

SPECIAL USE ANALYSIS

SPECIAL USE CASE: *Julia Garcia is seeking a Special Use Permit in order to operate a medical clinic in an existing structure within the C-1 Neighborhood Commercial zone district. The City of Dalton Mayor and Council have jurisdiction in this matter. The site totals 1.56 acres and is located at 1906 Shields Road and contains a single-family detached dwelling.*

The uses and zoning of adjacent properties surrounding the subject tract follow: 1) to the north, are three adjacent tracts that are undeveloped and zoned C-1; 2) to the east, are two tracts zoned C-1. One of these tracts contains a small business and parking lot; 3) to the south, is a 2.8-acre tract zoned R-7 (Multi-Family) that contains six condominiums; and 4) to the west, is a single tract zoned C-1 containing a single-family detached dwelling that also appears to house a home office. Zone districts and land uses surrounding the subject property are low intensity in nature with varying lot sizes, but there are a number of multi-family residential properties as well as commercial properties along Shields Road.

The petitioner is proposing to convert the existing single-family dwelling into a small medical clinic.

CONSIDERING FACTORS FOR A SPECIAL USE ANALYSIS

(A) Whether the proposed use would impact upon anticipated traffic volume and/or traffic flow and/or pedestrian safety within the vicinity.

When observing the size of the subject property's existing structure along with the proposed medical clinic, trip generation should be no more than typical C-1 uses within the C-1 zone district which already exists in this area. The petitioner has explained that their practice has been established in Dalton for some time now, but they wish to move to a new location within the city to continue operations. The petitioner stated that the proposed clinic would care for approximately twenty patients per day. Although there is significant multi-family development along Shields Road along with commercial businesses, pedestrian infrastructure is nonexistent along Shields Road. Since the structure on the subject property was constructed and utilized as a single-family detached dwelling, there is no official parking lot on the subject property. In order to be compliant with the Unified Zoning Ordinance, the proposed medical clinic will be required to create a minimum of 15 parking spaces. This estimation is based on section V-5 of the Unified Zoning Ordinance that requires medical and dental offices to have a minimum of 5 parking spaces per 1,000sf of gross floor area. Since the existing dwelling on the subject property is approximately 3,000sf, a minimum of 15 parking spaces will be required. Parking spaces must be a minimum of 8.5'X18' on a clearly striped asphalt or concrete surface. There appears to be sufficient area on the subject property to accommodate the additional parking spaces while respecting the required setbacks, and the petitioner understands that the parking lot improvements are necessary.

(B) Whether the hours and manner of operation of the proposed use would impact upon nearby properties and uses within the vicinity.

The operation of a typical medical clinic, when observed from a nearby property, would

be similar to that of most any small business. While there are certainly medical clinics with 24-hour operation, the proposed clinic will have regular daytime business hours. Monday thru Wednesday: 8:30 am - 5:30 pm. Thursday: 8:30 am-1 pm and Friday: 8 am-4 pm. Some Saturdays: 9 am -12 noon (2 Saturdays per month)

(C) Whether parking, loading/service, and/or refuse areas of the proposed use would impact upon nearby properties and uses within the vicinity, particularly with regard to noise, light, glare, smoke, and/or odor.

Based on the proposed hours of operation for a medical clinic, it is not necessary for the parking area to be lighted. All of the activities associated with the proposed medical clinic will take place in doors and will likely go undetected by any of the surrounding properties in this area. The refuse area will be no different than a typical dumpster station at any small business or office. Since there will be biohazardous waste generated from this use, the disposal of said waste will be stored and disposed of separately. This clinic will also have an internal laboratory waived by CLIA (Clinical Laboratory Improvement Amendments). Since the lab will be housed inside the building and will be required to follow hazardous waste disposal regulations, no impact to the surrounding properties is expected.

(D) Whether the height, size, and/or location of any proposed structure is compatible with the height, size, and/or location of structure(s) upon nearby properties and uses within the vicinity.

The petitioner plans to utilize the existing single-family detached dwelling by remodeling the interior of the building to serve as the medical clinic. The existing dwelling on the subject property blends rather well with the other properties along Shields Road as a single-story ranch style single-family detached dwelling of approximately 3,000 square feet in size (according to the Whitfield County Tax Assessor's information).

(E) Whether the size of the lot or parcel is sufficiently large for the proposed use, and for reasonable growth opportunity of such proposed use, within the parameters of the Zoning Ordinance and within the probable limits of the soils thereon if an on-site sewage system is to be installed.

This area is served by sewer, which would be able to sustain reasonable growth of the proposed medical clinic more efficiently than areas lacking sewer access. There is sufficient area on the subject property to create more parking spaces while remaining within the required setback areas if a future expansion is sought at this location.

(F) Whether the benefits of and need for the proposed use are, on balance, greater than reasonable anticipated depreciating effects and/or damages, if any, to nearby properties within the vicinity.

Staff do not anticipate the requested use to have a depreciating affect on the surrounding and nearby properties based on the existing neighborhood commercial character existing in this area.

CONCLUSION: *The staff recommendation is that the requested special use permit can be approved for the proposed medical clinic based on the fact that no conflicts with traffic generation, existing surrounding land uses, or the Comprehensive Plan's future development map.*