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**SPECIAL LAND USE PERMIT (SLLUP) ANALYSIS**

**Prepared By:** Tre’Jon Singletary, Senior Planner

**Petition Number:** SLUP 23-015

**Applicant:** Tajma Washington dba The Gardens of Stonecrest, LLC

**Owner:** Tajma Washington

**Project Location:** 3153 Pequea Drive

**District:** 3 – Councilwoman Alecia Washington

**Acreage:** 0.54 acres

**Existing Zoning:** R-100 (Residential Med Lot) District

**Future Land Use:** Suburban Neighborhood (SN)

**Proposed Development/Request:** The applicant is requesting a Special Land Use Permit (SLUP) to operate a personal care home with a maximum of six (6) individuals.

**CPIM:** January 11, 2024

**Planning Commission:** February 6, 2024

**Mayor & City Council:** February 26, 2024

**Sign Posted/ Legal Ad(s) submitted:** December 27, 2023

**Staff Recommendations:** **Approval with conditions**

**Planning Commission:** **Approval with staff’s recommended conditions and one (1) additional condition**

**PROJECT OVERVIEW**

**Location**

The subject property is located at 3153 Pequea Drive. The dwelling is located within the Winslow Crossing Subdivision.

The property abuts R-100 (Residential Med Lot) District on the north, south, east, and west.



Adjacent & Surrounding Properties	Zoning (Petition Number)	Land Use
<b>Applicant</b>	<b>R-100 (Residential Med Lot) District</b>	<b>Residential</b>
Adjacent: North	R-100 (Residential Med Lot) District	Residential (Detached Single Family Home)
Adjacent: West	R-100 (Residential Med Lot) District	Residential (Detached Single-Family Home)
Adjacent: East	R-100 (Residential Med Lot) District	Residential (Detached Single Family Home)
Adjacent: South	R-100 (Residential Med Lot) District	Residential (Detached Single Family Home)

**Background**

Currently, the property has kept its original zoning classification of R-100 under Stonecrest Zoning Ordinance.

The property currently has a single-family detached dwelling. It has 4 bedrooms and 3 baths. The home is approximately 2,448 square feet. There is an Assisted Living Facilities for the Elderly located at 3169 Pequea Drive (shown on map below).



The map below shows the location between two properties.



Subject Property



Current Assisting Living Facility



The applicant is requesting a Special Land Use Permit (SLUP) to operate a personal care home with a maximum of six (6) individuals.

**Public Participation**

Property owners within 1,000 feet of the subject property were mailed notices of the proposed rezoning in January. The Community Planning Information Meeting (CPIM) was held on January 11, 2024, at 6:00 pm at city hall. The attendees were concerned about the effect the petition may have on housing values in the area, the type of residents that will live in the house, and operations (hours of operation and management).

Floor Layout Plan



Main Floor



Second Level



**Site Photos**



## **SLUP 23-015**

ADDRESS: 3153 Pequea Dr

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

FUTURE LAND USE: Suburban Neighborhood (SN)



### Aerial Map





**Zoning Map**



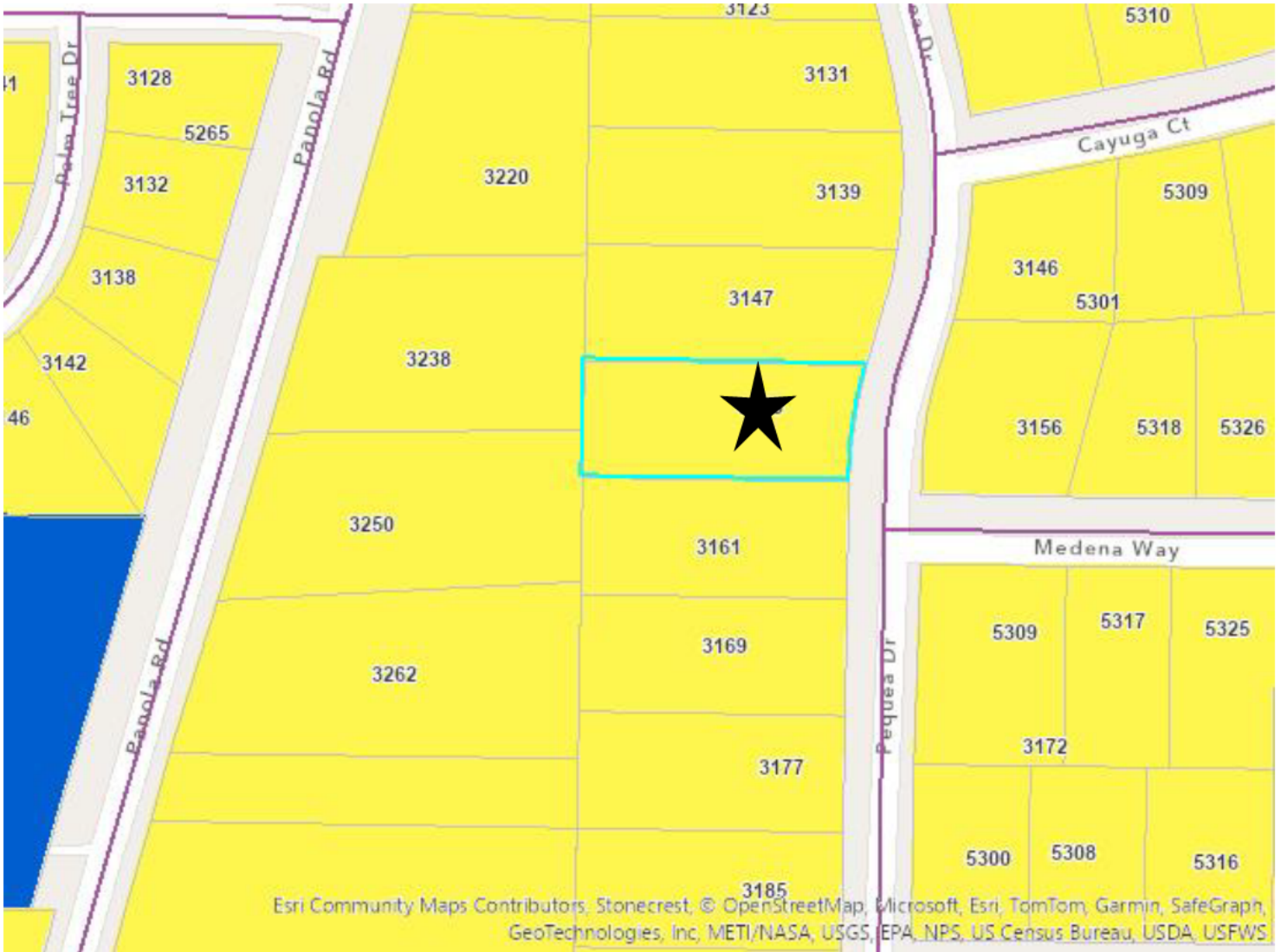
Esri Community Maps Contributors, Stonecrest, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

<b>Legend</b>	
	<b>R-100 - Residential Med Lot</b>
	<b>RSM - Small Lot Residential Mix</b>







**Future Land Use Map**



Esri Community Maps Contributors, Stonecrest, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

<b>Legend</b>	
	<b>Suburban Neighborhood (SN)</b>
	<b>Institutional (INS)</b>





## **STANDARDS OF SPECIAL LAND USE PERMIT REVIEW**

*Section 7.4.6 of the Stonecrest Zoning Ordinance lists twenty factors to be considered in a technical review of a special land use permit completed by the Community Development Department and Planning Commission. Each criterion is listed with staff analysis.*

- 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 2,448 square foot residence on 0.54 acres is adequate for the operation of a personal care home. Section 4.2.41 (Personal care homes and child caring institutions) states the minimum square footage of proposed use is 1,800 square feet. The required parking is at least four (4) parking spaces within a driveway, garage, or carport.

- 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 is compatible with the adjacent properties. However, the land use is not compatible with those homes that serves as only single-family residential uses.

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

There are adequate public services, public facilities, and utilities to serve the current use as a single-family residence. The required parking is at least four (4) parking spaces within a driveway, garage, or carport.

- 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.**

Pequea Drive is classified as a local road. There will be 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.**

The existing land use located along the access routes to the site would not be adversely affected by the character of the vehicles or the volume traffic generated by the proposed use. Pequea Drive is a local road that is designed to handle the proposed use.

- 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 subject property is located within an existing subdivision, which has adequate ingress and egress.



**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.**

According to the applicant, the proposed use will not create nuisances. Hours of operation is stated as 9:00 AM – 5:00 PM.

**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.**

According to the applicant, the hours of operation are 9:00 AM – 5:00 PM.

**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.**

According to the applicant, she and her husband (a nurse) are living in the basement of the dwelling and serving as 1 of 2 nurses on the premises.

**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 proposed use is otherwise consistent with the zoning district classification requirement in which the use is proposed to be located.

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

In the comprehensive plan the primary land use is Suburban Neighborhood. The proposed use is consistent with the policies of the comprehensive plan as a personal care home/assisted living.

**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.**

The proposed use does not require buffer or transitional buffers by the zoning district.

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

An adequate refuse and service area will be provided by the applicant.

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

If granted approval, the special land use permit should not be transferable and only applicable to the current applicant, operator(s), and homeowner(s).

**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 existing building has the appropriate structure, which is consistent in size, scale, and massing with adjacent and surrounding buildings 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 permits.**

The submitted floor plan submitted to staff has met all the requirements within the supplemental regulation in [Division 2, Section 4.2.41](#).

**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.**

The proposed development would not exceed the height of nearby residential structures. The existing building would be similar to the height abutting the property. There will be no negative shadow 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 personal care home would be consistent with the neighborhood's needs or the community and would not conflict with the city's comprehensive plan.



### **STAFF RECOMMENDATION**

Staff recommends **approval with the following conditions:**

1. Applicant must satisfy all open code cases prior to issuance of a business licenses;
2. Applicant must comply with all International Building Code;
3. Hours of operation shall be 9:00 AM – 5:00 PM, Monday to Friday; and 10:00 AM – 5:00 PM on weekends;
4. Applicant must comply with parking standards,
5. Applicant must comply with Nuisance Ordinance ([Chapter 18 – Nuisances](#)); and
6. The Special Land Use Permit shall not be transferred. Only applicable to the operator/homeowner Tajma Washington.

### **PLANNING COMMISSION (PC) RECOMMENDATION – February 6, 2024**

PC recommends **approval with the following conditions:**

1. Applicant must satisfy all open code cases prior to issuance of a business licenses;
2. Applicant must comply with all International Building Code;
3. Hours of operation shall be 9:00 AM – 5:00 PM, Monday to Friday; and 10:00 AM – 5:00 PM on weekends;
4. Applicant must comply with parking standards,
5. Applicant must comply with Nuisance Ordinance ([Chapter 18 – Nuisances](#)); and
6. The Special Land Use Permit shall not be transferred. Only applicable to the operator/homeowner Tajma Washington.
7. Subject personal care home shall offer care to a maximum of four (4) persons.





**Attachment(s): SLUP 23-015 Application Materials**



**Special Land Use Permit  
Application**

Applicant Information	Name: <u>Tajma Monet Washington</u>	<u>Money</u>	<u>Washington</u>
	Address: <u>3153 Peguea Dr</u>	<u>Stonecrest</u>	<u>GA 30038</u>
	Phone: [REDACTED]	Fax: [REDACTED]	Email: [REDACTED]
	Owner's Name: <u>Tajma Washington</u>		
Owner Information	Owner's Address: <u>3153 Peguea Dr</u>	<u>Stonecrest</u>	<u>GA 30038</u>
	Phone: [REDACTED]	Fax: [REDACTED]	Email: [REDACTED]
	Property Address: <u>3153 Peguea Dr - Stonecrest Gk 30038</u>	Acreage: <u>0.5000</u>	
	Parcel ID: <u>12 04 3 04 058</u>		
Property Information	Current Zoning Classification: <u>R 100 - SF RES DIST</u>		
	Proposed Use of Property: <u>Personal Care Home</u>		
	Is this development and/or request seeking any incentives or tax abatement through the City of Stonecrest or any entity that can grant such waivers, incentives, and/or abatements? <input type="radio"/> Yes <input checked="" type="radio"/> No		
	Property Information: <u>3153 Peguea Dr Residential lot, 1 Frame; 04 - BT - level 1248, Built 1983, 3 Bedroom, 2.5 Bath; Central with A/C Living Area 1248</u>		
Affidavit	To the best of my knowledge, this variance application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Stonecrest Zoning Ordinance.		
	Applicant's Name: <u>Tajma Monet Washington</u>		
	Applicant's Signature: <u>[Signature]</u>	Date: <u>12/5/23</u>	
	Sworn to and subscribed before me this <u>5th</u> Day of <u>December</u> 20 <u>23</u>		
Notary	Notary Public: <u>Kurby Bennett</u>		
	Signature: <u>[Signature]</u>	<div style="border: 1px solid black; padding: 5px; text-align: center;">           Kurby Bennett            NOTARY PUBLIC            DeKalb County, GEORGIA            My Commission Expires 10/04/2024         </div>	
	My Commission Expires: <u>10/04/2024</u>		
	<input type="checkbox"/> Application Fee <input type="checkbox"/> Sign Fee <input type="checkbox"/> Legal Fee		
Fee: \$ _____		Payment: <input type="checkbox"/> Cash <input type="checkbox"/> Check <input type="checkbox"/> CC	Date: _____
<input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied			Date: _____

08-03-2017



Re: Letter of Intent for Personal Care Home

On behalf of The Gardens of Stonecrest, I am writing to submit this Letter of Intent for the operation of a personal care home located at 3153 Pequea Dr Stonecrest GA 30038. The proposed personal care home will provide a compassionate and nurturing environment for up to four residents who require assistance with activities of daily living (ADLs).

#### Applicant Information

The Gardens of Stonecrest is a newly established personal care home committed to fostering a harmonious and supportive living experience for its residents. We believe in providing personalized care that honors each individual's unique needs and preferences.

#### Project Description

The Gardens of Stonecrest is a meticulously maintained 4-bedroom, 3-bath residential building situated in a tranquil neighborhood in Stonecrest, Georgia. The home is conveniently located near medical facilities, pharmacies, and other essential amenities. The spacious and well-appointed home is equipped with all the necessary features to ensure residents' safety and comfort.

#### Need for Service

The demand for personal care services in the Stonecrest area is steadily increasing. The growing population of older adults in the community necessitates the availability of assistance with ADLs. The Gardens of Stonecrest aims to fill this gap by providing a safe and caring haven for families seeking exceptional care for their loved ones.

#### Financial Plan

The financial backing for The Gardens of Stonecrest stems from a combination of private and public funding sources.



#### Management Experience

The Gardens of Stonecrest boasts a team of experienced and dedicated professionals who will diligently manage the personal care home's operations. Our team comprises a licensed nurse, a certified nursing assistant, and a social worker. Each member of our team possesses a deep-rooted commitment to providing high-quality care to individuals in need.

#### Timeline for Implementation

We anticipate that The Gardens of Stonecrest will be operational within six months of receiving approval

#### Community Engagement

The Gardens of Stonecrest is committed to fostering a close relationship with the Stonecrest community to ensure that our personal care home serves as a valuable asset to the neighborhood. We have engaged with community leaders and residents through meetings and surveys to gather insights into the community's needs.

#### Conclusion

The Gardens of Stonecrest is thrilled to introduce a new personal care home option to the Stonecrest community. We are confident in our ability to provide a safe, nurturing, and individualized environment for our residents. Our commitment to collaborating with the regulatory agency and the community will ensure that The Gardens of Stonecrest becomes a resounding success.

Thank you for considering our proposal.

Sincerely,

Tajma Washington BS MPA

The Gardens of Stonecrest





**Gardens of Stonecrest Personal Care Home**

**Operating Hours** 9am-5pm

**Visiting Hours** 9am-5pm

Ensuring that residents with specific needs, such as those with low-grade autism, receive comprehensive care and support. The plan would ideally encompass a variety of components tailored to enhance the quality of life for individuals, including scheduled visiting hours, weekly outings, transportation for medical appointments, assistance with setting medical appointments, grocery shopping support, and options for catered meals.

**Daily Schedule (Monday to Friday)**

**9:00 AM:** Morning Check-in and Breakfast

- Personal care and assistance as needed.
- Breakfast with options for dietary restrictions and preferences.

**10:30 AM:** Therapeutic Activities or Free Time

- Structured activities such as art therapy, music therapy, or gentle exercise, tailored to the needs of individuals with low-grade autism.

**12:00 PM:** Lunch

- Catered meal options or assistance with meal preparation for those who prefer self-cooking.

**1:00 PM:** Rest Time or Quiet Activities

- An opportunity for residents to rest in their rooms or engage in quiet activities such as reading or puzzles.

**2:30 PM:** Social Time or Group Activities

- Activities designed to promote social interaction and community, such as group games, discussion circles, or gardening.

**4:00 PM:** Afternoon Snack and Daily Review



- Light snack followed by a review of the day's activities and individual check-ins.

**5:00 PM:** End of Structured Day

- Transition to evening, with staff available for personal care and support as needed.

#### **Visiting Hours**

**Weekdays:** 9:00 AM to 5:00 PM

**Weekends:** 10:00 AM to 5:00 PM

Family and friends are encouraged to visit during these times to maintain strong personal connections and support networks.

#### **Weekly Outings (Saturday or Sunday)**

- Organized outings to local attractions, parks, or events, taking into consideration the interests and needs of the residents with special needs. Transportation and support staff provided.

#### **Transportation and Medical Appointments**

- Scheduled transportation to and from medical appointments, with staff assistance for setting up necessary medical appointments.
- Regular check-ins with healthcare providers to ensure all medical needs are met.

#### **Grocery Shopping and Meals**

- Weekly assisted grocery shopping trips or delivery arrangement options for personal preferences.
- Daily catered meal options available, with consideration for dietary restrictions and preferences.
- Special Considerations for Residents with Low-Grade Autism
- A sensory-friendly environment, with quiet spaces available.
- Staff trained in autism awareness and support, ensuring a compassionate and understanding approach.
- Personalized care plans, taking into account individual needs, preferences, and routines.

#### **Feedback and Adjustment**

Regular resident and family meetings to discuss care plans, gather feedback, and make necessary adjustments to ensure the highest quality of care and satisfaction.

This structured plan aims to provide a balanced and supportive environment for individuals with special needs, focusing on personal care, social interaction, independence, and overall well-being.



**Applicant/Petitioner  
Notarized Certification**

Petitioner states under oath that: (1) he/she is the executor or Attorney-In-Fact under a Power-of- Attorney for the owner (attach a copy of the Power-of-Attorney letter and type name above as "Owner"); (2) he/she has an option to purchase said property (attach a copy of the contract and type name of owner above as "Owner"); (3) he/she has an estate for years which permits the petitioner to apply (attach a copy of lease and type name of owner above as "Owner").

<b>Applicant / Petitioner</b>	Signature: <u>L. Yeffe</u>	Date: <u>12/5/23</u>	
	Address: <u>3153 Peavee Dr</u>	City, State: <u>Stonecrest GA</u>	Zip: <u>30038</u>
	Phone: <span style="background-color: black; color: black;">[REDACTED]</span>		
	Sworn to and subscribed before me this <u>5<sup>th</sup></u> day of <u>December</u> , 20 <u>2023</u>		
<b>Attorney / Agent</b>	Notary Public: <div style="border: 1px solid black; padding: 5px; text-align: center;">                 Kurby Bennett                  NOTARY PUBLIC                  DeKalb County, GEORGIA                  My Commission Expires 10/04/2024             </div>		
	Signature:	Date:	
	Address:	City, State:	Zip:
	Phone:		
	Sworn to and subscribed before me this _____ day of _____, 20 _____		
Notary Public:			



**Property Owner(s)  
Notarized Certification**

The owner and petitioner acknowledge that this Land Use Petition application form is correct and complete. By completing this form, all owners of the subject property certify authorization of the filing of the application and authorization of an applicant or agent to act on their behalf in the filing of the application including all subsequent application amendments.

Property Owner (If Applicable)	Signature: <u>L. W. Lee</u>	Date: <u>12/5/23</u>	
	Address: <u>3153 Pequea Dr</u>	City, State: <u>Stonecrest GA</u>	Zip: <u>30038</u>
	Phone: [REDACTED]		
	Sworn to and subscribed before me this <u>5th</u> day of <u>December</u> , 20 <u>2023</u>		
	<div style="border: 1px solid black; padding: 5px;"> <p>Kurby Bennett NOTARY PUBLIC DeKalb County, GEORGIA My Commission Expires 10/04/2024</p> </div>		
Property Owner (If Applicable)	Signature: <u>Ben Worley</u>	Date: <u>12/5/23</u>	
	Address: [REDACTED]	City, State: <u>Lithonia GA</u>	Zip: <u>30058</u>
	Phone: [REDACTED]		
	Sworn to and subscribed before me this <u>5th</u> day of <u>December</u> , 20 <u>23</u>		
	<div style="border: 1px solid black; padding: 5px;"> <p>Kurby Bennett NOTARY PUBLIC DeKalb County, GEORGIA My Commission Expires 10/04/2024</p> </div>		
Property Owner (If Applicable)	Signature: _____	Date: _____	
	Address: _____	City, State: _____	Zip: _____
	Phone: _____		
	Sworn to and subscribed before me this _____ day of _____, 20 _____		
	Notary Public: _____		





**Attachment(s): Comp Plan and Ordinance(s)**

**COMPREHENSIVE PLAN ELEMENTS**

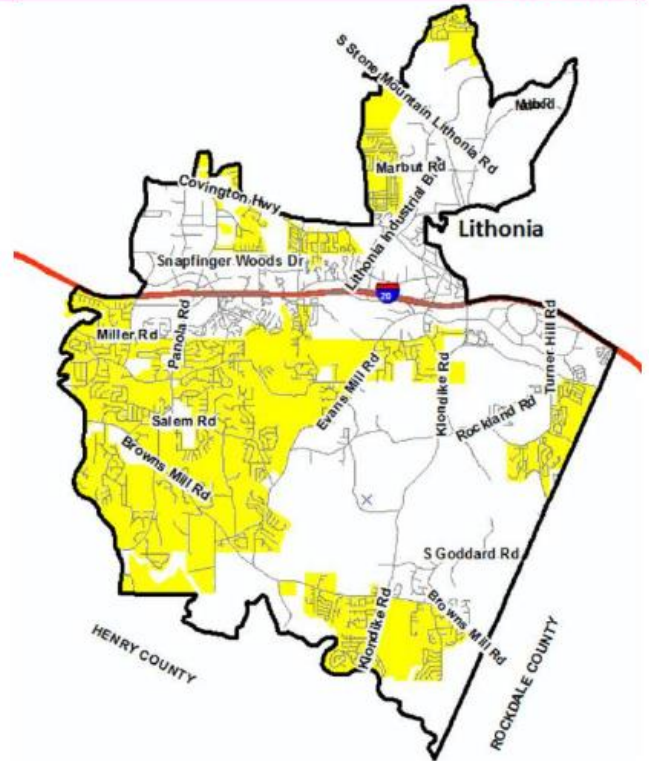
**LAND USE**

**Suburban Neighborhood (SN)**

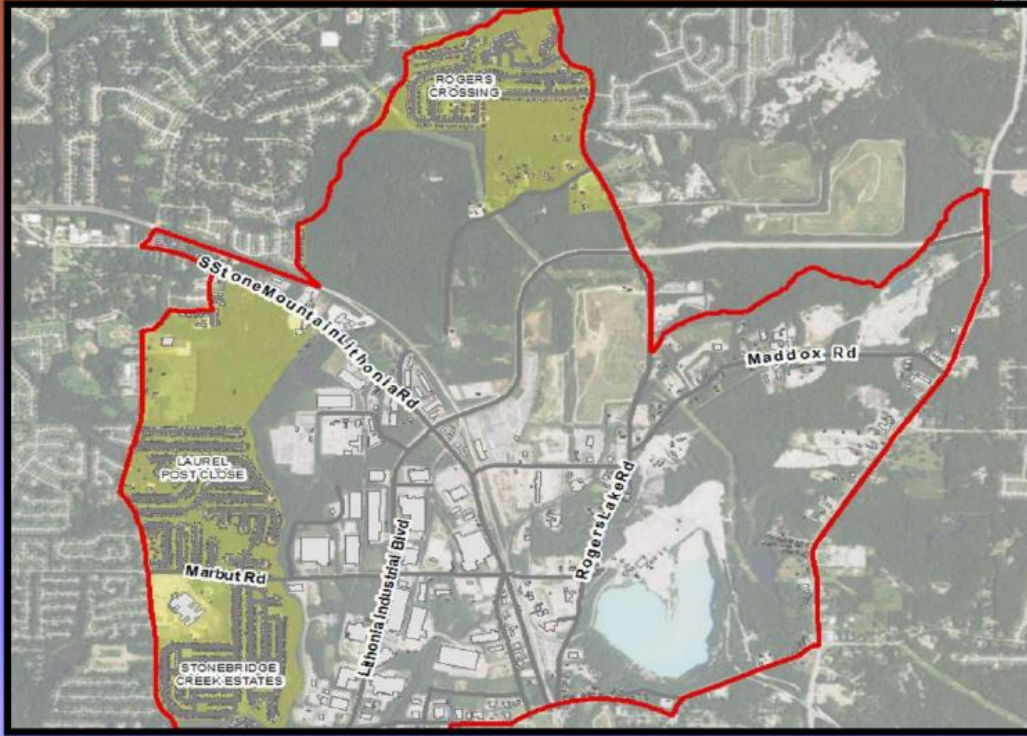
The intent of the Suburban Neighborhood character area is to recognize those areas of the city that have developed in traditional suburban land use patterns while encouraging new development to have increased connectivity and accessibility. These areas include those developed (built out) and those under development pressures. Those areas are characterized by low pedestrian orientation, limited transit access, scattered civic buildings and curvilinear street patterns. The proposed density for areas of this type is up to 8 dwelling units per acre.

**Suburban Neighborhood Character Area Locations**

- Marbut Road & Phillips Road
- Rock Springs Road
- Salem Road
- Browns Mill Road
- Evans Mill Road West
- Klondike Road south of Browns Mill Road
- Turner Hill Road

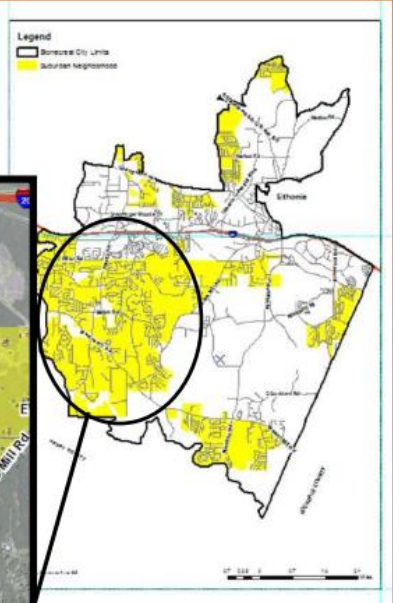
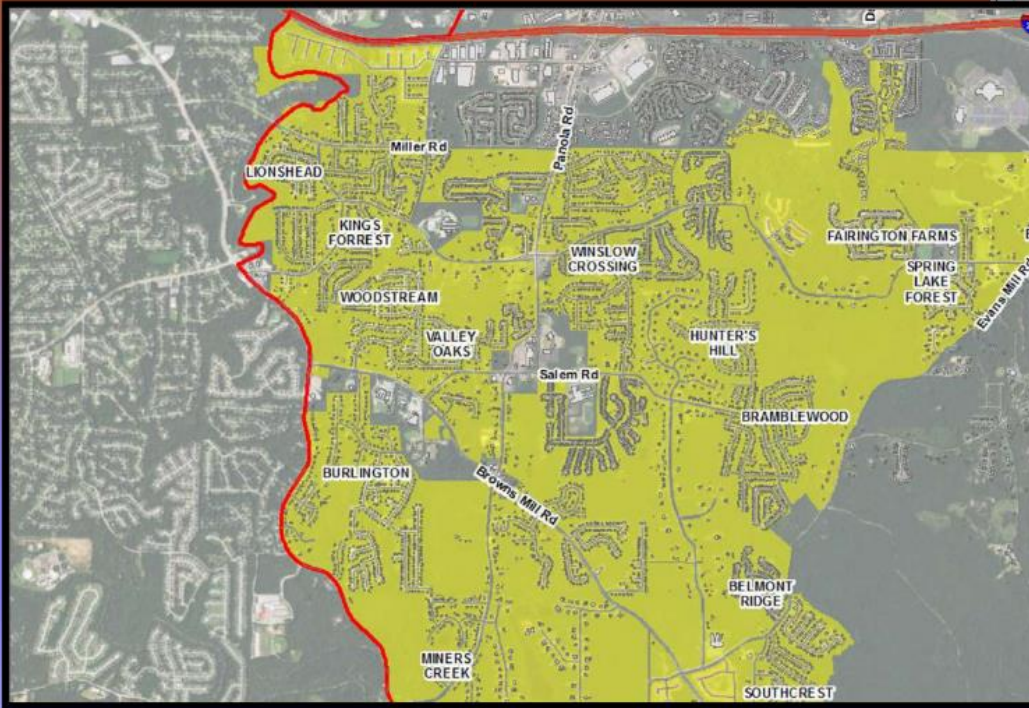


# Suburban Neighborhood (SN)

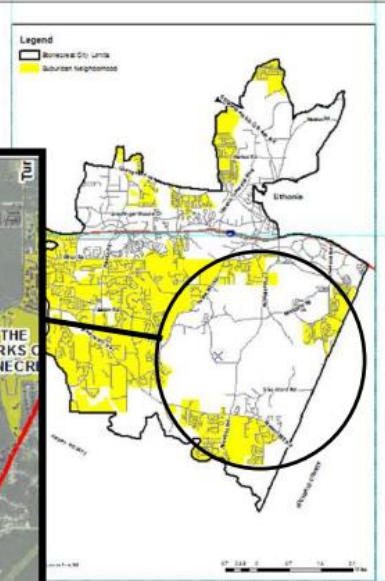
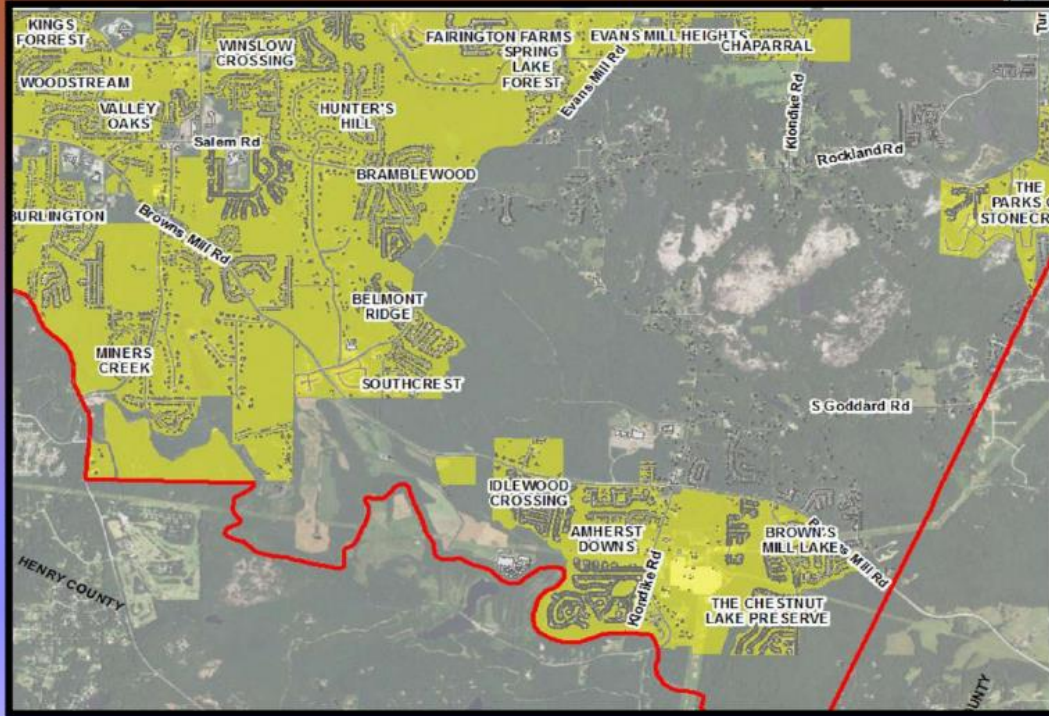




# Suburban Neighborhood (SN)



# Suburban Neighborhood (SN)





**COMPREHENSIVE PLAN ELEMENTS**

**LAND USE**

**Suburban Neighborhood Primary Land Uses**

Single-Family Detached Residential

Townhome (Detached; Small Lot)

Assisted Living Facilities

Neighborhood Retail

Schools

Libraries

Healthcare Facilities

Parks and Recreational Facilities

Public and Civic Facilities

Institutional Uses



**Permitted Zoning in SN Areas**

R-100, R-85, R-75, R-60, RNC, NS, OI, OIT







**Sec. 4.1.3. Use table.**

Table 4.1 indicates the permitted uses within the base zoning districts. Even though a use is listed as an allowable use within a particular base zoning district, additional use restrictions may apply based on the applicable overlay zoning district requirements specified in article 3 of this chapter, overlay districts.

**Table 4.1. Use Table**

Use	KEY: P - Permitted use Pa - Permitted as an accessory use										SA - Special administrative permit from Planning and Zoning Director SP - Special land use permit (SLUP)										See Section 4.2					
	RE	RLG	R-100	R-85	R-75	R-60	RSM	MR-1	MR-2	HR-1,2,3	MHP	RNC	OI	OIT	NS	C-1	C-2	OD	M	M-2		MU-1	MU-2	MU-3	MU-4,5	
<b>RESIDENTIAL</b>																										
<b>Housing and Lodging</b>																										
Personal care home, 7 or more							SP	SP	SP	SP			P	P	SP	P	P					SP	SP	SP	SP	✓
Personal care home, group, 6 or less	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP		SP	P	P	SP	P	P									✓
Senior housing	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP								SP	SP	SP	SP	✓

(Ord. of 8-2-2017, § 1(4.1.3); Ord. No. 2018-09-01, § 00, 9-17-2018; Ord. No. 2018-09-02, § 1, 9-17-2018; Ord. No. 2019-06-01, § (Exh. A), 6-10-2019; Ord. No. 2019-11-05, § III, 11-25-2019; Ord. No. 2021-06-03, § 1(Exh. A, § AA), (Att. 2), 8-23-2021; Ord. No. 2021-06-04, § 1(Exh. A), 8-23-2021; Ord. No. 2022-01-03, § 1(Exh. A), 1-10-2022; Ord. No. 2022-05-01, § 1(Exh. A), 5-23-2022; Ord. No. 2022-06-02, § 1(Exh. A), 6-29-2022; Ord. No. 2022-06-01, § 2(Exh. A), 8-2-2022; Ord. No. 2022-10-02, § 1(Exh. A), 10-24-2022)



**Sec. 4.2.41. Personal care homes and child caring institutions.**

**A. *Personal care homes, general requirements.***

1. If owned by a corporation, partnership, Limited Liability Company or any entity other than a natural person, the administrator identified in the state license application must reside in the personal care home. If owned by an individual, the individual owner must reside in the group personal care home.
2. Each personal care home must obtain a city license as well as all license(s) and/or permit(s) required by the State of Georgia before beginning to operate. Each personal care home licensed and/or permitted by the State of Georgia must display its state-issued and city-issued license(s) and/or permit(s) in plain view, visible from the front doorway of the facility.
3. No personal care home may display any exterior signage that violates the sign ordinance in chapter 21 of the Code or the sign provisions in the zoning regulations for the underlying zoning district where the personal care home is located.
4. Personal care homes may apply for an FHA Accommodation Variance as provided for in section 7.5.9 of this chapter.
5. No city permit for the operation of the personal care home shall be transferable.

**B. *Personal care home, group (up to six persons).***

1. Two copies of complete architectural plans for the subject group personal care home, signed or sealed by a registered architect, shall be submitted to the director of planning prior to issuance of a building permit or business license.
2. Each group personal care home must provide at least four parking spaces within a driveway, garage or carport and must comply with any applicable requirements in article 6.
3. The home must be at least 1,800 sq. ft in size.
4. In order to prevent institutionalizing residential neighborhoods, no group personal care home located in a residential zoning district may be operated within 1,000 feet of any other group personal care home. The 1,000-foot distance requirement is measured by a straight line which is the shortest distance (i.e., "as the crow flies") between the property lines of the two tracts of land on which the group personal care homes are located.

**C. *Personal care home, (seven or more persons).***

1. Two copies of complete architectural plans for the subject community personal care home, signed or sealed by a registered architect, shall be submitted to the director of planning prior to issuance of a building permit or business license.
2. Each community personal care home must provide at least one-half parking spaces for each employee and resident and must comply with any applicable requirements in article 6.

**D. *Child Care Home, and Child Care Facility general requirements.***

1. If owned by a corporation, partnership, Limited Liability Company or any entity other than a natural person, the administrator identified in the state license application must reside in the child care home, facility. If owned by an individual, the individual owner must reside in the child care home, or child care facility.
2. No child care home, or child care facility shall be located within 1,500 feet of another child care home or child-care facility. The 1,500-foot distance requirement is measured by a straight line which is the



shortest distance (i.e., "as the crow flies") between the property lines of the two tracts of land on which the child care homes, or child care facilities are located.

3. Each child caring home, and child care facility must obtain all license(s) and/or permit(s) required by the State of Georgia in order to operate. Each child caring institution must display its state-issued and city-issued license(s) and/or permit(s) in plain view, visible from the front doorway of the facility.
  4. Child Care homes and Child Care facilities are not permitted in Multi-family dwellings.
  5. No child caring home, facility may display any exterior signage that violates the sign ordinance in chapter 21 of the Code or the sign provisions in the zoning regulations for the underlying zoning district where the personal care home is located.
  6. Each child care home, facility shall meet the minimum state requirements for playground size, location, and fencing.
- E. *Child Care Homes, (up to five children).*
1. Each group child care home must provide at least four parking spaces within a driveway, garage or carport, and must comply with any applicable requirements in article 6.
- F. *Child Care Facility (six or more children).*
1. Two copies of the complete architectural plans of the subject community child caring institution, signed and sealed by a registered architect, shall be submitted to the director of planning prior to issuance of a building permit or business license.
  2. Each community child caring institution must provide at least one-half parking spaces for each employee and resident and must comply with any applicable requirements in article 6.

(Ord. of 8-2-2017, § 1(4.2.41); Ord. No. 2021-06-04 , § 1(Exh. A), 8-23-2021)



**Attachment(s): Community Planning Information Meeting (CPIM) Summary Minutes**





## CITY OF STONECREST, GEORGIA

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*Heather and Charles Loveless* the applicants were called to speak. They mentioned that different amenities will be included in their development.

There were none to speak for the petition, but Sheree Foust, Timothy Jackson, and Dave Marcus spoke in opposition. Some concerns include the land being unfit for the proposed development, the land being mostly rock, and Arabia Mountain Overlay requirements.

*Heather and Charles Loveless* stated the development will not be too different from what can be found in an R-100 zoning. They also gave reasonings as to why they decided on the current proposed site plan.

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**LAND USE PETITION:** SLUP23-015

**PETITIONER:** Tajma Washington of The Gardens of Stonecrest, LLC

**LOCATION:** 3153 Pequea Drive

**PETITIONER'S REQUEST:** Petitioner is seeking a Special Land Use Permit (SLUP) to operate a personal care home.

*Tajma Washington* came to the stand and gave more details about the home, operations, and the maximum number of residents that would live in the home.

There were no attendees to speak for the petition. Ms. Howell, Susan Washington, and Jennifer Capers asked questions or spoke in opposition. Most of the attendees were concerned about the effect the petition may have on housing values in the area, the type of residents that will live there, and operations.

*Tajma Washington* answered questions and concerns. She spoke about the increase in property value of her home since she purchased it, the experiences she has as a caretaker, her proposed operations, state licensing, and knowledge of what is stated in the code.

With no additional cases, Senior Planner Tre'Jon Singletary gave a summary of the community meeting dates for the Comprehensive Plan Update

The next two meetings for both applicants are the Planning Commission which will be hosted on February 6, 2024, at 6 pm, and City Council on February 26, 2024, at 6 pm.

### VI. ADJOURNMENT

The meeting was adjourned at 6:42 pm.



**Attachment(s): Planning Commission (PC) Summary Minutes**



PLANNING COMMISSION MEETING  
Stonecrest City Hall - 6:00 PM \*In-Person Meeting  
February 6, 2024



LAND USE PETITION: **SLUP23-015**  
PETITIONER: Tajma Washington dba The Gardens of Stonecrest, LLC  
LOCATION: 3153 Pequea Drive  
PROPOSED AMENDMENT: Petitioner is seeking a Special Land Use Permit (SLUP) to operate a personal care home for a maximum of six (6) individuals.

Staff recommended approval of the SLUP request with conditions.

**Staff recommends approval with the following conditions:**

1. Applicant must satisfy all open code cases prior to issuance of a business licenses;
2. Applicant must comply with all International Building Code;
3. Hours of operation shall be 9:00 AM – 5:00 PM, Monday to Friday; and 10:00 AM – 5:00 PM on weekends;
4. Applicant must comply with parking standards,
5. Applicant must comply with Nuisance Ordinance ([Chapter 18 – Nuisances](#)); and
6. The Special Land Use Permit shall not be transferred. Only applicable to the operator/homeowner Tajma Washington.

Chairman Hubbard opened the public hearing to the public.

*Tajma Washington* was called to speak. She stated that there are 100,293 citizens with special needs who reside in Dekalb County between the ages of 19 to 55. These are the people that she would like to serve. She also informed the commissioner of operations and some of the services she will provide.

There were no one to speak in favor of the application, Six participants including Milda Willaim, Priscilla Simon, and Kevin Washington spoke in opposition. Some concerns expressed include too many residents being allowed to stay in the home, danger or incidents that may occur, employees that are not properly trained, homes in the neighborhood that have brought issues into the neighborhood, traffic, wanting peace, and the business not being a good fit in a residential area.

*Tajma Washington* was asked to answer additional questions. She stated that her maximum will be four residents who will be cared for by her, her husband in her home. She stated that she has the experience as well as education to conduct this business. The cars that were originally in the driveway have been removed. She wants to help the individuals have a little more independence, but still be close to home.

*Chairman Hubbard* motioned for *APPROVAL* of the application with the conditions specified by the planning and zoning department. *Commissioner Hawkins* seconded the motion. The application *FAILED* with a vote of 2-2.

*Commissioner Willaims* made a motion to *APPROVE* the application with staff's recommended conditions as with an additional condition that there be no more than four persons for care allowed in the personal care home. *Commissioner Hawkins* seconded this motion. It was passed 3-1-0 with *Commissioner Walker* voting no.

**X. Adjournment**

The meeting was adjourned at 7:47 pm.