



**CITY OF SNELLVILLE  
DEPARTMENT OF PLANNING & DEVELOPMENT  
MAYOR AND COUNCIL**

**CASE SUMMARY**

**October 10, 2016**

**CASE NUMBER:** #CUP 16-07

**REQUEST:** Conditional Use Permit

**PURPOSE:** To Operate an Adult Day Care Facility

**LOCATION:** 2151 Fountain Drive, Suite 203-204, Snellville, Georgia

**PARCEL:** District 5, Land Lot 07, Parcel 174

**PRESENT ZONING:** OP (Office Professional) District

**FUTURE LAND USE PLAN:** Office Professional

**PROJECT:** Tender Living Care, Inc.

**APPLICANT:** Jennifer Harris  
Stone Mountain, Georgia 30087

**PROPERTY OWNER:** Bartlett Family Winder, LLC  
Winder, Georgia 30680

**CONTACT:** Jim Canady  
706.338.6350 or [andersoncanady@yahoo.com](mailto:andersoncanady@yahoo.com)

**STAFF RECOMMENDATION:** Approval with Conditions



**CITY OF SNELLVILLE  
DEPARTMENT OF PLANNING & DEVELOPMENT  
MAYOR AND COUNCIL**

**APPLICATION FOR CONDITIONAL USE PERMIT**

**CASE ANALYSIS**

**October 10, 2016**

**TO:** **The Mayor and Council**

**MEETING DATE:** October 10, 2016

**FROM:** Jason Thompson, Director  
Department of Planning and Development

**CASE NUMBER:** **#CUP 16-07**

**FINDINGS OF FACT:**

The Department of Planning and Development has received an application from Jennifer Harris, Tender Living Care, Inc., requesting a Conditional Use Permit to operate an Adult Day Care facility located in Suites 203-204, 2151 Fountain Drive, Snellville, Georgia.

The subject 2.675± acre property, zoned OP (Office Professional) District and located within the Corridor Overlay District is located adjacent to the Highway 78 commercial corridor near the intersection of Highway 78 and Fountain Drive. The adjacent properties to the north include the Eastside Medical Center – South Campus and other medical office uses, while the adjacent property to the east is currently vacant and also served as medical offices. Properties to the west and south are commercially zoned properties that are typically found along the Highway 78 commercial corridor.

The property was originally developed in 1980 for an office development containing a total of 23,266 sq. ft. of office buildings (two 8,197 sq. ft. buildings and one 6,872 sq. ft. building.)

**REQUEST:**

The applicant is requesting a Conditional Use Permit to operate an Adult Day Care Facility within suites 203-204 of the existing 8,197 sq. ft. building. Tender Living Care, Inc. intends to provide a variety of adult day care services to clients, providing care outside the home to help prevent premature placement in a traditional nursing home. The applicant contends that the program is designed to stimulate cognitive functions in clients to help remain mentally sharp.

**STAFF ANALYSIS:**

Day Care facilities are permitted within the OP (Office Professional) District provided the applicant for such as business is granted a Conditional Use Permit by the Mayor and Council after receiving recommendations from the Planning and Development Department and Planning Commission and after a public hearing. The adult day care use is consistent with the medical and office uses found in the immediate area and will have no adverse impact to the neighboring properties.

According to the site plan, the three building property contains 121 off-street parking spaces, which exceeds the 77 minimum number of required parking spaces per Sec. 11.3 of the Parking Regulations for office and medical uses (see Table 1 below). Parking demand is primarily short-term, and used for client drop-off and pick-up, with two to four spaces being in use during business hours by staff, trainers, and for specialty services. Per the applicant the business will operate 7:00 am - 6:00 pm Monday – Friday.

The minimum off-street parking requirement calculations are provided in Table 1 below:

Table 1

Use	Total Tennant Spaces (Sq. Ft.)	Minimum Required Parking Calculation
Office Professional	23,266	1 space per 300 sq. ft. (23,266/300 = 77 spaces)

In conclusion, the Department of Planning and Development recommends **Approval** of the request for a Conditional Use Permit to operate an Adult Day Care Facility at 2151 Fountain Drive, Snellville, Georgia with the following **Conditions**:

1. In the event that the subject property is not leased or occupied by Tender Living Care, Inc. within six (6) months from the date of Mayor and Council approval, or if the property is occupied and later vacated by Tender Living Care, Inc. the approved Conditional Use Permit shall become null and void;
2. Signs higher than 15 feet and larger than 225 square feet are prohibited; and

3. Uses involving adult entertainment, including any sale or display of adult magazines, books, or videos and as further defined by the Adult Entertainment Ordinance in effect on the date this condition is imposed, are prohibited.

### **PLANNING COMMISSION REPORT:**

The Planning Commission held a duly advertised public hearing on the subject application at the September 27, 2016 Regular Meeting of the City of Snellville Planning Commission. For the purposes of promoting health, safety, morals, convenience, order, prosperity, aesthetics, or the general welfare of the City of Snellville, by a unanimous vote of 5-0, the Planning Commission recommended to **Approve** the request for a Conditional Use Permit to operate an adult day care facility at 2151 Fountain Drive, Suite 203-204, Snellville, Georgia with the following recommended **Conditions**:

1. In the event that the subject property is not leased or occupied by Tinder Living Care, Inc. within six (6) months from the date of Mayor and Council approval, or if the property is occupied and later vacated by Tinder Living Care, Inc. the approved Conditional Use Permit shall become null and void;
2. Signs higher than 15 feet and larger than 225 square feet are prohibited; and
3. Uses involving adult entertainment, including any sale or display of adult magazines, books, or videos and as further defined by the Adult Entertainment Ordinance in effect on the date this condition is imposed, are prohibited.