

# Memorandum

**To:** City of Dacula Planning Commission/  
City of Dacula Mayor and City Council

**From:** Hayes Taylor, City Planner

**Date:** February 26, 2024

**Subject:** Special Use Permit Case: 2024-CD-SUP-01

**Proposed Zoning:** OI (Office-Institutional District)

**Existing Zoning:** OI (Office-Institutional District)

**Size:** 0.26 acres

**Proposed Use:** Day Care Facility

**Applicant:** Barbara & Clement Quartey-Papafio  
2145 Glynmoore Drive  
Lawrenceville, Georgia 30043  
404-990-0996

**Owner:** Rodriguez Ventura Jesus Edith  
287 Church Street  
Dacula, Georgia 30019  
404-920-5067

**Location:** LL 302A - 5th District, Parcel 104

## Existing Land Use and Zoning:

The subject property totals 0.26 acres along Church Street and is south of the Church Street and Murray Avenue intersection. Per the 1998 City of Dacula Zoning Map, the property is zoned Office-Institutional District (OI). The parcel's current use is non-conforming residential. The property contains a cottage style home (1,270 sf), a gravel driveway, and is adjacent to a mixture of uses and zoning classifications. The parcel borders a church cemetery to the north, abuts residential property to the west, and borders a parcel zoned Office-Institutional to the south. Undeveloped property designated C-2 (General Commercial District) is directly across Church Street to the east of the subject parcel.

### **The Proposed Development:**

The applicant has requested a special use permit to allow a child day care facility within the existing dwelling. Per the application materials, the proposed child-care facility would initially have a maximum of thirty (30) students. The submitted concept plans show three (3) diagonal parking spaces. Proposed materials for the parking spaces are not included within the application. The applicant intends to add additional structures to the property in the future to increase the maximum capacity to no more than fifty-five (55) students.

Staff notes that the structure is considered non-conforming. As such, alterations to the structure could cause the non-conformance status to be revoked and the entire structure would be required to come into compliance with existing setback requirements. Any new structures on the premises would be required to adhere to current standards including setbacks, zoning buffers, and septic system regulations.

Article X, Sec. 1002(AA) of the Zoning Resolution states that day care facilities must have adequate parking for each employee (teacher and staff members), as well as the safe and convenient loading and unloading of students. Application materials propose three (3) parking spaces; however, a traffic circulation plan for the loading and unloading of students is not provided.

Considering the number of day care students, a feasibility letter from Gwinnett County Environmental Health would be prudent to ensure proper capacity of the existing septic tank.

### **Summary:**

The proposed special use permit for a child-care facility at this location could be considered unsuitable due to the limitations of the existing infrastructure and property characteristics. As such, staff recommends the requested special use permit be denied.

### **Comprehensive Plan:**

The City of Dacula's 2050 Comprehensive Plan designates the subject property as Dacula Downtown on the Future Land Use Map. The Dacula Downtown character area is described as "a livable walkable city center to attract tourism, support employment of residents and the provide a place of entertainment and recreational opportunities" (City of Dacula Comprehensive Plan, page 61).

The analysis of the application should be made based upon the "Standards Governing Exercise of the Zoning Power" as stated in Section 1702 of the 2000 Zoning Resolution of the City of Dacula.

***1. Whether the proposed special use permit will permit a use that is suitable in view of the use and development of an adjacent and nearby property?***

No, the size, shape, and infrastructure limitations of the property indicate the proposed use is not suitable.

**2. *Whether the proposed special use permit will adversely affect the existing use or usability of adjacent or nearby properties?***

The special use permit would be expected to negatively impact surrounding properties through increased traffic and noise from students.

**3. *Whether the property to be affected by the proposed special use permit has a reasonable economic use as currently zoned?***

Yes, the subject property has reasonable economic use as currently zoned.

**4. *Whether the proposed special use permit will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?***

The proposed use is expected to increase the burden of use for existing streets, transportation facilities, and the current septic system. The proposed use is not expected to increase the burden on schools.

**5. *Whether the proposed special use permit is in conformity with the policy and intent of the Land Use Plan?***

The City of Dacula's Future Land Use Map designates the property as a Dacula Downtown character area use. As such, barring the special and logistical limitations, the proposed use and special use permit could be considered to conform to the Land Use Plan.

**6. *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 proposed special use permit?***

The proposed child-care facility faces considerable infrastructure challenges and property characteristic limitations. The lack of infrastructure for the number of students, increased traffic, and the limited space suggest that the use is not best suited for the subject property.

**Recommendation:**

Based on the application, the requested special use permit is recommended for denial. If the City Council approves the special use permit application, the following conditions are recommended:

Conditions:

1. The property shall be developed for day care, and/or office uses only. Any substantial deviation from the approved conditions of zoning shall be resubmitted to the Mayor and City Council for consideration. The City Administrator shall determine what constitutes substantial deviation.
2. The owner must provide the City with a feasibility letter from Gwinnett County Environmental Health signifying that the child-care facility with 30 students is feasible on the current septic system.
3. One ground sign shall be permitted. The advertisement size of the ground sign shall be limited to thirty (30) square feet. The ground sign shall be monument-type only with indirect lighting. The ground sign shall be limited to a single monument-type sign with a brick or stacked stone base of at least 2 feet in height. Neon or self-illuminating ground signs shall be prohibited.
4. All trash dumpsters shall be screened by an enclosure using the same exterior building material as the adjacent occupied buildings. Pickup shall be limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday. Dumpster enclosures shall remain closed, locked, and in good repair at all times.
5. Business days and hours will be limited to 7 a.m. to 6 p.m., Monday through Friday.
6. No tents, canopies, temporary banners, streamers, or roping decorated flags, tinsel, or other similar material shall be displayed, hung, or strung on the site without appropriate permit(s). No decorative balloons or hot-air balloons shall be displayed on the site.
7. Human sign spinners and/or twirlers shall be prohibited.
8. No outdoor storage shall be permitted.
9. An internal traffic circulation plan is required and shall be submitted to the City for approval.
10. The proposed elevation, building materials, and colors shall be approved by the City prior to building permit issuance. The façades of the structural units shall resemble the surrounding dwellings within the Dacula Downtown character area with the front façade constructed of brick, stone, or stucco with accents of fiber shake, board and batten, or fiber cement siding. The sides and rear shall be constructed of brick, stone, stucco, concrete fiber, or similar material.