

Staff Report – Variance

Public Hearing Date: April 17, 2025

Case: VAR-2025-06

Current Zoning: Downtown Mainstreet District (DM)

Council Ward: 2

Proposed Request: Variance Request 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 front yard setback to 10 feet to accommodate on street parking, 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).

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

Staff Recommendation: Approval of Variance with Conditions

APPLICANT INFORMATION

Owner of Record:

Name: Tejejo Investments LLC and
Development Authority of Forest Park
0 Main ST., 752 Main ST., 760 Main ST., and
770 Main ST.
Forest Park, GA 30297

Applicant:

Prestwick Land Holdings
3715 Northside Parkway, NW
Atlanta, GA 30327

PROPERTY INFORMATION

Parcel Number: 13050B K006, 13050B K005 and 13050B K0002

Address: 0 Main ST., 752 Main ST
. 760 Main ST., and 770 Main ST

Acreage: 1.62 +/-

FLU: Institutional/Mixed Use Commercial

ZONING CLASSIFICATIONS OF CONTIGUOUS PROPERTIES

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

SUMMARY & BACKGROUND

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%.

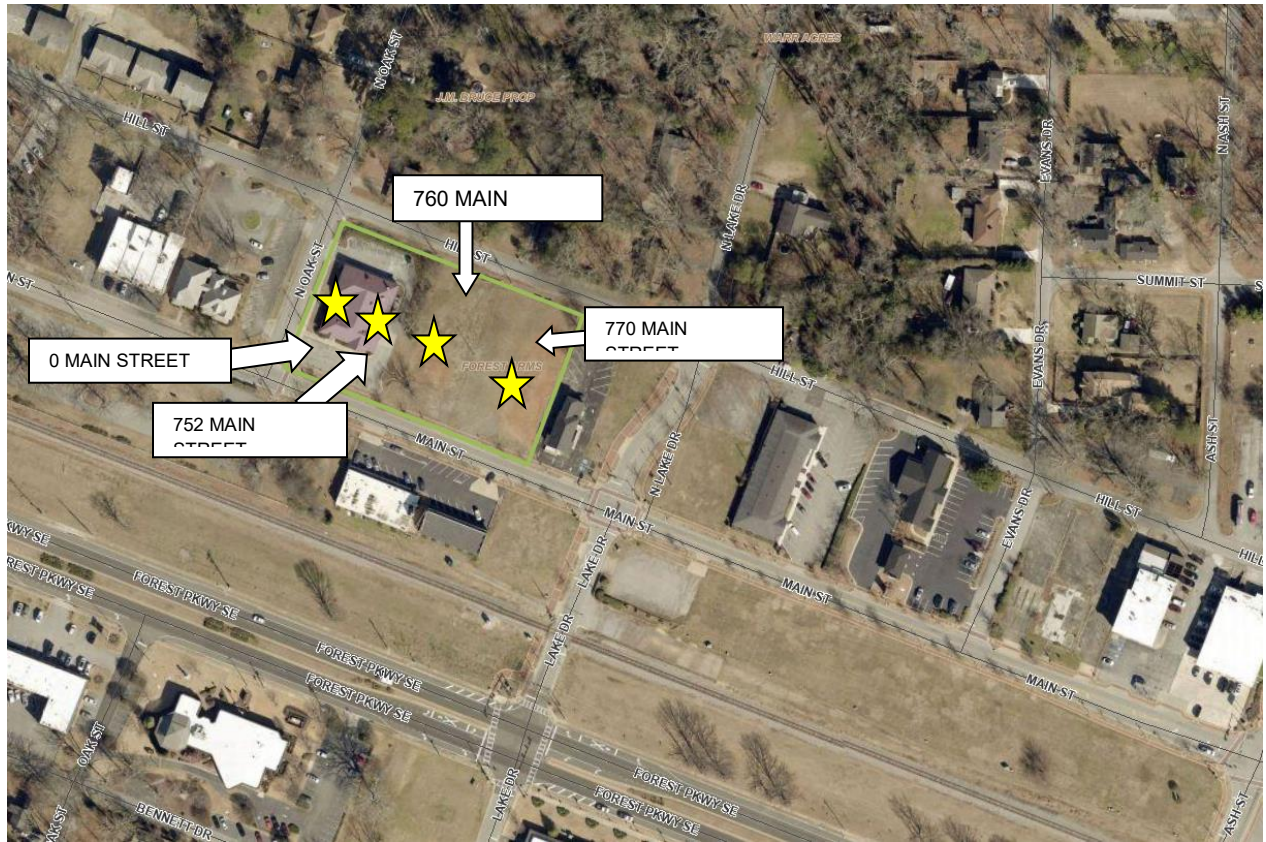
According to the applicant's letter of intent, the requested variances are driven by the site's exceptional and extraordinary conditions, including its small size, irregular topography, and the challenges posed by the current construction market. The property's limited land area and sloping nature create significant obstacles to conventional development under the existing zoning requirements. Adhering to these standards would result in inefficient use of the land, leaving substantial portions of the property underutilized.

Per sec 8-8-54.7 *setbacks and orientation of buildings; Mixed-use and commercial buildings shall have zero setbacks from the back of sidewalks*. The applicant argues that the requested variances are essential to address these site constraints while ensuring the development remains financially feasible. With rising construction costs, supply chain disruptions, and a shortage of critical building materials, the development process is further complicated. The applicant believes that adjusting unit sizes and parking requirements will allow the project to proceed without compromising quality or viability.

Given the current challenges faced by the development site, the applicant contends that the requested variances are necessary to overcome these unique obstacles, align with the financial realities of today's construction market, and adhere to the principles of new urbanism.

If granted, approval of these variances will facilitate an efficient and sustainable development, maximizing the site's potential and contributing positively to the ongoing revitalization of the downtown area.

AERIAL MAP



ZONING MAP



FOREST PARK MIXED-USE

02/25/25



1	PRESENTATION - SITE PLAN
2	CONTRACT

[illegible]

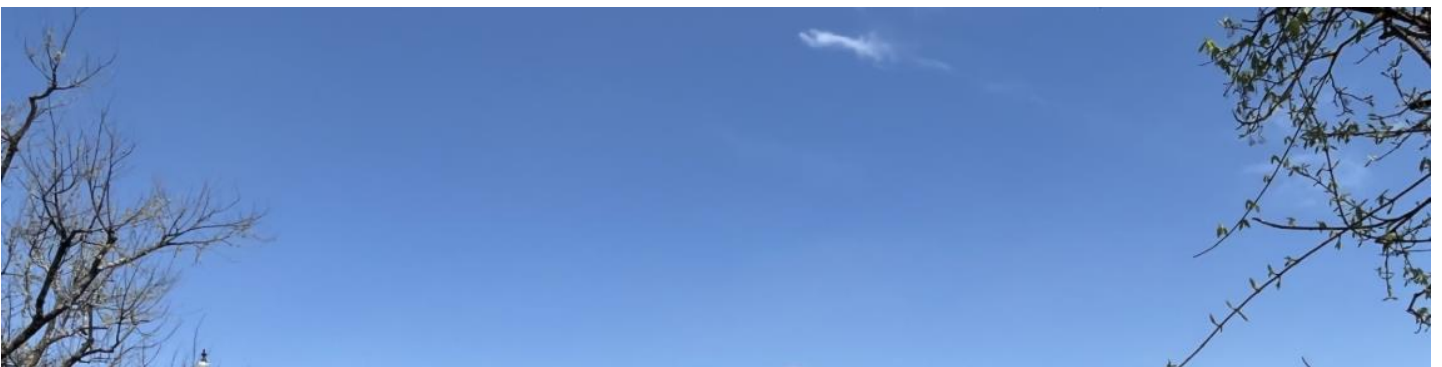
PRESENTATION 1° = 20'-0"



04

FOREST PARK MIXED-USE

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 variance to with **CONDITIONS**. The conditions are as follows:

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.

Attachments Included

- Justification Letter