

GOVERNMENT OF THE CITY OF SOUTH FULTON

ODIE DONALD II
CITY MANAGER



SHAYLA REED
DIRECTOR
COMMUNITY DEVELOPMENT SERVICES

MEMORANDUM

TO: City of South Fulton Mayor and Council
FROM: Planning & Zoning Division
SUBJECT: **M19-004 for a Modification of 2000Z-0103**
DATE: July 23, 2019

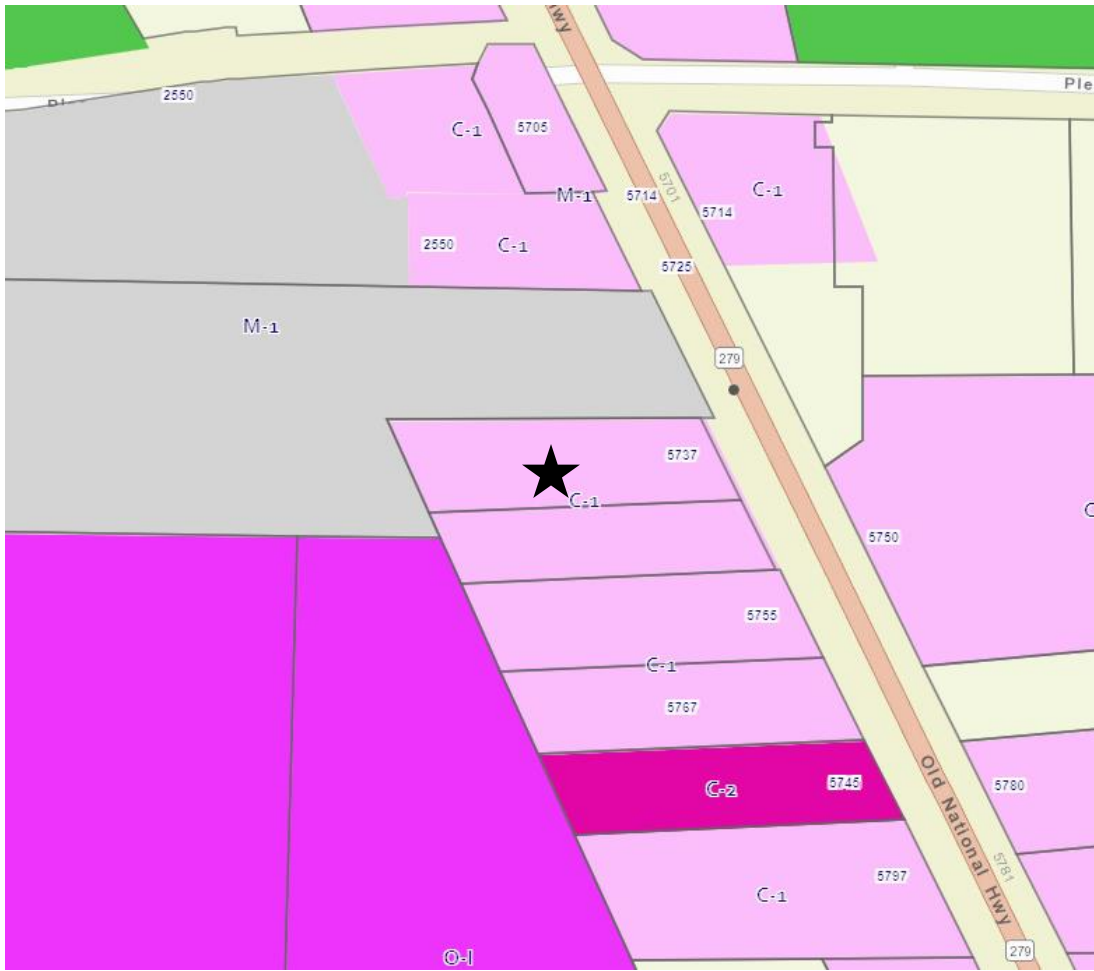
To consider an amendment to modify zoning case 2000Z-0103 to remove "Massage Parlor" from the excluded uses of the property at 5737 Old National Highway.

STAFF RECOMMENDATION: APPROVAL with Conditions

cc: Diane White, City Clerk

APPLICATION INFORMATION

Applicant Information:	One Touch Healing Hands c/o Misha Shovely 5737 Old National Hwy, Suite 200B Atlanta, GA 30316
Status of Applicant:	Tenant within owners building
City Council District(s):	6
Parcel ID Number:	13 0100 LL0656
Area of Property:	The property is composed of approximately 0.84 acres.
Current/Past Use of the Property:	This lot contains a 5-unit commercial center.
Prior Zoning Cases/History:	2000Z-0103 Request to rezone from C-1 (Community Business District) Conditional to C-1 (Commercial District) – APPROVED WITH CONDITIONS
Surrounding Zoning:	<u>North:</u> M-1 (Light Industrial) <u>South:</u> C-1 (Community Business) <u>East:</u> C-1 (Community Business) & AG-1 (Agricultural) <u>West:</u> M-1 (Light Industrial) & O-I (Office Institutional)
2035 Future Land Use Designation:	Community Live Work.
Compatibility to the Fulton County 2035 Comprehensive Plan:	The proposed modification does align with the Comprehensive Future Land Use Designation.
Overlay District:	Old National Overlay
Public Utilities:	Water service is provided to these sites by City of Atlanta. Sewer service is available to the site by Fulton County.
Public Services:	Police and Fire services are available to the site by the City of South Fulton.
Transportation:	<u>Street:</u> Old National Highway <u>Classification:</u> Minor Arterial State Road <u>Public Transit:</u> MARTA is located on Old National adjacent to the property <u>Bike/Pedestrian Access:</u> Sidewalks are available on both sides of Old National Highway. Bike lanes are not present.



CONDITION(S) TO BE MODIFIED:

2000Z-0103 condition 1a states:

1. To the owner's agreement to restrict the use of the subject property as follows:
 - a. Retail, service commercial and/or office uses, including all exterior food and beverage service areas, at a maximum density of 6,622.6 gross square feet per acre zoned or a total of 10,000 square feet, whichever is less, but excluding convenience stores with gas pumps, freestanding fast food restaurants, billboards, commercial amusements (cinemas not included), liquor package stores, adult entertainment establishments, pawn shops, coin operated laundries, video arcades, pool halls, ~~massage parlors~~, nail salons, beauty salons, barber shops and flea markets.

*Whereas, this request is to modify these conditions specifically, but all conditions remain intact. See attachment for all conditions.

PUBLIC PARTICIPATION

The applicant hosted a public meeting on May 20, 2019 at 7:00 p.m. at 5737 Old National Highway, Suite 200, Atlanta, GA 30349. Thirteen (13) members of the community showed up. The issues that were discussed was on the topic of this massage parlor being for health and

wellness. Ms. Mack-Shovely stated that she intends to keep the business as a health and wellness business.

2 members of the public attended the staff-hosted Community Zoning Information Meeting on June 6, 2019 to learn more about the project.

STAFF COMMENTS

Engineering: None provided

Environmental: See Attached

Public Works: None provided

Transportation: None provided

MARTA: None provided

Fulton County Schools: None provided

Fire: None provided

Legal: None provided

PLANNER'S RECOMMENDATION

Staff's recommendation is **APPROVAL with Condition** that this be the only allowable "massage parlor" within the shopping plaza at 5737 Old National Highway. This proposed use does align with the Comprehensive Plan and would be allowed per the C-1 Zoning District.

PREPARED BY:

Richard Hathcock, Senior Planner

REVIEWED BY:

Keedra T. Jackson, Senior Planner

Shayla Reed, Director

MAYOR & COUNCIL ACTION

Original hearing date: July 23, 2019