THE CITY OF STONECREST GEORGIA

PLANNING COMMISSION STAFF REPORT

MEETING DATE: September 11, 2018

GENERAL INFORMATION

Petition Number:	SLUP 18-005
Applicant:	Riva Usher 6617 Eastbriar Drive, Stonecrest GA 30058
Owner:	Riva Usher
Project Location:	6617 East Briar Drive, Stonecrest, Ga 30058
District:	District 5
Acreage:	0.139 Acres
Existing Zoning:	Small Lot Residential (RSM)
Proposed Zoning:	Small Lot Residential (RSM)
Proposed Development/Request:	The applicant is requesting a Special Land Use Permit (SLUP) to operate a child care home, for 4-6 residents with in an RSM (Small Lot Residential Mix) District, in accordance with Chapter 27-Article 4.1 Use Table and Sections 4.2.41. D & E of Stonecrest Zoning Code.
Staff Recommendations:	**Approval of SLUP 18-005 with conditions.**

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Zoning Map

ZONING CASE: **SLUP 18-005**

ADDRESS: **6617 Eastbriar Drive**

CURRENT ZONING: **RSM (Residential Small Lot) District**

FUTURE LAND USE: **Suburban**

0 0.0125 0.025 mi

Subject Site

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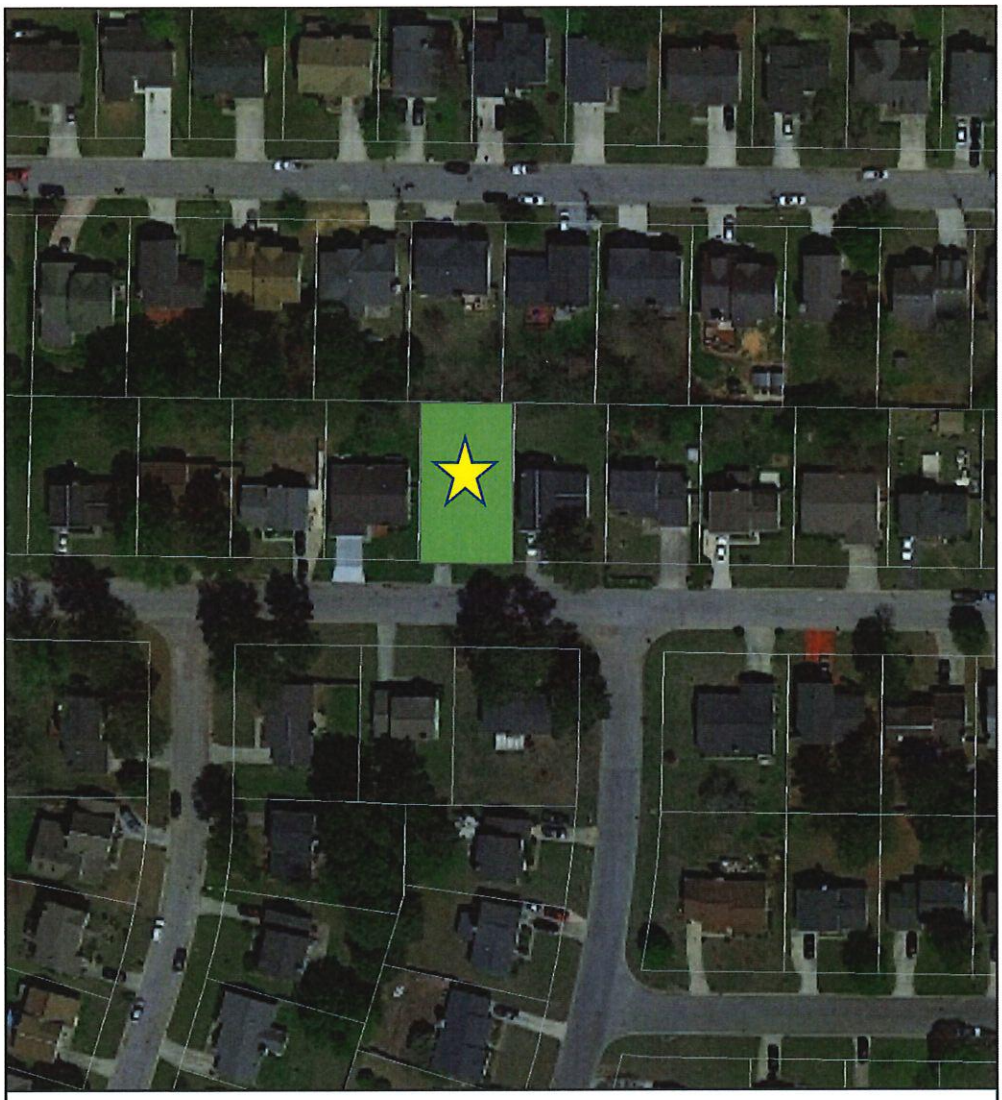
Site Aerial Map



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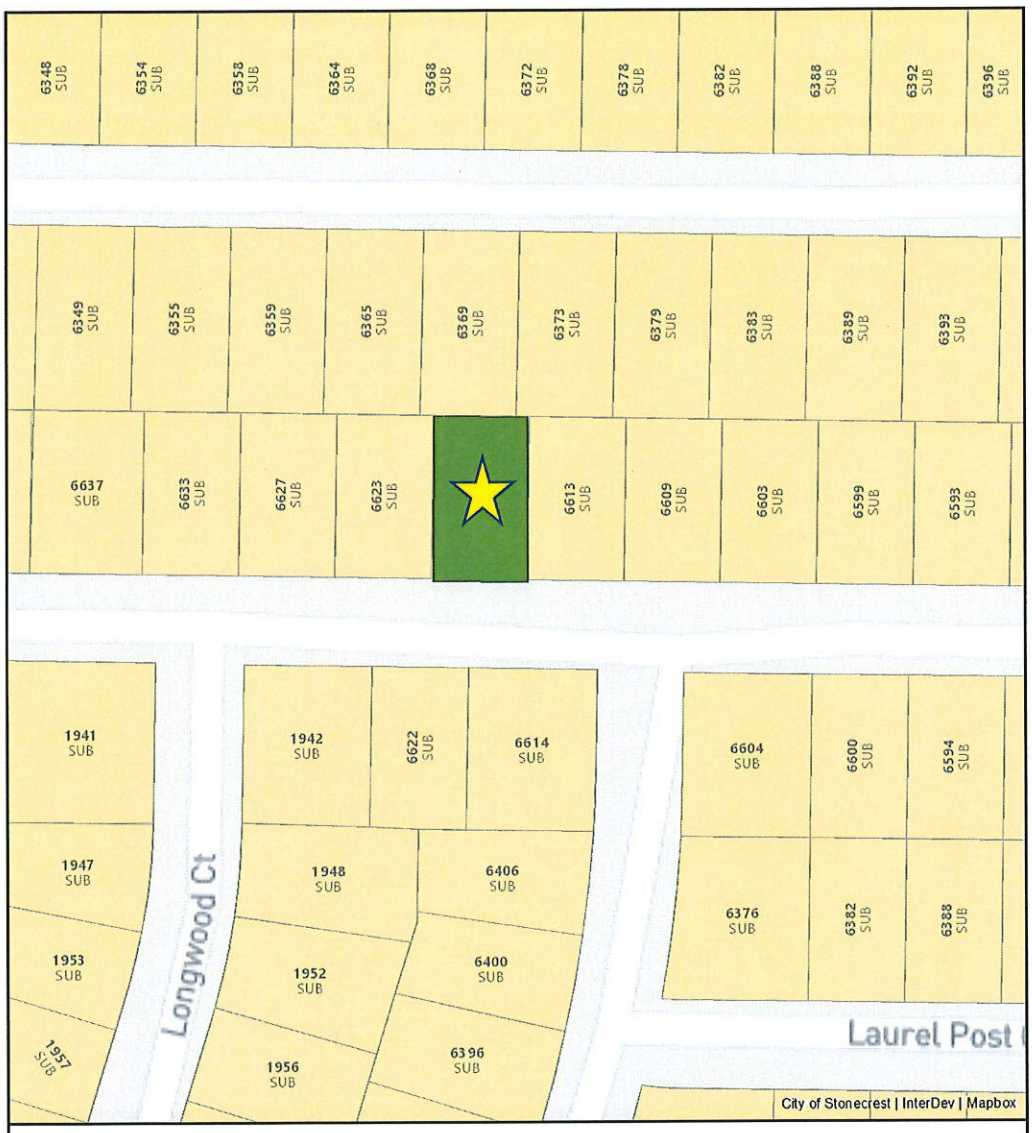
Future Land Use Map



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PROJECT OVERVIEW

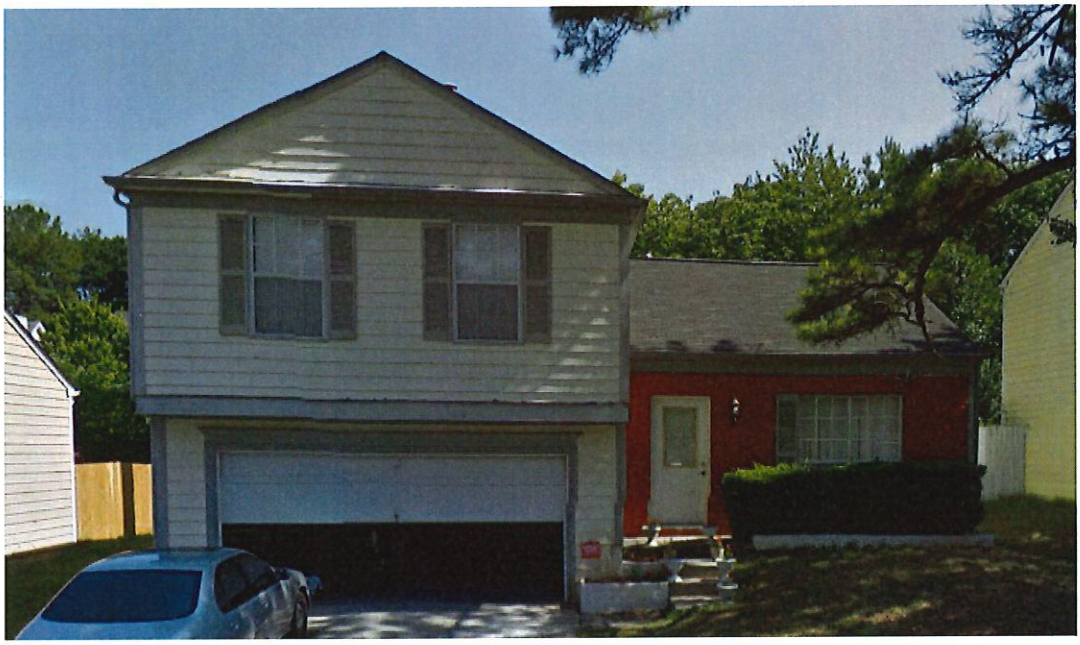
The subject site is an existing single-family residence located at 6617 Eastbriar Drive and is part Philips Creeks subdivision. The site is zoned Small Lot Residential Mix District (RSM) with a 5,000 square foot minimum lot area. Located on the 0.1 acres, the residence is 1,438 -square foot single-family craftsmen style structures. Access is via existing driveway on East Briar Drive. Existing residence is surrounded by single-family residences.

Front elevation of the subject property.

The applicant is requesting a Special Land Use Permit to operate a child caring institution. The applicants intend to establish a child day care home for four (4) to six (6) children ages 0 to 12 months. The hours of operation for the business will be from 6:00 pm to 6:00 am. The applicant intends to be the only employee for the daycare.

The site has minimal mature hardwood vegetation except for one sapling located in the front yard. The topography is characterized as flat. The surrounding property is characterized as residential and commercial uses.

Single-Family Home to the East of the subject property.



Single-Family Home to the West of the subject property.

Single-Family Home located South of the subject property.

Single-Family Located to the North of the subject property.

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STANDARDS OF REVIEW

A. Adequacy of the size of the site for the use contemplated and whether or not the adequate land area is available for the proposed use including the 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 approximately 1,444 square foot residence on 0.1 acres is adequate for the operation of child caring institution.

B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district.

The proposed daycare for six (6) person is compatible with another single-family residence. There will be no outside physical changes to the existing single-family structure or signage indicating the use is daycare.

C. Adequacy of public services, public facilities, and utilities to serve the proposed use.

The subject property located in an established single-family residential neighborhood, it appears that there are adequate public services, public facilities, and utilities to serve the proposed daycare.

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 use proposed so as not to unduly increase traffic and create congestion in the area.

Eastbriar Drive is a local street, the Planning Staff believes little or no impact on the public streets or traffic in the area since the applicant hours of operation are not during peak hours nor will the business generate many trips.

E. Whether existing land uses located along access routes to the site will be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use.

Traffic of the vehicles generated by the proposed use will not adversely impact existing land uses along access routes to the sites.

F. Adequacy of 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 a fire or another emergency.

The existing residential structure on the site is accessed by vehicles via an existing curb cut with a driveway on Eastbriar Drive. Emergency vehicles can access the site from the existing driveway. Approximately four cars can park on the subject site along with the two-car garage.

G. Whether the proposed use will 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 may not create an adverse impact upon any adjoining single-family land uses by reason of noise, smoke, odor, dust or vibration,

H. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use.

Per the information submitted with the application, the day care home will operate during the time of 6 pm to 6 am. Since the hours of operation will not be during the peak hours staff believe there will be no adverse impact upon the adjoining land uses.

I. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use.

The operation of the child caring institution of (6) residents will not affect the adjoining single-family residence on Eastbriar Drive. The site will operate basically as a single-family residence with an adult supervisor for the six children.

J. Whether the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located.

It appears the request is consistent with the requirements for the RSM Zoning classification in which the use is proposed to be located.

K. Whether the proposed use is consistent with the policies of the comprehensive plan.

The proposal is consistent with the following policy for the Stonecrest Comprehensive Plan as the proposed use is providing community service to the community.

L. Whether the proposed use provides for all required buffer zones and transitional buffer zones where required by the regulations of the zoning district in which the use is proposed to be located.

No buffers or transitional buffers are required, this consideration is not applicable.

M. Whether there is adequate provision of refuse and service areas.

The adequate refuse area will be provided. A garbage roll cart will be located at the rear side of the residence and will be picking up according to the DeKalb County Sanitation schedule.

N. Whether the length of time for which the special land use permit is granted should be limited in duration.

Staff believes there is no compelling reason for limiting the duration of the requested Special Land Use Permit.

O. Whether 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.

The child caring institution would be in an existing residential structure which is consistent in size, scale and massing with adjacent surrounding single-family residence in the area. This consideration is not applicable.

P. Whether the proposed use will adversely affect historic buildings, sites, districts, or archaeological resources.

This use will not adversely affect any historic buildings, sites, districts, or archaeological resources.

Q. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permit.

It appears the home currently satisfies the supplemental regulations of the Stonecrest Zoning Ordinance. Georgia Department of Early Care and Learning website indicates that there are no other day care homes within 1,000 feet of the subject property.

R. Whether the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height.

Since the proposed home will not change in height this consideration is not applicable.

S. Whether the proposed use would be consistent with the needs of the neighborhood or the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objective of the comprehensive plan.

The proposed use would be consistent with the needs of the of the community as a whole and is it compatible with the neighborhood. The use also would not conflict with the overall objective of the comprehensive plan.

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ANALYSIS

Adjacent & Surrounding Properties	Zoning (Petition Number)	Land Use	Density Non-Residential (SF/Acre) Residential (Units/Acre)
Adjacent: North	RSM (Small Lot Residential Mix) District	Residential (Single-Family Residence)	N/A
Adjacent: West	RSM (Small Lot Residential Mix) District	Residential (Single-Family Residence)	N/A
Adjacent: East	RSM (Small Lot Residential Mix) District	Residential (Single-Family Residence)	N/A
Nearby: South	RSM (Small Lot Residential Mix) District	Residential (Single-Family Residence)	N/A

The surrounding area is characterized as being part residential developments. Adjacent to the north, west, and east of the property are residential homes which are zoned RSM. Across Eastbriar Drive to the South is another residential home which zoned RSM.

RSM (Small Lot Residential Mix) was designed to provide flexibility in design and product on the interior of new development while protecting surrounding neighborhoods. The polices for this zoning is to provide for the creation of residential neighborhoods that allow a mix of single-family attached and detached housing options. Since the applicant proposed use will not change the character of the area and will still operate as an existing single-family residence, the applicant is in harmony with the zoning district.

The City Stonecrest Future Development Map as shown on page 77 of Stonecrest Comprehensive Plan identifies the subject property as being within Suburban Character Area. The intent of the Suburban Character Area is to recognize those areas of the city that have developed in traditional suburban land use patterns while encouraging new development to have increased connectivity and accessibility. Policies for this character area is to protect stable neighborhoods from incompatible development that could alter established single-family residential development patterns and density. The applicant proposed use will not change or alter the established single-family residential development, therefore it meets the intent of the Comprehensive Plan.

The proposed Special Land Use permit is consistent in use and scale with the surrounding uses. Staff believes the proposed use is suitable in view of the use and development of adjacent and nearby properties. The proposed use is in keeping with the policies and intent of the Comprehensive Plan, the proposed use would be suitable in view of its impacts on the adjacent and nearby property. The Department of Community Development recommends **APPROVAL of SLUP 18-005**.

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RECOMMENDATION

Staff recommends the ***approval of SLUP-18-005*** with the following conditions;

1. The applicant must apply for a business license as required by the city of Stonecrest.
2. The applicant must comply with the requirements of Sec. 4.2.19. - Child day care facility of the Stonecrest zoning ordinance.
3. Pick up and drop off children must not interfere with the traffic patterns of residents leaving for work and returning to the area.