



## GLPC AGENDA ITEM # 4

MARCH 28, 2022

### Conditional Use Request by Danielle Chappell File #: CU-2022-03

Ms. Danielle Chappell is requesting a Conditional Use Permit (CUP) for a proposed Daycare Center expansion in a conditional C-N(c) zoning district. The subject property consists of 1.03 acres located at 2408 Bemiss Road, which is along the west side of the road about half way between the intersections of Habersham Road and Randolph Street. The property is currently developed as the “Brilliant Minds Academy” daycare center (2,484-sf) which is approved and licensed as a Group Daycare Center with up to 18 children. The applicant is proposing to expand this capacity to 34 children, with the knowledge that the State has approved the facility for up to 36 children. The CUP is required in C-N zoning for Daycare Centers having 19 or more children. [The special zoning condition on the property dates back to when the property was rezoned to C-N in early 2005, and is inconsequential to this CUP request. The condition states that all non-residential lighting be directed downward and away from surrounding residential properties (file # VA-2005-01). This zoning condition will remain applicable to this property, regardless of any non-residential use thereon, and will be monitored through the Plan Review process.]

The subject property is located within a **Neighborhood Activity Center (NAC)** Character Area on the Future Development Map of the Comprehensive Plan.

The subject property is part of the “low intensity” stretch of the Bemiss Road corridor between the more intensive commercial nodes of the Castle Park shopping center and the Northside Drive intersection areas. This portion of the corridor is characterized by mostly professional offices and multi-family development, and is reflected on the maps by the NAC Character Area. Most all of the properties in the portion of the corridor are zoned R-P, which allows both the professional offices and high-density residential uses. Only this property has commercial zoning, albeit “conditional” C-N(c) zoning. This gives the property an advantage by allowing some range of lower intensity commercial uses, but also allows the “commercial size” of a Daycare Center (19+ children) with a CUP approval – whereas the surrounding R-P zoning does not.

However, in considering the overall nature and history of the Bemiss Road corridor, a Commercial-sized daycare facility in this location makes good sense, as long as the size does not become so great that it has a negative impact on the adjacent neighborhood to the west, nor overloads the existing site in terms of vehicle stacking for drop-off/pick-up of the children. So far, the site is able to handle the existing size of 18 children as a “Group” daycare. Expansion to the maximum capacity of the existing building (39 children) should also be OK, but expansion beyond this number should be re-evaluated under its own CUP process at that time.

**Staff Recommendation:** Find consistent with the Comprehensive Plan and the Conditional Use Review Criteria, and recommend approval to the City Council, subject to the following conditions:

- (1) Approval shall be granted for a Commercial Daycare Facility in C-N zoning for a size not to exceed 39 children as a maximum licensed capacity.
- (2) Existing opaque fencing and landscaped buffer yards shall be maintained per LDR requirements along the abutting property lines.
- (4) Conditional Use approval shall expire after 2 years from the date of approval if the Daycare Facility licenses have not been updated to reflect the increased capacity by that date.

## Planning Analysis & Property Information

<b>Applicant:</b>	Danielle Chappell		
<b>Owner:</b>	Budd Jr. & III, LLC		
<b>Request:</b>	Conditional Use Permit for a commercial Daycare Center (more than 18 children) in C-N zoning		
<b>Property General Information</b>			
<b>Size &amp; Location:</b>	One (1) parcel consisting of 1.03 acres located along the west side of Bemiss Road, about half way between the intersections of Habersham Road and Randolph Street.		
<b>Street Address:</b>	2408 Bemiss Road		
<b>Tax Parcel ID:</b>	Map 0112C Parcel 174	<b>City Council District:</b>	4 <i>Councilman Howard</i>
<b>Zoning &amp; Land Use Patterns</b>			
		<b>Zoning</b>	<b>Land Use</b>
<b>Subject Property:</b>	Existing:	C-N(c)	Group Daycare Center (7-18 children)
	Proposed:	C-N(c)	Commercial Daycare Center (19+ children)
<b>Adjacent Property:</b>	North:	R-P	Professional offices
	South:	R-P	Professional offices
	East:	R-P	Professional offices
	West:	R-6	Residential neighborhood
<b>Zoning &amp; Land Use History:</b>	This parcel has been zoned "conditional" C-C(c) since 2005 (file # VA-2005-01) and was zoned R-P for the previous 20+ years before that. The zoning condition on the property states that "all non-residential lighting be directed downward and away from surrounding residential properties". This zoning condition will remain with the property – regardless of which non-residential use may be developed thereon.		
<b>Neighborhood Characteristics</b>			
<b>Historic Resources:</b>	There are no designated historic resources in the immediate area.		
<b>Natural Resources:</b>	Vegetation:	None	
	Wetlands:	No existing wetlands on or near the property	
	Flood Hazards:	The property is located well-outside the current FEMA designated 100-year floodplain	
	Groundwater Recharge:	No significant recharge areas in the vicinity	
	Endangered Species:	No known endangered species in the area.	
<b>Public Facilities</b>			
<b>Water &amp; Sewer:</b>	Existing Valdosta water & sewer services along Bemiss Road		
<b>Transportation:</b>	Bemiss Road (GA Hwy 125) – (Principal Arterial)		
<b>Fire Protection:</b>	Fire Station # 2 (E Park Avenue) = approximately 1.2 miles to the south The nearest fire hydrant is directly across Bemiss Road from the subject property		

## Comprehensive Plan Issues

**Character Area:**     Neighborhood Activity Center

**Description:**   A neighborhood focal point with a concentration of activities such as general retail, service commercial, professional office, higher-density housing, and appropriate public and open spaces uses easily accessible by pedestrians and bicycles.

**Development Strategy:**   Each neighborhood center should include a mix of retail, services, and offices to serve neighborhood residents' day-to day needs. Residential development should reinforce the center by locating higher density housing options adjacent to the center, targeted to a broad range of income levels, including multi-family town homes, apartments, and condominiums. Design for each Center should be very pedestrian-oriented, with strong, walkable connections between different uses. Road edges should be clearly defined by locating buildings at roadside with parking in the rear. Direct connections to greenspace and trail networks should be provided. The pedestrian-friendly environment should be enhanced by adding sidewalks and other pedestrian-friendly trails/bike routes linked to other neighborhood amenities such as libraries, neighborhood centers, health facilities, parks, and schools.

### Conditional Use Review Criteria

*The following criteria shall be applied in evaluating and deciding any application for a Conditional Use Permit. No application for a Conditional Use Permit shall be granted by the City Council unless satisfactory provisions and arrangements have been made concerning each of the following criteria, all of which are applicable to each application:*

<b>(1) Whether or not the proposed use is consistent with all the requirements of the zoning district in which it is located, including required parking, loading areas, setbacks and transitional buffers.</b>	
<b>Applicant:</b>	No.
<b>Staff:</b>	Yes, the current development on the subject property complies with all the basic requirements of C-N zoning.
<b>(2) Compatibility of the proposed use with land uses on adjacent properties, including the size, scale and massing of buildings and lots.</b>	
<b>Applicant:</b>	No.
<b>Staff:</b>	Yes, the magnitude of the proposed use is compatible.
<b>(3) Adequacy of the ingress and egress to the subject property, and to all proposed buildings, structures, and uses thereon, including the traffic impact of the proposed use on the capacity and safety of public streets providing access to the subject site.</b>	
<b>Applicant:</b>	No / No.
<b>Staff:</b>	Yes, existing ingress and egress to the property is adequate.
<b>(4) Adequacy of other public facilities and services, including stormwater management, schools, parks, sidewalks, and utilities to serve the proposed use.</b>	
<b>Applicant:</b>	The proposed use will not impact public facilities and services.
<b>Staff:</b>	Yes. All public facilities are adequate to support the proposed use.
<b>(5) Whether or not the proposed use will create adverse impacts upon any adjacent or nearby properties by reason of noise, smoke, odor, dust, or vibration, or by the character and volume of traffic generated by the proposed use.</b>	
<b>Applicant:</b>	No.
<b>Staff:</b>	No adverse impact.
<b>(6) Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation or the hours of operation of the proposed use.</b>	
<b>Applicant:</b>	No.
<b>Staff:</b>	No adverse impact.

<b>(7) Whether or not the proposed use will create adverse impacts on any environmentally sensitive areas or natural resources (wetlands, floodplains, etc..).</b>	
<b>Applicant:</b>	No.
<b>Staff:</b>	No adverse impact.

**Supplemental Standards of the LDR Applicable to the Proposed Use**

**Section 218-13 Supplemental Use Standards**

(N) Daycare Facility (Family, Group, Commercial), Adults or Children

- (1) The use shall comply with all applicable state day care requirements for standards, licensing and inspections.
- (2) The use must provide at least 100 square feet of outdoor recreation and play area per one-third (1/3) of the center's licensed capacity for children.
- (3) The outdoor play area must be enclosed with a 4-foot high fence..
- (4) The use shall provide paved driveways with drop-off areas and turnarounds to be reviewed by the City Engineer so that traffic associated with the use does not impede the flow of traffic on adjacent streets. Pick-up and drop-off shall be conducted on the property and not in the public right-of-way..
- (5) Day Care Facilities with more than 18 children must have direct access to a collector or arterial street as classified in the most recent GDOT Functional Classification System for the City of Valdosta.
- (6) If located in a single-family residential zoning district, the operator of the facility shall reside on the premises and the use shall maintain a residential appearance compatible with the neighborhood and not be detrimental to adjacent residential properties as a result of traffic, noise, light, refuse, parking or other activities.

**Development Review Comments**

*The following comments are provided by the reviewing departments and are only intended to provide the developer with useful information for planning purposes. This list should not be considered all-inclusive as additional items may appear during the plan review process.*

<b>Building Plan Review:</b> No comments	<b>Utilities:</b> < No comments received >.
<b>Fire:</b> < No comments received >	
<b>Engineering:</b> < No comments received >	<b>Landscape:</b> No comments
<b>Public Works:</b> No comments.	<b>Police:</b> < No comments received >

**Attachments:**

- Zoning Location Map
- Future Development Map
- Aerial Location Map
- Letter of Authorization
- Letter of Intent
- Certificate of Occupancy (Fire Dept)
- Existing Site Plan

# CU-2022-03 Zoning Location Map

Danielle Chappell  
Conditional Use Request

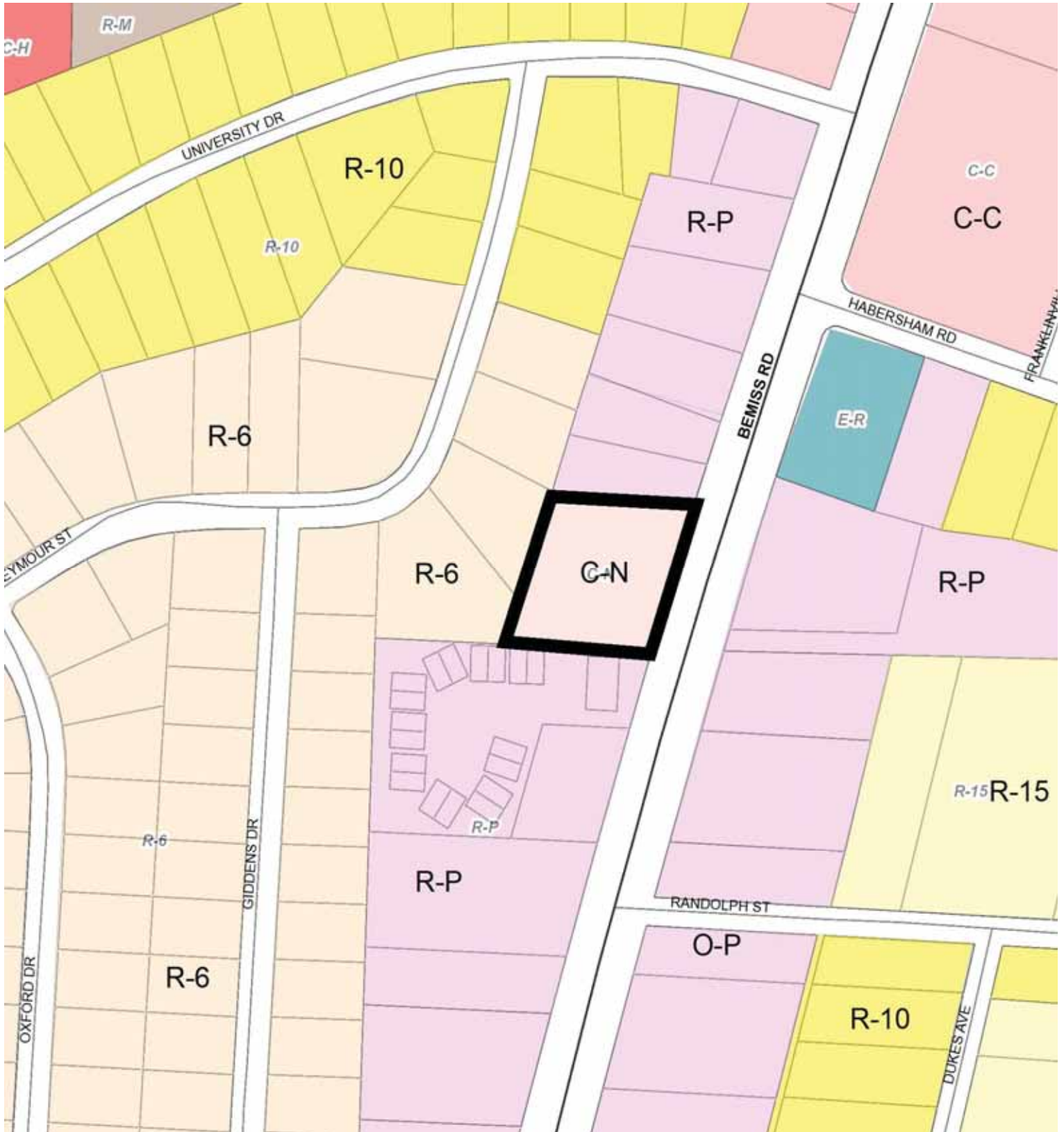
2408 Bemiss Road  
Tax Map: 0112C Parcel: 174

Zoned: C-N



\*\* Map NOT to scale

Map Data Source: VALOR GIS March 2022



# CU-2022-03 Future Development Map

Danielle Chappell  
Conditional Use Request

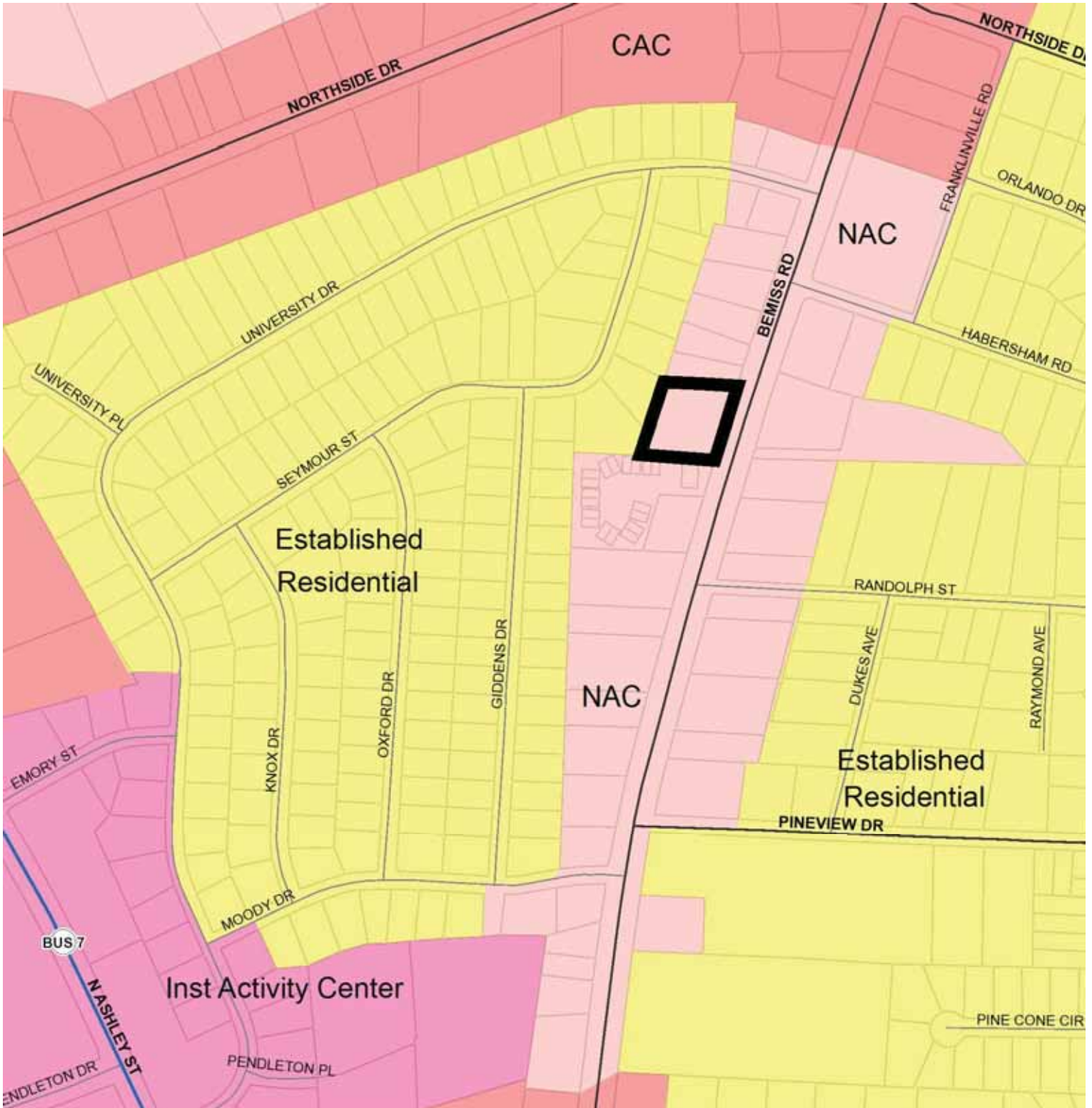
2408 Bemiss Road  
Tax Map: 0112C Parcel: 174

Character Area: NAC



\*\* Map NOT to scale

Map Data Source: VALOR GIS March 2022



# CU-2022-03 Aerial Location Map

**Danielle Chappell**  
**Conditional Use Request**

2408 Bemiss Road  
Tax Map: 0112C Parcel: 174

~ 2007 Aerial Imagery



\*\* Map NOT to scale

Map Data Source: VALOR GIS March 2022



LETTER of AUTHORIZATION

To: Greater Lowndes Planning Commission  
Valdosta City Council

Regarding property located at 2408 Bemiss Rd 0112C / 174  
(street address) (Tax Map/Parcel #)

I / We the owner(s) of the above described real property in the City of Valdosta, Georgia, do hereby authorize Danielle Chappell to act as agent on my/our behalf, in submitting an application requesting a **Conditional Use Permit (CUP)** for a Daycare on my/our property, and to represent me/us in all public hearings and other matters with the City of Valdosta relating to this application.

Danielle Chappell  
Signature(s)

Danielle Chappell  
PRINT name(s)

8/17/2021  
Date

Alise Thompson

Alise Thompson  
Agent Budd Jr + III, LLC

NOTARY PUBLIC

State of Georgia, County of Lowndes

Sworn to and subscribed to me on this 17<sup>th</sup> day of August 2021.

My commission expires Feb. 2, 2025

Tiffany Johnson  
Notary Public

(seal)





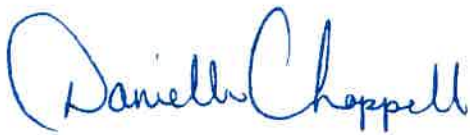
# Brilliant Minds Academy of Georgia L.L.C

2408 Bemiss Road, Valdosta Georgia 31602  
Phone (229) 469-4074 | [brilliantminds1984@gmail.com](mailto:brilliantminds1984@gmail.com)

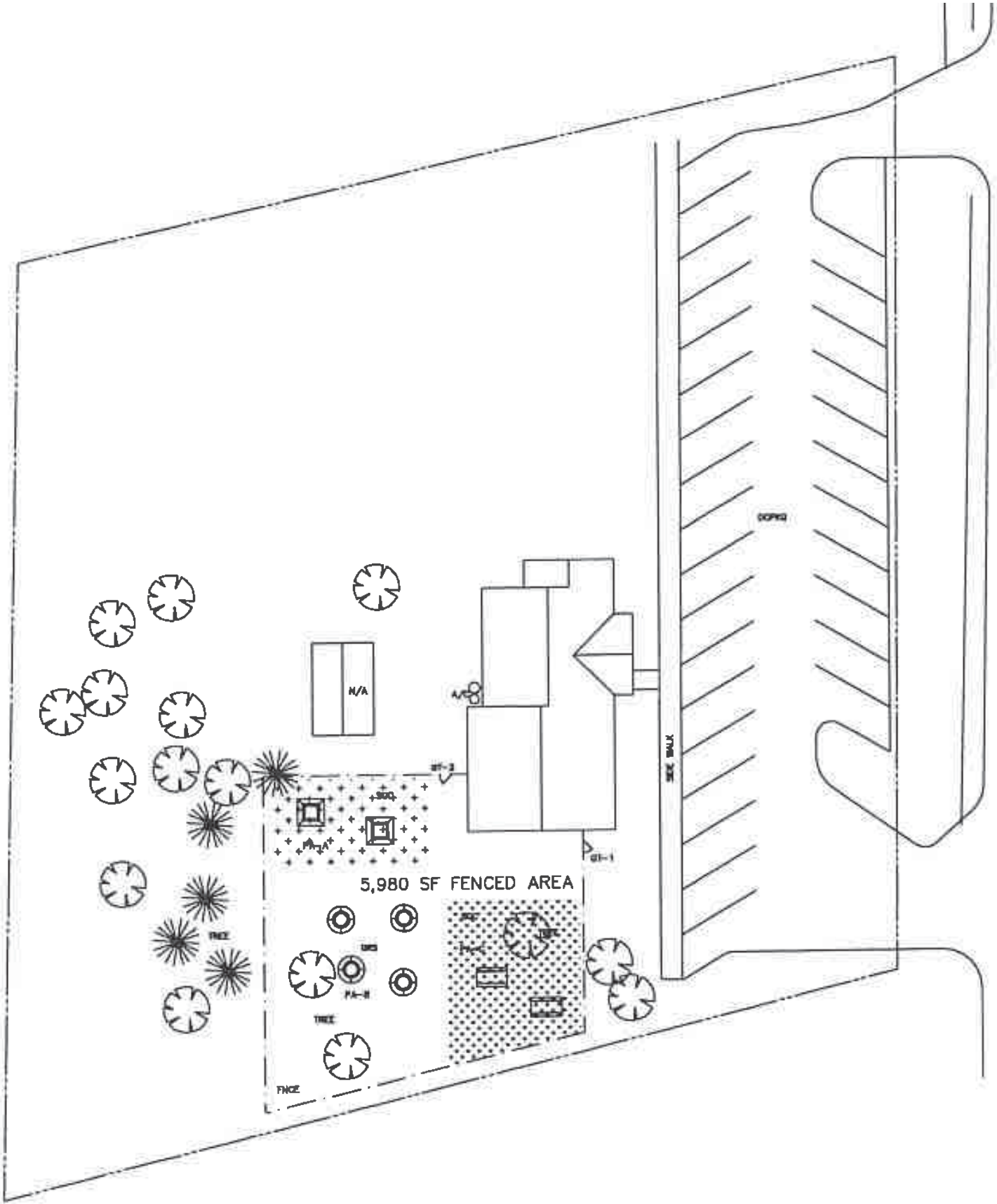
## Letter of Intent

Brilliant Minds Academy of Georgia is an early childhood learning and childcare center. Located at 2408 Bemiss Road, Valdosta Georgia. The application for conditional use permit is to request an increase of the number of children allowed by zoning from 18 to 34. BMAG provides childcare and early learning to ages 6 months to 5 years. The number of employees is five. The operation hours and days are Monday – Friday, 5:30 am to 6:00 pm. The building has seven classrooms and two bathrooms with six exit doors. The state approved the building for 36 children. The Lowndes County fire marshals building occupancy is 39. There are no proposed remodeling or site changes currently. Please let me know if any additional information is needed.

Best Regards,

A handwritten signature in blue ink that reads "Danielle Chappell". The signature is written in a cursive, flowing style.

Danielle Chappell  
Cell: 678-628-6771



N/A

5,980 SF FENCED AREA

SIDE WALK

2408 BEMIS ROAD

FENCE