



Land Use Application: SUP2024-003
Planning Commission: September 17, 2024
City Council 1st Read: September 24, 2024
City Council 2nd Read: October 22, 2024

CASE NAME: SUP2024-003 – 4158 Allenhurst Drive

PROJECT LOCATION: 4158 Allenhurst Drive

DISTRICT/LANDLOT: 6TH District, Land Lot 283

ACREAGE: ±0.48 acres

EXISTING ZONING: R-100 (Single Family Residence District)

EXISTING LAND USE: Single Family Detached Home

FUTURE LAND USE DESIGNATION: Suburban Neighborhood Character Area

OVERLAY(S): None

APPLICANT/OWNER: Allison Joiner
4158 Allenhurst Drive
Peachtree Corners, GA 30092

PROPOSED REQUEST: SUP to allow for an in-home daycare

CONTACT: ALLISON JOINER
678-637-5858

STAFF RECOMMENDATION: APPROVAL with conditions of SUP2024-003

PROJECT DATA:

The applicant, Allison Joiner, is requesting a Special Use Permit (SUP) for the property located at 4158 Allenhurst Drive to allow for an in-home daycare, within the R-100 (Single Family Residence) zoning district. The subject property is ± 0.48 acres and is developed with a two-story, approximately 4,900-square foot, single-family detached home.

Child Day Care Facilities are only allowed in single-family residential zoning districts with the approval of a Special Use Permit, to ensure that the operation of the facility will not be a detriment to the character of the residential neighborhood.



The City of Peachtree Corners defines a child day care facility as:

"A structure or portion of a structure wherein is provided care and supervision of persons away from their place of residence for less than twenty-four (24) hours per day on a regular basis for compensation. For the purposes of this resolution the term "day care" shall include but not be limited to the terms "nursery school," "early learning center," "pre-kindergarten," "private kindergarten," "play school," "pre-school," "Group Day Care Home," and "Family Day Care Home."

Additionally, the City defines Family Day Care Home as:

"A customary home occupation which provides for no more than six (6) persons who are not residents of the premises, care and supervision by the State of Georgia registered resident adult for less than twenty-four (24) hours per day on a regular basis for compensation."

Pursuant to the definition of Family Day Care Home, an in-home daycare is classified as a customary home occupation. Sec. 607 of the City of Peachtree Corners' Zoning Ordinance details the standards for operating a

customary home occupation. One of the requirements of a home occupation is “...no sale or service may occur on or adjacent to the premises unless this use has been granted a Special Use Permit by the City Council...”. In this instance, the applicant would be providing a service, an in-home day care, from her dwelling. As such, the applicant is required to obtain a Special Use Permit to operate an in-home day care in the R-100 zoning district.

The subject property is located on the northern side of Allenhurst Drive, within the Peachtree Station subdivision. The proposed day care will be located in an existing single-family home and the applicant is not intending any exterior changes to the residential structure. The existing driveway can accommodate approximately four vehicles at a time and there is a garage for resident parking. Parents of the children would be encouraged to park in the driveway when possible to limit the impact on the neighboring residences. Per the interior layout submitted by the applicant, the floorplan shows the childcare area would be located in the basement of the home. The applicant has stated that all requirements of a customary home occupation and family day care home will be met. The submitted application states that the intent is to provide daycare for up to four children, but it should be noted that per the City’s definition and state regulations, she could have up to six children.

Aerial Map



ZONING HISTORY:

The subject property has been zoned R-100 since 1981 and there are no cases associated with this parcel.

Zoning Map



SURROUNDING LAND ANALYSIS AND ZONING

| Surrounding Properties | Zoning (Case Number) | Existing Land Use |
|------------------------|----------------------|--|
| Adjacent: North | R-100 | Single-Family Detached Home within the Peachtree Station subdivision |
| Adjacent: East | R-100 | Single-Family Detached Home within the Peachtree Station subdivision |
| Adjacent: South | R-100 | Single-Family Detached Home within the Peachtree Station subdivision |
| Adjacent: West | R-100 | Single-Family Detached Home within the Peachtree Station subdivision |

ZONING STANDARDS:

The criteria for special use permit decisions are provided in Section 1702 of the City of Peachtree Corners Zoning Ordinance. The specific criteria should be evaluated when considering a land use decision. The applicant is required to address these criteria (see application); below are staff's findings which are independent of the applicant's responses to these criteria.

A. Will this proposed rezoning, special use permit, or change in conditions permit a use that is suitable in view of the use and development of adjacent and nearby property?

Yes, from a land use standpoint, the proposed child day care facility would allow for a less intensive use in a residentially zoned area. The daily vehicular trips would be minimal considering the applicant is requesting to have a day care with four children and there is adequate parking within the driveway. The applicant has also stated that her proposed hours of operation are so that drop-off and pick-up of the children she will be caring for do not impact the Gwinnett County Bus Schedule.

B. Will this proposed rezoning, special use permit, or change in conditions adversely affect the existing use or usability of adjacent or nearby property?

No. The proposed Special Use Permit would allow Peachtree Corners to regulate conditions to ensure the business is operating in compliance with the City's regulations. The hours of operation will be from 8:30am to 5:00pm, Monday through Friday, which is similar to the commuting hours of residential neighborhoods. It is not anticipated that the proposed use would generate more traffic than a typical single-family home. Additionally, the subject property has adequate parking in the driveway to accommodate the parents of the children that would be dropped off and picked up from the day care.

C. Does the property to be affected by a proposed rezoning, special use permit, or change in conditions have reasonable economic use as currently zoned?

The property has a reasonable economic use as currently zoned.

D. Will the proposed rezoning, special use permit, or change in conditions result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?

The impacts of the proposed use on streets, transportation facilities, or utilities are unlikely to be excessive or burdensome. The proposed use will have no impact on schools and it will add a negligible amount of new traffic to the surrounding streets. It is unlikely that the granting of this Special Use Permit will result in impacts that would be considered excessive or burdensome.

E. Is the proposed rezoning, special use permit, or change in conditions in conformity with the policy and intent of the land use plan?

The 2045 Peachtree Corners Character Area Map indicates that the property is located in the Suburban Neighborhood Character Area. The proposal is consistent with the intent of the Suburban Neighborhood Character Area strategy to be compatible with the existing housing stock, but care should be taken to preserve existing

neighborhoods from institutionalization. It should be noted that no other in-home day cares have applied for a Special Use Permit within the City.

F. Are 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 rezoning, special use permit, or change in conditions?

The applicant is proposing to operate within an existing single-family detached home within an established residential neighborhood. There is adequate parking on site for the proposed use and it is not anticipated that the proposed use would have a detrimental impact on surrounding properties. The proposed day care is considered to be a low intensive use and it is not anticipated that it will generate more noise, traffic, etc. than a typical single-family home.

COMPREHENSIVE PLAN:

The 2045 Comprehensive Plan's Character Area Map indicates that the subject property is located within the Suburban Neighborhood Character Area. The proposed in-home day care is consistent with the vision of the Suburban Neighborhood Character Area strategy to continue to foster stable, established housing options at low scales that maintain the natural feel of the area. The day care will be required to maintain an exterior appearance of a single-family home and there will be no signs located on the subject property advertising the day care. It should be noted that the applicant is not proposing any exterior modifications to the house; thus, the dwelling will remain compatible with the existing housing stock in Peachtree Station.

Character Area Map



CONCLUSION:

The subject property is located within the Peachtree Station neighborhood and is zoned R-100. The applicant is requesting an SUP to allow for a child day care facility within her existing single-family detached dwelling.

The intent of the City of Peachtree Corners Zoning Ordinance is that proposed special uses be determined on a case-by-case basis to ensure compatibility with the surrounding area.

The proposed Special Use Permit for a child day care facility would be in keeping with the goals and policies of the Suburban Neighborhood Character Area of the City's Comprehensive Plan. The proposal is compatible with surrounding development and is unlikely to impact nearby properties. The proposed use complies with the requirements for Customary Home Occupations (Section 607) and criteria (standards) for special use permits, provided in Section 1702 of the City of Peachtree Corners Zoning Ordinance.

Therefore, Staff recommends **APPROVAL WITH CONDITIONS** of the requested special use permit.

STAFF RECOMMENDATION:

Based on the findings and conclusions herein, Staff recommends **APPROVAL** of Land Use Petition **SUP2024-003**, subject to the following conditions:

1. The proposed use shall be limited to a family day care home, with no more than 6 children.
2. The hours of operation shall be limited to 8:00 a.m. to 6:00 p.m.
3. There shall be no signage for the childcare facility
4. All state and local licenses shall be clearly displayed and maintained in the facility.