



SPECIAL LAND USE PERMIT ANALYSIS

Prepared By: Ramona Eversley, Senior Planner

Petition Number: SLUP 25-005

Applicant: Charms-Francine Williams
3802 Button Gate Ct
Lithonia, Ga 30038
fvwilliams8631@gmail.com

Property Owner: Francine Williams

Project Location: 3802 Button Gate Court [16 014 03 033](#)

District: 4 – Councilman George Turner, Jr.

Acreage: +/- 0.59 acres

Existing Zoning: R-100 (Residential Med Lot)

Overlay: None

Future Land Use: SUB- Suburban

Proposed Development/Request: The applicant is seeking to operate a CCI Child Care Institute in Compliance with GaSCORE Standards.

CPIM: 12/11/ 2025

Planning Commission: 1/6/2026

Mayor & City Council: 1/12/2026

Sign Posted/ Legal Ad(s) submitted: December 1, 2025

Staff Recommendations: **DENIAL**

Planning Commission: **TBD**

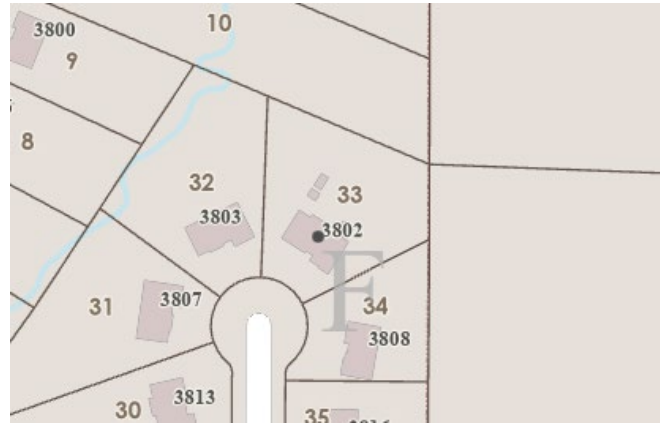
PROJECT OVERVIEW

SLUP 25-005

Location

The subject property is located at 3802 Button Gate Ct., Lithonia, GA 30038. The property is just south of Browns Mill Rd. Browns Mill Road is classified as a Minor Arterial.

The property zoned R-100 (Residential Med Lot) zoning district and the surrounding properties are zoned R-100 (Residential Med Lot).



Adjacent & Surrounding Properties	Zoning (Petition Number)	Land Use
Adjacent: North	R-100 (Residential Med Lot)	Residential (Single Family Home)
Adjacent: West	R-100 (Residential Med Lot)	Residential (Single Family Home)
Adjacent: East	R-100 (Residential Med Lot)	Residential (Single Family Home)
Adjacent: South	Browns Mill Road	Minor Arterial



Background

The property at 3802 Button Gate Court is part of a residential neighborhood in Lithonia, Georgia, located in Stonecrest, GA within the Atlanta metropolitan area. It is zoned R-100 (Residential Med Lot) and is 0.59 acres.

Button Gate Court lies within a residential enclave featuring predominantly single-family homes built around the year 2000. Nearby properties on Button Gate Court and adjacent streets typically consist of traditional single-family houses with lot sizes around 0.3–0.6 acres and square footage in the 2,500–3,500+ sq ft range, reflecting the character of the surrounding community.



DIVISION 2. - SUPPLEMENTAL USE REGULATIONS

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.



Caption: An example Suburban Neighborhood Land Use in Stonecrest, GA

Suburban Neighborhood (SN): The Suburban Neighborhood area recognizes 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 already developed and those under development pressures. Suburban Neighborhood areas are characterized by low-pedestrian orientation, limited transit access, scattered civic buildings, and curvilinear street patterns. The desired density for areas of this type is from 4 to 8 dwelling units per acre.

Use Descriptions: SF detached; Townhomes; Assisted Living facilities; Neighborhood Retail; Schools; Libraries; Parks and Related; Health Care, Civic

Maximum Density, Units/Acre: 4 to 8 du/ac

Permitted Districts: OI, OIT, NS, RSM, R100, R85, R75, R60, RNC

Zoning Classifications Legend

C-1: Local Commercial

C-2 General Commercial

HR-1: High-density Residential 1

HR-1: High-density Residential 2

HR-1: High-density Residential 3

M: Light Industrial

M-2 Heavy Industrial

MR-1: Medium-density Residential 1

MR-2: Medium-density Residential 2

MU-1: Mixed-use Low Density

MU-2: Mixed-use Low-Medium Density

MU-3: Mixed-use Medium Density

MU-4: Mixed-use High Density

MU-5: Mixed-use Very High Density

NS: Neighborhood Shopping

OD: Office-distribution

OI: Office-Institutional

OIT: Office-Institutional Transitional

R-60: Residential Medium Lot-60

R-75: Residential Medium Lot-85

R-85: Residential Medium Lot-85

R-100: Residential Medium Lot-100

RE: Residential Estate

RLG: Residential Large Lot

RNC: Residential Neighborhood Conservation

RSM: Small Lot Residential Mix

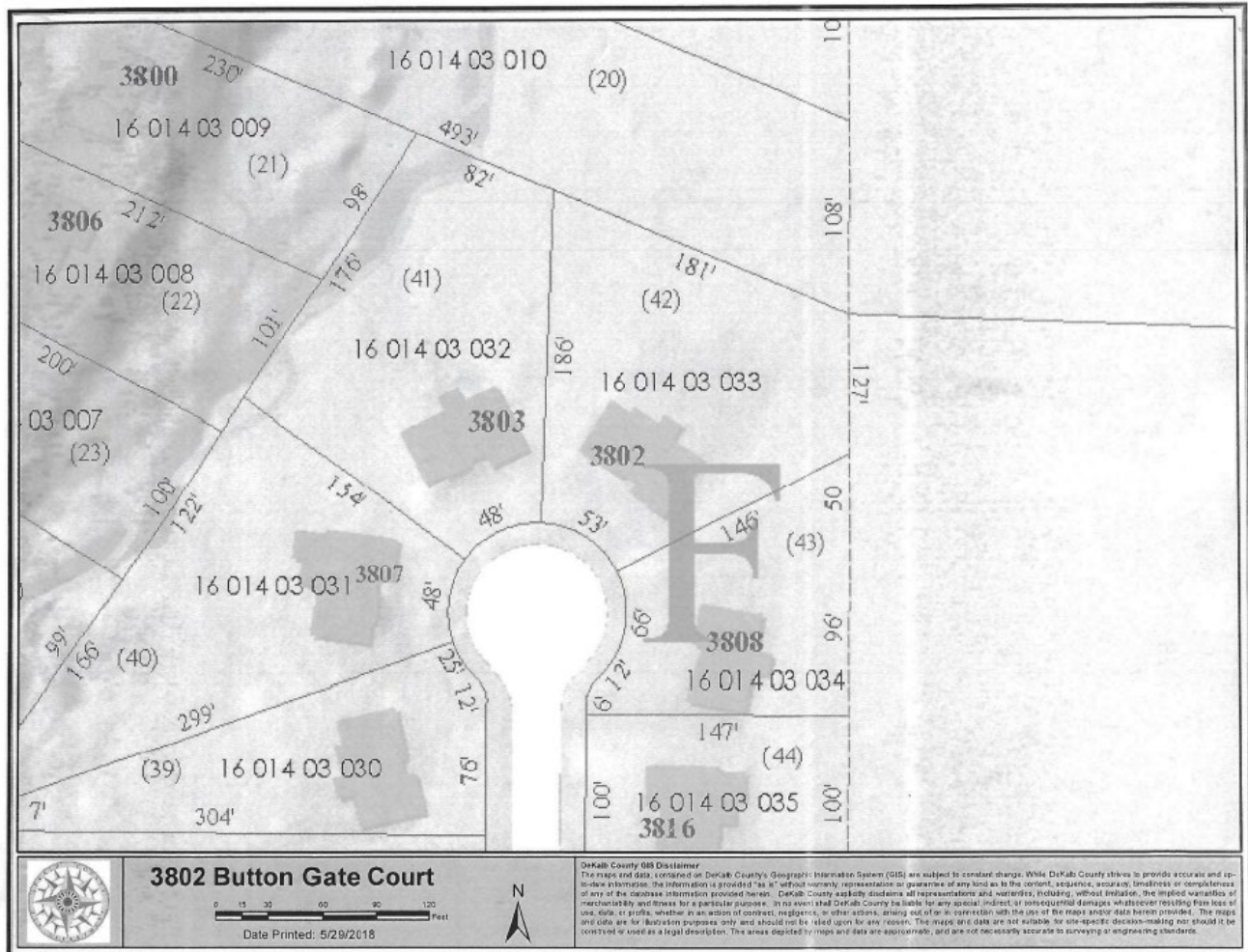


Public Participation

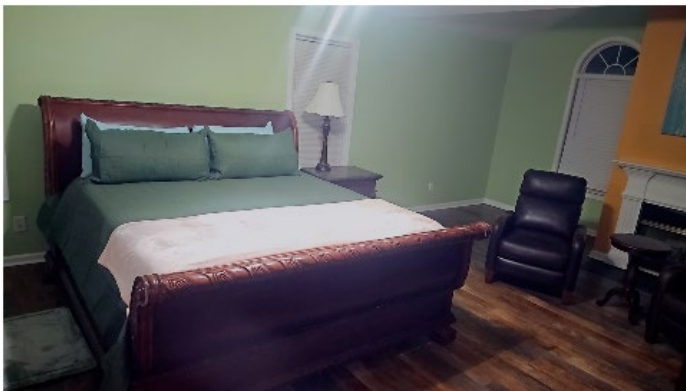
Property owners within 1,000 feet of the subject property were mailed notices of the proposed special land use permit in October. The Community Planning Information Meeting (CPIM) was held on December 11, 2025, at 6:00 pm at city hall. There was 1 resident in attendance that spoke in favor of the Child Care Institute at the meeting.

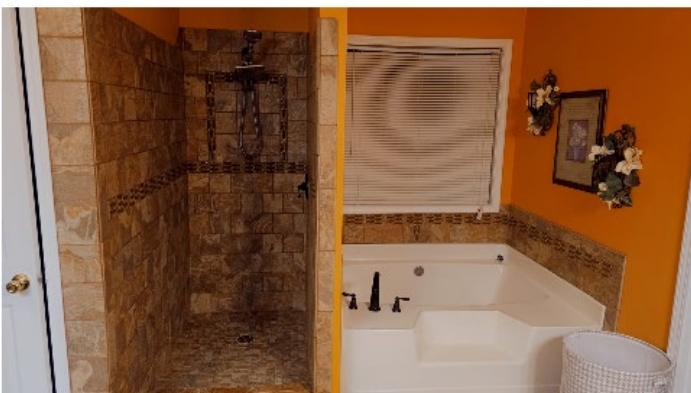
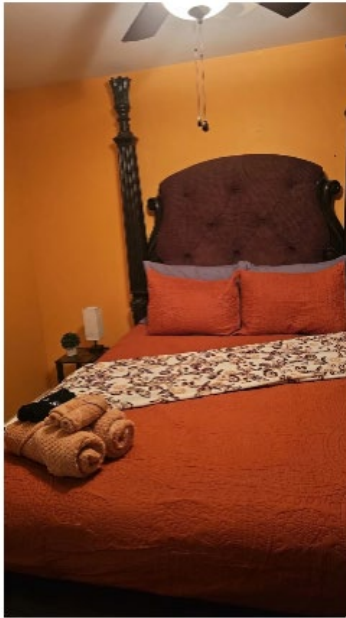
Plat





Pictures of the Residence





SLUP25-005

3802 Button Gate Ct.



SLUP 25-005

ADDRESS: **3802 BUTTON GATE COURT**

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

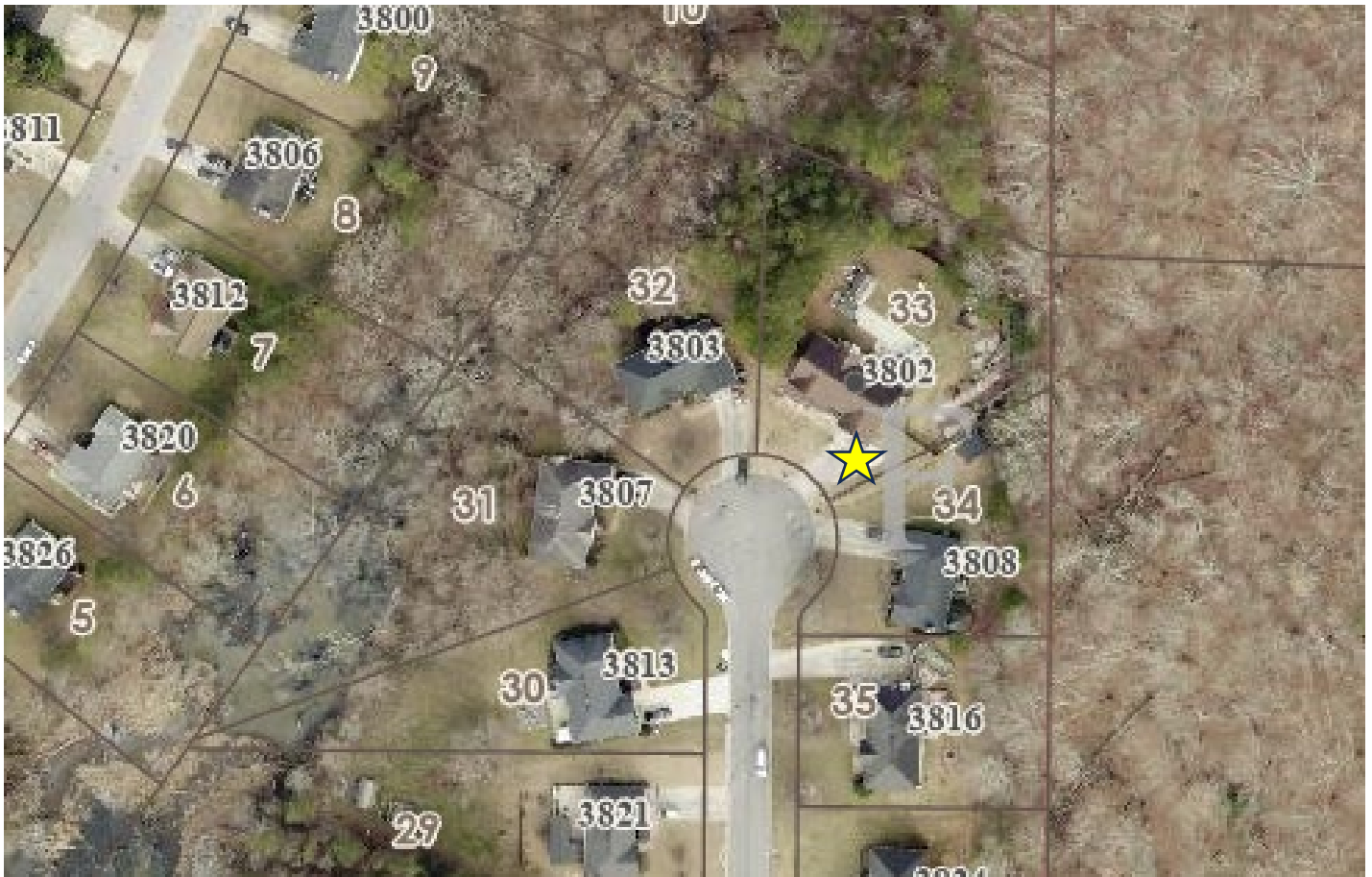
OVERLAY: **None**

FUTURE LAND USE: **Suburban Neighborhood**



Subject Property


Ariel Map



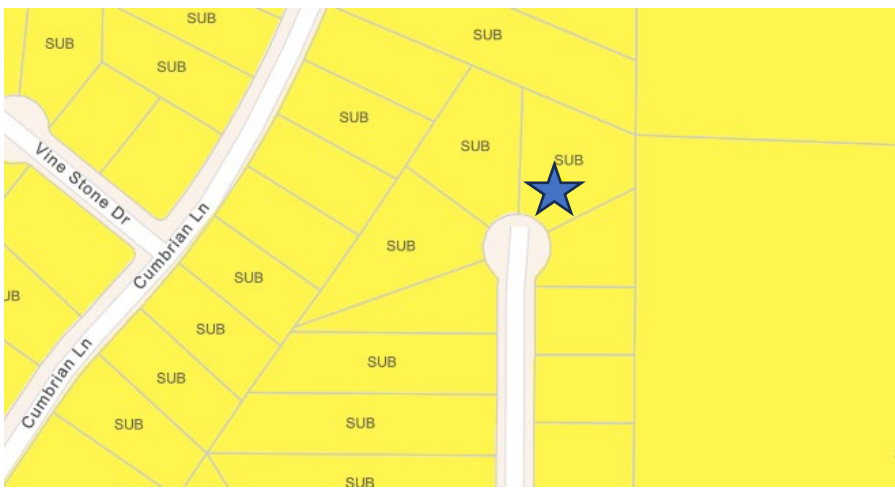
Zoning Map




Legend

 R-100 - Residential Med Lot

Future Land Use Map



Legend

 Suburban



STANDARDS OF REZONING REVIEW

Section 7.4.6 of the Stonecrest Zoning Ordinance list nineteen factors to be evaluated in consideration of granting a special land use permit. No application for a special land use permit shall be granted unless satisfactory provisions and arrangements have been made concerning each factor by the Community Development Department, Planning Commission and City Council. Each factor is listed with staff analysis.

A. Adequacy of the size of the site for the use contemplated and whether or not adequate land area is available for the proposed use including 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.

Staff finds that the site at 3820 Button Gate Court may not be adequate to accommodate the proposed Child Care Institute in a manner consistent with the requirements of the R-100 zoning district. The application does not provide sufficient information regarding the number of children, required yards, open space, off-street parking, or operational layout. Without these details, it is unclear whether the site can safely and effectively support the proposed use while meeting all applicable zoning standards and maintaining compatibility with surrounding residential properties.

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

Staff is concerned that the proposed Child Care Institute may not be compatible with surrounding single-family homes due to unknown details about the number of children, staffing, and supervision. Potential impacts from increased traffic, noise, and activity could disrupt the residential character, and operating within an existing residence may not adequately mitigate these effects.

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

Staff finds that the application lacks sufficient information on the number of children, staffing, and operational needs to determine whether existing public services, facilities, and utilities can adequately support the proposed Child Care Institute. Without this information, staff cannot confirm that the site can be safely or effectively served.

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.

The proposed use is located on Button Gate Court, a local residential street designed to serve low-volume neighborhood traffic. Button Gate Court provides adequate access to the subject property and connects to the surrounding roadway network, including nearby collector and arterial roads that serve the area. The traffic generated by the use is not expected to exceed the functional capacity of Button Gate Court or create undue congestion within the neighborhood. Missing information on the number of children, staff, and drop-off/pick-up activity makes it difficult to assess impacts, and increased traffic could cause congestion, and impede emergency access.



E. Whether or not 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.

Staff finds that existing land uses along access routes to 3820 Button Gate Court may be adversely affected by traffic associated with the proposed Child Care Institute. The application does not provide details regarding the number of children, staff, or anticipated drop-off and pick-up activity, making it difficult to evaluate traffic volume and patterns. Increased vehicle activity could disrupt the character of the neighborhood streets, create congestion.

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 fire or other emergency.

The current access configuration is adequate to accommodate the proposed Child Care Institute and allows for safe and convenient entry and exit for staff, parents, and visitors. Traffic volumes associated with the proposed use are expected to be manageable and consistent with the capacity of the existing access points. The property is accessible to emergency vehicles, including fire, police, and emergency medical services, and the existing driveway access and on-site circulation are sufficient to allow emergency response vehicles to reach the site.

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.

Staff is concerned that the proposed Child Care Institute may generate noise and activity that could negatively impact neighboring properties. Key operational details, including the number of children, staffing, and supervision methods, are unspecified, making it difficult to assess potential disruptions.

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.

At this time, the proposed hours of operation for the Child Care Institute have not been clearly defined or committed to as part of the application. Without specific limitations on hours of operation, staff is unable to determine whether the proposed use would be compatible with adjoining residential properties. Child care facilities can generate early morning and late afternoon activity associated with drop-off and pick-up periods, which may conflict with the established residential character of the neighborhood. In the absence of clearly defined and enforceable hours, the potential exists for adverse impacts. Therefore, staff cannot conclude that the proposed use would not create adverse impacts on adjoining land uses by reason of its hours of operation.

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.

Staff has concerns that the proposed manner of operation may create adverse impacts on adjoining land uses. While the facility is subject to state and county regulations, the application lacks detailed information regarding staffing ratio, supervision protocols, number of kids, and management of outdoor play areas. Without clear operational safeguards, there is potential for increased noise, traffic, and disturbances that could negatively affect neighboring properties. Additionally, the proposed operation within a residential structure may not adequately



accommodate the intensity of child care activities, raising concerns about compatibility with the surrounding single-family neighborhood.

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 application does not provide sufficient details regarding the number of children, staffing, supervision, or operational procedures, which are essential to ensure compliance with the district's standards for residential compatibility, density, and site use. Without this information, staff cannot determine whether the proposed use would maintain the residential character of the neighborhood or meet the intent of the zoning district.

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

While the Comprehensive Plan encourages educational and community-serving facilities, the application lacks critical details necessary to evaluate compatibility with surrounding residential uses. The total number of children to be served has not been clearly specified, and the applicant has not identified who will be responsible for monitoring and supervising the children during operation. Although the applicant indicated prior experience as a sheriff's officer, there is insufficient information regarding day-to-day operational oversight, staffing ratios, and procedures to ensure safety and proper care. Without this information, staff must conclude that the proposed use does not align with the Comprehensive Plan's goals of promoting neighborhood-supportive and compatible development.

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 provides for all required buffer and transitional buffer zones in accordance with the regulations of the zoning district in which the property is located.

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

Adequate provision is made for refuse collection and service areas.

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

The Special Land Use Permit will be granted to the applicant for the requested use and is not transferable. If the use is discontinued, the permit will expire.

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 size, scale, and massing of the proposed building are appropriate in relation to the size of the subject property and are compatible with the size, scale, and massing of adjacent and nearby lots and houses.



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

There are no historical buildings or archeological resources that staff are aware of in the area.

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

Staff finds that the proposed Child Care Institute does not meet the supplemental regulations for a special land use permit due to missing information on the number of children, staffing, supervision, and operational procedures, making it unclear whether the use would comply with safety, site, and neighborhood compatibility standards.

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 use will not create a negative shadow impact on any adjoining lot or building as a result of the proposed building height.

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.

Staff finds that missing information the proposed use makes it difficult to evaluate potential impacts, and increased traffic, noise, and activity could conflict with the residential character. The use within an existing residence may also be inconsistent with the Comprehensive Plan's objectives for compatible and neighborhood-supportive development.

STAFF RECOMMENDATION

Based on the review of the application for SLUP25-005 to operate a Child Care Institute at 3820 Button Gate Court, staff recommend **DENIAL** of the special land use permit. The application lacks critical information necessary to evaluate the proposed use. Due to these deficiencies, staff cannot support the approval of the special land use permit.

PLANNING COMMISSION RECOMMENDATION –

TBD



Attachment(s): SLUP 25-005 Application Materials



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