

# Memorandum

TO: City of Dacula Planning Commission /  
City of Dacula Mayor and City Council

FROM: Hayes Taylor, City Planner

DATE: January 22, 2025

CASE: **2025-CD-SUP-03**

## Executive Summary

Applicant Affinity Angels Care Helens Adult Day Center, LLC requests a Special Use Permit to operate an adult day care at 360 Franklin Dr., Suite D. The proposed use will not require redevelopment of the subject property. The proposed business model would offer part-time care for adult clients, including daily activities, assistance with medical care, and structured programming.

General information about the project is provided below. The application documents are available following the staff report.

Figure 1 Aerial



Property and Surrounding Land Use Information	
Addresses	360 Franklin Drive, Suite D
Parcel ID #	5301 056
Current Zoning	C-2 DOD
Request Special Use	Day Care Use
Current Development	Existing Retail, Undeveloped, and City Park

2050 Comprehensive Plan Character Area	Dacula Downtown
Streets	Franklin Drive
<b>Surrounding Neighborhood</b>	
North	C-2 DOD (General Commercial District, <i>Downtown Overlay District</i> )
South	C-2 DOD (General Commercial District, <i>Downtown Overlay District</i> )
East	R-1200 DOD (Single-Family Residential District, <i>Downtown Overlay District</i> )
West	C-2 DOD (General Commercial District, <i>Downtown Overlay District</i> )
<b>Recommendation</b>	
Staff	Approval with staff conditions

### Existing Land Use and Zoning

The subject property totals ±3.59-acre and is zoned C-2 DOD (General Commercial District, *Downtown Overlay District*). The parcel contains a variety of commercial uses including a pest and termite service business, a warehouse, and an outdoor storage lot within a legal nonconforming multitenant building. The parcel previously contained a day care business until 2019.

The subject parcel is bordered by active commercial parcels, zoned C-2 DOD (General Commercial District, *Downtown Overlay District*), to the north, west, and south. Nearby commercial uses include a hardware retail chain location, a lighting business, a prefab multi-tenant commercial building, and an additional pest control business. To the east, there is an undeveloped parcel, and an active residence. Both parcels are zoned R-1200 DOD (Single-Family Residential, *Downtown Overlay District*).



## The Proposed Development

The proposed business will not require redevelopment of the 8,750 SF multi-unit. The applicant requests a Special Use Permit for day care use as required by Article IX, Section 906.E12. of the Zoning Resolution. The day care would occupy an 835 SF unit within the multi-unit building. Application materials state that the morning drop-off, and afternoon pick-up times are not expected to necessitate additional parking, because cars will not remain throughout the day.

The proposed business model would offer part-time care for adult clients, including daily activities, assistance with medical care, and structured programing. The letter of intent highlights that the proposed programming specifically assists elders with moderate dementia or early-stage Alzheimer's, moderate physical disabilities, and elders with social needs.

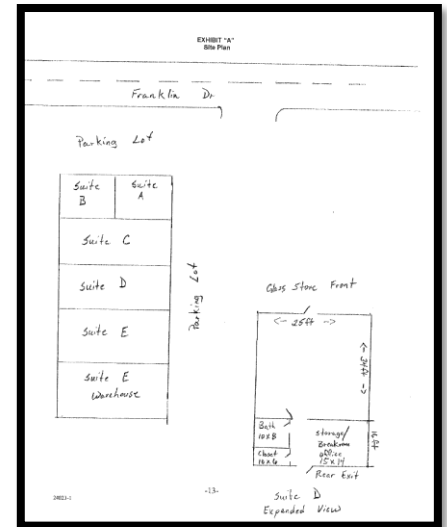
The subject parcel falls within the Downtown Overlay District and the Urban Redevelopment Plan. The proposed use does not require redevelopment of the subject parcel, allowing the building to maintain its legal nonconforming status.

## Analysis

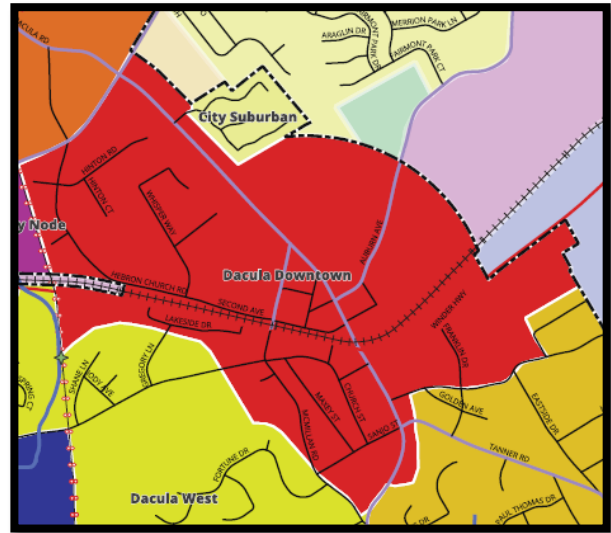
### *Rezoning Request*

The requested SUP does not conflict with the surrounding commercial uses in the corridor and in the multitenant building. The adult day care use is not more intense than existing uses. The pest control business in another suite on the property uses its space for office purposes only, and does not store chemicals on site.

Given the precedent for the use on the parcel, and the commercial character of Franklin Rd., the requested day care special use could be considered appropriate with adequate conditions and safeguards.



The Dacula 20250 Comprehensive Plan identifies this site as being within the Dacula Downtown Character Area. The Comprehensive Plan calls for commercial, residential, and recreational opportunities. The Dacula Downtown Character Area calls for increased local employment opportunities, community services, and recreational opportunities (Dacula 2050 Comprehensive Plan, pg 61). The proposed site plan may provide community members with needed resources and could provide recreational opportunities for adults with day-time assistance, while allowing them to age in place.



The requested special use permit could be considered consistent with the downtown character area goals and objectives.

Staff recommends approval of the requested special use permit request for an adult day care use.

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 Ordinance 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?*

The proposed special use permit could be considered suitable in view of the surrounding commercial uses and developments.

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

If approved, the recommended conditions would help mitigate any negative impacts on current and future residences.

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

Yes, the 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 not expected to create excessive or burdensome use for utilities, existing streets, transportation facilities, or schools, and does not require redevelopment of the subject property.

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

The subject parcel is within the Dacula Downtown Character Area of the City of Dacula's Future Land Use Map. The Dacula Downtown Character Area calls for increased local employment opportunities, and community services (Dacula 2050 Comprehensive Plan). The proposed site plan may provide existing residences with needed resources located in their local community.

**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 development does not require the redevelopment of the existing parcel, and does not conflict with the surrounding commercial corridor. Additionally, the previous presence of the proposed use within the subject multitenant building supports the grounds for approval of the request special use.

## **Recommended Conditions**

### Land Use and Concept Plan

1. Any modifications to the existing property improvements (ex: redevelopment, paint, repairs, additions, concrete, asphalt, etc.) shall be reviewed and approved by the Planning & Development Department.
2. The Special Use Permit shall be deemed abandoned by the Property Owner if day care use ceases for more than ninety (90) days, per Article 17, Section 1706.
3. A letter from Gwinnet County Environmental Health certifying the number of adult students is supported by the septic system shall be required prior to Certificate of Occupancy issuance for a group personal care home.
4. The facility shall comply with all Georgia Department of Community Health's requirements. A state license is required prior to Certificate of Occupancy issuance for an adult day care.
5. The building must be compliant with the latest ratified International Building Code standards & Americans with Disabilities Act (ADA) accessibility guidelines prior to Certificate of Occupancy issuance.

### Sign and Advertisement

6. No tents, canopies, temporary banners, streamers or roping decorated with 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. Live human advertisements shall be prohibited within the subject area. This includes, but is not limited to, sign spinners, twirlers, dancers, clowns, and / or other similar temporary advertising methods commonly provided by costumed or animated humans.
8. Blinking, exposed neon, electronic messaging, scrolling, portable, and inflatable signage shall be prohibited.

#### Waste Management

9. Commercial sanitation services shall be arranged between the business and a franchised solid waste contractor per Chapter 22, Section 22-6.