



Legislation Details (With Text)

**File #:** 2020-0331    **Version:** 1    **Name:**

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

**File created:** 3/4/2020    **In control:** Board of Commissioners - Zoning Meeting

**On agenda:** 6/25/2020    **Final action:**

**Title:** COMMISSION DISTRICT(S): 3 & 6  
Application of Erica Stewart for a Special Land Use Permit (SLUP) for a 24-hour in-home child day care facility in an RSM (Residential Small Lot Mix) District, in accordance with Chapter 27, Article 4, Section 4.1.3 Use Table, at 2902 Cedar Trace Road.

**Indexes:**

**Attachments:** 1. SLUP 20 1243861 Recommended Conditions, 2. Staff Report SLUP 20 1243861, 3. 2020 06.25 Item 2020-0331- KG submitted

Date	Ver.	Action By	Action	Result
6/25/2020	1	Board of Commissioners - Zoning Meeting	approved with conditions	Pass
6/2/2020	1	Planning Commission	approved with conditions per staff recommendation	Pass

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

**SUBJECT:**

**COMMISSION DISTRICT(S): 3 & 6**  
**Application of Erica Stewart for a Special Land Use Permit (SLUP) for a 24-hour in-home child day care facility in an RSM (Residential Small Lot Mix) District, in accordance with Chapter 27, Article 4, Section 4.1.3 Use Table, at 2902 Cedar Trace Road.**

**PETITION NO: N9. SLUP-20-1243861 (2020-0331)**

**PROPOSED USE: Child Day Care Facility**

**LOCATION: 2902 Cedar Trace Road**

**PARCEL NO. : 15 041 01 152**

**INFO. CONTACT: Melora Furman**

**PHONE NUMBER: 404-371-2155**

**PURPOSE:**

Application of Erica Stewart for a Special Land Use Permit (SLUP) for a 24-hour in-home child day care facility in an RSM (Residential Small Lot Mix) District, in accordance with Chapter 27, Article 4, Section 4.1.3 Use Table. The property is located on the southeast side of Cedar Trace Road, approximately 419 feet south of Cedar Trace Lane, at 2902 Cedar Trace Road, Ellenwood, GA. The property has approximately 65 feet of frontage on Cedar Trace Road and contains 0.37 acre.

**RECOMMENDATION:**

**COMMUNITY COUNCIL:** Approval.

**PLANNING COMMISSION:** Approval with Conditions.

**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 childcare in a day shift and a night shift, the proposal would enable parents who work overnight to obtain childcare. 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:** **Approval with conditions 8-0-0.** J. Johnson moved, A. Atkins seconded for Approval with Conditions, as per the staff recommendation.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION:** **Approval 5-3-0.**