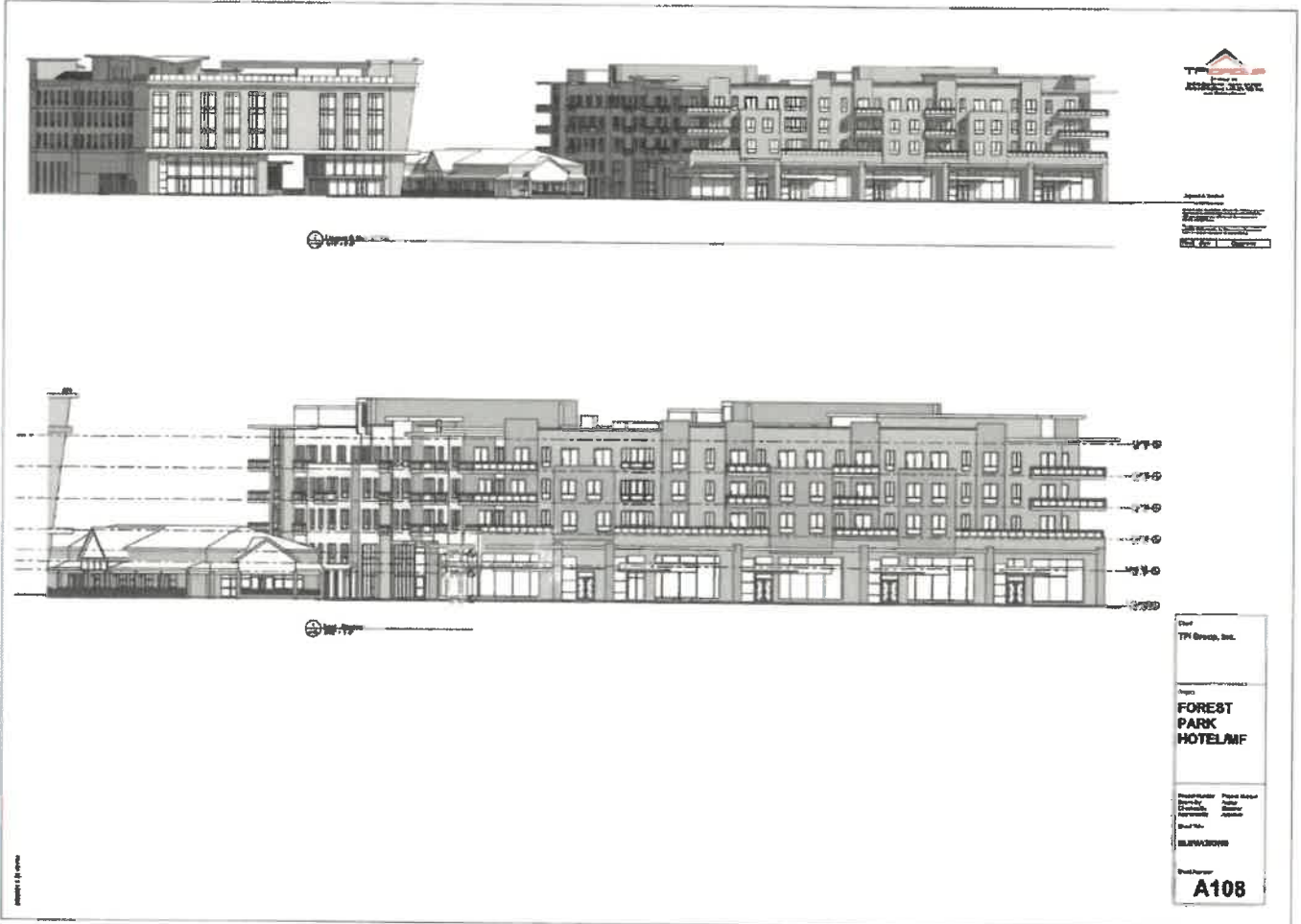




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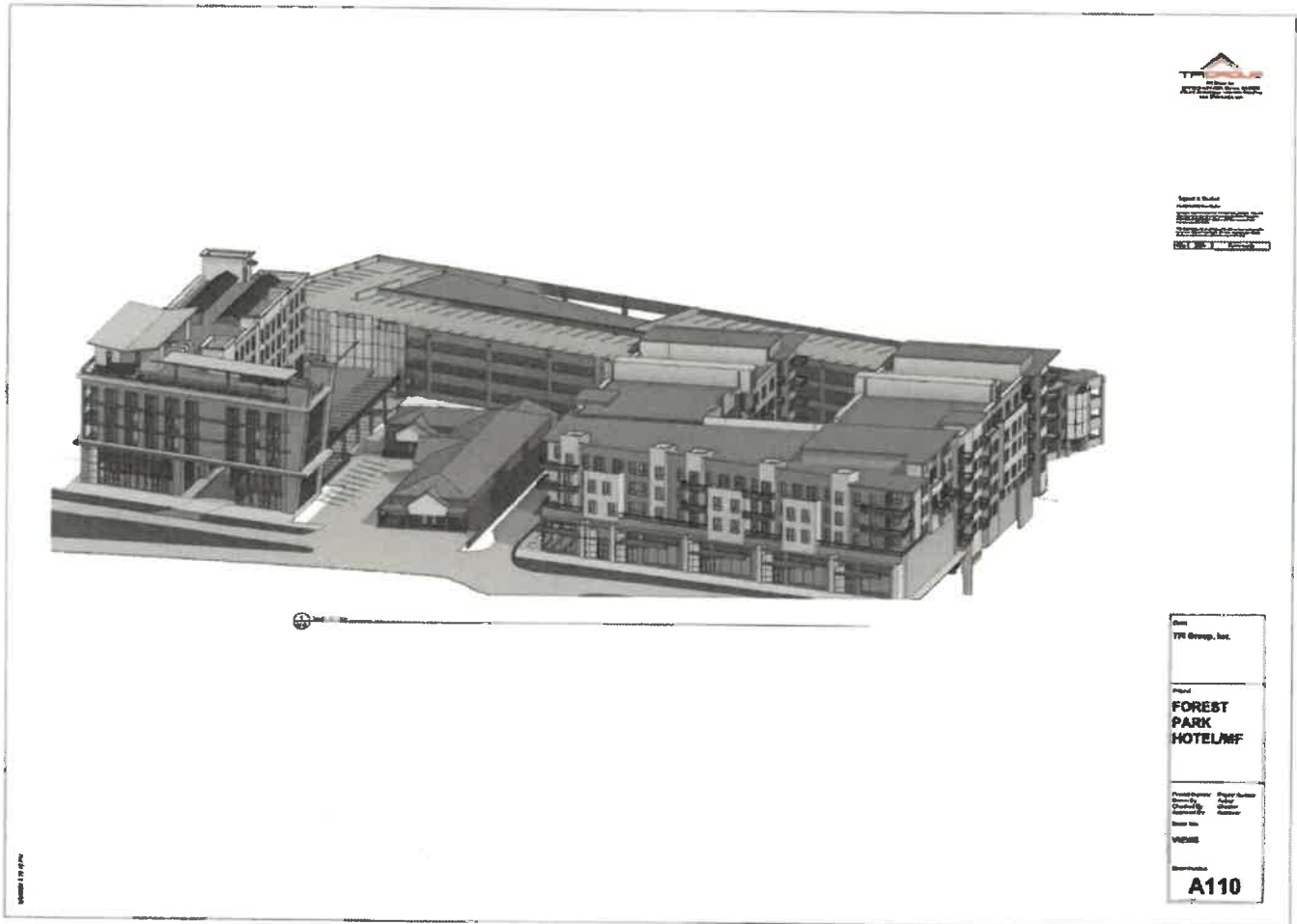




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SITE PHOTOS



Old Bank of America Drive Through



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Vacant, Boarded Up Building



Jasber Plaza



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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** to reduce the side and rear yard setbacks from 10 ft. to 5 ft. to allow the construction of a hotel and apartment building. The vision is to attract more people and have higher density downtown, however, staff recommends **Denial of a Variance** for 154 apartment units in the Downtown Mainstreet and Mixed-Use Village subarea. The applicant may be required to request additional variances for the square footage of the retail and commercial spaces and parking as the project moves forward.

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
- Conceptual Site Plan
- Surveys
- Property Deeds