



DEPARTMENT OF PUBLIC WORKS INTER-OFFICE MEMORANDUM

To: Board of Commissioners
Through: Dick Anderson, County Manager
From: David Clark, Director of Public Works
Date: October 18, 2024
RE: Public Hearing – Wednesday November 6, 2024

Staff's Recommendations to the Community Zoning Board				
ITEM	PETITION NO.	LOCATION/REQUEST	STAFF	CZB
1.	2024Z -0001 SFC DISTRICT 6	4143 Fulton Industrial Boulevard (SR 70) - C-2 (Commercial) to C-2 (Commercial) Increase the building square footage of the approved urgent care facility.	Approval Conditional	Approval Conditional

PROPOSED ZONING C-2 (COMMERCIAL) - 6,818.19 SQUARE FEET PER ACRE
PROPOSED USE URGENT CARE FACILITY
EXISTING ZONING C-2 (COMMERCIAL) - 2022Z -0001 SFC
EXISTING USE VACANT BUILDING
LAND USE MAP INDUSTRIAL MARKETPLACE
LOCATION FULTON INDUSTRIAL BOULEVARD (SR 70)
(NORTHWEST SIDE): 94 FEET OF FRONTAGE

PARCEL SIZE 0.44 ACRES

LL 23, DISTRICT 14F

COMMISSION DISTRICT 6

FULTON INDUSTRIAL OVERLAY DISTRICT

SEWER BY PUBLIC SEWER

OWNER WHITE COAT LLC
PETITIONER WHITE COAT LLC/BRENT HARRIS, MD
REPRESENTATIVE BRENT HARRIS, MD

APPLICANT'S INTENT To increase the total square footage of the building from the previously approved 1,800 square feet to 3,000 square feet to add additional space for an X-ray and procedure room.

Department of Public Works
Planning and Development Division
Recommendation

APPROVAL CONDITIONAL

Community Zoning Board Recommendation
October 17, 2024

APPROVAL CONDITIONAL

SUBJECT SITE AND SURROUNDING AREA:

SUBJECT SITE: The subject site is zoned C-2 (Commercial) for an urgent care facility and developed with an existing vacant building with parking lot.

NEARBY AND ADJACENT PROPERTIES/ZONINGS: NON-RESIDENTIAL

- ** **Northwest Adjacent** - Use: Existing Warehouse
Petition: None
Zone: M-2 (Heavy Industrial)
- ** **Further North** - Use: Existing Warehouse
Petition: None
Zone: M-2 (Heavy Industrial)
- ** **Northeast** - Use: Vacant Land
Petition: None
Zone: M-2 (Heavy Industrial)
- ** **East Adjacent** - Use: Vacant Restaurant Building
Petition: None
Zone: M-2 (Heavy Industrial)
- ** **Further East** - Use: Vacant Land
Petition: None
Zone: M-2 (Heavy Industrial)
- ** **Southeast across Fulton Industrial Boulevard (SR 70)** - Use: Budgetel Inn & Suites
Petition: None
Zone:M-2 (Heavy Industrial)
- ** **Further Southwest** - Use: Approved Convenience Store with Gas Pumps
Petition: 2021Z -0001 SFC
Zone:C-2 (Commercial)
Density: 4,375 Square Feet Per Acre
- ** **Southwest across Fulton Industrial Boulevard (SR 70)** - Use: GK Granite
Petition: None
Zone:M-2 (Heavy Industrial)
- ** **West Adjacent** - Use: Boston Supreme Fish Restaurant
Petition: 2011Z-0008 SFC
Zone: C-1 (Community Business)

NEARBY AND ADJACENT PROPERTIES/ZONINGS: RESIDENTIAL

There are no nearby residential properties or zonings

RECENT DENIALS IN AREA:

** There are no recent Denials in the area

MISCELLANEOUS USES AND ZONINGS IN THE AREA:

** The Fulton County Executive Airport at Brown Field is located to the northeast of the subject site. The interchange between I-20 and Fulton Industrial Boulevard (SR70) is located to the southwest of the subject site. Further east and north are the city limits of Atlanta.

SITE PLAN ANALYSIS:

Based on the applicant's site plan submitted to the Department of Public Works, Planning and Zoning Services on August 19, 2024, Staff offers the following considerations:

LAND USE AND DENSITY

The subject site was rezoned from M-2 (Heavy Industrial) to C-2 (Commercial) pursuant to 2022Z -0001 SFC on June 1, 2022. The subject site was approved for an Urgent Care Facility in the existing 1,800 square foot building at a density of 4,090.91 square feet per acre.

In 2024 the applicant submitted plans for the development of the site which indicated an increase in the previously approved square footage. The applicant found during the final design stages that the existing 1,800 square foot building would not accommodate the current and possible future needs of the approved Urgent Care Facility. More specifically the facility would not be able to provide an X-ray service without the additional space.

The applicant's proposed increase in square footage to 3,000 square feet at an overall density of 6,818.19 square feet per acre is consistent with existing and proposed development in the surrounding area.

The Recommended Conditions, which restrict the use of the property to an urgent care facility, will ensure the development is in harmony with the comprehensive and master plans for the surrounding industrial area.

The 2035 Comprehensive Land Use Map suggests Industrial Marketplace for the area along Fulton Industrial Boulevard (SR 70) between Martin Luther King Jr. Drive and Patton Drive. The intent of the Industrial Marketplace land use category is to encourage redevelopment of the Fulton Industrial District near the I-20 interchange by promoting uses which serve the needs of the people who work in the industrial area. The Industrial Marketplace designation on Fulton Industrial Boulevard is consistent with the Fulton Industrial Boulevard Redevelopment Framework which was adopted by the Board of Commissioners in August 2010.

Given all the above considerations, staff is of the opinion that the applicant's proposed development of the site, with the Recommended Conditions, is consistent with the Comprehensive Plan and the Fulton Industrial District Redevelopment Plan. Staff therefore recommends that this petition be **APPROVED CONDITIONAL**.

BUILDING SETBACKS

Article 9.2.3 for C-2 (Commercial) development requires minimum building setbacks as follows:

- 40-foot front yard setback along Fulton Industrial Boulevard
- No minimum side or rear yard is required

The proposed building complies with these required setbacks.

LANDSCAPE STRIPS AND BUFFERS

Article 12N and Article 4.23 of the Fulton County Zoning Resolution require the following landscape strips:

- A 15-foot-wide Landscape Strip along the Fulton Industrial Boulevard (SR70) frontage.
- A 5-foot-wide Landscape Strip along the side and rear property lines.

Pursuant to 2022VC -0001 SFC the site was approved for a variance to reduce the 5-foot landscape strip to 0 feet to allow existing encroachments along the southwest property line to remain. Staff will reflect this approved Concurrent Variance in the Recommended Conditions.

The site is able to meet all other landscape requirements.

PARKING

Article 18.2.1 requires 4 spaces per 1,000 square of building area for this use. The site plan indicates that there is adequate space to meet the parking requirements and to provide for the required parking lot landscape islands.

ENVIRONMENT

The Environmental Site Analysis Report (ESA) satisfies the requirement of the Fulton County Zoning Resolution. The site does not contain streams, flood plain, wetlands, steep slopes, historical sites or sensitive plants and animal species.

OTHER CONSIDERATIONS

An abandoned sign exists on the property, and it will have to be removed. The applicant is aware that removal of the abandoned signage structure is required, and the new sign for the property will be required to comply with the existing code. The applicant is also aware that enclosure of any dumpster on the property will be required, consistent with the Overlay District standards.

FINDINGS:

(Article 28.4.1) Planning Staff shall, with respect to each zoning application, investigate and make a recommendation with respect to factors A. through G., below, as well as any other factors it may find relevant.

A. WHETHER THE ZONING PROPOSAL WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY.

FINDING: The proposed Urgent Care Facility use is suitable for the subject site considering the existing and anticipated development in the area, and recent Board action on the subject site.

B. WHETHER THE ZONING PROPOSAL WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY.

FINDING: In Staff's opinion, the proposed development will not have an adverse effect on the use or usability of adjacent and nearby properties if developed in accordance with the Recommended Conditions.

C. WHETHER THE PROPERTY TO BE AFFECTED BY THE ZONING PROPOSAL HAS A REASONABLE ECONOMIC USE AS CURRENTLY ZONED.

FINDING: The subject site may have a reasonable use as currently zoned.

D. WHETHER THE ZONING PROPOSAL WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS.

FINDING: With the incorporation of the attached Recommended Conditions, Staff does not anticipate a significant impact on public facilities and utilities.

E. WHETHER THE ZONING PROPOSAL IS IN CONFORMITY WITH THE POLICIES AND INTENT OF THE LAND USE PLAN.

FINDING: The proposed commercial development and use is consistent with the policies and intent of the Comprehensive Plan, provided the Recommended Conditions are incorporated into the development.

LAND USE PLAN MAP: Industrial Marketplace

Proposed use/density: Urgent Care Facility/6,818.19 Square Feet Per Acre

The 2030 Comprehensive Land Use Map suggests Industrial Marketplace along Fulton Industrial Boulevard (SR 70) in this area. Industrial use is suggested beyond the node. The proposed density is consistent with other projects in the area.

PLAN POLICIES:

Provide for the transition of land uses from higher to lower densities and between different land uses.

Promote the revitalization of the Fulton Industrial Boulevard Industrial District.

Promote industrial base while simultaneously allowing for necessary commercial and office services to support industrial workers.

Support implementation of Fulton Industrial Boulevard Redevelopment Framework.

F. WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE ZONING PROPOSAL.

FINDING: Existing zonings, current commercial development trends in the area, and adopted land use policies support this request for commercial development.

G. WHETHER THE ZONING PROPOSAL WILL PERMIT A USE WHICH CAN BE CONSIDERED ENVIRONMENTALLY ADVERSE TO THE NATURAL RESOURCES, ENVIRONMENT AND CITIZENS OF FULTON COUNTY.

FINDING: The proposed development is not considered environmentally adverse affecting natural resources, the environment, or the citizens of Fulton County.

Note: The attached conditions are provided as a guide should the Board of Commissioners choose to approve this petition per the applicant’s request. The applicant's agreement to these conditions would not result in a favorable recommendation from the Staff.

CONCLUSION:

Provided Staff's Recommended Conditions are incorporated into the development of the site, the proposed commercial use is consistent with the policies and intent of the Comprehensive Plan and with approved zonings in the area. Therefore, Staff recommends this petition be **APPROVED CONDITIONAL** subject to the attached Recommended Conditions.

COMMUNITY ZONING BOARD MEETING

On October 17, 2024 the Community Zoning Board heard the petition and noted that the applicant was not in attendance and that there was no community input. With that noted, the Board recommended the petition be **APPROVED CONDITIONAL** per Staff’s recommendation.

RECOMMENDED CONDITIONS

If this petition is approved by the Board of Commissioners, it should be **APPROVED C-2 (Commercial) CONDITIONAL** subject to the owner's agreement to the following enumerated conditions. Where these conditions conflict with the stipulations and offerings contained in the Letter of Intent, these conditions shall supersede unless specifically stipulated by the Board of Commissioners.

1. To the owner's agreement to restrict the use of the subject property as follows:
 - a. Urgent care facility/medical office use only, at a maximum density of 6,818.19 gross square feet per acre zoned or a total of 3,000 square feet, whichever is less.
 - b. Limit the height of the building to no more than 2-stories.
2. To the owner's agreement to abide by the following:
 - a. To the site plan received by the Department of Public Works on August 19, 2024. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Resolution and these conditions prior to the approval of a Land Disturbance Permit. In the event the Recommended Conditions of Zoning cause the approved site plan to be substantially different, the applicant shall be required to complete the concept review procedure prior to application for a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of the Certificate of Occupancy.
3. To the owner's agreement to the following site development considerations:
 - a. Prior to issuance of an occupancy certificate for the building renovation, install and/or update the sidewalks and street lighting along Fulton Industrial Boulevard (SR 70) consistent with the standards of the Fulton Industrial Business District Overlay District.
 - b. Access to the property shall be provided via the curb cuts on the adjacent properties. No additional curb cuts shall be allowed.
 - c. To prohibit any window coverings, signage, location of interior or exterior shelving, appliances etc. that would block clear sight into the establishment through any window.
 - d. To post no loitering and no trespassing signage in highly visible locations throughout the property and visible from all parts of the property.
 - e. To install LED lights on all light posts on the property.
 - f. To partner with the Fulton County Police Department to be included in the TAP (Trespassing Affidavit Program).

- g. To partner with the Fulton County Police Department and install an interior and exterior onsite security camera system. The camera system shall be incorporated into the existing Police camera system along Fulton Industrial Boulevard so that the Police can remotely monitor all activity in real time.
- h. To remove all existing abandoned signage frames on the site; new signage shall comply with the Fulton County Zoning Resolution.
- i. To reduce the 5-foot landscape strip to the extent necessary to allow existing encroachments along the southwest property line to remain. (2022VC-0001 SFC)
- j. To provide parking lot landscape islands as shown on the site plan submitted on August 19, 2024. (Article 4.3.1, Section E.3)

APPENDIX

COMMENTS ON PUBLIC SERVICES AND UTILITIES

NOTE: Various Fulton County departments or divisions that may or may not be affected by the proposed development provide the following information. Comments herein are based on the applicant's conceptual site plan and are intended as general non-binding information and in no manner suggest a final finding by the commenter. All projects, if approved, are required to complete the Fulton County Plan Review process prior to the commencement of any construction activity.

TRANSPORTATION FACILITIES:

Update sidewalks and/or streetlights along the property frontage to be consistent with the CID standards.

Fulton Industrial Boulevard (SR 70) is a State Route, any improvements within the right of way of will require approval and permit issuance by GDOT.

HEALTH DEPARTMENT:

Environmental Health Service Comments:

Fulton County Board of Health requires that the proposed facility be served by public water and public sanitary sewer which are available to the site.

This department recommends that the proposed building be inspected, and the owner/operator is required to provide the internal plumbing and sanitary facilities necessary to serve the existing and proposed addition and building capacity.

This development must comply with the Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 - Health and Sanitation, Article III – Smoke-free Air.

If this proposed development includes a food service establishment, as defined in Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 - Health and Sanitation, Article V – Food Service, the owner must submit kitchen plans for review and approval by this agency before issuance of a building permit and beginning construction. The owner must obtain a food service permit prior to opening.

This department requires that plans indicating the number and location of outside refuse containers along with typical details of the pad and approach area for the refuse containers be submitted for review and approval.

WATER AND WASTEWATER (SEWER):

WATER:

No increased capacity proposed.

This project is within the City of Atlanta jurisdiction.

SEWER:

Basin: Utoy Creek

Treatment Plant: Utoy Creek

No increased capacity proposed.

Comments: This information does not guarantee that adequate sewer capacity is available at this time or will be available upon application of permits. Please contact the Department of Public Works for more information.

DRAINAGE:

Flood Plain: According to the Fulton County Geographic Information System (GIS) Map, there is no 100-year flood plain on the subject site.

TAX ASSESSOR:

Property Tax ID#:14F-0023-LL-086-8

Taxes on the subject property are up to date on this property

FIRE MARSHAL:

Fire requirements for this project will be reviewed and met through Life Safety 101, 2018, and IFC 2018.

Fire Station: 11

Battalion: 2

POLICE DEPARTMENT:

This property should participate in the TAP (Trespassing Affidavit Program)

CODE ENFORCEMENT:

No recent code violations on this site; no open code violations on the site.

Property Profile for 4143 Fulton Ind Blvd Sw

Property Tax Information

Tax Year	2024
Parcel ID	14F0023 LL0868
Property Address	4143 Fulton Ind Blvd Sw
Owner	White Coat Llc
Mailing Address	714 Cedar St Carrollton Ga 30117
Total Appraisal	\$193,100
Improvement Appraisal	\$84,700
Land Appraisal	\$108,400
Assessment	\$77,240
Tax District	70D
Land Area	0.4591 ac
Property Class	Commercial Vacant Lot
Land Use Class	Retail - Single Occupancy
TAD	
CID	FID Fulton Industrial Boulevard CID

Zoning

Zoning Class	C-1
Overlay District	Fulton Industrial Ov
2035 Future Development	Industrial Marketplace

Political

Municipality	unincorporated
Commission District	6
Commission Person	Khadijah Abdur-Rahman
Council District	not available
Council Person	not available
Voting Precinct	FC02
Poll Location	Jackson Memorial Baptist Church, 534 Fairburn Rd
Congressional District	006
State Senate District	035
State House District	061

School Zones

Elementary School	Randolph
Middle School	Sandtown
High School	Westlake

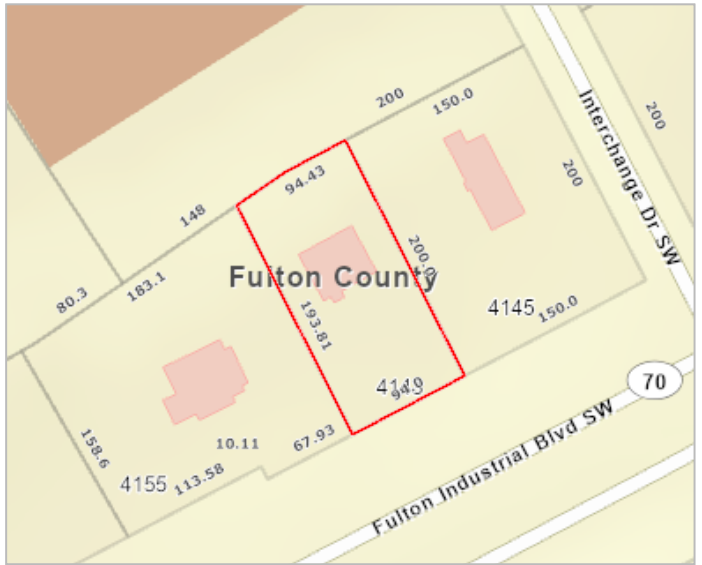
Other Information

Zip Code	30336
Census Tract	78.05
In Less Developed Census Tract	Yes

Aerial View

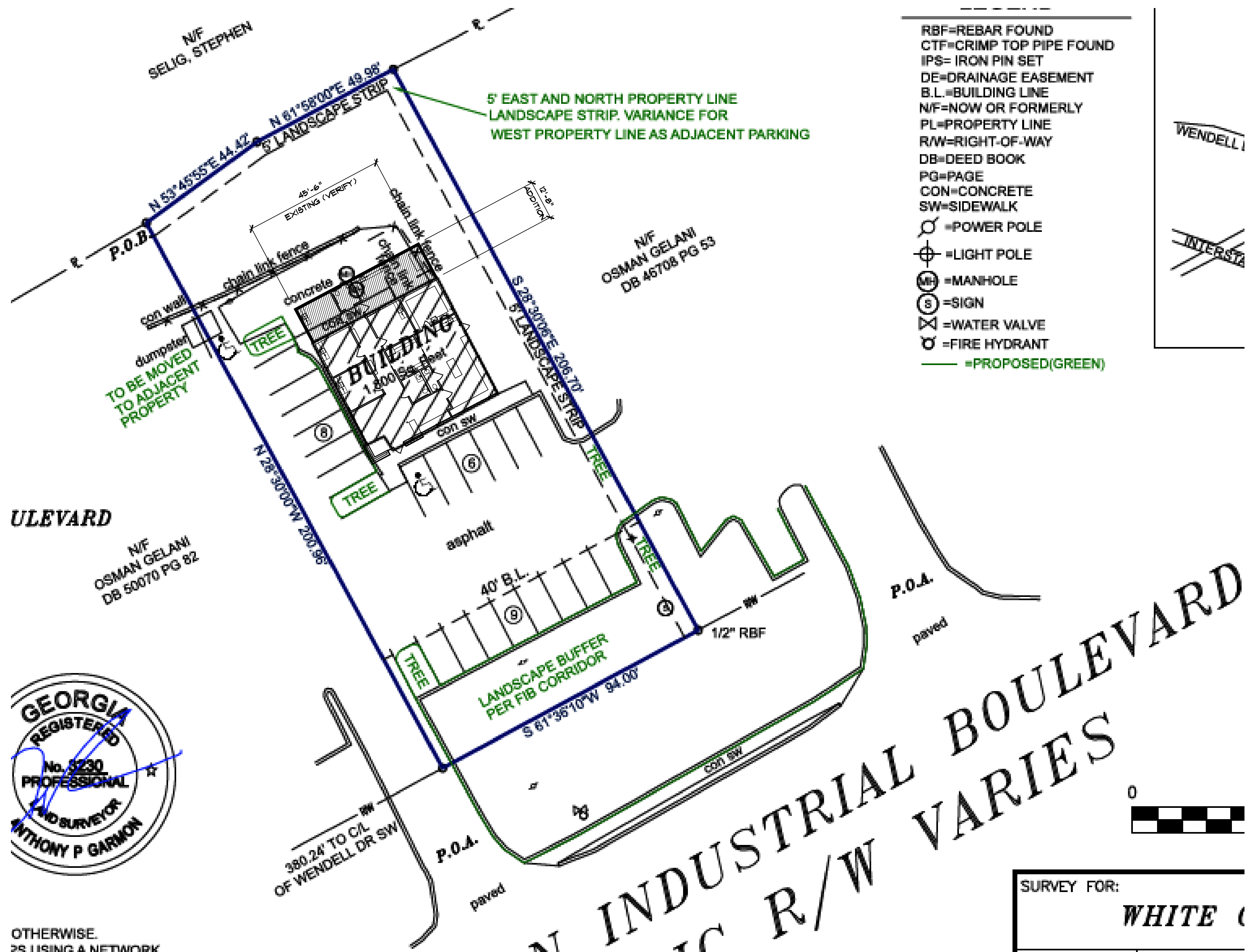


Property Map



Vicinity Map





- RBF=REBAR FOUND
- CTF=CRIMP TOP PIPE FOUND
- IPS= IRON PIN SET
- DE=DRAINAGE EASEMENT
- B.L.=BUILDING LINE
- N/F=NOW OR FORMERLY
- PL=PROPERTY LINE
- R/W=RIGHT-OF-WAY
- DB=DEED BOOK
- PG=PAGE
- CON=CONCRETE
- SW=SIDEWALK
- ⊙=POWER POLE
- ⊕=LIGHT POLE
- ⊙=MANHOLE
- ⊙=SIGN
- ⊗=WATER VALVE
- ⊙=FIRE HYDRANT
- =PROPOSED(GREEN)

WENDELL
~~INTERSTA~~



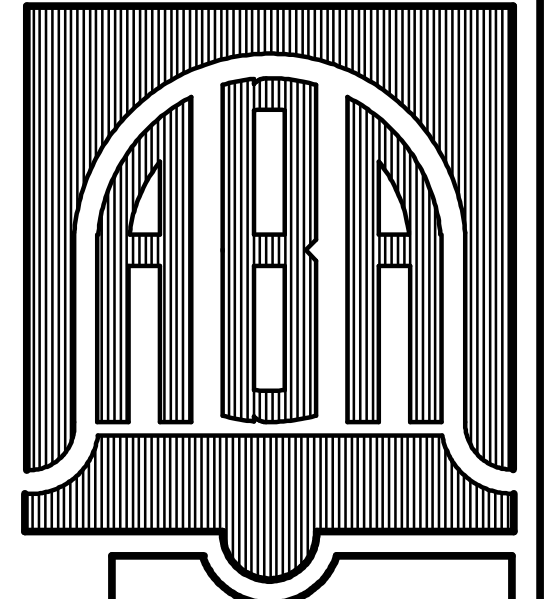
OTHERWISE,
 2S USING A NETWORK
 IAS RELATIVE POSITIONAL
 ND IS FOUND TO BE
 SURVEYOR + DATA
 ON.

SITE LAYOUT
 1" = 20'-0"
 NORTH

FULTON INDUSTRIAL BOULEVARD PUBLIC R/W VARIES

SURVEY FOR:	
WHITE C	
LAND LOT:	DATE
23	7/11/2017
DISTRICT: 14	SCALE
SECTION:	1" = 40'

NOTES:
 1. SCOPE OF WORK CONSISTS OF 12'-8" X 45'-6" NEW ADDITION & RENOVATIONS TO EXISTING SPACE.
 2. NO IMPERMEABLE SURFACES BEING ADDED. NEW ADDITION IS TAKING PLACE AT LOCATION OF EXISTING CONCRETE PAD.

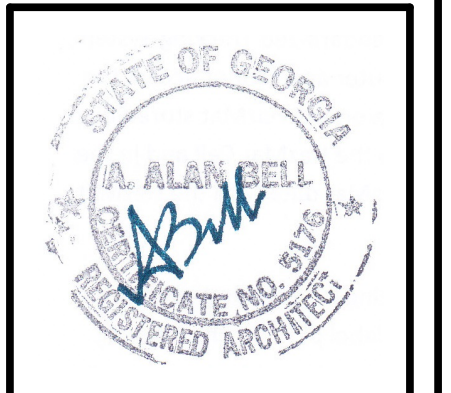


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REVISIONS	BY

MEDICAL OFFICE MODIFICATIONS FOR:
DR. BRENT HARRIS
 ATLANTA, GEORGIA

CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS BEFORE EXECUTING ANY WORK. THIS DOCUMENT IS THE SOLE PROPERTY OF ALAN BELL ARCHITECT AND SHALL NOT BE COPIED IN WHOLE OR IN PART WITHOUT EXPRESSED WRITTEN CONSENT FROM ALAN BELL ARCHITECT.



DATE : MAY 20, 2024
 SCALE : AS NOTED
 JOB NO. : 2207-CII
 SHEET
C-1
 OF 1 SHEETS