



## Legislation Text

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File #: 2022-1733, Version: 1

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Public Hearing: YES ☒ NO ☐

Department: Planning & Sustainability

**SUBJECT:**

**COMMISSION DISTRICT(S):** Commission District 03 Super District 07

**Application of Martha Liliana Rodriguez for a Special Land Use Permit (SLUP) for a child day care facility to allow up to six (6) children in an existing single-family home in the R-75 (Residential Medium Lot-75) District, at 2167 Newgate Drive.**

**PETITION NO:** N3. SLUP-22-1245771 (2022-1733)

**PROPOSED USE:** Child daycare, up to six (6) children.

**LOCATION:** 2167 Newgate Drive, Decatur, Georgia 30035

**PARCEL NO. :** 15-157-16-132

**INFO. CONTACT:** John Reid, Sr. Planner

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

**PURPOSE:**

Application of Martha Liliana Rodriguez for a Special Land Use Permit (SLUP) for a child day care facility to allow up to six (6) children in an existing single-family home in the R-75 (Residential Medium Lot-75) District. The property is located on the north side of Newgate Drive, approximately 590 feet northwest of Wedgefield Circle, at 2167 Newgate Drive in Decatur, Georgia. The property has 75 feet of frontage along Newgate Drive and contains 0.29 acre.

**RECOMMENDATION:**

**COMMUNITY COUNCIL:** Approval with conditions.

**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 familiar neighborhood setting, they encourage children to develop a sense of place. In-home child day care facilities promote reduction of traffic congestion, consistent with Comprehensive Plan land use policies: they allow parents to drop off and pick up children by using local streets within residential neighborhoods and may thus reduce traffic congestion on major roads during peak commuting hours. The day care facility satisfies the considerations and supplemental regulations for a Special Land Use Permit and is

expected to be operated in a manner that would not have an adverse impact on adjoining land uses. Implementation of the conditions recommended by Staff would enable the facility to meet State and County requirements and regulations. Therefore, the Department of Planning and Sustainability recommends “Approval, with the attached, revised conditions”. (Minor modification to Condition #3 has been made based on comments at the Planning Commission meeting).

**PLANNING COMMISSION VOTE: Approval with Conditions 7-0-0.** Vivian Moore moved, Edward Patton seconded for approval with six (6) conditions, per Staff recommendation.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION: Approval with conditions 6-1-0.** CC-3 Board members recommended the following conditions: 1) Operator should hire additional staff person to assist; and, 2) Operator should install a second fence to separate the children from the dog, as proposed.