AGENDA REPORT

MEETING DATE:	November 16, 2026	Regular
DEPARTMENT:	Community Development	Sara Leaders, Community Development and Public Works Director
SECTION OF AGENDA:	First Presentation	November 16, 2026
	Zoning Agenda	December 7, 2026
AGENDA ITEM TITLE:	U26-02 – Consideration of a Use Permit Request by The Wilds Early Learning Academy for a Preschool (Day Care Facility) at 12457 Broadwell Road, Suite 103, Zoned T4 within the Crabapple Form Based Code, Pursuant to Section 8.5.4 of the Unified Development Code.	
STATEMENT OF PURPOSE:	To consider a use permit request to operate a preschool within an existing commercial building at 12457 Broadwell Road, Suite 103, subject to conditions addressing the size, attendance, hours, and manner of operation.	
FINANCIAL IMPACT:	The proposed business would be subject to applicable occupational tax and business licensing requirements.	
RECOMMENDED ACTION:	Approval of U26-02 subject to the recommended conditions in Exhibit B.	

EXECUTIVE SUMMARY:

Staff recommends approval of U26-02, subject to the conditions in Exhibit B, to allow The Wilds Early Learning Academy to operate a preschool (Day Care Facility) at 12457 Broadwell Road, Suite 103. The request is scheduled for First Presentation on November 16, 2026, and the zoning agenda on December 7, 2026.

Allisa Bryson, representing the applicant, proposes one morning session and one afternoon session for children ages 3 through 6, with a maximum of 20 students per session. The facility would occupy an existing 750-square-foot, first-floor tenant space in an approximately 6,014-square-foot, two-story commercial building zoned T4 within the Crabapple Form Based Code. Proposed operating hours are Monday through Friday, 7:45 a.m. to 4:15 p.m.

On October 28, 2026, the Planning Commission unanimously recommended approval with the conditions presented by staff. Before occupancy, the applicant must obtain an updated Certificate of Occupancy and all other required approvals. The maximum of 20 students per session remains subject to any lower limit necessary to comply with building and fire requirements, including the total occupancy attributable to staff and other occupants.

PURPOSE AND BACKGROUND:

A preschool requires a use permit under Section 8.5.4 of the Unified Development Code. The applicant's August 13, 2026, Letter of Intent describes one classroom with two half-day sessions and one to two employees, depending on enrollment. The applicant describes no dedicated outdoor play area and identifies nature walks and use of a garden within the landscaped area for outdoor instruction, subject to applicable approvals.

Staff reviewed the application, site plan received September 2, 2026, proposed operations, departmental comments, and applicable use permit considerations. The applicant attended the September 29, 2026, Community Zoning Information Meeting; no members of the public attended regarding this item. The Design

Review Board expressed support during its October 6, 2026, courtesy review. The applicant held a public participation meeting on October 14, 2026, with no public attendance or feedback reported.

STAFF ANALYSIS:

Land Use Compatibility

Staff finds the proposed preschool compatible with the surrounding mix of commercial, office, service, and residential uses and appropriate for consideration through the use permit process in T4. Conditions would limit the facility's size, attendance, and operating hours.

Site Access and Parking

The site has existing vehicular access from Broadwell Road and established pedestrian connections. Staff anticipates minimal effects on traffic along Broadwell Road. The staff report identifies 41 off-street parking spaces serving the approximately 6,014-square-foot building. At the rate cited in the report of 3.5 spaces per 1,000 square feet, the calculation is approximately 21.05 spaces before application of the applicable rounding requirement. Staff finds the existing parking supply sufficient to accommodate the proposed use.

Environmental and Exterior Improvements

The classroom would occupy the existing tenant space. No land clearing, tree removal, exterior structural changes, or new outdoor lighting is proposed. Staff identified no additional tree or open space requirements associated with the request.

Hours and Manner of Operation

The proposed conditions would limit the facility to 750 square feet and a maximum of 20 students per session. The proposed schedule consists of one morning session and one afternoon session, with operating hours limited to Monday through Friday, 7:45 a.m. to 4:15 p.m.

Building Fire and Other Approvals

The Fire Marshal's Office inspected the site and determined that one wall requires additional drywall and sealing to provide the required fire separation. The applicant and landlord have begun planning this work. A building permit and successful completion of the required inspections and approvals are necessary before issuance of an updated Certificate of Occupancy. The Fire Marshal's Office confirmed that adequate fire sprinkler and fire alarm coverage already exist within the space.

Conditions of Approval

Exhibit B establishes restrictions on the approved use, tenant area, operating hours, and number of students. It also requires substantial compliance with the submitted site plan, compliance with applicable City regulations, and completion of required approvals before occupancy. Staff recommends approval subject to these conditions.

FINANCIAL IMPACT:

The proposed business would be subject to applicable occupational tax and business licensing requirements.

ALTERNATIVES CONSIDERED:

Option 1: Approve the use permit with the proposed conditions. Staff recommends this approach based on the proposed use's compatibility with the area, existing site infrastructure, and conditions addressing facility operations.

Option 2: Approve the use permit with modified conditions. Council may adjust conditions to address concerns identified during its review.

Option 3: Deny the use permit. Other permitted uses would remain available, but the proposed Day Care Facility would not be authorized.

LEGAL AND REGULATORY CONSIDERATIONS:
The request is for a use permit under Section 8.5.4 of the Unified Development Code. The attached staff report evaluates the applicable use standards and use permit considerations.

If approved, the facility must comply with the ordinance, conditions in Exhibit B, applicable building and fire requirements, and all other required licenses and permits. Use permit approval does not replace the updated Certificate of Occupancy or other approvals required to begin operations.

OPERATIONAL IMPACT:
Staff will review the tenant space for the proposed use and verify compliance with applicable conditions before issuance of an updated Certificate of Occupancy. Ongoing operations would be subject to the approved attendance limit, hours, applicable use standards, and other City regulations.

COMMUNITY AND STAKEHOLDER IMPACT:
The proposed facility would provide preschool services for children ages 3 through 6 within an existing commercial development. Conditions limiting attendance and operating hours would establish expectations for the operator, neighboring businesses, and nearby residents.

Public input opportunities included the September 29, 2026, Community Zoning Information Meeting, the applicant's October 14, 2026, public participation meeting, and the October 28, 2026, Planning Commission hearing. No public comments were received at the first two meetings. The Planning Commission unanimously recommended approval with staff's proposed conditions.

STRATEGIC ALIGNMENT:
Supports Strategic Priority #2, Continue Smart Land Planning to Keep Milton Unique.

STAFF RECOMMENDATION:
Approve U26-02 for a preschool (Day Care Facility) at 12457 Broadwell Road, Suite 103, subject to the conditions in Exhibit B.

REVIEWS & APPROVALS:

Legal Review: Paul Frickey, Jarrard & Davis, LLP – November 4, 2026 **Concurrent Review:** Stacey Inglis, Deputy City Manager Stacey Inglis

ATTACHMENTS:
U26-02 Staff Report
Ordinance
Exhibit A – Legal Description
Exhibit B – Conditions of Approval

PETITION NUMBER
U26-02

PROPERTY INFORMATION	
ADDRESS	12457 Broadwell Road – Suite 103
DISTRICT/SECTION, LAND LOTS	2/2 1171
EXISTING ZONING	T4 – Crabapple Form Based Code
PROPOSED USE PERMIT	Day Care Facility (Sec. 8.5.4)
ACRES	2.87 acres for entire site
EXISTING USE	Two-story office building
PROPOSED USE	Preschool

PETITIONER The Wilds Early Learning Academy, Allisa Bryson

OWNER Justin Bachtell

INTENT

To request a Use Permit to operate a preschool (Day Care Facility Sec. 8.5.4 of the UDC) within a 750 square feet tenant space, in an existing 6,014 square foot commercial building, to accommodate a maximum of 20 students for each half-day session.

COMMUNITY DEVELOPMENT DEPARTMENT RECOMMENDATION- October 28, 2026

U26-02- APPROVAL CONDITIONAL

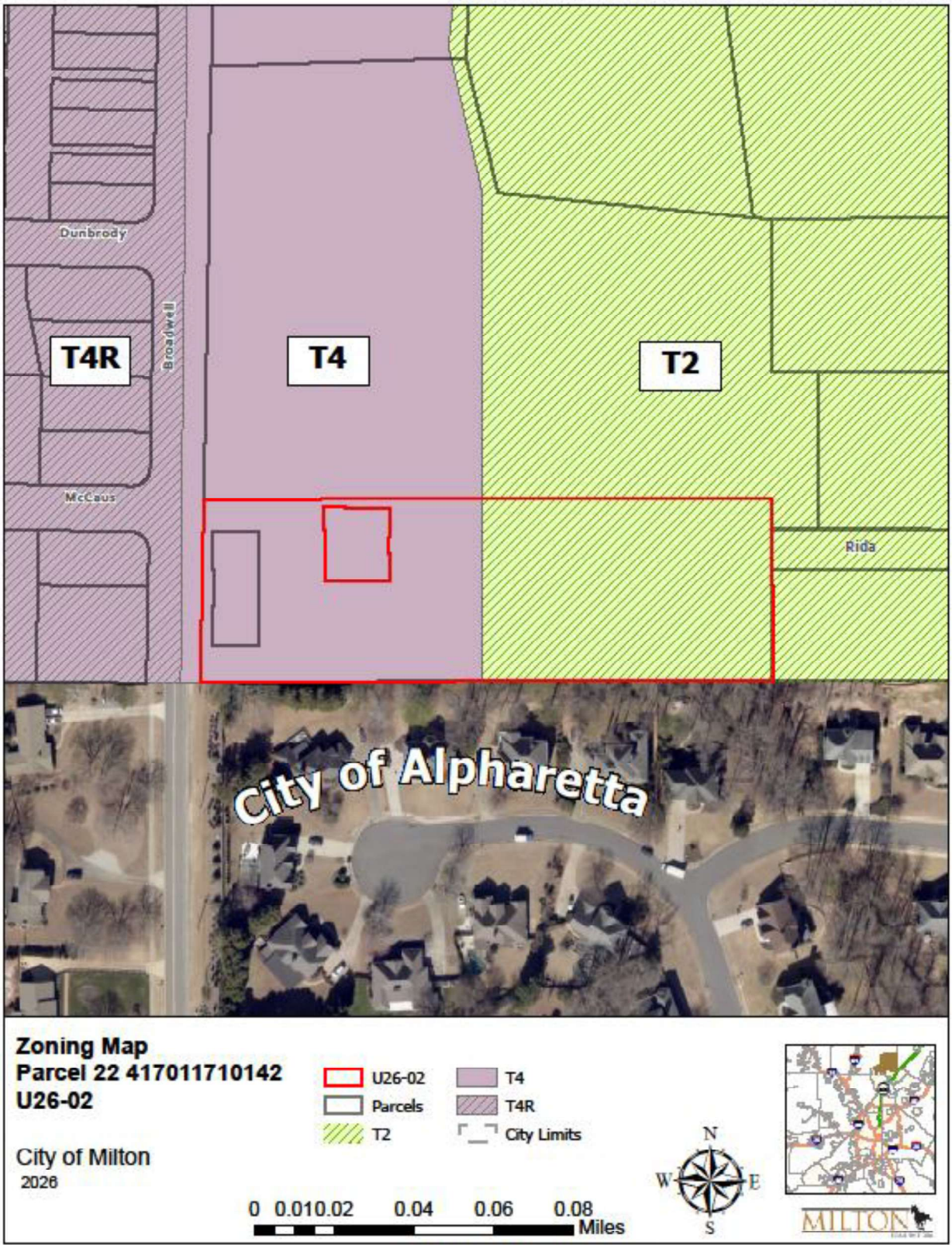
PLANNING COMMISSION RECOMMENDATION – October 28, 2026

U26-02 – APPROVAL CONDITIONAL AS PRESENTED BY STAFF



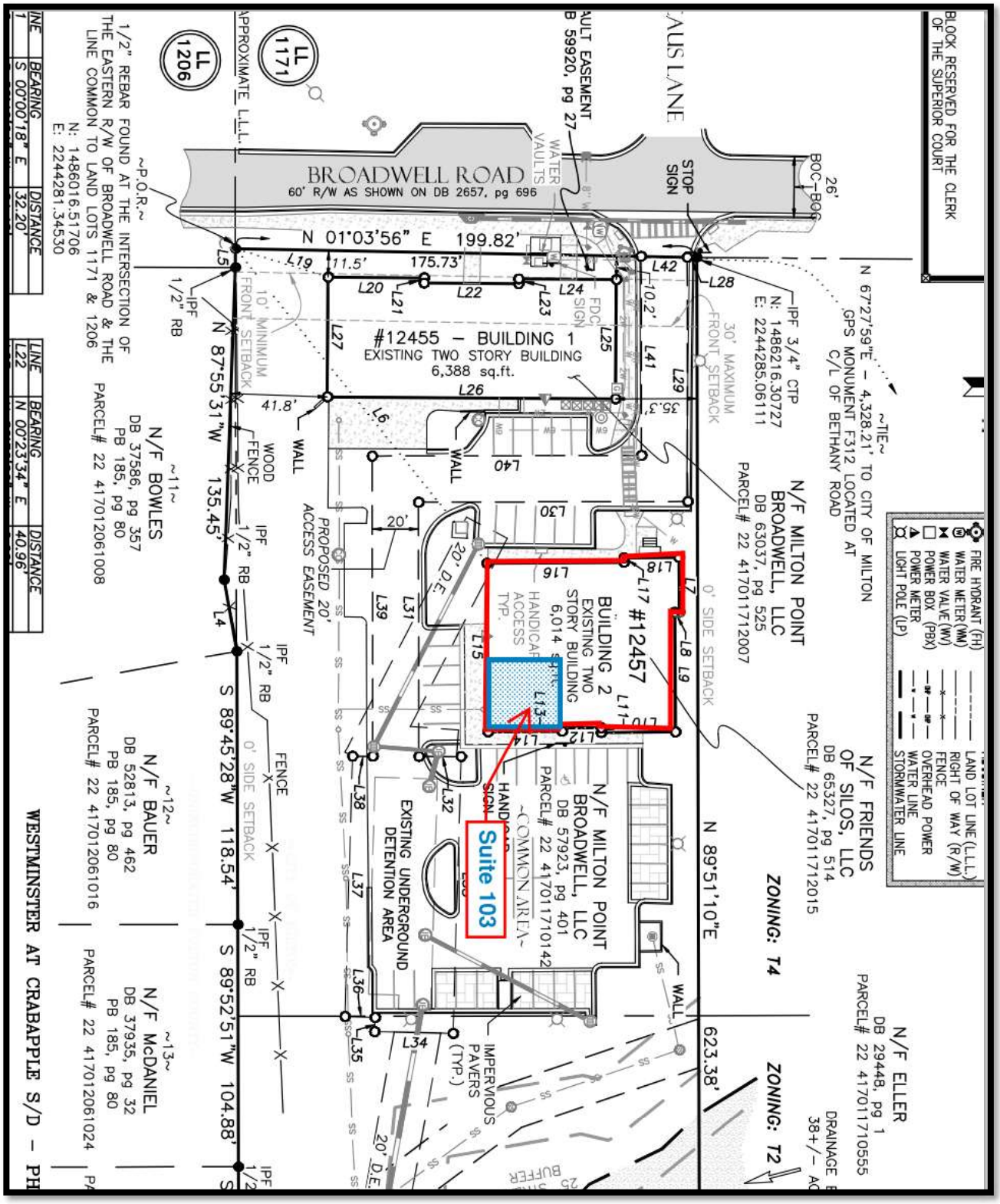
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Location Map

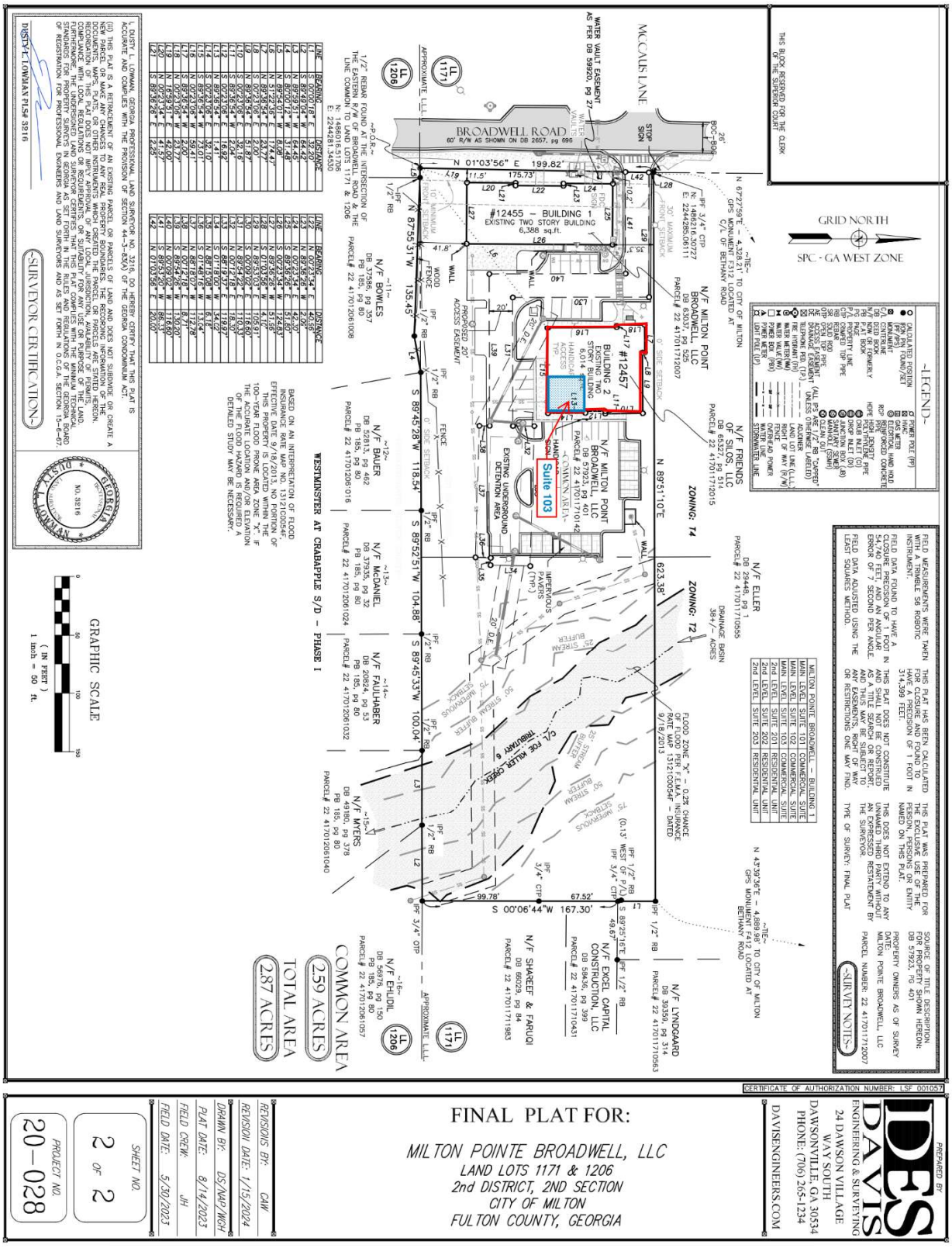


Zoning/2040 Future Land Use Plan Map

Prepared by the Community Development Department for the Mayor and City Council Meeting on December 7, 2026 (First Presentation on November 16, 2026).



Enlarged Site Plan Received on September 2, 2026



Overall Site Plan Received on September 2, 2026

Prepared by the Community Development Department for the Mayor and City Council Meeting on December 7, 2026 (First Presentation on November 16, 2026).



View of Suite 103

SUBJECT SITE:

The subject property is located at 12457 Broadwell Road within the Crabapple Form Based Code. The property is zoned T4 and is developed within a two-story 6,014 square foot and a 6,388 square foot mixed-use building that fronts on Broadwell Road (not the subject building for the proposed Day Care) and is known as Milton Pointe.

According to the applicant's Letter of Intent dated August 13, 2026, and site plan received September 2, 2026, the applicant is requesting a Use Permit to operate a Day Care Facility (Sec. 8.5.4) within a 750-square-foot tenant space at 12457 Broadwell Road, Suite 103, with a maximum of 20 students per half-day session. The applicant plans to operate one classroom within an existing commercial building for children of age group 3-6 years of age, with a maximum enrollment of 20 students per class. The class schedule consists of two half day preschool sessions (morning and afternoon) with 1-2 employees based on enrollment. There are no outdoor play areas, other than nature walks or an approved garden space on the landscaped area used for instructional time outside.

SITE PLAN ANALYSIS

Based on the applicant's Letter of Intent dated August 13, 2026, and site plan received September 2, 2026, the Community Development Department offers the following considerations:

DEVELOPMENT STANDARDS – T4 –Crabapple Form Based Code

The building was completed in 2022 and features modern farmhouse architectural design. The site complies with the requirements of the T4 Transect Zone.

DEVELOPMENT STANDARDS – Daycare Facility Use Permit - Sec. 8.5.4

REQUIREMENTS	COMPLIANCE
(a) Facility must be for seven or more persons, excluding staff.	The applicant states that there will be a maximum of 20 students per session.
(b) Provide a minimum 6-foot-high opaque fence interior to any required landscape strips or buffers around the periphery of the yard used for the play area.	No outdoor play areas are designated for this use.
(c) Play areas must be located within the rear or side yards.	n/a
(d) The hours of operation are limited to 6:00 a.m. to 7:00 p.m.	Yes, the operating hours are Monday- Friday 7:45am to 4:15pm, with preschool sessions operating during designated morning and afternoon hours, 8am-4pm.
(e) No parking allowed in the minimum front yard setback.	Yes, no parking is located in the front yard setback.
(f) Driveway design must permit vehicles to exit the property in a forward direction.	Yes, the design of the parking area allows for forward movement of vehicles.

Based on the requirements pursuant to Sec. 8.5.4., the site plan and the applicant's letter of intent indicate compliance with the development standards for the Use Permit.

ENVIRONMENTAL SITE ANALYSIS

In reference to the Environmental Impacts to the site, it satisfies the requirement since the proposed use is entirely contained within the interior of an existing commercial building. It requires no land clearing, tree removal, and structural changes to the property's exterior. As such, there is no impact on local soils, topography, wetlands, or wildlife habitats, satisfying compliance with the environmental protection standards of the Milton UDC.

ARBORIST COMMENTS

- Since the building and development already exists, there are no additional requirements for trees.

CITY OF MILTON FIRE MARSHAL

- The Fire Marshal's Office has conducted a site inspection and determined that one wall will require additional drywall/sealing to provide the required fire separation. The applicant and the building landlord discussed this and have begun planning the scope of work. A building permit will be required for this scope of work, which, upon completion, will allow the Certificate of Occupancy to be released from the Fire perspective.

  The Fire Marshal's Office has confirmed that adequate fire sprinkler coverage and fire alarm coverage already exist within the space.

PUBLIC WORKS DEPARTMENT (TRANSPORTATION)

- No comments since the building already exists.

LAND DEVELOPMENT ENGINEER

- No comments since the site has been developed.

PUBLIC INVOLVEMENT

COMMUNITY ZONING INFORMATION MEETING – September 29, 2026
The applicant was present at the Community Zoning Information Meeting (CZIM) held at City Hall at 6:00 p.m. There was no one in attendance regarding this item.

CITY OF MILTON DESIGN REVIEW BOARD COURTESY REVIEW – October 6, 2026

The DRB expressed support for the use and recommended approval of the Use Permit. They did not have any comments on any design elements to the space as they were not applicable.

PUBLIC PARTICIPATION REPORT:

The applicant held the participation meeting on October 14, 2026, from 6:00pm to 7:30pm. The meeting location was at 12457 Broadwell Rd, Suite 103, Milton, GA 30004. There was no one in attendance at the meeting nor did the applicant receive any feedback from interested citizens.

USE PERMIT CONSIDERATIONS

In the interest of the public health, safety and welfare, the Mayor and City Council may exercise limited discretion in evaluating the site proposed for a use that requires a Use Permit. In exercising such discretion pertaining to the subject use, the Mayor and City Council shall consider each of the following as outlined in Sec. 8.5.4 of the Unified Development Code: Use Permit Considerations. Staff have reviewed said items pertaining to the subject use, and offers the following comments:

1. Whether the proposed use is consistent with the land use or economic development plans adopted by the Mayor and City Council:

The proposed Day Care Facility is within an existing building within the T4 Transect Zone of the Crabapple Form-Based Code. The T4 Transect Zone is intended to accommodate development that is primarily residential, with a variety of housing types and limited commercial activity. The proposed Day Care Facility is consistent with the intended character of the T4 Transect Zone since it is located within an existing building.

Pursuant to Section 8.2.2 of the Unified Development Code, Day Care facilities require a Use Permit within the T4 Transect Zone. The proposed use is compatible with surrounding land uses, anticipated traffic and circulation, hours of operation, no outdoor activity, no noise, and adequate parking.

2. Compatibility with land uses and zoning districts in the vicinity of the property for which the use permit is proposed:

To the north of the subject property is a proposed townhouse and single-family subdivision zoned T4, with commercial office uses located farther northwest along Broadwell Road. To the south are established single-family residential homes within the City of Alpharetta. To the east is predominantly wooded and undeveloped land zoned T2, with scattered residential properties and development further to the east in the vicinity of Mid Broadwell Road and Charlotte Road. To the west is the established Crabapple Station residential community, including homes along Dunbrody Drive and adjacent residential streets which is zoned T4 Restricted.

The proposed Day Care Facility is compatible with the surrounding land uses based on the fact that it is contained in a small suite within an

existing building and no outdoor play areas are proposed. In addition, the hours of operation are consistent with other nearby businesses.

3. Whether the proposed use may violate local, state and/or federal statutes, ordinances or regulations governing land development:

The proposed use does not appear to violate any ordinances or regulations governing land development.

4. The effect of the proposed use on traffic flow, vehicular and pedestrian, along adjoining streets:

Since the streets and sidewalks already exist and were designed to accommodate the number and size of commercial and mixed use buildings, there will be a minimal effect on the traffic flow, vehicular and pedestrian along the adjoining streets. The parking lot has ample parking and is safely off the main road. The parking lot is designed in such a way that a one way drop off/pick up line can easily be created and keep the flow of cars organized and safe.

5. The location and number of off-street parking spaces:

The two-story building within the Milton Pointe mixed use development provides a total of 41 off-street parking spaces. The Crabapple Form Based Code requires 3.5 parking spaces per 1,000 square feet. For the 6,014 square foot building, a minimum of 21 parking spaces is required. There is more than sufficient parking for this use.

6. The amount and location of open space:

The proposed use is a suite within an existing building with 6,014 square feet that is part of an overall mixed use development that contains 2.87 acres, any interior adjustments do not trigger new open space requirements. Because the request is strictly an indoor tenant use change, it does not require modification of the property's exterior green space or site acreage.

7. Protective screening:

The proposed use is in an existing building that is part of an overall mixed use development that does not require any additional or protective screening other than what exists on the site.

8. Hours and manner of operation:

The applicant has indicated that they will comply with the hours, and manner of operation required within the standards of the Use Permit, but further restricts the days and hours of operations be limited to Monday to Friday 7:45am- 4:15pm.

9. Outdoor lighting:

The proposed use is within an existing building that is part of an overall mixed use development. The proposed Day Care Facility in Suite 103 is strictly an indoor space and therefore does not require exterior modifications or new outdoor lighting installation.

10. Ingress and egress to the property.

The subject property is located along Broadwell Road, which provides access to the site. Ingress and egress for the proposed Day Care Facility provides safe and efficient access for employees, parents, visitors, and emergency vehicles. The location and configuration of the existing driveway, internal circulation routes, and vehicle drop-off and pick-up areas accommodates anticipated traffic volumes and minimize conflicts with vehicles traveling along Broadwell Road. On-site maneuvering and queuing space is provided to prevent vehicles from backing onto or stacking within the public right-of-way.

CONCLUSION

The proposed Day Care Facility Use Permit is consistent with the City of Milton 2040 Comprehensive Plan and Map and consistent with the Use Permit Considerations discussed above. Therefore, Staff recommends **APPROVAL CONDITIONAL of U26-02.**

RECOMMENDED CONDITIONS

If this petition is approved by the Mayor and City Council at the December 7, 2026, meeting, it should be for a Use Permit for a Day Care Facility (Sec.8.5.4 of the UDC) subject to the following enumerated conditions. Where these conditions conflict with the stipulations and offerings contained in the Letter of Intent, these conditions shall be superseded unless specifically stipulated by the Mayor and City Council.

1) To the owner's agreement to restrict the use of the subject property as follows:

    a) Restrict the use located at 12457 Broadwell Road, Suite 103 to a Day Care Facility.

    b) Restrict the total square footage of the Day Care Facility to 750 square feet.

    c) Restrict the hours of operation to Monday through Friday 7:45am to 4:15pm.

    d) Restrict the maximum number of students of the Day Care Facility to 20 children per class for each morning and each afternoon sessions.

2) To the owner's agreement to abide by the following:

    a) Substantial compliance with the site plan received by the Community Development Department on September 2, 2026, and Letter of Intent dated August 13, 2026, whereby the exact layout of the project may contain minor deviations approved by the Community Development Director provided the deviations remain consistent with the purpose and intent of the Council's approval of the Use Permit. Notwithstanding the contents of the site plan, the project must meet or exceed the requirements of the Unified Development Code, all other applicable City ordinances, and these conditions.

    b) The site plan may be revised with the approval of the Community Development Director in order to comply with city codes and zoning conditions. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of the first Certificate of Occupancy.

ORDINANCE NO. _____
PETITION NO. U26-02

STATE OF GEORGIA
COUNTY OF FULTON

AN ORDINANCE FOR A "DAY CARE FACILITY" USE PERMIT (SEC. 8.5.4 OF THE UNIFIED DEVELOPMENT CODE FOR THE CITY OF MILTON, GEORGIA) LOCATED AT 12457 BROADWELL ROAD - SUITE 103

BE IT ORDAINED by the City Council for the City of Milton, Georgia while in regular session on December 7, 2026, at 6:00 p.m. as follows:

SECTION 1. That Suite 103 of the property located at 12457 Broadwell Road, an approximately 2.87-acre tract described in the legal description attached hereto as Exhibit "A", be approved for a "Day Care Facility" Use Permit subject to the Conditions of Approval described in Exhibit "B"; and

SECTION 2. That the "Day Care Facility" Use Permit approved hereby, be approved subject to and in accordance with the provisions of Sec. 8.5.4 of the Unified Development Code for the City of Milton, Georgia; and

SECTION 3. That no uses or conditions hereby approved (including any site plan) shall authorize the violation of any district regulations or other zoning regulations; and

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed; and

SECTION 5. This Ordinance shall become effective upon adoption by the Mayor and City Council and the signature of approval of the Mayor.

ORDAINED this 7th day of December, 2026.

Approved:

_____
Peyton Jamison, Mayor

Attest:

_____
Tammy Lowit, City Clerk
(Seal)

EXHIBIT "A"

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lots 1171 &1206 of the 2nd District 2nd Section, City of Milton, Fulton County, Georgia, and being more particularly described as follows:

Beginning at the intersection of the easterly right-of-way line of Broadwell Rd (60' R/W) and the Land Lot Line common to Land Lots 1171 and 1206, said point being the POINT OF BEGINNING;

Thence leaving said Land Lot Line and along said right-of-way line North 01 degrees 04 minutes 03 seconds East a distance of 199.83 feet to a 1 inch crimp top pipe;

Thence leaving said right-of-way line North 89 degrees 51 minutes 10 seconds East a distance of 623.32 feet to a ½ inch rebar;

Thence South 00 degrees 13 minutes 24 seconds West a distance of 32.20 feet to a 1 inch crimp top pipe;

Thence South 00 degrees 05 minutes 01 seconds West a distance of 67.54 feet to a 1 inch crimp top pipe;

Thence South 00 degrees 05 minutes 01 seconds West a distance of 99.85 feet to a ½ inch open top pipe;

Thence South 89 degrees 50 minutes 50 seconds West a distance of 62.42 feet to a ½ inch rebar;

Thence South 89 degrees 50 minutes 50 seconds West a distance of 64.37 feet to a ½ inch rebar;

Thence South 89 degrees 50 minutes 50 seconds West a distance of 100.06 feet to a ½ inch rebar;

Thence South 89 degrees 50 minutes 50 seconds West a distance of 104.89 feet to a ½ inch rebar;

Thence South 89 degrees 50 minutes 50 seconds West a distance of 118.61 feet to a point witnessed by a ½ inch rebar found 1.23 feet N;

Thence South 80 degrees 07 minutes 01 seconds West a distance of 31.87 feet to a ½ inch rebar;

Thence North 87 degrees 58 minutes 18 seconds West a distance of 135.15 feet to a ½ inch rebar;

Thence North 89 degrees 23 minutes 50 seconds West a distance of 7.85 feet to ½ inch rebar and blue cap (LSF #1121) and the POINT OF BEGINNING.

Said Tract containing 2.875 Acres as shown on the Boundary Survey for Friends of Silos, LLC prepared by Engineering 303, LLC, dated February 10, 2017.

EXHIBIT "B"

CONDITIONS OF APPROVAL

Property located at 12457 Broadwell Road – Suite 103 is approved for a "Day Care Facility" Use Permit (Sec.8.5.4) subject to the owner's agreement to the below-enumerated conditions. Where these conditions conflict with the stipulations and offerings contained in the Letter of Intent, these conditions shall supersede such stipulations and offerings unless otherwise expressly approved by the Mayor and City Council.

1) To the owner's agreement to restrict the use of the subject property as follows:

    a) Restrict the use located at 12457 Broadwell Road, Suite 103 to a Day Care Facility.

    b) Restrict the total square footage of the Day Care Facility to 750 square feet.

    c) Restrict the hours of operation to Monday through Friday 7:45am to 4:15pm.

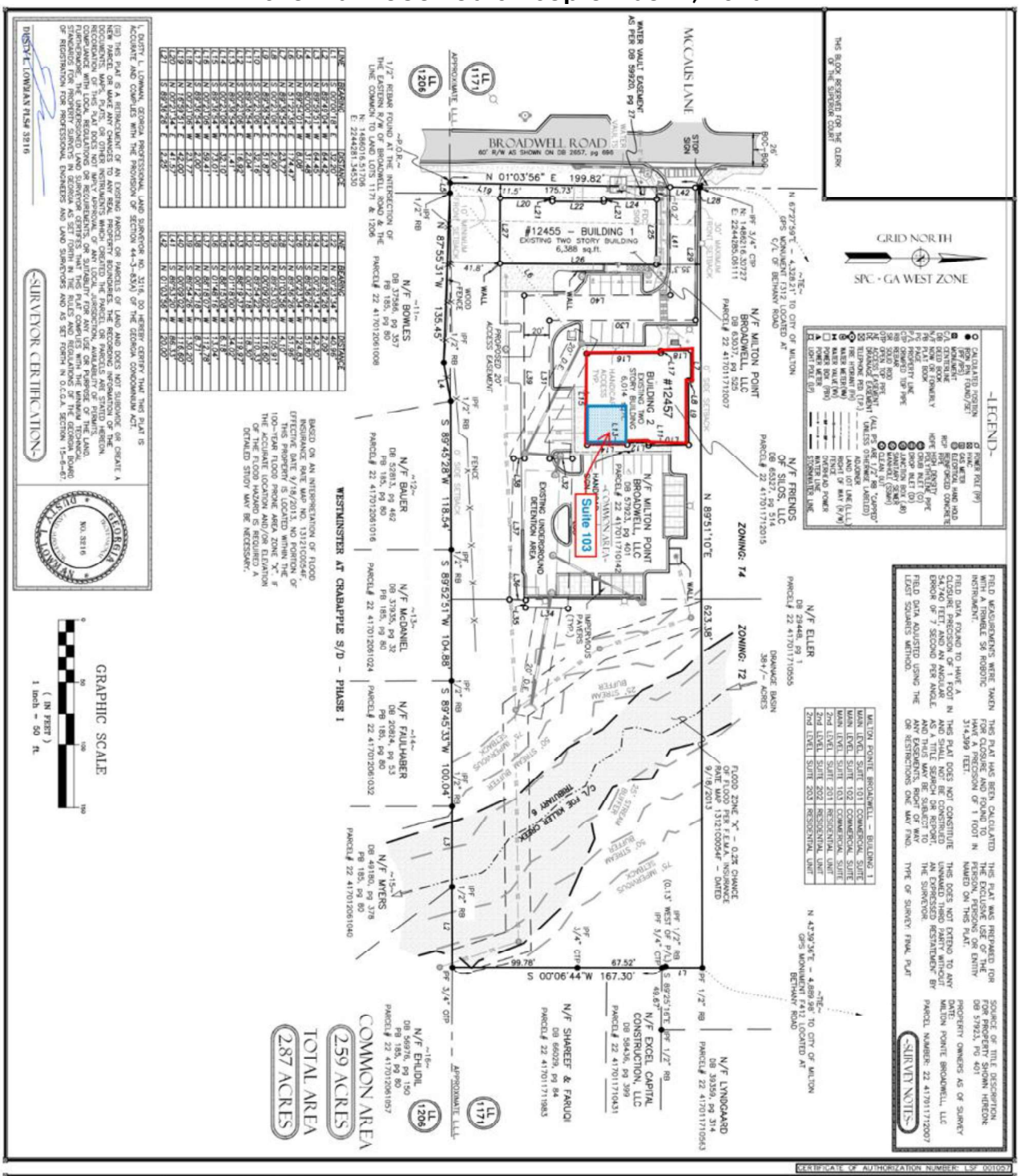
    d) Restrict the maximum number of students of the Day Care Facility to 20 children per class for each morning and each afternoon sessions.

2) To the owner's agreement to abide by the following:

    a) Substantial compliance with the site plan received by the Community Development Department on September 2, 2026, and Letter of Intent dated August 13, 2026, whereby the exact layout of the project may contain minor deviations approved by the Community Development Director provided the deviations remain consistent with the purpose and intent of the Council's approval of the Use Permit. Notwithstanding the contents of the site plan, the project must meet or exceed the requirements of the Unified Development Code, all other applicable City ordinances, and these conditions.

    b) The site plan may be revised with the approval of the Community Development Director in order to comply with city codes and zoning conditions. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of the first Certificate of Occupancy.

Site Plan received on September 2, 2026



CERTIFICATE OF AUTHORIZATION NUMBER: LSF 001027

FINAL PLAT FOR:

MILTON POINTE BROADWELL, LLC
LAND LOTS 1171 & 1206
2nd DISTRICT, 2ND SECTION
CITY OF MILTON
FULTON COUNTY, GEORGIA

PREPARED BY:
DES DAVIS
ENGINEERING & SURVEYING
24 DAWSON VILLAGE WAY SOUTH
DAWSONVILLE, GA 30534
PHONE: (706) 265-1234
DAVISENGINEERS.COM

REVISIONS BY: CAW
REVISION DATE: 1/15/2024
DRAWN BY: DS/NAP/WGH
PLAT DATE: 8/14/2023
FIELD CREW: JH
FIELD DATE: 5/30/2023

SHEET NO. 2 OF 2
PROJECT NO. 20-028