



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

CASE SUMMARY

May 23, 2016

CASE NUMBER: #CUP 16-05

REQUEST: Conditional Use Permit

PURPOSE: To Operate a Pharmacy/Drug Store

LOCATION: Snellville Commons (Office Development)
1551 Janmar Road, Snellville, Georgia

PARCEL: District 5, Land Lot 56, Parcel 111

PRESENT ZONING: OP (Office Professional) District

FUTURE LAND USE PLAN: Office Professional

DEVELOPMENT/PROJECT: Prestige Pharmacy

PROPERTY OWNER/APPLICANT: SJP Realty Partners, LLC
Snellville, Georgia 30078

CONTACT: Ami Patel
678.315.1516 or Ami.Patel628@gmail.com

**MAYOR & COUNCIL
PUBLIC HEARING DATE/TIME:** May 23, 2016

STAFF RECOMMENDATION: Approval with Conditions



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

APPLICATION FOR CONDITIONAL USE PERMIT

CASE ANALYSIS

May 23, 2016

TO: Mayor and Council

MEETING DATE: May 23, 2016

FROM: Jason Thompson, Director
Department of Planning and Development

CASE NUMBER: #CUP 16-05

FINDINGS OF FACT:

The Department of Planning and Development has received an application from Dr. Jitesh Patel, MD, SJP Realty Partners, LLC, requesting a Conditional Use Permit to operate a retail pharmacy/drug store located in the Snellville Commons office development, 1551 Janmar Road, Snellville, Georgia.

The subject 1.76± acre property is located adjacent to the heart of the Scenic Highway commercial corridor in the Snellville Commons office development. The subject property is surrounded by various commercial uses typical along Scenic Highway, with the majority if the adjacent properties being zoned BG (General Business) District or OP (Office Professional).

The property abuts the Waterford Township residential subdivision to the west, a single-family residential community located in unincorporated Gwinnett County.

REQUEST:

The applicant is requesting a Conditional Use Permit to operate a retail pharmacy/drug store from a proposed 2,240± sq. ft. tenant space within an existing 10,045 sq. ft. building. The pharmacy intends to provide prescription and over-the-counter medication management services to the physicians' patient population within the Snellville Commons office development, as well as, others customers in the general area.

As part of the Conditional Use Permit request, the applicant is requesting a variance from Section 9.8(3)(7) of the Zoning Ordinance requiring "*drug stores and pharmacies be accessed through and associated with medical clinics, doctor's offices, or dental offices*".

BACKGROUND:

The subject property was originally developed and constructed in 2005 for a real estate office location for Georgia Prudential Realty and continues to serve as a real estate office under the Berkshire Hathaway Georgia Properties trade name. The property was recently purchased by SLP Realty Partners, LLC with intentions to operate a small 2,240± sq. ft. retail pharmacy/drug store within the 10,045 sq. ft. building. The proposed use is in congruence with the surrounding uses and is complimentary to the existing businesses within the development, as well as, to the nearby medical uses within close proximity.

STAFF ANALYSIS:

Drug stores and pharmacies 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, provided:

- Drug stores and pharmacies *are* accessed through and associated with medical clinics, doctors' offices, or dental offices.

Although the proposed Prestige Pharmacy is not directly accessed through a medical clinic, doctors' office, or dental office, it is being constructed to serve the several existing medical offices within the Snellville Commons office development. Furthermore, Dr. Patel, who is associated with Prestige Pharmacy, operates his urology practice (Advanced Urology) within Snellville Commons at 1555 and 1557 Janmar Road, Snellville.

The site plan shows fifty (50) off-street parking spaces which provide ample parking to serve both the retail pharmacy/drug store customers, requiring one space per 250 sq. ft. of area (9 parking spaces min.), as well as, the real estate office use in the remaining building, requiring one space per 300 sq. ft. of area (27 parking spaces min.).

The Department of Planning and Development recommends **Approval** of the request for a Conditional Use Permit for Prestige Pharmacy with the following **Conditions**:

1. Signs higher than 15 feet and larger than 225 square feet are prohibited;
2. 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; and
3. Any additional non-substantial variance(s) as determined by the Director of Planning and Development for the design requirements, zoning requirements, development regulations and construction requirements must be submitted in writing for administrative approval with the Director of Planning and Development for this project.

PLANNING COMMISSION REPORT:

The Planning Commission held a duly advertised public hearing on the subject application at the April 26, 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 vote of 4-0 with one abstention, the Planning Commission recommended to **Approve** the request for a Conditional Use Permit to operate a retail pharmacy/drug store that is *not* accessed through and associated with a medical clinic, doctors' office, or dental office, with the following recommended **Conditions**:

1. Signs higher than 15 feet and larger than 225 square feet are prohibited;
2. 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; and
3. Any additional non-substantial variance(s) as determined by the Director of Planning and Development for the design requirements, zoning requirements, development regulations and construction requirements must be submitted in writing for administrative approval with the Director of Planning and Development for this project.

In conjunction with the Conditional Use Permit approval and conditions, the following variance was recommended for **Approval**:

1. Variance from Section 9.8(3)(7) of Article IX of the Zoning Ordinance requiring that drug stores and pharmacies be accessed through and associated with medical clinics, doctors' offices, or dental offices.