



Legislation Details (With Text)

File #: 2021-2427 **Version:** 1 **Name:**
Type: Ordinance **Status:** Preliminary Item
File created: 3/30/2021 **In control:** Board of Commissioners - Zoning Meeting
On agenda: 5/27/2021 **Final action:**
Title: COMMISSION DISTRICT(S): 3 & 6
Application of Erica Stewart to request a Special Land Use Permit (SLUP) to allow a child day care facility for up to six children within an existing single-family home within the RSM (Small Lot Residential Mix) District, at 2902 Cedar Trace Drive.

Indexes:

Attachments: 1. SLUP-21-1244670 Recommended Conditions, 2. SLUP 21 124670 Staff Report May 2021 BOC

Date	Ver.	Action By	Action	Result
5/27/2021	1	Board of Commissioners - Zoning Meeting		
5/4/2021	1	Planning Commission	deferred for a full cycle	Pass

Public Hearing: YES ☒ NO ☐

Department: Planning & Sustainability

SUBJECT:

COMMISSION DISTRICT(S): 3 & 6

Application of Erica Stewart to request a Special Land Use Permit (SLUP) to allow a child day care facility for up to six children within an existing single-family home within the RSM (Small Lot Residential Mix) District, at 2902 Cedar Trace Drive.

PETITION NO: N4. SLUP-21-1244670 2021-2427

PROPOSED USE: Child daycare facility.

LOCATION: 2902 Cedar Trace Drive.

PARCEL NO. : 15-041-01-152

INFO. CONTACT: Melora Furman, Sr. Planner

PHONE NUMBER: 404-371-2155

PURPOSE:

Application of Erica Stewart to request a Special Land Use Permit (SLUP) to allow a child day care facility for up to six children within an existing single-family home within the RSM (Small Lot Residential Mix) District. The property is located on the southeast side of Cedar Trace Drive, approximately 427 feet south of Cedar Trace Lane, at 2902 Cedar Trace Drive in Ellenwood, Georgia. The property has approximately 65 feet of frontage along Cedar Trace Drive and contains 0.4 acre.

RECOMMENDATION:

COMMUNITY COUNCIL: No Recommendation.

PLANNING COMMISSION: Full Cycle Deferral.

PLANNING STAFF: Approval with Conditions.

STAFF ANALYSIS: The proposed child day care facility is consistent with policies of the *2035 DeKalb County Comprehensive Plan* that support the provision of convenient childcare for working parents. By providing day care within a residential neighborhood setting, the proposed day care facility can enable children to develop a sense of place. In addition, because the size, scale, and appearance of the existing single-family home will be maintained, the proposed use is compatible with Suburban Character Area Policy No. 1 of the Comprehensive Plan, which states: “Protect stable neighborhoods from incompatible development that could alter established single-family residential development patterns and density.” 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. It appears that parents would be able to safely drop off and pick up their children because Cedar Trace Drive, a local street that terminates in a cul-de-sac, carries relatively low amounts of traffic. Emergency ingress and egress appear to be sufficient. By providing child care in a day shift and a night shift, the proposal would enable parents who work overnight to obtain child care. Such overnight workers include health care/medical emergency personnel, fire fighters, police/security personnel, hospitality and entertainment industry workers, resident chaplains and counselors, transportation workers, and night-shift factory workers. The children who are cared for overnight are not expected to cause any unusual impacts on neighboring properties because they would be sleeping during most of the night-time shift. The children might make noise while playing outside, but there is enough space between the home on the subject property and the homes on the adjoining properties to provide a reasonable buffer against noise and activity. Children regularly 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. Therefore, the Department of Planning and Sustainability recommends “Approval with conditions”.

PLANNING COMMISSION VOTE: Full Cycle Deferral 9-0-0. Jon West moved, Vivian Moore seconded for a Full Cycle Deferral to address questions/concerns from the Planning Commissioners and citizens present about the reason for repeated applications. The applicant was not present.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: No Recommendation. Community Council members understood that this application is no different than the two previous applications, made by the same applicant for the same property, for a 24-hour in-home child day care facility.