



DeKalb County Department of Planning & Sustainability

330 Ponce De Leon Avenue, Suite 500

Decatur, GA 30030

(404) 371-2155 / plandev@dekalbcountyga.gov

Planning Commission Hearing Date: July 9, 2019, 6:30 P.M.

Board of Commissioners Hearing Date: July 23, 2019, 6:30 P.M.

STAFF ANALYSIS

Case No.: SLUP-19-1243271 **Agenda #:** N. 3

Location/Address: 925 Oakwood Chase Circle **Commission District:** 4 **Super District:** 7

Parcel ID(s): 15-226-02-119

Request: A Special Land Use Permit for an in-home child day care facility for up to six children in an RSM (Small Lot Residential Mix) District, in accordance with Chapter 27, Article 4 of the DeKalb County Code, Table 4.1.

Property Owner(s): Elliott Carter c/o In Touch Properties, LLC

Applicant/Agent: Tracy Turner

Acreage: .138 acre (6,012.4 square feet)

Existing Land Use: A single-family residence

Surrounding Properties: To the north, northeast, east, southeast, south, southwest, west, and northwest: single-family residential.

Adjacent Zoning: **North:** RSM **South:** RSM **East:** RSM **West:** RSM **Northeast:** RSM **Northwest:** RSM **Southeast:** RSM **Southwest:** RSM

Comprehensive Plan: SUB (Suburban) Consistent Inconsistent

Proposed Units: No new units proposed.	Existing Units: One
Proposed Lot Coverage: No change proposed.	Existing Lot Coverage: (estimated) 45%

Zoning History: The subject property is located in a subdivision that was rezoned from R-100 (Residential-Medium Lot – 100) to R-A5 (Single-Family Residential) with conditions, pursuant to CZ-87068. The R-A5 zoning district was converted to RSM (Small Lot Residential Mix) when the zoning ordinance was updated in 2015. DeKalb County records indicate conditions related to initial development of the subdivision for single-family detached homes with two-car garages, minimum floor areas of 1,600 square feet, and a screening fence along the western property line. There is no indication from the records that any of the approved conditions would prevent use of the property for an in-home child day care facility.

SITE AND PROJECT ANALYSIS

The subject property is a single-family residential lot located at the edge of the Oakwood Chase subdivision, a single-family residential neighborhood in central DeKalb County. The lot is located at the northeast corner of Oakwood Chase Circle and Redan Road and has street frontage on three sides due to the "P"-shaped configuration of Oakwood Chase Circle. The property is developed with a one-story single-family detached house. A driveway is located on the side of the house, allowing vehicular access from the straight part of the Oakwood Circle "P". The front door faces north, towards the part of Oakwood Chase Circle that branches off to form the curved part of the "P". The rear yard is approximately 2,200 square feet in size and is completely enclosed with a six-foot wooden privacy fence. A rear door provides a second means of exit from the house.

The Oakwood Chase subdivision is one of many single-family residential subdivisions that characterize central DeKalb County. Redan Road, a two-lane minor arterial, is one of the principal east-west roads that connects these subdivisions to commercial destinations. In relation to the Oakwood Chase subdivision, the closest commercial land uses are located approximately ½ mile to the east at the Redan Road - South Hairston Road intersection, and approximately 1 mile to the west at the Redan Road-South Indian Creek Drive intersection.

The applicant, Tracy Turner, proposes to operate an in-home child day care facility for up to six children on Monday through Friday from 6:00 A.M. to 6:00 P.M. The applicant has stated that she has provided in-home day care for about 17 years at previous homes in the Decatur area. The application states that Ms. Turner's live-in daughter might help with caring for the children.

The property meets the requirement that it must be at least 1,000 feet from any other child day care facility. The Georgia Department of Early Care and Learning Bright From the Start web site indicates that the closest child day care facility is located at 1042 Avon Breeze Court, which is 2,059 feet from the subject property.

LAND USE AND ZONING ANALYSIS

Section 27-873 of the DeKalb County Zoning Ordinance, "Special land use permit; criteria to be applied" states that the following criteria shall be applied in evaluating and deciding any application for a Special Land Use Permit. No application for a Special Land Use Permit shall be granted unless satisfactory provisions and arrangements have been made concerning each of the following factors, all of which are applicable to each application.

- A. **Adequacy of the size of the site for the use contemplated and whether or not adequate land area is available for the proposed use including provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located:** The size of the site is adequate for operation of a day care facility for up to six children.
- B. **Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district:** The proposed day care use for not more than six children is compatible with the surrounding neighborhood.
- C. **Adequacy of public services, public facilities, and utilities to serve the contemplated use:** The proposed day care facility is not expected to generate demands on public facilities, services, and utilities beyond the demands of an average household; therefore, public services, facilities, and utilities are expected to be satisfactory.
- D. **Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic carrying capacity for the proposed use, so as not to unduly increase traffic or create congestion in the area:** The main access route to the property, Redan Road, appears to have sufficient traffic

carrying capacity to accommodate trips by parents to drop off and pick up their children. The Department of Public Works Traffic Engineering Division commented that a review of the application and a field inspection revealed no problems that would interfere with traffic flow.

- E. **Whether or not existing land uses located along access routes to the site would be adversely affected by the character of the vehicles or the volume of traffic to be generated by the proposed use:** The proposed use is expected to generate traffic only from passenger vehicles, which would not adversely impact existing land uses along access routes to the site.
- F. **Ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of fire or other emergency.** As a local street, Oakwood Chase Circle carries low levels of traffic. To drop off or pick up children, parents could safely park on Oakwood Chase Circle and walk up to the home via a walkway that leads from Oakwood Chase Circle to the front door or pull into the driveway and walk around the corner to the front of the house. There is a rear door that provides egress to the back yard and could be used in the event of an emergency. The side of the house is approximately 22 feet from the street and the front is approximately 27 feet from the street, allowing for easy access by fire equipment.
- G. **Whether or not the proposed use would create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration that would be generated by the proposed use:** Some noise might be generated when the children are playing outside, but children typically play outdoors in single-family neighborhoods and it is not unusual to see a group of up to six children playing together in the yards of individual homes. Thus, the facility would not introduce activity into the neighborhood that would be unexpected or unreasonable. Moreover, at the location under consideration, the sound of children playing would be masked by background noise from Redan Road.
- H. **Whether or not the proposed use would create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use:** The proposed hours of operation, 6:00 A.M to 6:00 P.M., are not expected to have an adverse effect on adjoining land uses. These hours are reasonable for a day care facility whose clients are working parents.
- I. **Whether or not the proposed use would create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use:** The day care facility is expected to be operated in a manner that would not have an adverse impact on adjoining land uses.
- J. **Whether or not the proposed plan is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located:** Since no new platting or construction is proposed, this consideration is not applicable.
- K. **Whether or not the proposed use is consistent with the policies of the comprehensive plan:** The policies of the Comprehensive Plan promote land uses that will contribute to the economic health, neighborliness, safety, and welfare of the population. The proposed child care facility would provide child care for working parents, thereby helping to support the workforce and thereby contributing to the economic health of the population. The child care facility would function as learning environment for very young children, similar to a school, and would be similar to an after-school program for older children. Schools are one of the primary land uses that are listed for the Suburban character area in the Comprehensive Plan; thus the day care facility can be considered to be consistent with the intent of the Suburban character area.
- L. **Whether or not the proposed plan provides for all buffers and transitional buffer zones where required by the regulations of the district in which the use is proposed to be located:** Since no new platting or construction is proposed, this consideration is not applicable.
- M. **Whether or not there is adequate provision of refuse and service areas:** Refuse will be deposited in a typical garbage can that is emptied on a regular basis by the DeKalb County Sanitation Department. This arrangement is satisfactory.

- N. **Whether the length of time for which the special land use permit is granted should be limited in duration:** Because the proposed day care facility appears to be appropriate at the proposed location, there is no reason to limit the duration of the Special Land Use Permit.
- O. **Whether or not the size, scale, and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale, and massing of adjacent and nearby lots and buildings:** Because no new buildings are proposed, this consideration is not applicable.
- P. **Whether the proposed plan would adversely affect historic building sites, districts, or archaeological resources:** There are no historic building sites, districts, or archaeological resources on the subject property or in the surrounding area.
- Q. **Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permit:** The proposed use meets the requirements contained in the supplemental regulations for a child day care facility.
- R. **Whether or not the proposed building, as a result of its proposed height, would create a negative shadow impact on any adjoining lot or building:** Because no new buildings are proposed, this consideration is not applicable.
- S. **Whether the proposed use would be consistent with the needs of the neighborhood or of the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objectives of the comprehensive plan:** The proposed use would be consistent with the needs of the neighborhood and of the community as a whole. It would contribute to the economic health of the County by providing convenient child care for working parents. It would be compatible with the neighborhood, and would not be in conflict with the overall objectives of the comprehensive plan.

Sec. 7.4.7. - Additional criteria for specified uses.

C. *Child day care facility.* In determining whether to authorize a special land use permit for a child day care facility, the board of commissioners shall also consider each of the following criteria:

- 1. **Whether there is adequate off-street parking for all staff members and for visitors to the child day care facility:** The application indicates that Ms. Turner does not plan to hire staff but may call upon her daughter to help if needed. There is adequate space on Oakwood Chase Circle for parents who are dropping off or picking up their children to park in front of the front entrance of the house, and because it is a quiet local street, parents who arrive simultaneously and park slightly up the street can safely walk with or carry their children to the house.
- 2. **Whether the proposed off-street parking areas and the proposed outdoor play areas can be adequately screened from adjoining properties so as not to adversely impact any adjoining land use:** Because the subject property is a corner lot and the driveway is located on the street side of the house it is not close to a neighboring property in the same way as a driveway on an interior lot; thus no screening is necessary. The outdoor play area is already screened by a solid wooden privacy fence.
- 3. **Whether there is an adequate and safe location for the dropping off and picking up of children at the child day care facility:** The driveway and street provide satisfactory and safe locations at which parents could drop off or pick up children. Oakwood Chase Circle is a quiet residential street. It is not a cut-through route to any major employment destinations; thus it is unlikely that there would be traffic congestion or hazards on the street during the times at which parents would be dropping off or picking up their children. Moreover, the "P" shape of Oakwood Chase Circle allows vehicles to park in front of the house and then circle around to exit the subdivision at Redan Road without the potential hazards involved in backing up a driveway.
- 4. **Whether the character of the exterior of the proposed structure will be compatible with the residential character of the buildings in the zoning district in which the child day care facility is proposed to be**

located, if proposed for a residential zoned district: The day care facility will be operated in a single-family detached home that is similar in appearance to the other single-family homes in the subdivision.

Compliance with District Standards:

RSM STANDARD		REQUIRED/ALLOWED	PROVIDED/PROPOSED	COMPLIANCE
MIN. LOT AREA		5,000 square feet	6,012.4 square feet	Yes
MIN. LOT WIDTH		50 feet	56 feet	Yes
MAX. LOT COVERAGE		50%	(estimated) 45%	Yes
BUILDING SETBACKS	FRONT	20 feet	27 feet	Yes
	INTERIOR SIDE	3 ft. w/min. 10 ft. between bldgs.	One foot to property line; 11 feet separation from house on adjoining lot	The house appears to be legally nonconforming.
	SIDE – CORNER LOT	20 feet	22 feet	Yes
	REAR W/O ALLEY	20 ft.	41 feet	Yes
MINIMUM UNIT SIZE		1,200 sq. ft.	1,652 square feet	Yes
PARKING		Min. 2 spaces; Max 4 spaces	2 spaces in driveway and 2 spaces in the garage	Yes

STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS.

The proposed day care use for not more than six children is compatible with the surrounding neighborhood and is not expected to have adverse impacts on adjoining land uses. The facility would not introduce activity into the neighborhood that would be unexpected or unreasonable. In addition, at the location under consideration, the sound of children playing would be masked by background noise from Redan Road. The proposed hours are reasonable and area not expected to interfere with the use and enjoyment of other properties in the neighborhood.

Oakwood Chase Circle is a quiet residential street. It is not a cut-through route to any major employment destinations; thus it is unlikely that there would be traffic congestion or hazards on the street during the times at which parents would be dropping off or picking up their children. Moreover, the “P” shape of Oakwood Chase Circle allows vehicles to park in front of the house and then circle around to exit the subdivision at Redan Road without the potential hazards involved in backing up a driveway. Thus, the driveway and street provide satisfactory and safe locations at which parents could drop off or pick up children.

The proposed child care facility would provide child care for working parents, helping to support the workforce and thereby contributing to the economic health of the population. The child care facility would function as learning environment for very young children, similar to a school, and would be similar to an after-school program for older children. Schools are one of the primary land uses that are listed for the Suburban character area in the Comprehensive Plan; thus the day care facility can be considered to be consistent with the intent of the Suburban character area.

Therefore, the Department of Planning and Sustainability recommends “Approval” with the following condition:



1. The Special Land Use Permit for an in-home child day care facility shall be granted to Tracy Turner at 925 Oakwood Chase Circle, and shall not be transferrable to another owner or operator.

Attachments:

1. Department and Division Comments
2. Board of Health Comments
3. Application
4. Site Plan
5. Zoning Map
6. Aerial Photograph
7. Site Photographs

NEXT STEPS

Following an approval of this zoning action, one or several of the following may be required:

- **Land Disturbance Permit** *(Required for of new building construction on non-residential properties, or land disturbance/improvement such as storm water detention, paving, digging, or landscaping.)*
- **Building Permit** *(New construction or renovation of a building (interior or exterior) may require full plan submittal or other documentation. Zoning, site development, watershed and health department standards will be checked for compliance.)*
-  **Certificate of Occupancy** *(Required prior to occupation of a commercial or residential space and for use of property for a business. Floor plans may be required for certain types of occupants.)*
- **Plat Approval** *(Required if any parcel is being subdivided, re-parceled, or combined. Issued “administratively”; no public hearing required.)*
- **Sketch Plat Approval** *(Required for the subdivision of property into three lots or more. Requires a public hearing by the Planning Commission.)*
- **Overlay Review** *(Required review of development and building plans for all new construction or exterior modification of building(s) located within a designated overlay district.)*
- **Historic Preservation** *(A Certificate of Appropriateness is required for any proposed changes to building exteriors or improvements to land when located within the Druid Hills or the Soapstone Geological Historic Districts. Historic Preservation Committee public hearing may be required.)*
- **Variance** *(Required to seek relief from any development standards of the Zoning Ordinance. A public hearing and action by the Board of Appeals are required for most variances.)*
- **Minor Modification** *(Required if there are any proposed minor changes to zoning conditions that were approved by the Board of Commissioners. The review is administrative if the changes are determined to be minor as described by Zoning Code.)*
- **Major Modification** *(Required submittal of a complete zoning application for a public hearing if there are any proposed major changes to zoning conditions that were approved by the Board of Commissioner for a prior rezoning.)*
-  **Business License** *(Required for any business or non-residential enterprise operating in Unincorporated DeKalb County, including in-home occupations).*
- **Alcohol License** *(Required permit to sell alcohol for consumption on-site or packaged for off-site consumption. Signed and sealed distance survey is required. Background checks will be performed.)*

Each of the approvals and permits listed above requires submittal of application and supporting documents, and payment of fees. Please consult with the appropriate department/division.



DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

**NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO
MADOLYN SPANN MSPANN@DEKALBCOUNTYGA.GOV OR JOHN REID JREID@DEKALBCOUNTYGA.GOV**

COMMENTS FORM: PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: SLUP-19-1243271 Parcel I.D. #: 15-226-.02-119

Address: 925

OAKWOOD CHASE CIR

STONE MOUNTAIN GA.

Adjacent Roadway (s):

(classification) (classification)

Capacity (TPD) _____	Capacity (TPD) _____
Latest Count (TPD) _____	Latest Count (TPD) _____
Hourly Capacity (VPH) _____	Hourly Capacity (VPH) _____
Peak Hour. Volume (VPH) _____	Peak Hour. Volume (VPH) _____
Existing number of traffic lanes _____	Existing number of traffic lanes _____
Existing right of way width _____	Existing right of way width _____
Proposed number of traffic lanes _____	Proposed number of traffic lanes _____
Proposed right of way width _____	Proposed right of way width _____

Please provide additional information relating to the following statement.

According to studies conducted by the Institute of Traffic Engineers (ITE) 6/7TH Edition (whichever is applicable), churches generate an average of fifteen (15) vehicle trip end (VTE) per 1, 000 square feet of floor area, with an eight (8%) percent peak hour factor. Based on the above formula, the _____ square foot place of worship building would generate _____ vehicle trip ends, with approximately _____ peak hour vehicle trip ends.

Single Family residence, on the other hand, would generate ten (10) VTE's per day per dwelling unit, with a ten (10%) percent peak hour factor. Based on the above referenced formula, the _____ (Single Family Residential) District designation which allows a maximum of _____ units per acres, and the given fact that the project site is approximately _____ acres in land area, _____ daily vehicle trip end, and _____ peak hour vehicle trip end would be generated with residential development of the parcel.

COMMENTS:

<u>PLANS AND field reviewed, NO problem that</u>
<u>would INTERFERE with traffic flow.</u>

Signature: Jerry White



**DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM**

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO MICHELLE M ALEXANDER mmalexander@dekalbcountyga.gov OR JOHN REID jreid@dekalbcountyga.gov

**COMMENTS FORM:
PUBLIC WORKS WATER AND SEWER**

Case No.: SLUP-19-1243271

Parcel I.D. #: 15-226-02-119

Address: 925 Oakwood Chase Circle

Stone Mountain, Georgia

WATER:

Size of existing water main: 8" DI & 8" PVC Water Main (adequate/inadequate)

Distance from property to nearest main: Adjacent to Property

Size of line required, if inadequate: N/A

SEWER:

Outfall Servicing Project: Upper Snapfinger Creek Basin

Is sewer adjacent to property: Yes (X) No () If no, distance to nearest line: _____

Water Treatment Facility: Snapfinger WTF () adequate () inadequate

Sewage Capacity; * (MGPD)

Current Flow: 21.77 (MGPD)

COMMENTS:

* Please note that the sewer capacity has not been reviewed or approved for this project. A Sewer Capacity Request (SCR) must be completed and submitted for review. This can be a lengthy process and should be addressed early in the process.

Signature: [Handwritten Signature]



DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

The following areas below may warrant comments from the Development Division. Please respond accordingly as the issues relate to the proposed request and the site plan enclosed as it relates to Chapter 14. You may address applicable disciplines.

DEVELOPMENT ANALYSIS:

- **Transportation/Access/Row**

Consult the Georgia DOT as well as the DeKalb County Transportation Department prior to land development permit. Verify widths from the centerline of the roadways to the property line for possible right-of-way dedication. Improvements within the right-of-way may be required as a condition for land development application review approval. Safe vehicular circulation is required. Paved off-street parking is required.

- **Storm Water Management**

Compliance with the Georgia Stormwater Management Manual, DeKalb County Code of Ordinances 14-40 for Stormwater Management and 14-42 for Storm Water Quality Control, to include Runoff Reduction Volume where applicable is required as a condition of land development permit approval. Use Volume Three of the G.S.M.M. for best maintenance practices. Use the NOAA Atlas 14 Point Precipitation Data set specific to the site.. Recommend Low Impact Development features/ Green Infrastructure be included in the proposed site design to protect as much as practicable the statewaters and special flood hazard areas.

- **Flood Hazard Area/Wetlands**

The presence of FEMA Flood Hazard Area was not indicated in the County G.I.S. mapping records for the site; and should be noted in the plans at the time of any land development permit application. Encroachment of flood hazard areas require compliance with Article IV of Chapter 14 and FEMA floodplain regulations.



DeKalb County
GEORGIA

02-87-068

404.371.2155 (o)
404.371.4556 (f)
DeKalbCountyGa.gov

Clark Harrison Building
330 W. Ponce de Leon Ave
Decatur, GA 30030

DEPARTMENT OF PLANNING & SUSTAINABILITY



SPECIAL LAND USE PERMIT APPLICATION

Amendments will not be accepted after 5 working days after the filing deadline.

Date Received:

Application No:

SLUP-19-1243271

APPLICANT NAME:

Tracy Turner

Daytime Phone:

404-435-4709

E-Mail:

turnerangels@yahoo.com

Mailing Address:

925 Oakwood Chase Circle, Stone Mtn, Ga. 30083

Owner Name:

Elliot Carter % In Touch Properties LLC

(If more than one owner, attach contact information for each owner)

Daytime Phone:

678-429-2094

E-Mail:

Mailing Address:

2579 Park Central Blvd, Decatur, Ga. 30035

SUBJECT PROPERTY ADDRESS OR LOCATION:

925 Oakwood Chase Circle

Stone Mtn.

DeKalb County, GA,

30083

Parcel ID:

15 226 02119

Acreage or Square Feet:

0.14

Commission Districts

4+7

Existing Zoning:

RSM

Proposed Special Land Use (SLUP)

In-Home Learning Center

I hereby authorize the staff of the Planning and Sustainable Department to inspect the property that is the subject of this application.

Owner:

Agent:

Signature of Applicant

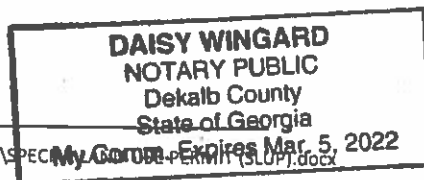
Tracy Turner

Printed Name of Applicant:

Tracy Turner

Notary Signature and Seal:

[Signature]





Public Notice 3/14/19

To

Request for a Special Land Use Permit

Filed by: Ms. Tracy Turner

Located at: 925 Oakwood Chase Circle
Stone Mountain, GA 30083

Current Use: Residential Housing

Proposed Use: In Home Daycare

Hours of Operation:

Current: NA

Proposed: Monday - Friday, 6am - 6pm

Capacity: 6 Children

PRE-SUBMITTAL COMMUNITY MEETING TO TAKE PLACE AT: Open
House

Location: 925 Oakwood Chase Circle, Stone Mountain, GA 30083

Date & Time: 6:30pm - 7:30pm

March 29, 2019

MEETING SIGN-IN SHEET

Project:

Meeting Date: 3-29-19

Facilitator: Tracy Turner

Location: 925 Oakland Chase Cir. Ste. M. 30083

Name	Address	Phone	E-Mail
Mike Coker	667 Ridge Av	470 253 4541	1.4k.coker@cal.ca
Janet Curtis	1887 Robin Hill Ct	770-491-6198	Community Council #
Joe Arrington	466 S. Rays Rd	404-308-0773	Community Council #
Elliott Carter		(678) 429-7094	owner
Chalice Dodson	3447 Kingswood Run	6629-4176	Parent
Dani Walker	3619 Panthersville Rd.	4)212-1759	Friend

Letter of Application

My name is Tracy Turner. I am requesting a special land use permit. I live at 925 Oakwood Chase Circle, Stone Mtn, Ga. 30083. I have an In-Home Learning Daycare. I reside at the home. I can have up to 6 children. My hours are from 6am - 6pm, Monday - Friday.

I am the only employee but my daughter (2 years) lives with me and she helps out time to time.

My back yard is completely fenced in with a 6 ft privacy fence. I have a two-car garage. My car is in the garage therefore I have parking in my driveway. My living room as well as my dining room is used by the children while they are in attendance.

IMPACT ANALYSIS FOR IN HOME LEARNING CENTER

925 Oakwood Chase Circle

The proposed site meets the adequacy of the size of the site for use contemplated, and there is adequate land area available for the proposed use including provision of all required yards, open space, off-street parking and all other applicable requirements of the zoning district. In home learning center is compatible with adjacent properties and proposed land use and other properties and land uses in the district. There is adequacy of public services, public facilities and utilities for the in home learning center.

The public street on which the use is proposed to be located is sufficient traffic carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area. Existing land uses located along access routes to the site will not be adversely affected by the character of the vehicles or the volume of traffic generated by the learning center. The ingress and egress to the subject property and to all proposed buildings is adequate and pedestrian and automotive safety and convenience will not be effected. Traffic flow and control and access in the event of fire or other emergency is sufficient.

The proposed use will not create adverse impacts upon any adjoining land use by reason of noise, smoke, odor dust or vibration generated by the proposed use. The proposed use will not create adverse impacts upon any adjoin land use by reason of the hours of operation of the proposed use. The proposed use will not create adverse impact upon any adjoin land use by reason of the manner of operation of the proposed use.

The proposed plan is consistent with all of the requirements of the zoning district classification in which the use is proposed to be located. The proposed use is consistent with the policies of the comprehensive Plan. The proposed plan provides for all required buffer zones and transitional buffer zones where required by the regulation of the district in which the use is proposed to be located. There is adequate provision of refuse and service areas. The length of time for which the special land use permit is granted should not be limited in duration. The proposed plan will not adversely affect historic buildings, sites, districts, or archaeological resources. The proposed use satisfies the requirements contained within the Supplemental Regulations for such special land use permit. The learning center is consistent with the needs of the neighborhood or the community as a whole and will be compatible with the neighborhood and will not be in conflict with the overall objectives of the comprehensive plan.

DEKALB COUNTY
BOARD OF COMMISSIONERS

FILE COPY

ITEM NO. 8.

PREL.	<u> </u>
ACTION	<u> </u>
PUB.HRG.	<u> X </u>

ZONING AGENDA/MINUTES

MEETING DATE April 28, 1987

RESOLUTION	<u> </u>
ORDINANCE	<u> X </u>
PROCLAMATION	<u> </u>

SUBJECT: Rezoning Application - Jolly Development Corporation

DEPARTMENT: Planning

PUBLIC HEARING: X Yes No

ATTACHMENT: X Yes No 10pp

INFORMATION CONTACT: Mac Baggett or Charles Coleman
PHONE NUMBER: 371-2155 *cc*

PURPOSE: CZ-87068 - To consider the application of Jolly Development Corporation to rezone property located on the north side of Redan Road, 583' west of Ellis Road, from R-100 to R-A5 (conditional). The application is conditioned for development of 45 single family detached homes based on a site plan and list of conditions.

DISTRICT: 1. 2. 3. X 4. 5. N/A

SUBJECT PROPERTY: 15-226-2-11 & 12 (4500 Redan Road). The property has frontage of 636' and contains 9.95 acres.

RECOMMENDATION(s): Planning Department: Approval with conditions. The proposal is consistent with recommendations of the Comprehensive Plan and with zoning which adjoins on two sides. Staff recommendation includes conditions as follows:

1. Detached housing consistent with the site plan.
2. Each dwelling to have a two-car garage.
3. Underground utilities.
4. Minimum floor area of 1,600 square feet.

Planning Commission: Approval per staff plus the following conditions:

1. Maximum density of four units per acre.
2. A 6' screening fence along the western property line for a distance of 300' from Redan Road.

Community Council: Approval subject to 40 units with fencing along adjacent R-100 properties and two-car garages.

TRAFFIC:

	<u>Redan Road</u>		
Capacity	(major)		
Latest Count	<u>10,000</u>		
Hourly Capacity	<u>9,458 (2/28/85)</u>		
Peak Hours Volume	<u>1,000</u>		
	<u>945</u>		

TPD
TPD
VPH
VPH

Trips generated upon development of existing zoning 259 TPD
 Trips generated upon development of proposed zoning 498 TPD
 Comments on conditions and planned improvements DOT permit required TPD

before a development permit is issued. Site plan must be approved by Traffic Engineering.

WATER: Size of main serving property 24" & 6" Existing zoning (adequate
 Proposed zoning (adequate*
 Size of line required if inadequate

	<u>Existing Zoning</u>	<u>Proposed Zoning</u>
Distance from property to nearest main	<u>Adjacent</u>	
Comments on current conditions or proposed main extension or improvements		

*Indication that water supply is adequate for rezoning purposes does not constitute approval of a specific project. In certain cases additional water may be required to provide adequate fire protection.

SEWER: Outfall serving project Sherrington Existing zoning (adequate
 Proposed zoning (adequate
 Is sewer adjacent to this property? No

If not, distance to nearest line Approximately 150' south
 Treatment Plant Snappinger (adequate)

Capacity	<u>36</u>	MGPD	<u>Waste Generation if Residential</u>
Current Flow	<u>24</u>	MGPD	<u>6,080 GPD</u>
			<u>14,400 GPD</u>
			Existing Zoning Proposed Zoning

Comments on current conditions/planned improvements

Adjacent land uses Single family residential

Adjacent zoning R-A5 and R-100

Compatibility of site size and configuration with development standards
(sketch attached if necessary) Adequate

Comprehensive Plan recommendation LMR

RECOMMENDATIONS:

PLANNING DEPARTMENT: Approval with conditions. The proposal is consistent with recommendations of the Comprehensive Plan and with zoning which adjoins on two sides. Staff recommendation includes conditions as follows:

1. Detached housing consistent with the site plan.
2. Each dwelling to have a two-car garage.
3. Underground utilities.
4. Minimum floor area of 1,600 square feet.

PLANNING COMMISSION: Approval per staff plus the following conditions:

1. Maximum density of four units per acre.
2. A 6' screening fence along the western property line for a distance of 300' from Redan Road.

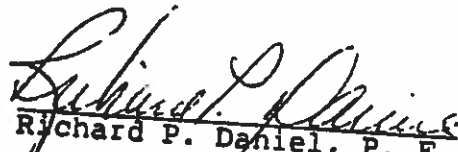
COMMUNITY COUNCIL: Approval subject to 40 units with fencing along adjacent R-100 properties and two-car garages.

29. CZ-86191

~~This department would have no problems with the installation of a full service 30 ft. driveway for this property. The location of this driveway should be aligned with Childers Road. North Druid Hills Road should be widened to 36 ft. from centerline along the entire frontage of this property. This pavement will require 100 ft. tapers at each end as a transition back to the existing pavement.~~

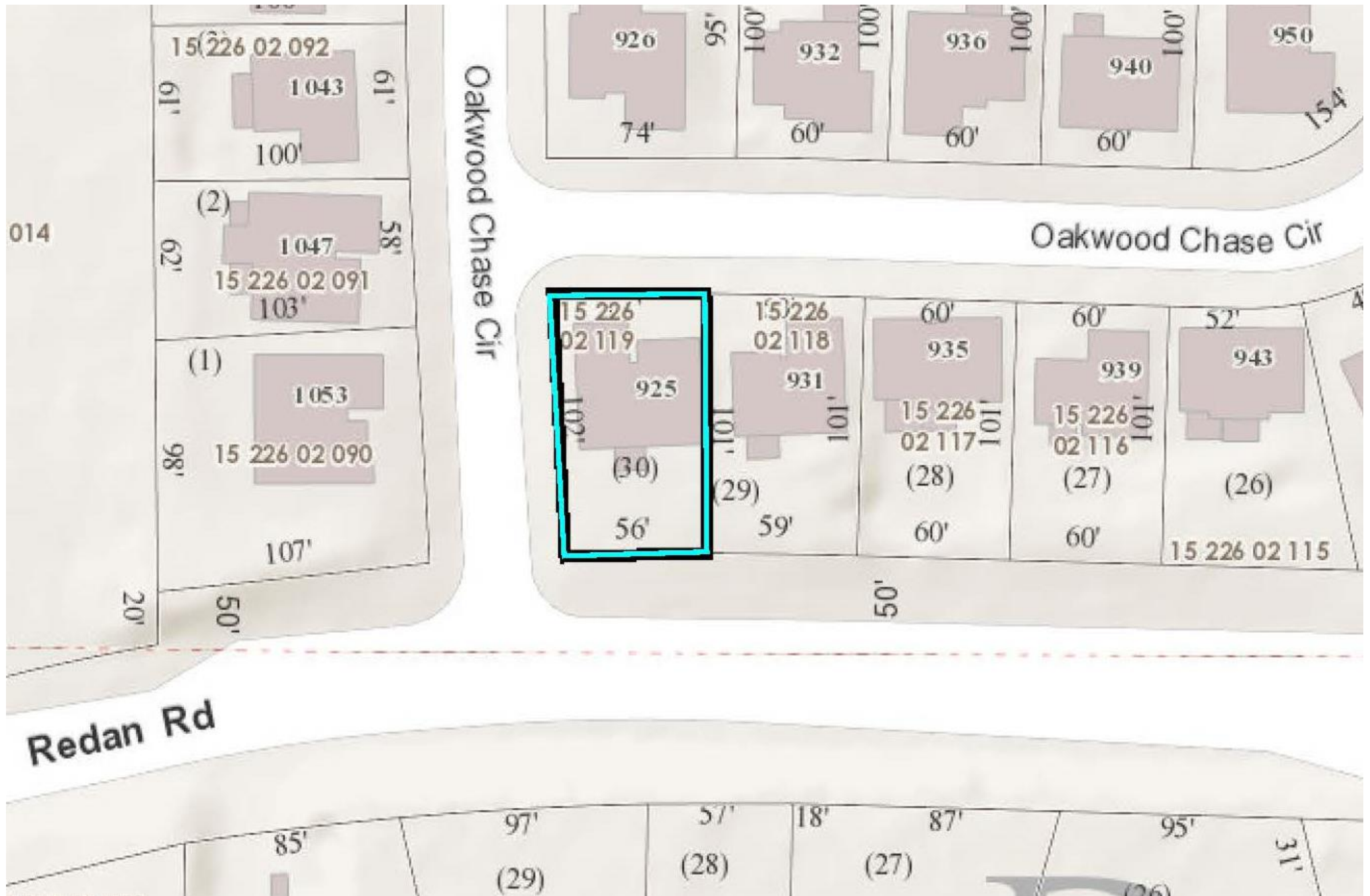
30. CZ-81073

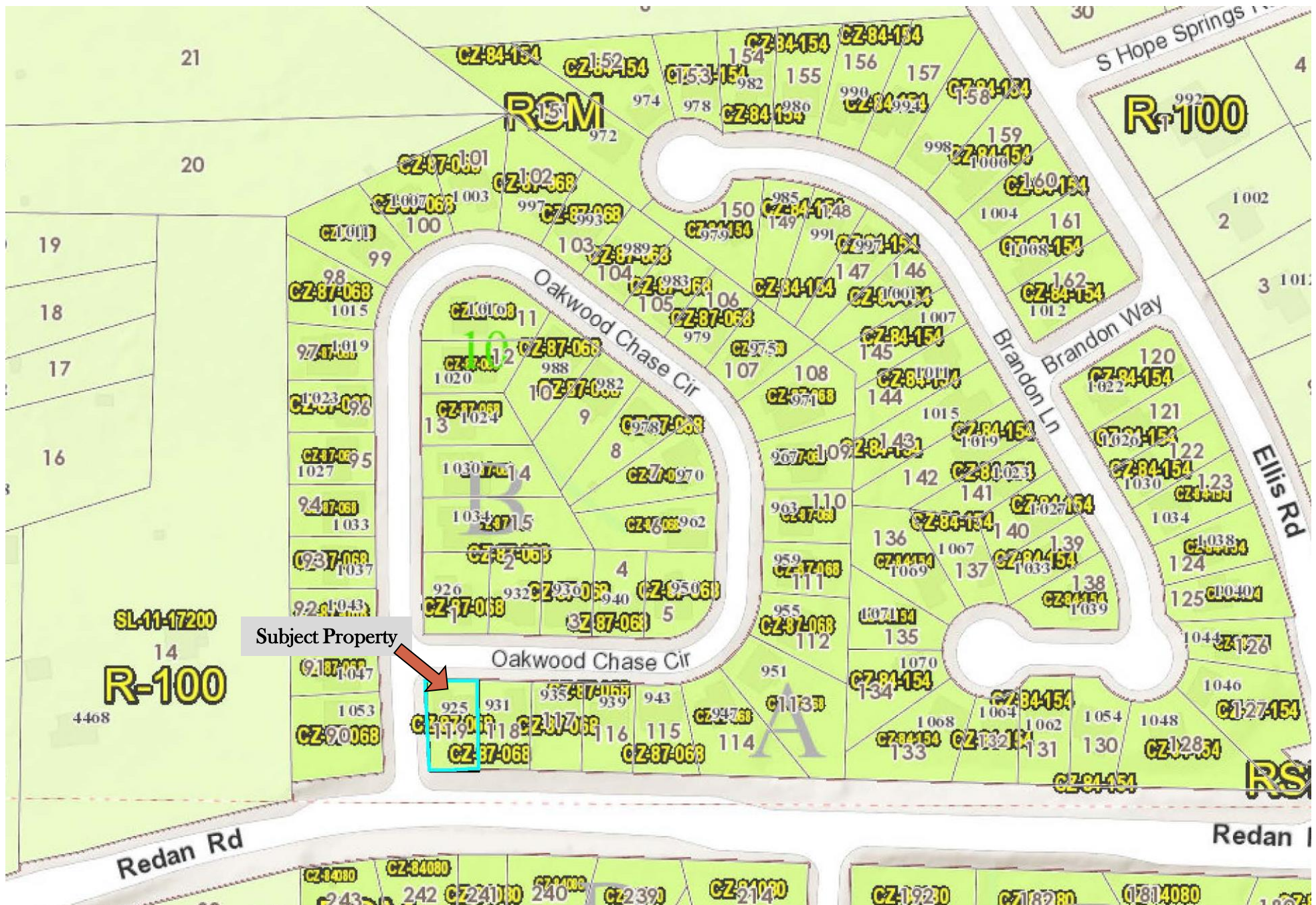
~~This project is located in an area that has experienced major drainage problems in the past. This development should be required to provide increased storm water detention. This would minimize the impact of this development on the existing problems in the area.~~


Richard P. Daniel, P. E.

RPD:REH

#8









(left) Subject property.



(right) Back yard of subject property.