



DeKalb County Government

Manuel J. Maloof Center
1300 Commerce Drive
Decatur, Georgia 30030

Agenda Item

File #: 2020-0311

6/2/2020

File Status: Preliminary Item

Public Hearing: YES NO

Department: Planning & Sustainability

SUBJECT:

COMMISSION DISTRICT(S): 3 & 6

Application of Terrence E Brooks to request a Special Land Use Permit (SLUP) to operate a special events facility within a requested RE (Residential Estate) District in accordance with Chapter 27, Article 4, Section 4.1.3 Use Table of the DeKalb County Zoning Ordinance, at 4201 Panthersville Road.

PETITION NO: N2. SLUP-20-1243788 (2020-0311)

PROPOSED USE: Special Events Facility

LOCATION: 4201 Panthersville Road

PARCEL NO. : 15-023-01-008

INFO. CONTACT: Matthew Williams

PHONE NUMBER: 404-371-2155

PURPOSE:

Application of Terrence E Brooks to request a Special Land Use Permit (SLUP) to operate a special events facility within a requested RE (Residential Estate) District in accordance with Chapter 27, Article 4, Section 4.1.3 Use Table of the DeKalb County Zoning Ordinance. The property is located on the west side of Panthersville Road, approximately 1,363 feet east of Bouldercrest Road, at 4201 Panthersville Road, Ellenwood, GA. The property has approximately 415 feet of frontage along the west side of Panthersville Road and contains 3.07 acres.

RECOMMENDATION:

COMMUNITY COUNCIL: Denial.

PLANNING COMMISSION: Pending.

PLANNING STAFF: Denial.

STAFF ANALYSIS: The applicant is requesting a special land use permit to allow a special events facility in a RE (Residential Estate) District. Located within a Suburban Character Area designated by the 2035 Comprehensive Plan, the proposed use reflects inconsistency with the following Comprehensive Plan Policy:

To protect existing neighborhoods from incompatible land uses. The special events facility on the subject site is not suitable given the stable residential character of the area. The current use of the site will continue to be the primary residence for the applicant/owner. Holding occasional backyard parties and events for profit in the rear yard is not an appropriate accessory or secondary use for the site. The Department of Planning and Sustainability recommends "Denial of the rezoning request to RE (Residential Estate) District". Should the Board of Commissioners choose to approve the rezoning request, Staff offers the attached conditions for consideration.

PLANNING COMMISSION VOTE: Pending.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: 7-0-0. The Community Council Board thought that the proposed special events facility would be a bad precedent. They had concerns about parking, noise, and the operation of a private events facility in a residential area.

SLUP-20-1243788 RECCOMENDED CONDITIONS

1. Limit use to a single-family residence and to allow a special events facility to operate in the rear yard with an approved Special Land Use Permit by the Board of Commissioners granted only to the applicant/owner of the property at the time of this approval.
2. Duration of the Special Land Use Permit shall expire one year from the approval date by the Board of Commissioners. If the applicant chooses to continue the use, a new SLUP application shall be submitted to Planning & Sustainability for another public hearing process to reassess and evaluate a special events facility on the subject site.
3. Limit hours of operation to Saturdays (9:00am - 11:00pm) & Sundays (10:00am-9:00pm).
4. Access shall be limited to no more than one (1) curb cut on Panthersville Road subject to approval by the Transportation Division of the Department of Public Works.
5. Dedicate 40 feet of right -of- way from centerline of Panthersville Road.
6. Provide 6 -foot wide sidewalk, bike lane and streetlights.
7. Provide signed and sealed engineer's study of sight distance to ensure driveway has intersection and stopping site distance based on AASHTO (American Association of State Highway and Transportation Officials).
8. The approval of this SLUP application by the Board of Commissioners has no bearing on the requirements for other regulatory approvals under the authority of the Zoning Board of Appeals, or other entity whose decision should be based on the merits of the application under review by such entity.



DeKalb County Department of Planning & Sustainability

330 Ponce De Leon Avenue, Suite 300

Decatur, GA 30030

(404) 371-2155 / www.dekalbcountyga.gov/planning

Michael Thurmond
Chief Executive Officer

Planning Commission Hearing Date: June 02, 2020, 5:30 P.M.

Board of Commissioners Hearing Date: June 25, 2020, 5:30 P.M.

STAFF ANALYSIS

Case No.: SLUP-20-1243788 **Agenda #:** N.2

Location/Address: The property is located along the west side of Panthersville Road, approximately 1,363 feet east of Bouldercrest Road at 4201 Panthersville Road, Ellenwood, GA. **Commission District:** 3 **Super District:** 6

Parcel ID: 15-023-01-008

Request: To request a Special Land Use Permit (SLUP) to operate a Special Event Facility within a requested RE (Residential Estate) District pursuant to rezoning petition (Z-20-1243789), in accordance with Chapter 27-Article 4.1 Use Table of the DeKalb County Code.

Property Owner/Agent: Terrence E. Brooks

Applicant/Agent: Terrence E. Brooks

Acreage: 3.07 Acres

Existing Land Use: Single Family Residence

Surrounding Properties Adjacent Zoning: East, west, north and south are single-family detached residences zoned R-100 (Residential Medium Lot) District.

Comprehensive Plan: Suburban (SUB) Consistent Inconsistent

Proposed Additional Square Ft.: N/A	Existing Residential Sq. Footage: Approximately 2,720 square feet with finished basement consisting of 1,360 square feet
Proposed Additional Lot Coverage: N/A	Existing Lot Coverage: <35%

SUBJECT SITE & SURROUNDING LAND USES:

The subject site is a detached single-family residence with accessory structure on 3.07 acres along the west side of Panthersville Road, (a two-lane minor arterial). The existing residence, 2,720 square feet, is a split -level brick and frame structure with an open car port that can accommodate two automobiles. A large wooden frame deck is attached to the rear of the house. The front and rear yards are well manicured. One long concrete driveway provides the only access from Panthersville Road where the site has approximately 415.53 feet of frontage. The site has been zoned R-100 (Residential Medium Lot) District since the adoption of the DeKalb Zoning Ordinance in 1956.

The site is surrounded by single-family detached residences and subdivisions with curb cuts and entrances from Panthersville Road. Adjacent and north of the site along Panthersville Road is Brittany Park Subdivision and Penders Ridge Subdivision. All adjacent and surrounding residential properties are zoned R-100 (Residential Medium Lot) District. The nearest commercial use is south of the subject site at the southeast intersection of Panthersville Road and Bouldercrest Road. This intersection is the site of a Shell gas station, convenience mart and cleaners and is zoned NS (Neighborhood Shopping) District.

PROJECT ANALYSIS:

The applicant is requesting a special land use permit SLUP-20-1243788 to operate a Special Events Facility within the RE (Residential Estate) zoning district. The applicant has filed companion request Z-20-1243789 to rezone the subject site from R-100 to RE to apply for the special land use permit.

Per the submitted Letter-of-Intent, the special events facility activities will take place outside on weekends only and will utilize the existing rear patio deck and grassed back yard in the rear of the single-family residential structure. The applicant/owner will continue to use this property as his primary place of residence. The business will cater to ages 35 and older. The type of activities that the facility will support are weddings, family reunions, private affairs such as birthday parties, children activities, theater plays and limited musical events that are totally relegated to old school R & B jazz and blues only. No hip hop music will be played at any activity. The responsibility of providing the music will be on the persons renting the venue.

Additional written information submitted by the applicant states that events will comply with the existing county noise ordinance. Portable restrooms will be on site in the backyard for use by event guests. The owner/applicant will not serve alcohol. However, a caterer for a special event with a licensed alcohol server will be allowed to dispense alcohol during activities. The applicant/owner will provide a police officer to assist with traffic and parking.

The submitted site survey depicts parking for the events on the front lawn and on the grassed area in the rear yard of the single-family residential structure. This is compliant with Chapter-27, Article 6.1.11.B.2.b of the DeKalb County Code which states driveways, access aisles and parking spaces (excluding handicapped) may be surfaced with grass lawn or other pervious parking serving uses which require parking for less than five (5) days per week during a typical month.

Section 27-7.4.6 of the DeKalb County Code states that the following criteria shall be applied in evaluating and deciding any application for a Special Land Use Permit.

- 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:**

The site is slightly over 3 acres. However, given the required yard setbacks and compliance to stream buffer requirements, limited land is available for the proposed special events facility. Per the submitted letter-of-intent and site survey, events will only take place in the rear yard. The existing single-family residence on the site will

not be part of the special events facility. Event parking will be on the grass lawn in the front and rear yards. Guests will use portable restrooms placed on the site during events.

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

Residential land uses abut and surround the subject site. The primary use of the site is a single-family residence. A special events facility for rental back yard parties and events is not an accessory use to a single-family residence.

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

All activities are outside and should not affect public services, facilities or utilities.

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 proposed use, so as not to unduly increase traffic or create congestion in the area:

Panthersville Road is only a two-lane minor arterial in a residential area with no deceleration lane in front of the single-family residence. Guests making a left turn into the site may increase traffic congestion in the area.

E. Whether or not existing land uses located along access routes to the site would be adversely affected by the character of the vehicles or the volume of traffic to be generated by the proposed use:

The volume of cars generated by the event may cause stacking of cars on Panthersville Road from entering and exiting the site. This would have a negative impact on other residents trying to access their homes or subdivisions from Panthersville Road.

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:

Existing ingress and egress to the subject property from the single concrete driveway appears to be adequate for the primary use as a single-family residence. However, event parking will be on the grass on both the front and rear lawn. There is no traffic flow pattern (vehicle or pedestrian) for easy access to guests in case of emergency.

G. Whether or not the proposed use would create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration that would be generated by the proposed use:

It appears that the proposed use will not create adverse impacts upon adjoining land uses due to smoke, odor, dust or vibration. The site must comply with the DeKalb County Noise Ordinance.

H. Whether or not the proposed use would create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use:

Per the information submitted, events will take place on the weekends. The hours of operation may negatively affect a lot of people that don't work on weekends or retired. Weekend activities vary for residents. Some run errands, travel or just relax. Having a special events facility operating on the weekends in a stable residential area may negatively affect how people spend their weekend time.

I. Whether or not the proposed use would create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use:

The manner of operation by hosting weekend events outside will negatively impact adjoining land uses visually by the abundance of vehicles parking on the front lawn and the creation of increased traffic along Panthersville Road during events.

J. Whether or not the proposed plan is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located:

The proposed plan would be consistent should the Board of Commissioners choose to approve the requested zoning change to the RE (Residential Estate) district which requires an approved Special Land Use Permit to allow operation of a special events facility.

K. Whether or not the proposed use is consistent with the policies of the comprehensive plan:

Located within a Suburban Character Area land use designation, the proposed special event facility is inconsistent with the following 2035 Comprehensive Plan Policy: To protect existing neighborhoods from incompatible land uses.

L. Whether or not the proposed plan provides for all buffers and transitional buffer zones where required by the regulations of the district in which the use is proposed to be located:

Depicted transitional buffers on the submitted site survey complies with district regulations.

M. Whether or not there is adequate provision of refuse and service areas:

The applicant states in the submitted application that adequate refuse and service areas will be provided.

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

Given the proposed weekend only hours of operation, if granted, the special land use permit should be limited to one year to allow the Board of Commissioners to reassess the impact of the special events facility on the abutting and surrounding residential communities.

O. Whether or not 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 single-family residence and accessory buildings on the subject site is appropriate in relation to size and scale of adjacent and nearby lots and buildings along Panthersville Road.

P. Whether the proposed plan would adversely affect historic building sites, districts, or archaeological resources:

Based on the submitted site plan and information, it does not appear that the proposed plan would adversely affect 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:

There are no supplemental regulations for special event facilities in Article 4 of the DeKalb County Zoning Ordinance.

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

Based on the submitted site plan and information, as well as field investigation of the project site, it does not appear that the proposed plan would create a negative shadow impact on any adjoining lot or building.

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

The proposed special events facility is not compatible with the surrounding residential neighborhood. It is a commercial use in the rear yard of a single-family residence. It conflicts with comprehensive plan policies to protect stable residential neighborhoods for residents in unincorporated DeKalb County.

COMPLIANCE WITH RE (RESIDENTIAL ESTATE) DISTRICT STANDARDS PER ARTICLE 27-TABLE 2.2

STANDARD		REQUIREMENT	EXISTING	COMPLIANCE
LOT WIDTH		150 Feet	Approx. 415 feet along Panthersville Road	Yes
LOT AREA		1 Acre	3.07 Acres	Yes
YARD SETBACKS	FRONT	50 Feet	>50 Feet	Yes
	INTERIOR SIDE YARD	20 feet	> 20 Feet	Yes
	REAR	40 Feet	>40 Feet	Yes
HEIGHT		35 Feet	35 Feet	Yes
PARKING Article 6 (Special Event Facility)		1 space for each two hundred (200) square feet of space used for such activity.	Yard space for event not calculated. Submitted survey depicts parking on front and rear grassed lawns	Yes. Compliance with Article 6 which allows parking on grassed surfaces for events less than 5 days per week during a typical month

STAFF RECOMMENDATION: DENIAL

The applicant is requesting a special land use permit to allow a special events facility in a RE (Residential Estate) District. Located within a Suburban Character Area designated by the 2035 Comprehensive Plan, the proposed use reflects inconsistency with the following Comprehensive Plan Policy: To protect existing neighborhoods from incompatible land uses. The special events facility on the subject site is not suitable given the stable residential character of the area. The current use of the site will continue to be the primary residence for the applicant/owner. Holding occasional backyard parties and events for profit in the rear yard is not an appropriate accessory or secondary use for a single-family residence. The Department of Planning and Sustainability recommends **DENIAL** of the SLUP request for a special events facility on the subject site.

Should the Board of Commissioners choose to approve the SLUP request, Staff offers the following conditions for consideration:

1. Limit use to a single-family residence and to allow a special events facility to operate in the rear yard with an approved Special Land Use Permit by the Board of Commissioners granted only to the applicant/owner of the property at the time of this approval.
2. Duration of the Special Land Use Permit shall expire one year from the approval date by the Board of Commissioners. If the applicant chooses to continue the use, a new SLUP application shall be submitted to Planning & Sustainability for another public hearing process to reassess and evaluate a special events facility on the subject site.
3. Limit hours of operation to Saturdays (9:00am - 11:00pm) & Sundays (10:00am-9:00pm).
4. Access shall be limited to no more than one (1) curb cut on Panthersville Road subject to approval by the Transportation Division of the Department of Public Works.
5. Dedicate 40 feet of right -of- way from centerline of Panthersville Road.
6. Provide 6 -foot wide sidewalk, bike lane and streetlights.
7. Provide signed and sealed engineer's study of sight distance to ensure driveway has intersection and stopping site distance based on AASHTO (American Association of State Highway and Transportation Officials).
8. The approval of this SLUP application by the Board of Commissioners has no bearing on the requirements for other regulatory approvals under the authority of the Zoning Board of Appeals, or other entity whose decision should be based on the merits of the application under review by such entity.

Attachments:

1. Department and Division Comments
2. Application
3. Site Plan
4. Zoning Map
5. Aerial Photograph
6. Site Photographs

NEXT STEPS

If the requested petition is approved by the Board of Commissioners, one or several of the following may be required:

- **Land Disturbance Permit** *(Required for of new building construction on non-residential properties, or land disturbance/improvement such as storm water detention, paving, digging, or landscaping.)*
- **Building Permit** *(New construction or renovation of a building (interior or exterior) may require full plan submittal or other documentation. zoning, site development, watershed and health department standards will be checked for compliance.)*
- **Certificate of Occupancy** *(Required prior to occupation of a commercial space and for use of property for any business type. The issuance follows the review of submitted plans if required based on the type occupancy.)*
- **Variance or Special Exception** *(Required seeking relief from any development standards of the Zoning Ordinance. A public hearing and action by the Board of Appeals are required for most variances.)*
- **Minor Modification** *(Required if there are any proposed minor changes to zoning conditions that were approved by the Board of Commissioners. The review is administrative if the changes are determined to be minor as described by Zoning Code.)*
- **Major Modification** *(Required submittal of a complete zoning application for a public hearing if there are any proposed changes to zoning conditions approved by the Board of Commissioner on a prior rezoning.)*
- **Business License** *(Required for any business or non-residential enterprise operating in Unincorporated DeKalb County, including in-home occupations).*
- **Alcohol License** *(Required permit to sell alcohol for consumption on-site or packaged for off-site consumption. Signed and sealed distance survey is required. Background checks will be performed.)*

Each of the approvals and permits listed above require submittal of application, fees and supporting documents. Please consult with the appropriate department/division.

From: [Keeter, Patrece](#)
To: [Hill, LaSondra](#)
Subject: Zoning Comments April 2020
Date: Monday, April 13, 2020 5:48:42 PM
Attachments: [image006.png](#)
[image008.png](#)
[image010.png](#)
[image003.emz](#)
[image005.png](#)
[image007.jpg](#)
[image009.png](#)
[image011.png](#)
[image017.png](#)

N1 & N2- Panthersville Road is classified as a minor arterial. 6 foot sidewalks, Bike lanes, Street lights (SL Engineer: hefowler@dekalbcountyga.gov) and 40 foot right of way dedication from centerline required (see Land Development Code 14-190 and Zoning Code page 5-14). Ensure driveway has intersection and stopping sight distance based on AASHTO standards- provide sign and sealed engineer's study of sight distance.

N3. Memorial Drive is a state route. GDOT review and approval required prior to permitting. Memorial Drive is classified as a major arterial. 6 foot sidewalks, Bike lanes, Street lights (SL Engineer: hefowler@dekalbcountyga.gov) and 50 of right of way dedication from centerline or the amount needed for all public infrastructure (Sidewalks, bike lanes, lanes, street lights) required, whichever greater (see Land Development Code 14-190 and Zoning Code page 5-14). Midway Road is classified as a collector. 6 foot sidewalks, Bike lanes, Street lights (SL Engineer: hefowler@dekalbcountyga.gov) and 35 feet of right of way dedication from centerline or the amount needed for all public infrastructure (Sidewalks, bike lanes, street lights) required, whichever greater (see Land Development Code 14-190 and Zoning Code page 5-14). Ensure driveway has intersection and stopping sight distance based on AASHTO standards- provide sign and sealed engineer's study of sight distance.

N4. See chapter 5 of the zoning code- traffic study required. 448 units requires more access points. See section 14-200 of the land development code. Memorial Drive is a state route. GDOT review and approval. required prior to permitting. Memorial is classified as a major arterial. 6 foot sidewalks, Bike lanes, Street lights (SL Engineer: hefowler@dekalbcountyga.gov) and 50 feet of right of way dedication from centerline or the amount needed for all public infrastructure (Sidewalks, bike lanes, lanes, street lights) required, whichever greater (see Land Development Code 14-190 and Zoning Code page 5-14). If you variances for bike lanes, I suggest you request this as part of zoning. Ensure driveway has intersection and stopping sight distance based on AASHTO standards- provide sign and sealed engineer's study of sight distance.

N5. Lawrenceville Hwy is a state route classified as a major arterial. GDOT review and approval. required prior to permitting. 6 foot sidewalks, Bike lanes, Street lights (SL Engineer: hefowler@dekalbcountyga.gov) and 50 feet of right of way dedication from centerline or the amount needed for all public infrastructure (Sidewalks, bike lanes, lanes, street lights) required, whichever greater (see Land Development Code 14-190 and Zoning Code page 5-14). If you variances for bike lanes, I suggest you request this as part of zoning. Haralson Rd is classified as a local road. 5 foot sidewalks, Street lights (SL Engineer: hefowler@dekalbcountyga.gov) and 27.5 feet right of way dedication from centerline or the amount needed for all public infrastructure (Sidewalks, bike lanes, lanes, street lights) required, whichever greater (see Land Development Code 14-190 and Zoning Code page 5-14). Ensure driveway has intersection and stopping sight distance

based on AASHTO standards- provide sign and sealed engineer's study of sight distance.

N6. East Conley Rd is classified as a collector. 6 foot sidewalks, Bike lanes, Street lights (SL Engineer: hefowler@dekalbcountyga.gov) and 50 feet of right of way dedication from centerline or the amount needed for all public infrastructure (Sidewalks, bike lanes, lanes, street lights) required, whichever greater (see Land Development Code 14-190 and Zoning Code page 5-14). If you variances for bike lanes, I suggest you request this as part of zoning. Ensure driveway has intersection and stopping sight distance based on AASHTO standards- provide sign and sealed engineer's study of sight distance.

N7. East Conley Rd is classified as a collector. 6 foot sidewalks, Bike lanes, Street lights (SL Engineer: hefowler@dekalbcountyga.gov) and 50 feet of right of way dedication from centerline or the amount needed for all public infrastructure (Sidewalks, bike lanes, lanes, street lights) required, whichever greater (see Land Development Code 14-190 and Zoning Code page 5-14). If you variances for bike lanes, I suggest you request this as part of zoning. Ensure driveway has intersection and stopping sight distance based on AASHTO standards- provide sign and sealed engineer's study of sight distance.

N8. North Druid Hills Road is classified as a major arterial. 6 foot sidewalks, Bike lanes, Street lights (SL Engineer: hefowler@dekalbcountyga.gov) and 50 feet of right of way dedication from centerline or the amount needed for all public infrastructure (Sidewalks, bike lanes, lanes, street lights) required, whichever greater (see Land Development Code 14-190 and Zoning Code page 5-14). Ensure driveway has intersection and stopping sight distance based on AASHTO standards- provide sign and sealed engineer's study of sight distance. Ensure that the driveway either lines up with the Knob Hill or is at the appropriate offset in section 14-200 of the land development code. Interior road to be privately maintained.

N9. Stephenson Road is classified as a collector road. 6 foot sidewalks, Bike lanes, Street lights (SL Engineer: hefowler@dekalbcountyga.gov) and 35 feet of right of way dedication from centerline or the amount needed for all public infrastructure (Sidewalks, bike lanes, lanes, street lights) required, whichever greater (see Land Development Code 14-190 and Zoning Code page 5-14). Ensure driveway has intersection and stopping sight distance based on AASHTO standards- provide sign and sealed engineer's study of sight distance. For more that 150 units, the code requires two access points. I would like more details on the proposed super entrance, but would generally support a variance for the extra 10 lots with the addition of sidewalk along the entire frontage and along the frontage of the Calvary Church within the existing ROW.

N10. Sherrydale Ln is classified as a local road. 5 foot sidewalks, Street lights (SL Engineer: hefowler@dekalbcountyga.gov) and 27.5 feet right of way dedication from centerline or the amount needed for all public infrastructure (Sidewalks, bike lanes, lanes, street lights) required, whichever greater (see Land Development Code 14-190 and Zoning Code page 5-14). Interior streets to remain private.

N11. No comment

N12. No comment

N13. This appears to be a DRI. As I recall, the county can not take any zoning actions until the traffic study is submitted and reviewed by the regional partners, including ARC, GDOT and GRTA. Taking action on this item can put our federal transportation funding at risk. If this is not considered to be a DRI, I would still need a traffic study completed to make appropriate zoning comments to identify necessary improvements. Transportation has currently applied for federal funding to complete road diets on Mountain Drive (state route) and Kensington Road. In addition, we have applied for federal

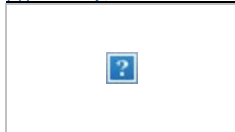
funding to wrap this development area in a multiuse path to promote development and multi-modal connectivity. Memorial Drive and Covington Hwy are state routes classified as major arterials. GDOT review and approval. required prior to permitting. 6 foot sidewalks, Bike lanes, Street lights (SL Engineer: hefowler@dekalbcountyga.gov) and 50 feet of right of way dedication from centerline or the amount needed for all public infrastructure (Sidewalks, bike lanes, lanes, street lights) required, whichever greater (see Land Development Code 14-190 and Zoning Code page 5-14). Mountain Drive is a state route classified as a collector. GDOT review and approval required prior to permitting. 6 foot sidewalks, Bike lanes, Street lights (SL Engineer: hefowler@dekalbcountyga.gov) and 35 feet of right of way dedication from centerline or the amount needed for all public infrastructure (Sidewalks, bike lanes, street lights) required, whichever greater (see Land Development Code 14-190 and Zoning Code page 5-14). Kensington Road is classified as a minor arterial. 6 foot sidewalks, Bike lanes, Street lights (SL Engineer: hefowler@dekalbcountyga.gov) and 40 feet of right of way dedication from centerline or the amount needed for all public infrastructure (Sidewalks, bike lanes, lanes, street lights) required, whichever greater (see Land Development Code 14-190 and Zoning Code page 5-14). Ensure driveway has intersection and stopping sight distance based on AASHTO standards- provide sign and sealed engineer's study of sight distance. Watch driveway offsets required in Section 14-200 of the land development code (existing and already permitted driveways). This will be more units than the code allows. Intersection improvements and upgrades to protect capacity (median islands) will most likely be required. At a minimum: analyze roundabouts as design solutions for driveway access on Mountain and Kensington, provide enhanced pedestrian crossings on Kensington and Mountain, provide direct pedestrian accommodations from the sidewalks on public right of way to the entrances of the development. N14 & N15- This should all be packaged with the DRI in N13. See comments on N13.

Patrece G. Keeter, P.E.

*Engineering Manager,
Department of Public Works
Transportation Division*

1950 West Exchange Place, 4th FL
Tucker, Georgia 30084
pgkeeter@dekalbcountyga.gov

770-492-5281
678-758-3860
DeKalbCountyGA.gov





N-2

DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO
MADOLYN SPANN MSPANN@DEKALBCOUNTYGA.GOV OR JOHN REID JREID@DEKALBCOUNTYGA.GOV

COMMENTS FORM:
PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: SLUP-20-1243788 Parcel I.D. #: 15-023-01-008

Address: 4201
PANTHERSVILLE RD
ELLENWOOD, GA, 30294

Adjacent Roadway (s):

(classification) (classification)

Capacity (TPD) _____	Capacity (TPD) _____
Latest Count (TPD) _____	Latest Count (TPD) _____
Hourly Capacity (VPH) _____	Hourly Capacity (VPH) _____
Peak Hour. Volume (VPH) _____	Peak Hour. Volume (VPH) _____
Existing number of traffic lanes _____	Existing number of traffic lanes _____
Existing right of way width _____	Existing right of way width _____
Proposed number of traffic lanes _____	Proposed number of traffic lanes _____
Proposed right of way width _____	Proposed right of way width _____

Please provide additional information relating to the following statement.

According to studies conducted by the Institute of Traffic Engineers (ITE) 6/7TH Edition (whichever is applicable), churches generate an average of fifteen (15) vehicle trip end (VTE) per 1,000 square feet of floor area, with an eight (8%) percent peak hour factor. Based on the above formula, the _____ square foot place of worship building would generate _____ vehicle trip ends, with approximately _____ peak hour vehicle trip ends.

Single Family residence, on the other hand, would generate ten (10) VTE's per day per dwelling unit, with a ten (10%) percent peak hour factor. Based on the above referenced formula, the _____ (Single Family Residential) District designation which allows a maximum of _____ units per acres, and the given fact that the project site is approximately _____ acres in land area, _____ daily vehicle trip end, and _____ peak hour vehicle trip end would be generated with residential development of the parcel.

COMMENTS:

PLANS AND FIELD REVIEWED. NO PROBLEM THAT
WOULD INTERFERE WITH TRAFFIC FLOW.

Signature: Jerry White



770.414.2355 (o)
404.298.4446 (f)
DeKalbCountyga.gov

Watershed Management
4572 Memorial Drive
Decatur, GA 30032

Chief Executive Officer
Michael Thurmond

Board of Commissioners

District 1
Nancy Jester

District 2
Jeff Rader

District 3
Larry Johnson

District 4
Stephen Bradshaw

District 5
Mereda Davis Johnson

District 6
Kathie Gannon

District 7
Lorraine Cochran-Johnson

MEMORANDUM

DATE: April 16, 2020
TO: LaSondra H. Hill
Planning & Sustainability Division
FROM: Michelle L. Otts, P.E. Engineering Manager
Division of Planning & Development
RE: **MAY 2020** Rezone Application(s) for Planning Commission and Board of Commissioners Public Hearing

Attached is the Water and Sewer information requested for the rezoning cases in question.

Please be aware that projects may be located within a Sanitary Sewer capacity restricted area.

If additional information is required, please call me directly at @ 404-371-4918.

PAUL A. WEST FOR M. OTTS
Paul A. West 4-16-2020

Michelle L. Otts, P.E.
Engineering Manager
Division of Planning & Development



**DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM**

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO MICHELLE M ALEXANDER mmalexander@dekalbcountyga.gov OR JOHN REID JREID@DEKALBCOUNTYGA.GOV

**COMMENTS FORM:
PUBLIC WORKS WATER AND SEWER**

Case No.: SLUP-20-1243788

Parcel I.D. #: 15-023-01-008

Address: 4201 Panthersville Road

Ellenwood, Georgia

WATER:

Size of existing water main: 6" AC, Water Main (adequate/inadequate)

Distance from property to nearest main: Adjacent to Property

Size of line required, if inadequate: N/A

SEWER:

Outfall Servicing Project: Conley Creek Basin

Is sewer adjacent to property: Yes (X) No () If no, distance to nearest line: _____

Water Treatment Facility: Snapfinger WTF () adequate () inadequate

Sewage Capacity; * (MGPD)

Current Flow: 21.77 (MGPD)

COMMENTS:

* Please note that the sewer capacity has not been reviewed or approved for this project. A Sewer Capacity Request (SCR) must be completed and submitted for review. This can be a lengthy process and should be addressed early in the process.

(See attachment)

Signature: 

Baugh, Shauna S.

From: Otts, Michelle L.
Sent: Thursday, April 16, 2020 2:54 PM
To: Baugh, Shauna S.
Subject: Zoning cases

Importance: High

I am fine with approving these with the below condition to each one:

1. sewer capacity is not guaranteed. Sewer Capacity Evaluation will be required prior to any sewer connection approval.
2. All water connections/lines must be to 8" WL. Upgrades may be required by applicant (and at applicant's cost) to proceed with development.

Thank you! 😊

Michelle L. (Jackam) Otts, PE
Principal Engineer
Manager, Division of Planning & Development Department of Watershed Management

330 W. Ponce de Leon Ave
3rd Floor
Decatur, GA 30030
MLOtts@dekalbcountyga.gov
404-371-4918 (o)
DeKalbCountyGA.gov

-----Original Message-----

From: copier@dekalbcountyga.gov <copier@dekalbcountyga.gov>
Sent: Thursday, April 16, 2020 1:07 PM
To: Baugh, Shauna S. <ssbaugh@dekalbcountyga.gov>
Subject: Scanned from a Xerox Multifunction Printer

Please open the attached document. It was scanned and sent to you using a Xerox Multifunction Printer.

Attachment File Type: pdf, Multi-Page

Multifunction Printer Location:
Device Name: WSMD_XRX7855_GIS

04/08/2020

To: Mr. John Reid, Senior Planner
From: Ryan Cira, Environmental Health Manager
Cc: Alan Gaines, Technical Services Manager
Re: Rezone Application Review

General Comments:

DeKalb County Health Regulations prohibit use of on-site sewage disposal systems for

- multiple dwellings
- food service establishments
- hotels and motels
- commercial laundries
- funeral homes
- schools
- nursing care facilities
- personal care homes with more than six (6) clients
- child or adult day care facilities with more than six (6) clients
- residential facilities containing food service establishments

If proposal will use on-site sewage disposal, please contact the Land Use Section (404) 508-7900.

Any proposal, which will alter wastewater flow to an on-site sewage disposal system, must be reviewed by this office prior to construction.

This office must approve any proposed food service operation or swimming pool prior to starting construction.

Public health recommends the inclusion of sidewalks to continue a preexisting sidewalk network or begin a new sidewalk network. Sidewalks can provide safe and convenient pedestrian access to a community-oriented facility and access to adjacent facilities and neighborhoods.

For a public transportation route, there shall be a 5ft. sidewalk with a buffer between the sidewalk and the road. There shall be enough space next to sidewalk for bus shelter's concrete pad installation. Recommendation: Provide trash can with liner at each bus stop with bench and monitor for proper removal of waste.

Since DeKalb County is classified as a Zone 1 radon county, this office recommends the use of radon resistant construction.

Board of Health

- N.1 **Z-20-1243789 2020-0310 / 15-023-01-008**
4201 PANTHERSVILLE RD, ELLENWOOD, GA 30294
- Septic system installed on 09/07/1962
- N.2 **SLUP-20-1243788 2020-0311 / 15-023-01-008**
4201 PANTHERSVILLE RD, ELLENWOOD, GA 30294
- Septic System installed on 06/07/1962
- N.3 **N3 SLUP-20-1243831 2020-0312 /15-217-12-003**
3585 MEMORIAL DR, DECATUR, GA 30032
- Please review general comments
- N.4 **Z-20-1243836 2020-0313 / 15-230-01-010**
4213, 4203, 4195, 4187, 4179, 4183, & 4159
MEMORIAL DR, DECATUR, GA 30032
- Please review general comments
- N.5 **Z-20-1243837 2020-0314 / 18-146-02-081**
2550 LAWRENCEVILLE HWY, DECATUR, GA 30033
- Septic system installed on 10/18/1989
- N.6 **Z-20-1243838 2020-0315 / 15-013-01-017; 15-013-01-018**
4321 & 4341 E CONLEY RD, CONLEY, GA 30288
- Please review general comments
- N.7 **Z-20-1243839 2020-0316 / 15-013-02-017**
4388 E CONLEY RD, CONLEY, GA 30288
- Please review general comments
- N.8 **Z-20-1243840 2020-0317 / 18-152-03-006**
2573 N DRUID HILLS RD, ATLANTA, GA 30329
- Septic system installed on 05/02/1963
- N.9 **Z-20-1243841 2020-0318/ 16-159-01-003; 16-162-05-002**
1467 & 1503 STEPHENSON RD, LITHONIA, GA 30058
- Please review general comments
- N.10 **Z-20-1243847 2020-0319 / 15-197-01-001**
3559 SHERRYDALE LN, DECATUR, GA 30032
- Please review general comments
- N.11 **CZ-20-1243853 2020-0320/ 15-251-01-028**
3458, 3468 & 3478 MOUNTAIN DR, DECATUR, GA 30032

DeKalb County Board of Health

445 Winn Way – Box 987

Decatur, GA 30031

404.294.3700 • www.dekalbhealth.net



Board of Health

- Please review general comments

- N.12 **SLUP-20-1243861 2020-0331 / 15-041-01-152**
2902 CEDAR TRACE ROAD, ELLENWOOD, GA 30294
 - Please review general comments

- N.13 **Z-20-1243878 2020-0387 / 15-250-07-001, 15-250-07-003, 15-250-07-005, 15-250-07-006, 15-250-07-007, 15-250-07-008, 15-250-07-009, 15-250-07-010, 15-250-07-011, 15-250-07-012, 15-250-07-013, 15-250-07-014, 15-250-07-016, 15-250-07-017, 15-250-07-018, 15-250-07-019, 15-250-07-020, 15-250-07-021, 15-250-07-022, 15-250-07-023, 15-250-07-024, 15-250-07-025, 15-250-07-026, 15-251-02-001, 15-251-02-002, 15-251-02-003, 15-251-02-004, 15-251-02-005, 15-251-02-006, 15-251-02-007, 15-251-02-015, 15-251-02-016**
3350 KENSINGTON RD, (AND OTHERS), DECATUR, GA 30032
 - Please review general comments

- N.14 **Z-20-1243876 2020-0385 / 15-250-06-009, 15-251-03-001,15-251-03-002, 15-251-03-003**
4200 MEMORIAL DR, DECATUR, GA 30032
 - Please review general comments

- N.15 **SLUP-20-1243877 2020-0386 / 15-250-06-009, 15-251-03-001,15-251-03-002, 15-251-03-003**
4200 MEMORIAL DR, DECATUR, GA 30032
 - Please review general comments

- N.16 **TA-20-1243897 2020-0414**
 - Please review general comments



DeKalb County
GEORGIA

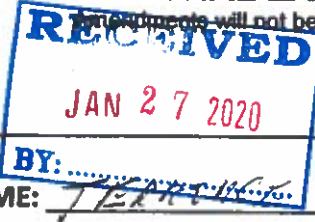
404.371.2155 (o)
404.371.4556 (f)
DeKalbCountyGa.gov

Clark Harrison Building
330 W. Ponce de Leon Ave
Decatur, GA 30030

DEPARTMENT OF PLANNING & SUSTAINABILITY

SPECIAL LAND USE PERMIT APPLICATION

Applications will not be accepted after 5 working days after the filing deadline.



Date Received:

JAN 27 2020

Application No:

SLUP-20-1243788

APPLICANT NAME:

~~TERRENCE E. BROOKS~~ E. BROOKS

Daytime Phone:

404-931-2734

E-Mail:

F4NLWAN@AOL.COM

Mailing Address:

4201 PANTHERSVILLE RD. ELLSWOOD GA 30294

Owner Name:

TERRENCE E. BROOKS

(If more than one owner, attach contact information for each owner)

Daytime Phone:

404 931-2734

E-Mail:

TERRENCE.BROOKS65@GMAIL.COM

Mailing Address:

4201 PANTHERSVILLE RD. ELLSWOOD GA 30294

SUBJECT PROPERTY ADDRESS OR LOCATION:

4201 PANTHERSVILLE RD

ELLSWOOD GA 30294

DeKalb County, GA,

Parcel ID:

15-02301-008

Acreage or Square Feet:

4.6 ACRES

Commission Districts

346

Existing Zoning:

A-100

Proposed Special Land Use (SLUP)

EVENT CENTER

I hereby authorize the staff of the Planning and Sustainable Department to inspect the property that is the subject of this application.

Owner:

Agent:

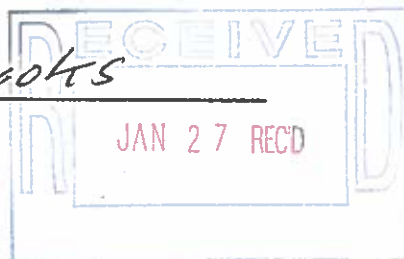
Signature of Applicant

Terrence E Brooks

Printed Name of Applicant:

TERRENCE E. BROOKS

Notary Signature and Seal:



Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director
Andrew A. Baker, AICP

PRE-APPLICATION FORM
REZONE, SPECIAL LAND USE PERMIT, MODIFICATION, AND LAND USE
(Required prior to filing application: signed copy of this form must be submitted at filing)

Applicant Name: Terrence Brooks Phone: 4/931-2734 Email: terrencebrooks65@gmail

Property Address: 4201 Panthersville Rd Ellenwood 30294

Tax Parcel ID: 15-023-01-008 Comm. District(s): 3:6 Acreage: 4 acres

Existing Use: residence Proposed Use event facility

Supplemental Regs: _____ Overlay District: VA DRI: NA

Rezoning: Yes No _____

Existing Zoning: R-100 Proposed Zoning: RE Square Footage Number of Units: _____

Rezoning Request: _____

Land Use Plan Amendment: Yes _____ No _____

Existing Land Use: _____ Proposed Land Use: _____ Consistent _____ Inconsistent _____

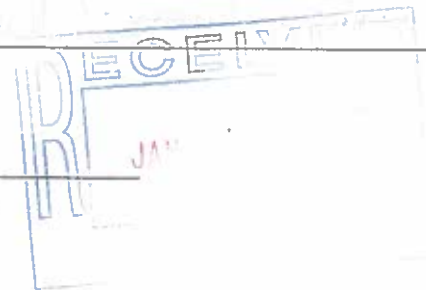
Special Land Use Permit: Yes No _____ Article Number(s) 27- _____

Special Land Use Request(s) Special event facility

Major Modification:

Existing Case Number(s): _____

Condition(s) to be modified: _____



Terrence Brooks

*Submitted on May 26, 2020 weekend

**PUBLIC NOTICE
TO
REQUEST FOR A SPECIAL LAND USE PERMIT**

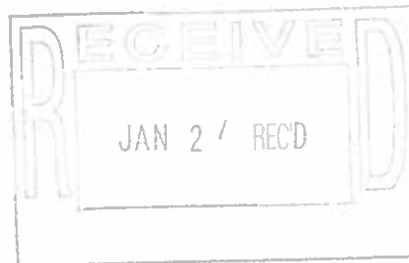
**FILED BY: TERRENCE E. BROOKS/TRANQUILITY PARK
LOCATED AT: 4201 PANTHERSVILLE RD
ELLENWOOD GA. 30294**

**CURRENT USE-RESIDENCE
PROPOSED USE-EVENT FACILITY**

**HOURS OF OPERATION
SUNDAY-SATURDAY, 10AM-11PM**

**PRE-SUBMITTAL MEETING TO TAKE PLACE AT:
Location: 4201 Panthersville rd
Ellenwood Ga. 30294**

**DATE: MARCH 26
TIME: 7:00PM**



MEETING SIGN-IN SHEET

Project: SLUP

Meeting Date: 3/26/19

Facilitator: FERENCE E. BROOKS

Location: 4201 PACEDS AVENUE RD

Name	Address	Phone	E-Mail
Marie Williams	2607 BRITTAY PKLN	470-331-8306	mlwphotographer@gmail.com
ECONOMI NERAN	5113 Pandoke Mill Dr	404 731 6465	ECONOMI@YAHOO.COM
Walt Burke	4127 Brittany Pl Ct	678-357-9961	hakie@gmail.com
Tara Curry	2581 Brittany Pl. Cv.	404-509-6622	tlmagee78@yahoo.com
Evelyn Pesiri	4271 Panthersville Rd	404 536 5404	evelynpesiri@att.net
Ernest Colbert	4215 Panthersville Rd	404.309.2528	Ernest.Colbert@gmail.com
Lisa Colbert	4215 Panthersville Rd	404 226 0674	LisaColbert@gmail.com
DAVID JACKSON	4201 Boulevard Green	404-431-9773	DEJACKS.DAVID@GMAIL
Tara Davis	4013 Smithfield Way	404 786 6852	taxadavis89@gmail.com
Lorelei Johnson	4013 Smithfield Way	404 452 8891	
Troy Davis	4013 Smithfield Way	404 296 4712	
Gloria Bahati	4029 Smithfield Lane	678-815-3412	gloriebwns@hotmail.com
George Given	4008 Burley mill Ct	770-881-1927	tammy-0902@yahoo
CHED Bahati	4024 Smithfield Ln	404.244.6177	
Indiana Coates	1303 Marietta Augusta Drive SE	713.933.8813	IndianaCoates1@gmail.com
Stephanie Johnson	P.O. Box 8838 Atlanta, GA 30356	770-722-7000	sprjohn2@yahoo.com
Denise Bailey	2260 Fairburn Rd #310032 Atlanta, GA 31131		dbtv43@gmail.com
Grandma Marie	4426 Hugh Howard SHEA-135 Tucker Ga	404 493 6588	marstorgam@yahoo.com
Vernita Allen Hunter	2408 Waring Road Kennesaw Ga 30144	404 226-6013	AllenHunter@gmail.com

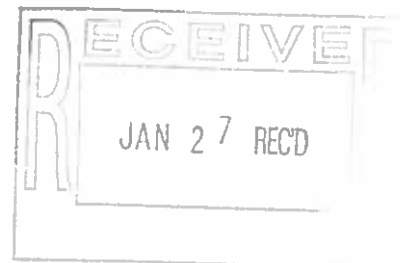
RECEIVED

The purpose of this request is so that I can operate a mixed land use business Catering to a 35 and older clientel

The type of activities that this facility will support are:

1. Weddings
2. Family reunions
3. Private affairs such as birthday parties
4. Children activities
5. Theater plays etc.
6. Limited musical events. (No Hip Hop)

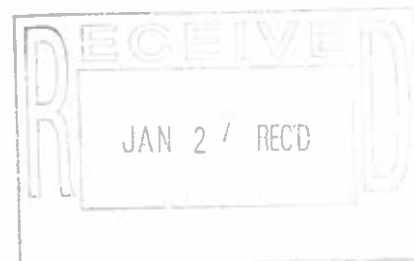
The times and days of these activities will be conducted mostly on the weekends and in compliance with the county codes of operation. As stated in the impact analysis; there is no immediate impact on community or any impedence of traffic flow due to the operation of this business.

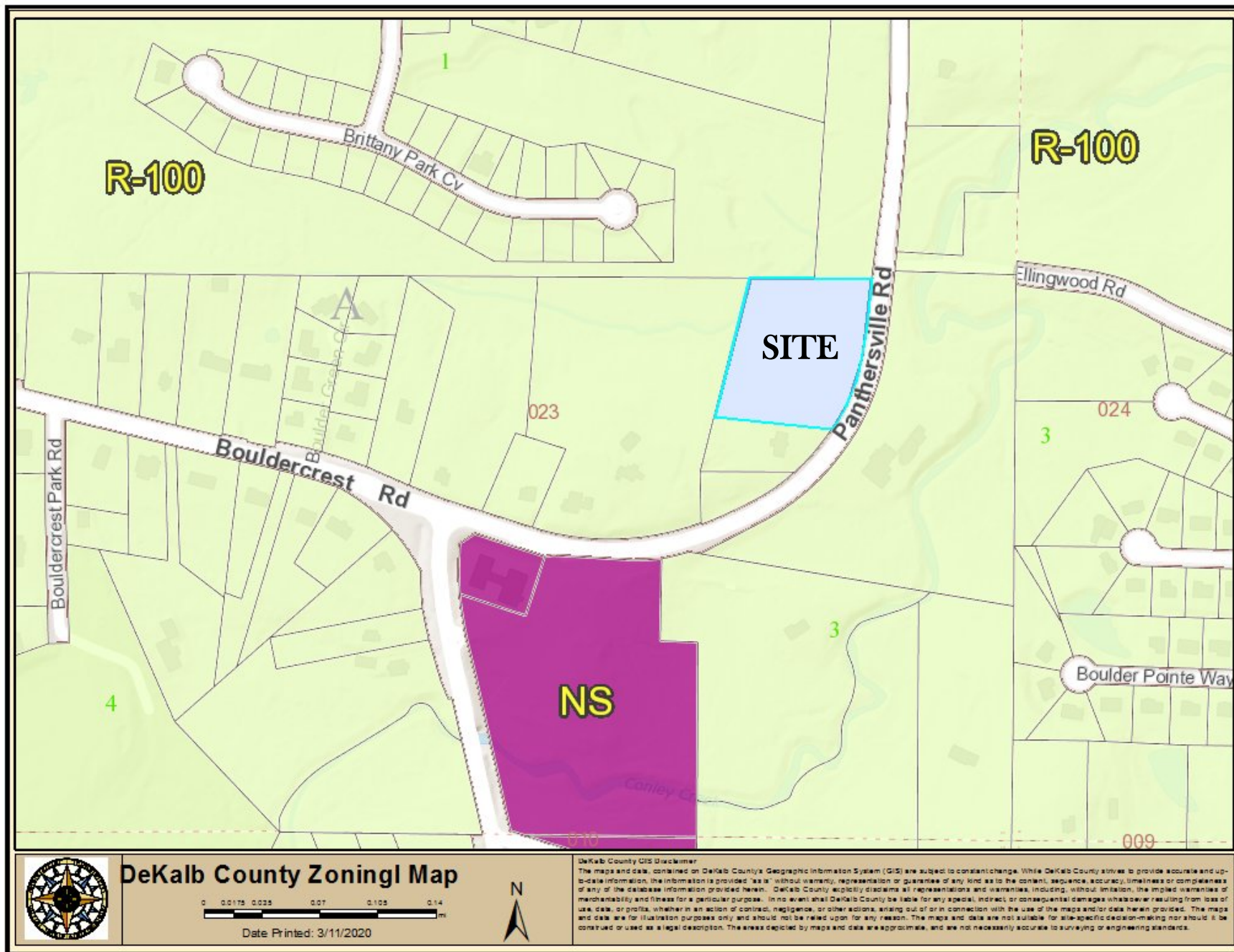


PLANNING & SUSTAINABILITY

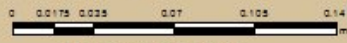
IMPACT ANALYSIS

- A. The size of the property is 4 acres and had adequate yard and parking to keep vehicles off streets.
- B. There is no problem with adjacent properties because of their distance to proposed zoning site change.
- C. The public services and restroom facilities needed will be supplied in the form of out-housed provided by local vendors.
- D. In the past when there have been private events held, there was no problem with any increased burden on the ability to keep traffic moving freely.
- E. There will be no adverse effect on properties located along access route because of sparsely located properties.
- F. There is adequate ingress and egress to said property which has only 1 existing building, and sufficient land and driveway area to accommodate all emergency vehicles if it became necessary.
- G. Because of existing natural barriers and distance from neighbors; there will be no negative impact.
- H. Any and all hours of operation will be in compliance with existing county guide lines.
- I. There will be no adverse impact on adjoining land because of agreement with neighbors.
- J. As previously stated the uses and operation will be county compliant.
- K. The uses of the proposed facility will be operated as stated and there are no alternate plans other than those previously stated.
- L. The proposed plan is in compliance according to regulations stated in zoning directives.
- M. Yes, there is existing regularly scheduled refuse pick-up.
- N. I would respectfully request that no limitations be imposed due to positive community impact.
- O. Building size is a non-issue due to this being used primarily for outdoor use.
- P. There will be no adverse effect on any historical building, districts, or archeological sites.
- Q. ??
- R. No building construction taking place.
- S. The primary intent of this proposed site is to partner with surrounding community and provide a forum where they can come and enjoy the cultural events that will be taking place, and being devoid of any other activities; I feel that this will be a good fit and will be in compliance with the overall objectives of the comprehensive plan.





DeKalb County Zoning Map



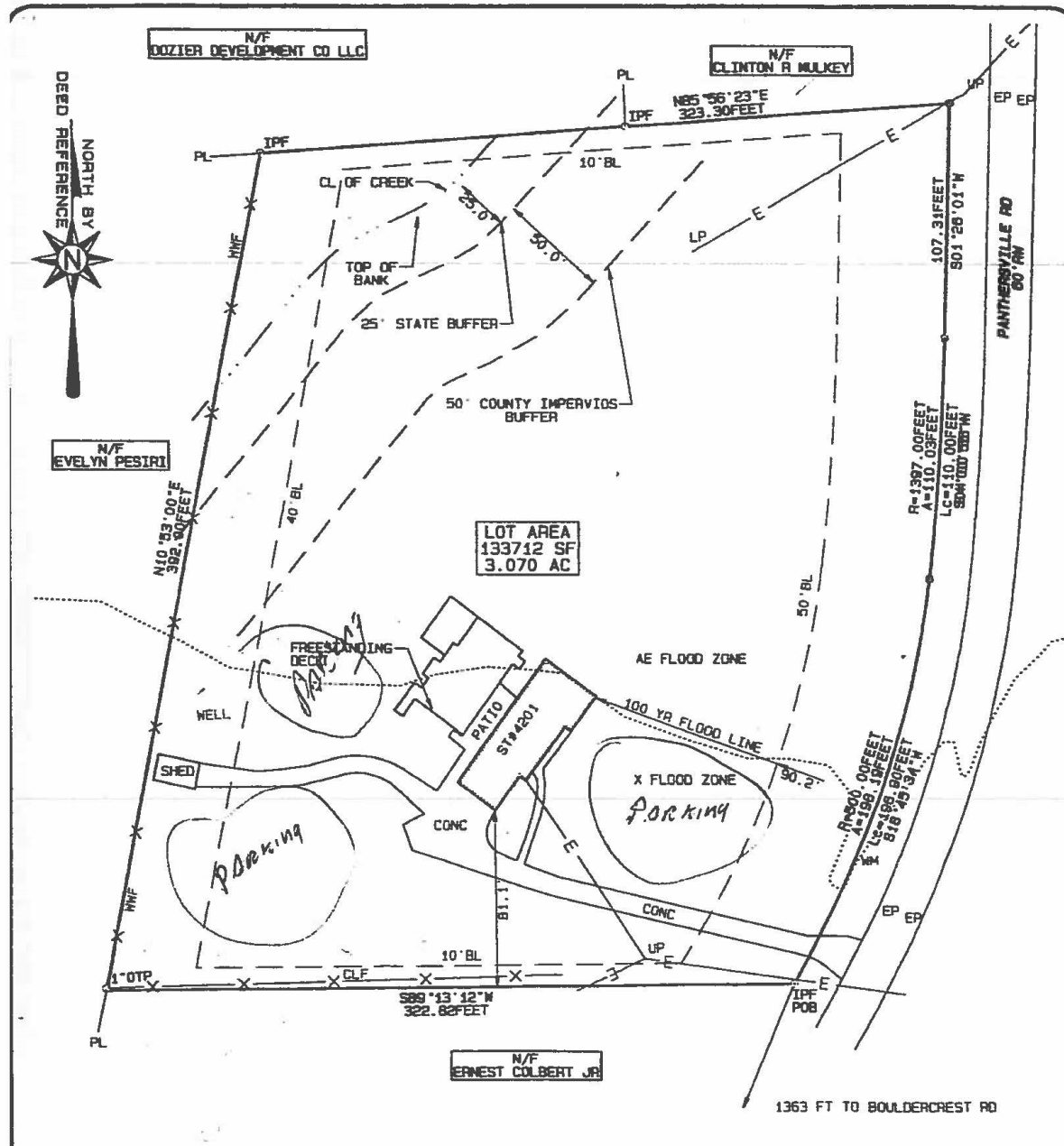
Date Printed: 3/11/2020



DeKalb County GIS Disclaimer

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Front view of residence on Panthersville Road. Functions are held in rear yard.



Rear yard where special event activities take place



View of rear yard from Panthersville Road frontage