



Legislation Details (With Text)

**File #:** 2019-3842    **Version:** 1    **Name:**

**Type:** Ordinance    **Status:** Preliminary Item

**File created:** 6/4/2019    **In control:** Board of Commissioners - Zoning Meeting

**On agenda:** 7/23/2019    **Final action:**

**Title:** COMMISSION DISTRICT(S): 4 & 7  
Application of Tracy Turner for 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., at 925 Oakwood Chase Cir.

**Indexes:**

**Attachments:** 1. Staff Report, 2. Recommended Conditions

Date	Ver.	Action By	Action	Result
7/23/2019	1	Board of Commissioners - Zoning Meeting	approved with conditions	Pass
7/9/2019	1	Planning Commission	approved with conditions per staff recommendation	Pass

**Public Hearing:** YES  NO     **Department:** Planning & Sustainability

**SUBJECT: Special Land Use Permit - Tracy Turner**

**COMMISSION DISTRICT(S):** 4 & 7

**Application of Tracy Turner for 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., at 925 Oakwood Chase Cir.**

**PETITION NO:** N3. SLUP-19-1243271

**PROPOSED USE:** In-home child day care center.

**LOCATION:** 925 Oakwood Chase Circle.

**PARCEL NO. :** 15-226-02-119

**INFO. CONTACT:** Marian Eisenberg

**PHONE NUMBER:** 404-371-4922

**PURPOSE:**

Application SLUP-19-1243271 of Tracy Turner for 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. The property is located at the northeast corner of Oakwood Chase Circle and Redan Road, at 925 Oakwood Chase Circle, Stone Mountain, GA. The property has 61 feet of frontage on the south side of Oakwood Chase Circle, 102 feet of frontage on the east side of Oakwood Chase Circle, and 56 feet of frontage on the north side of Redan Road and contains 0.14 acre.

**RECOMMENDATIONS:**

**COMMUNITY COUNCIL: APPROVAL.**

**PLANNING COMMISSION: APPROVAL WITH CONDITIONS.**

**PLANNING STAFF: APPROVAL WITH A CONDITION.**

**STAFF ANALYSIS:** The proposed day care facility 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 are 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. The driveway and street provide satisfactory and safe locations at which parents could drop off or pick up 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. 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 one condition”.

**PLANNING COMMISSION VOTE: Approval with Conditions 7-1-0.** J. West moved and A. Atkins seconded for approval with Staff's condition, with an added condition for hours of operation. E. Patton opposed.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION: Approval 10-1-0.** The community council board recommended approval with one opposing vote, which was based on a concern that traffic on Redan Road could endanger the children.