PLANNING COMMISSION STAFF REPORT

MEETING DATE: April 2, 2018

GENERAL INFORMATION

Petition Number:	SLUP 19-001
Applicant:	Dileane Matthews
Owner:	Ashli Matthews
Project Location:	3317 Panola Road Stonecrest Ga 30038
District:	District 3
Acreage:	0.5 Acres
Existing Zoning:	Residential Med Lot (R-100)
Proposed Zoning:	Residential Med Lot (R-100)
Proposed Development/Request:	The applicant is requesting a Special Land Use Permit (SLUP) to operate a Personal Care Home four to six (4-6) residents within in an R-100 (Medium Lot Residential) District, in accordance with Chapter 27-Article 4.1 Use Table and Sections 4.2.41. B of Stonecrest Zoning Code.
Staff Recommendations:	**DENIAL**

THE CITY OF STONECREST GEORGIA

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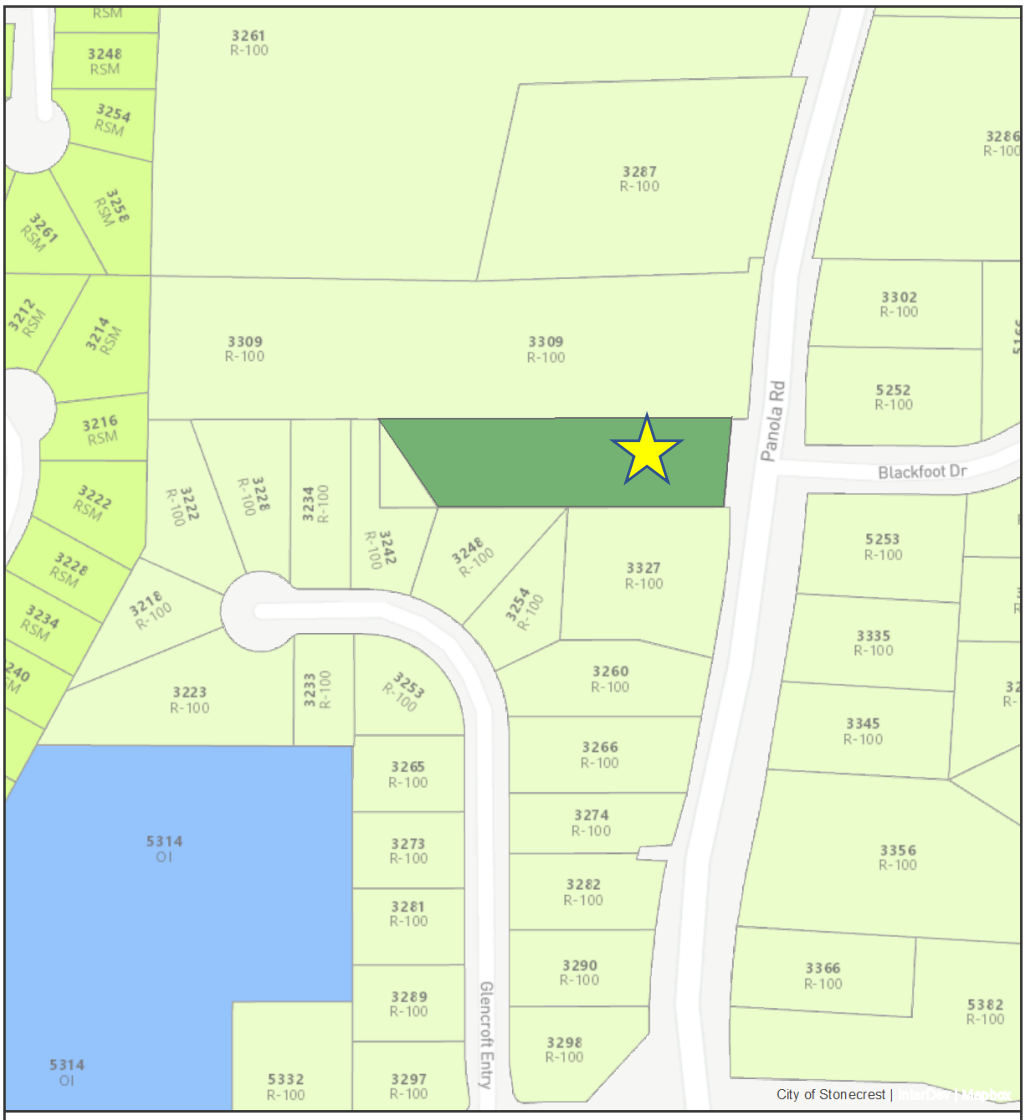
Zoning Map



ZONING CASE: **SLUP-19-001**

ADDRESS: **3317 Panola Road**

CURRENT ZONING: **R-100 (Residential Med Lot)**

FUTURE LAND USE: **Suburban**

0 0.025 0.05 mi

Subject Site

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Aerial Map

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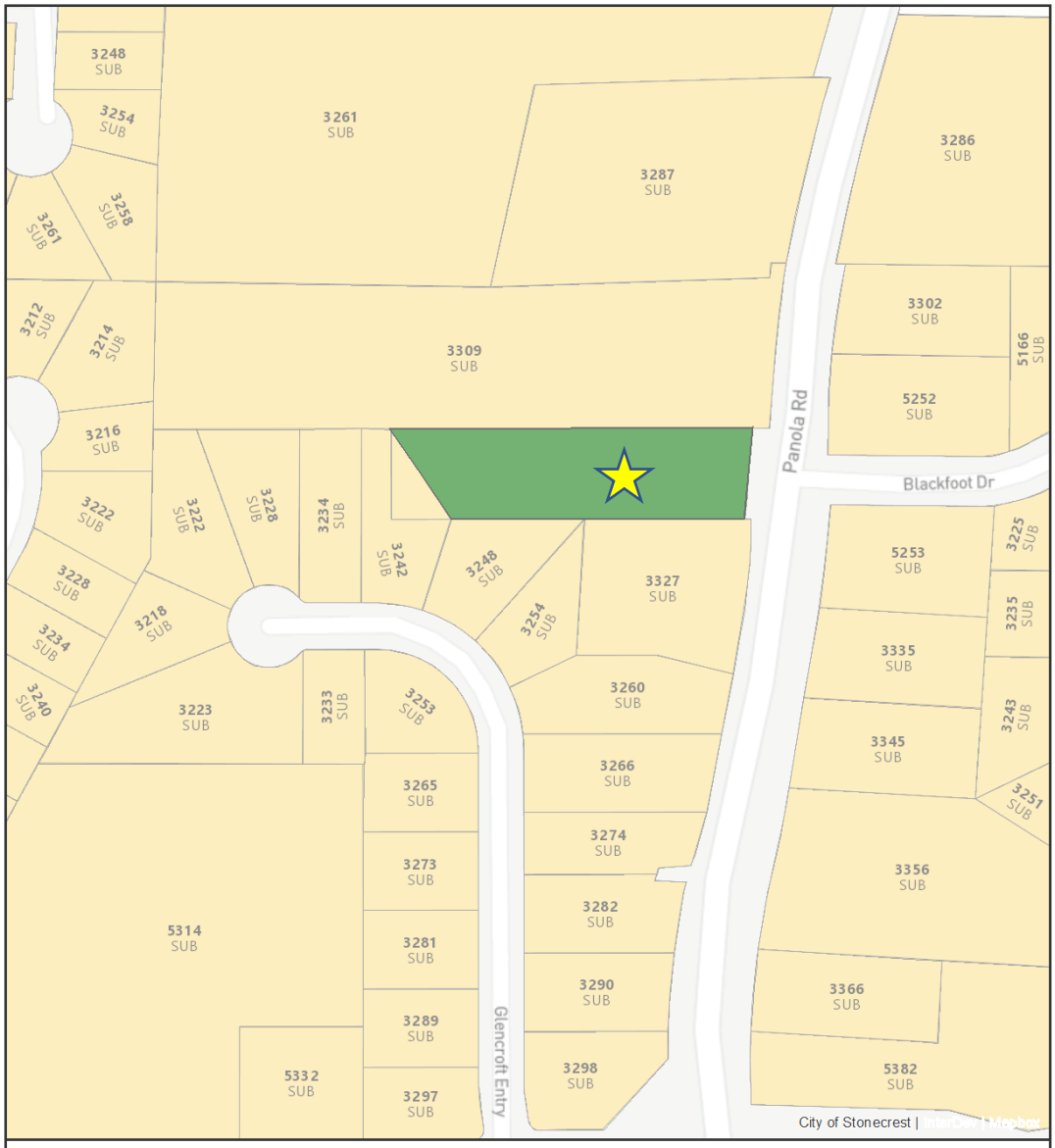
Future Land Use Map



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PROJECT OVERVIEW

The subject site is an existing single-family residence located on Panola Road, located to the north of the Hilson Head Subdivision in the Stonecrest City limits. The subject property is approximately 880 feet north of Panola Road and Rock Springs intersection. The site is zoned R-100 (Residential Med Lot) District for 15,000 square foot minimum lot area. Located on the 0.5 acres and the residence is 1,819 square foot single-family residence built in 1967. Access is available via the existing driveway on Panola Road. The existing residence is surrounded by single-family residences.

Front elevation of the subject property

The applicant is requesting a Special Land Use Permit to a personal care home. The subject location will house between four to six individuals with a rotating counselor shift at the property. The applicant will provide transportation to and from school for the residents and provide forms of healthy therapeutic activities for them as well.

The topography of the subject property is characterized as even ground towards the residential structure, then a gradual decrease in topography to the northwest towards the rear property line. The surrounding property is characterized as residential uses.

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Residential Home to the South of Subject Property

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 1,819 square foot residence on 0.5 acres is adequate for the operation of the personal care home.

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

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

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

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

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.

Panola Road is a minor arterial, the Planning Staff believes little or no impact on the public streets or traffic in the area.

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 existing curb cut with a driveway on Panola Road. Emergency vehicles can access the site from the existing driveway.

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 applicant intends to run an adult care facility with six residents.

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 personal care home of 6 residents will not affect the adjoining single-family residence on Panola Road. The site will operate basically as a single-family residence with the owner/operator is required to reside at the property.

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.

The R-100 (Residential Medium Lot) District does not allow a personal care home without a Special Land Use Permit.

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

The subject property is in the Suburban Neighborhood Character area designated by the 2035 Comprehensive Land Use Plan. The proposed use is listed as primary land use and is consistent with the policies of the character area, However, there is an existing personal care home located to the south of the subject property

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.

Transitional buffers are not required.

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

An adequate refuse area will be provided.

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

Staff believes there is a compelling reason to limit the special land use duration. There is another personal care home located next door to the applicant.

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 personal care home would be in an existing residential structure which is consistent in size, scale and massing with adjacent surrounding single-family residence in the area.

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.

Personal Care homes must provide at least four (4) parking spaces within a driveway, garage or carport and must comply with any appliance requirement in Article 6 - Parking. The subject site meets this requirement.

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.

Adjacent and surrounding residential properties are one-story frame structures which are the same as the existing residence on the site. There will be no negative show impact on any adjoining lot.

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 community as a whole, as it appears there are no immediate personal care homes within the immediate area.

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ANALYSIS

Adjacent & Surrounding Properties	Zoning (Petition Number)	Land Use	Density Non-Residential (SF/Acre) Residential (Units/Acre)
Adjacent: North	R-100 (Residential Med Lot)	Single-Family Dwelling	N/A
Adjacent: South	R-100 (Residential Med Lot)	Single-Family Dwelling	N/A
Nearby: East	R-100 (Residential Med Lot)	Single-Family Dwelling	N/A
Adjacent: West	R-100 (Residential Med Lot)	Single-Family Dwelling	N/A

The surrounding area is characterized as residential developments. Adjacent to the north, south, west and east of the property are residential homes zoned R-100. The Hilson subdivision is located to the southwest of the subject property while the Black Hawk Forest subdivision is located southeast of the subject property.

R-100 (Residential Medium Lot-100) was designed to provide for the protection of neighborhoods within the county where lots have a minimum area of fifteen thousand (15,000) square feet. The polices for this zoning is to provide flexibility in design on the interior of new development while protecting surrounding development, while assuring that the uses and structures authorized in the R-100 (Residential Medium Lot-100) District are those uses, and structures designed to serve the housing, recreational, educational, religious, and social needs of the neighborhood. The proposed use meets the intended use of the district.

The City Stonecrest Future Development Map as shown on page 77 of DeKalb County 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. Section 4.2.41.B.3 state no personal care home can operate within one thousand feet of another persona care home. This provision is in place to prevent institutionalizing residential homes.

The proposed SLUP is not consistent in use with the surrounding uses. Staff believes the proposed use is not suitable in view of the use and development of adjacent and nearby properties. Since there is an already established personal care home operating a single family home with three or less located next door to the subject property, approving the application would violate the Stonecrest Zoning Ordinance. Even though proposed use would be in keeping with the policies and intent of the Comprehensive Plan, however, the proposed use would not be suitable in view of its impacts on the adjacent and nearby property, therefore, the Department of Community Development recommends **DENIAL of SLUP-19-001**

RECOMMENDATION

Staff recommends **DENIAL** of **SLUP-19-001**

The applicant does not appear to meet all the criteria to approve this petition.