



DeKalb County Government

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

Agenda Item

File #: 2019-4348

11/21/2019

File Status: Preliminary Item

Public Hearing: YES NO

Department: Planning & Sustainability

SUBJECT:

COMMISSION DISTRICT(S): 3 & 7

Application of Dionne Newell to request a Special Land Use Permit (SLUP) to allow a Special Events Facility with late night hours (Pisces Banquet Hall) in Suite 4 & 5 of a multi-tenant commercial building in the C-1 (Local Commercial) District, at 4467 Glenwood Road.

PETITION NO: N4. SLUP-19-1243490

PROPOSED USE: Special Event Facility with late night hours

LOCATION: 4467 Glenwood Road

PARCEL NO. : 15 165 01 015

INFO. CONTACT: Marian Eisenberg

PHONE NUMBER: 404-371-4922

PURPOSE:

Application of Dionne Newell to request a Special Land Use Permit (SLUP) to allow a Special Events Facility with late night hours (Pisces Banquet Hall) in Suite 4 & 5 of a multi-tenant commercial building in the C-1 (Local Commercial) District, in accordance with Chapter 27, Article 4, Table 4.1 Use Table & Section 27-4.2.32 Supplemental Regulations of the DeKalb County Code. The property is located on the south side of Glenwood Road and the west side of Austin Drive at 4467 Glenwood Road in Decatur, GA. The property has approximately 160 feet of frontage along Glenwood Road and 135 feet of frontage along Austin Drive and contains 1.8 acres.

RECOMMENDATION:

COMMUNITY COUNCIL: APPROVAL

PLANNING COMMISSION: APPROVAL with MODIFIED CONDITIONS.

PLANNING STAFF: APPROVAL with CONDITIONS

STAFF ANALYSIS: (Revised 11/8/19) The proposed request for a Special Events Facility with late night hours (occasional private events only, not open to the general public) is required to obtain a Special Land Use Permit (SLUP) since there may be alcohol served in the facility after 12:30 a.m. within 1,500 feet of property

zoned for residential use. The nearest residential zoning is the R-75 (Single-Family) district which abuts the south property line of the subject property. While Special Event Facilities have not required a SLUP in the past, over the past year there have been a large number of businesses in the county calling themselves Special Event Facilities but have been actually operating as illegal nightclubs (open daily to the general public) which have caused significant enforcement problems. As a result of this issue, Planning Department policy now requires that any Special Event Facility wanting to operate beyond 12:30 a.m. (late night hours) must obtain a Special Land Use Permit from the Board of Commissioners. There are no anticipated adverse impacts on surrounding properties since the site is within an established commercial building, has access to a Minor Arterial Road (Glenwood Road) and Collector Road (Austin Drive), and has ample parking. The subject property does not abut any residential uses; the R-75 single-family zoning abutting the south side of the subject property contains an electric utility substation owned by Georgia Power. Therefore, it appears that the request for a late night hours for a Special Events Facility with recommended conditions is compatible with adjacent properties, and will not create adverse impacts upon adjoining land uses by reason of hours of operation or by noise, smoke, odor or vibration (Section 27-873 B, G, & H). Staff is recommending that the proposed SLUP expire within one year (January 1, 2021) so that compatibility with surrounding properties can demonstrated and verified prior to the filing of a new SLUP application by the applicant. It is the recommendation of the Planning Department that the application be "Approved", subject to Staff's recommended conditions.

PLANNING COMMISSION VOTE: Approval w/modified conditions 5-2-1. G. McCoy moved, E. Patton seconded for approval with Staff's conditions, with an amendment to condition #4 to read: "Capacity subject to the Fire Marshall, per capacity posting and with an added condition that the SLUP must be renewed January 2021 . T. Snipes and V. Moore opposed.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: APPROVAL 4-1-0. No quorum. The members present based the recommendation on the satisfactory history of the venue and acknowledgement that banquet halls/event centers are needed in south DeKalb County. Opposing vote was based on a concern about lack of parking in the shopping center shared lot.

RECOMMENDED CONDITIONS SLUP 19 1243490

- 1) The Special Event Facility may operate during late night hours beyond 12:30 a.m. and must close by 2:00 a.m. for special events on Monday through Wednesday and on Sundays, and must close by 2:30 a.m. for special events on Thursday through Saturday. The facility shall be limited to the existing 2,200 square foot suite within the Perimeter Festival Shopping Center. The establishment shall be limited to private events such as wedding and birthday parties which include a guest list or special invitations, but shall not be open to the general public (Late Night Establishment is prohibited).
- 2) The Special Event Facility shall not be licensed to sell alcohol. Servers hired to participate in the event such as hired bartender or caterers, should be licensed.
- 3) Compliance with the Noise Ordinance.
- 4) Capacity subject to the Fire Marshal, per Fire Marshall posting.
- 5) Special Land Use Permit shall expire on January 1, 2021 to allow the governing authority to re-review the following criteria upon the filing of a new SLUP application for a Special Event Facility with late night hours:
 - a. Whether the Applicant's use of the premises during the one year period has been in substantial compliance with the adopted SLUP conditions of the Board of Commissioners; and
 - b. Whether the Applicant has taken prompt action to address any Code Enforcement warnings or violations issued regarding the use of the premises as a Special Event Facility with late night hours.

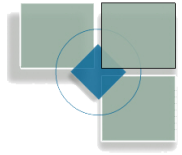


DeKalb County Department of Planning & Sustainability

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Decatur, GA 30030

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Michael Thurmond
Chief Executive Officer

Planning Commission Hearing Date: November 7, 2019, 6:30 P.M.

Board of Commissioners Hearing Date: November 21, 2019 6:30 P.M.

STAFF ANALYSIS

Case No.:	SLUP-19-1243490	Agenda #: N-4
Location/ Address:	4467 Glenwood Road, Decatur, Georgia	Commission District: 3 Super District: 7
Parcel ID:	15 165 01 015	
Request:	To request a Special Land Use Permit (SLUP) to allow a Special Events Facility with late night hours (Pisces Banquet Hall) in Suites 4 and 5 of a multi-tenant commercial building to operate during late night hours beyond 12:30 a.m. within the C-1 (Commercial) District, in accordance with Chapter 27, Article 4, Table 4.1 Use Table & Section 27-4.2.32 Supplemental Regulations of the DeKalb County Code.	
Property Owner:	MGS Ventures, LLC	
Applicant/Agent:	Dionne Newell	
Acreage:	1.8	
Existing Land Use:	Multi-Tenant Shopping Center	
Surrounding Properties:	King Seafood restaurant, Exxon and Chevron gas station, Tire shop (Super Discount Tires), and Glen Royal Inn and Suites to the north; a utility substation to the south; a parking lot to the west; and Mrs. Winners Chicken and Biscuits restaurant, a tire shop, I-285 flea market shopping center, and Club Libra Nightclub to the east across Austin Drive.	
Adjacent Zoning:	North: C-1, South: C-1 & R-75 East: C-1 West: C-1	
Comprehensive Plan:	CRC	Consistent <input checked="" type="checkbox"/> Inconsistent <input type="checkbox"/>
Proposed Density:	NA	Existing Density: NA
Proposed Units/Square Ft.:	2,200 s.f. Special Events Facility (private events only) beyond 12:30 a.m.	Existing Units/Square Feet: 22,693 sf Shop Ctr
Proposed Lot Coverage:	NA	Existing Lot Coverage: NA

Staff Recommendation (Revised 11/8/2019): APPROVAL WITH CONDITIONS OF LATE NIGHT HOURS FOR SPECIAL EVENTS FACILITY

The proposed request for a Special Events Facility with late night hours (occasional private events only, not open to the general public) is required to obtain a Special Land Use Permit (SLUP) since there may be alcohol served in the facility after 12:30 a.m. within 1,500 feet of property zoned for residential use. The nearest residential zoning is the R-75 (Single-Family) district which abuts the south property line of the subject property. While Special Event Facilities have not required a SLUP in the past, over the past year there have been a large number of businesses in the county calling themselves Special Event Facilities but have been actually operating as illegal nightclubs (open daily to the general public) which have caused significant enforcement problems. As a result of this issue, Planning Department policy now requires that any Special Event Facility wanting to operate beyond 12:30 a.m. (late night hours) must obtain a Special Land Use Permit from the Board of Commissioners.

There are no anticipated adverse impacts on surrounding properties since the site is within an established commercial building, has access to a Minor Arterial Road (Glenwood Road) and Collector Road (Austin Drive), and has ample parking. The subject property does not abut any residential uses; the R-75 single-family zoning abutting the south side of the subject property contains an electric utility substation owned by Georgia Power. Therefore, it appears that the request for a late night hours for a Special Events Facility with recommended conditions is compatible with adjacent properties, and will not create adverse impacts upon adjoining land uses by reason of hours of operation or by noise, smoke, odor or vibration (Section 27-873 B, G, & H). Staff is recommending that the proposed SLUP expire within one year (January 1, 2021) so that compatibility with surrounding properties can be demonstrated and verified prior to the filing of a new SLUP application by the applicant. It is the recommendation of the Planning Department that the application be "Approved", subject to the following recommended conditions:

- 1) The Special Event Facility may operate during late night hours beyond 12:30 a.m. and must close by 2:00 a.m. for special events on Monday through Wednesday and on Sundays, and must close by 2:30 a.m. for special events on Thursday through Saturday. The facility shall be limited to the existing 2,200 square foot suite within the Perimeter Festival Shopping Center. The establishment shall be limited to private events such as wedding and birthday parties which include a guest list or special invitations, but shall not be open to the general public (Late Night Establishment is prohibited).
- 2) The Special Event Facility shall not be licensed to sell alcohol. Servers hired to participate in the event such as hired bartender or caterers, should be licensed.
- 3) Compliance with the Noise Ordinance.
- 4) Capacity subject to the Fire Marshal.
- 5) Special Land Use Permit shall expire on January 1, 2021 to allow the governing authority to re-review the following criteria upon the filing of a new SLUP application for a Special Event Facility with late night hours:
 - a. Whether the Applicant's use of the premises during the one year period has been in substantial compliance with the adopted SLUP conditions of the Board of Commissioners; and
 - b. Whether the Applicant has taken prompt action to address any Code Enforcement warnings or violations issued regarding the use of the premises as a Special Event Facility with late night hours.

SUBJECT PROPERTY

The 1.8 acre project site is located on the south side of Glenwood Road and the west side of Austin Drive in Decatur, Georgia. The property is currently developed with a 22,693 square foot shopping center (Perimeter Festival Shopping Center) which contains a nightclub (Vibes Nightclub), two beauty salons (Pucci’s salon and Ahdia Children’s salon), a liquor store (Dee’s Package Store), a restaurant/lounge (107.1 Lounge), and two retail establishments (Eden Health Foods and Sugar Bunz). The subject property is zoned C-1 (Local Commercial).

PROJECT ANALYSIS

The existing Special Events Facility is required to close by 12:30 a.m. and is only allowed to host private special events. The proposed SLUP request is to allow the Special Events Facility to operate during late night hours beyond 12:30 a.m. for private special events. The applicant only wants to operate a Special Events Facility (private events), there is no interest in being open to the general public as a Late Night Establishment. While Special Event Facilities have not required a SLUP in the past, over the past year there have been a large number of businesses in the county calling themselves Special Event Facilities but have been actually operating as illegal nightclubs (open daily to the general public) which have caused significant enforcement problems. As a result of this issue, Planning Department policy now requires that any Special Event Facility wanting to operate beyond 12:30 a.m. (late night hours) must obtain a Special Land Use Permit from the Board of Commissioners.

The business is surrounded by established retail, personal services, nightclub, and restaurant uses in the Perimeter Festival Shopping Center. There are no anticipated adverse impacts on surrounding properties since the site is within an established commercial building, has access to a Minor Arterial Road (Glenwood Road) and Collector Road (Austin Drive), and has ample parking. The subject property does not abut any residential uses; the R-75 single-family zoning abutting the south side of the subject property contains an electric utility substation owned by Georgia Power. Therefore, it appears that the request for a late night hours for a Special Events Facility with recommended conditions is compatible with adjacent properties, and will not create adverse impacts upon adjoining land uses by reason of hours of operation or by noise, smoke, odor or vibration (Section 27-873 B, G, & H).

The submitted site plan and information indicates the proposed Special Events Facility with late night hours would occupy a 2,200 square foot tenant space within an established 22,693 square foot multi-tenant shopping center (Perimeter Festival Shopping Center). There are approximately 74 parking spaces on the project site which provides ample parking for the 21 parking spaces required by the zoning ordinance for the Special Events Facility and Vibes Nightclub which are the only businesses anticipated to be open in the shopping center during late night hours. The applicant is aware that their establishment is required to comply with all applicable codes and ordinances including the Noise Ordinance, and that capacity is subject to approval of the Fire Marshal’s Office.

STANDARD		REQUIREMENT	EXISTING	COMPLIANCE
LOT WIDTH		100 feet	160	YES
LOT AREA		20,000 square feet	78,408 square feet	YES
YARD SETBACKS	FRONT	60 feet	75 feet (Glenwood Road) 67 feet (Austin Drive)	YES
	INTERIOR SIDE	20 feet	20 feet	YES
	REAR	30 feet	10 feet	NO (Property was constructed circa 1973 and site is non-conforming, no variance is required)

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	REAR	30 feet	10 feet	NO (Property was constructed circa 1973 and site is non-conforming, no variance is required)

TRANS. BUFFERS	50 feet	0 feet	NO (Property was constructed circa 1973 and site is legally non-conforming, no variance is required. Abutting R-75 zoning does not contain residential use, but is a utility substation)
HEIGHT	2 story	1 story	YES
PARKING	11 spaces for proposed Special Event Facility; 21 spaces for all tenants that may be operating beyond 12:30 a.m. (includes proposed Special Event Facility and existing Vibes Nightclub)	74 spaces	YES (Proposed Special Events Facility & Existing Nightclub (Vibes Nightclub) would require 21 parking spaces, and there are 74 parking spaces available in the shopping center.)

Supplemental Requirements

There are no supplemental requirements for Special Event Facilities.

Access and Transportation Considerations

Based on the submitted site plan and information, the proposed use would be accessed via two driveways from Glenwood Road and from Austin Drive. Glenwood Road is a four-lane minor arterial road which can sufficiently accommodate commercial traffic. Austin Drive is a two-lane road which can also sufficiently accommodate commercial traffic. Internal circulation is limited to the parking areas and internal access drives on the project site within the Perimeter Festival Shopping Center. The Traffic Engineer has indicated that there are no traffic engineering concerns at this time. Therefore, ingress/egress and parking should be sufficient within this established shopping center

Sidewalk/Pedestrian Access

Based on the submitted information and field investigation of the project site, there are sidewalks along this stretch of Glenwood Road within this established commercial area.

Building Mass and Materials

Based on the submitted plan and information, the proposed use will be located in an established commercial building. Therefore, there are no impacts on the size, scale, and massing of adjacent and nearby lots and buildings.

LAND USE AND ZONING ANALYSIS

Section 27-873 of the DeKalb County Zoning Ordinance, "Special land use permit; criteria to be applied" states that the following criteria shall be applied in evaluating and deciding any application for 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 of the following factors, all of which are applicable to each application.

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:

Based on the submitted site plan and information, as well as field investigation of the project site, it appears that the size of the site is adequate for the use contemplated. Special Event Facilities are allowed in the C-1 (Local Commercial) district, subject to approval of a SLUP for late night hours beyond 12:30 a.m. when within 1,500 feet of residentially zoned property. The C-1 district requires 20,000 square feet (approx.46 acres), and the project site contains 1.8 acres (78,408 square feet). Additionally, the proposed use will be located within an established shopping center (Perimeter Festival Shopping Center). While the existing buildings do not comply with the required 30 foot rear yard building setback or the required 50-foot transitional buffer abutting the south property line, the buildings were constructed in 1973 and appear to be non-conforming structures. There are 74 parking spaces on the property, and the minimum parking required by the Zoning Ordinance for the applicant's proposed Special Event Facility is eleven spaces. It appears that there is adequate land area available for the proposed use as there is compliance with all other required yards, open space, off-street parking, and other applicant requirements of the Zoning Ordinance.

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

Based on the submitted site plan and information, as well as field investigation of the project site, it appears that the proposed use is compatible given the established retail, personal services, and restaurant uses existing in the Perimeter Festival Shopping Center. There are no anticipated adverse impacts on surrounding properties since the site is within an established commercial building, has access to a Minor Arterial road (Glenwood Road) and Collector Road (Austin Drive), and has ample parking.

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

Based on the submitted information, it appears that public transportation facilities are adequate to service the use contemplated. There will no impact on schools since the proposed use is nonresidential. There is no burdensome impact anticipated on public utilities since the proposed use will be located in an established commercial building.

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:

Based on the submitted site plan and information, as well as field investigation of the project site, the public street on which the proposed use is to be located is adequate and will not unduly increase traffic congestion since the Special Event Facility operating during late night hours will be located in an established commercial building within the Perimeter Festival Shopping Center, and accesses a minor arterial road (Glenwood Road).

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:

Based on the submitted site plan and information, as well as field investigation of the project site, it appears that the existing land uses located along access routes to the site would not be adversely affected by the character of the vehicles or the volume of traffic generated since the proposed use will be located within an established commercial building along a minor arterial road (Glenwood Road).

F. 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:

Based on the submitted site plan and information, as well as field investigation of the project site, it appears that ingress and egress to the subject property is adequate since the proposed use will be located in an established commercial building within the Perimeter Festival Shopping Center with a curb cut on a minor arterial road (Glenwood Road) and Collector Road (Austin Drive).

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:

There are no anticipated adverse impacts on surrounding properties since the site is within an established commercial building, has access to a Minor Arterial road (Glenwood Road) and Collector Road (Austin Drive), and has ample parking. The subject property does not abut any residential uses; the R-75 single-family zoning abutting the south side of the subject property contains an electric utility substation owned by Georgia Power. Therefore, it appears that the SLUP proposal for a Special Event Facility with late night hours with recommended conditions is compatible with adjacent properties, and will not create adverse impacts upon adjoining land uses by reason of hours of operation or by noise, smoke, odor or vibration.

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:

Based on the submitted information and elevations, it appears that the proposed use would not create adverse impacts on the adjoining land use by reason of the hours of operation since most of the surrounding businesses would be closed during the peak hours of special events between 12:30 am to 2:30 am.

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

See criteria "H".

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:

With the exception of the rear building setback and the transitional buffer, the proposed plan is consistent with the requirements of the zoning district classifications in which the use is proposed to be located (C-1 district). Since the buildings were constructed circa 1973, the buildings are considered grandfathered.

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

Based on the submitted information, it appears that the proposed use with recommended conditions is consistent with the policies and strategies of the Commercial Redevelopment Corridor (CRC) Character Area of the DeKalb County Comprehensive Plan calling for focused development on parcels that abut or have access to the designated Commercial Redevelopment Corridor (CRC Policy #18).

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:

No transitional buffers are required since no new construction is proposed.

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

Based on the submitted information, refuse and service areas appear to be ample and adequate since the proposed use is located within an established shopping center.

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

Staff is recommending that the proposed SLUP expire within one year (January 1, 2021) so that compatibility with surrounding properties can be demonstrated and verified prior to the filing of a new SLUP application by the applicant.

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:

Based on the submitted plan and information, the proposed use will be located in an established commercial building. Therefore, there are no impacts on the size, scale, and massing of adjacent and nearby lots and buildings.

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

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 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.

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

Based on the submitted plan and information, as well as field investigation of the project site, the proposed use would be located within an established one story commercial building which should not 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:

Based on the submitted information, it appears that the proposed use with recommended conditions is consistent with the policies and strategies of the Commercial Redevelopment Corridor (CRC) Character Area of the DeKalb County Comprehensive Plan calling for focused development on parcels that abut or have access to the designated Commercial Redevelopment Corridor (CRC Policy #18). Based on the submitted information, the SLUP proposal with recommended conditions will permit a use that is suitable in view of the use and development of adjacent and nearby properties.

Planning and Sustainability Department Recommendation:

APPROVE WITH CONDITIONS OF LATE NIGHT HOURS FOR SPECIAL EVENTS FACILITY

The proposed request for a Special Events Facility with late night hours (occasional private events only, not open to the general public) is required to obtain a Special Land Use Permit (SLUP) since there may be alcohol served in the facility after 12:30 a.m. within 1,500 feet of property zoned for residential use. The nearest residential zoning is the R-75 (Single-Family) district which abuts the south property line of the subject property. While Special Event Facilities have not required a SLUP in the past, over the past year there have been a large number of businesses in the county calling themselves Special Event Facilities but have been actually operating as illegal nightclubs (open daily to the general public) which have caused significant enforcement problems. As a result of this issue, Planning Department policy now requires that any Special Event Facility wanting to operate beyond 12:30 a.m. (late night hours) must obtain a Special Land Use Permit from the Board of Commissioners.

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1. The Special Event Facility may operate during late night hours beyond 12:30 a.m. and must close by 2:00 a.m. for special events on Monday through Wednesday and on Sundays, and must close by 2:30 a.m. for special events on Thursday through Saturday. The facility shall be limited to the existing 2,200 square foot suite within the Perimeter Festival Shopping Center. The establishment shall be limited to private events such as wedding and birthday parties which include a guest list or special invitations, but shall not be open to the general public (Late Night Establishment is prohibited).
2. The Special Event Facility shall not be licensed to sell alcohol. Servers hired to participate in the event such as hired bartender or caterers, should be licensed.
3. Compliance with the Noise Ordinance.
4. Capacity subject to the Fire Marshal.
5. Special Land Use Permit shall expire on January 1, 2021 to allow the governing authority to re-review the following criteria upon the filing of a new SLUP application for a Special Event Facility with late night hours:
 - a. Whether the Applicant's use of the premises during the one year period has been in substantial compliance with the adopted SLUP conditions of the Board of Commissioners; and
 - b. Whether the Applicant has taken prompt action to address any Code Enforcement warnings or violations issued regarding the use of the premises as a Special Event Facility with late night hours.

Attachments:

1. Public Works Department Comments
 - a. Land Development Division
 - b. Traffic Engineering Division
2. Watershed Management Department Comments
3. Board of Health Comments
4. Board of Education Comments
5. Application
6. Site Plan
7. Zoning Map
8. Aerial Photograph
9. Photographs



DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO
MICHELLE ALEXANDER mmalexander@dekalbcountyga.gov AND/OR LASONDRA HILL
lahill@dekalbcountyga.gov

COMMENTS FORM:
PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: SLUP-19-1243490 Parcel I.D. #: 15-165-01-015

Address: 4467
Glenwood Rd
Decatur, GA

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:

<p>Plans and field reviewed. No problems found that would disrupt traffic flow.</p>

Signature: David M. Boer

Letter of Application

Current Business: Pisces Banquet Hall

August 17, 2019

I am purposing to change the zoning of my business to accommodate clients that use my facility. I am currently obligated to close at 12 midnight. I would like to close between 2:30 amd-3am. Because most adults that have events their birthday parties reunions and wedding receptions start around 9pm. I would like to close as other business in the center where I my business is located and was told I needed to prepare a SLUP to be zoned and approved as a late night establishment. I am requesting to become a late night establishment for that purpose.

I have had face to face discussions with my neighbors and have signatures of those who were not able to attend the scheduled community meeting but are supporting the application I am submitting.

Dionne Newell

Owner

678-598-0883

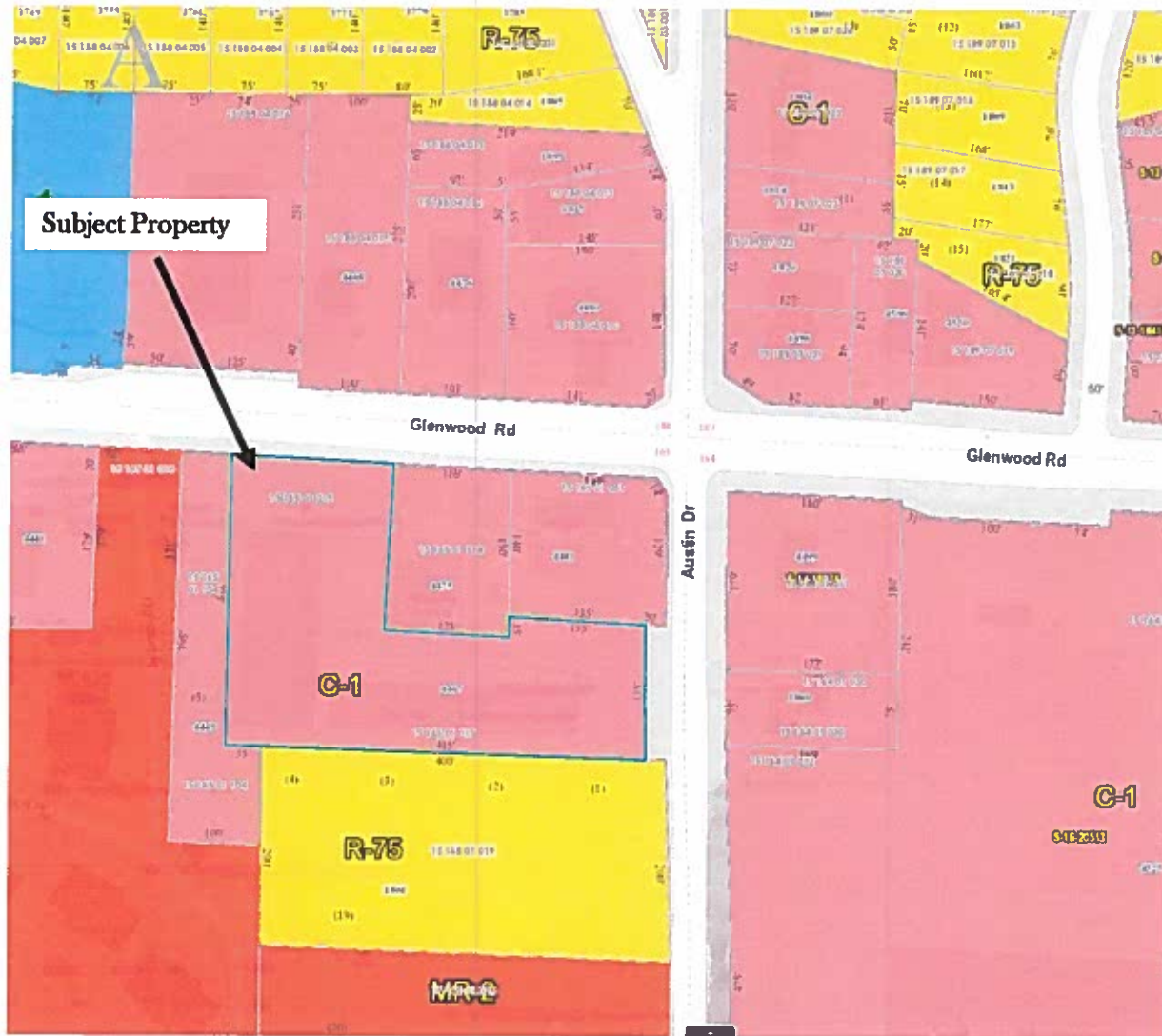
IMPACT ANALYSIS

(PISCES BANQUET HALL-4467 Glenwood Ave Suite 4&5 Decatur GA 30032

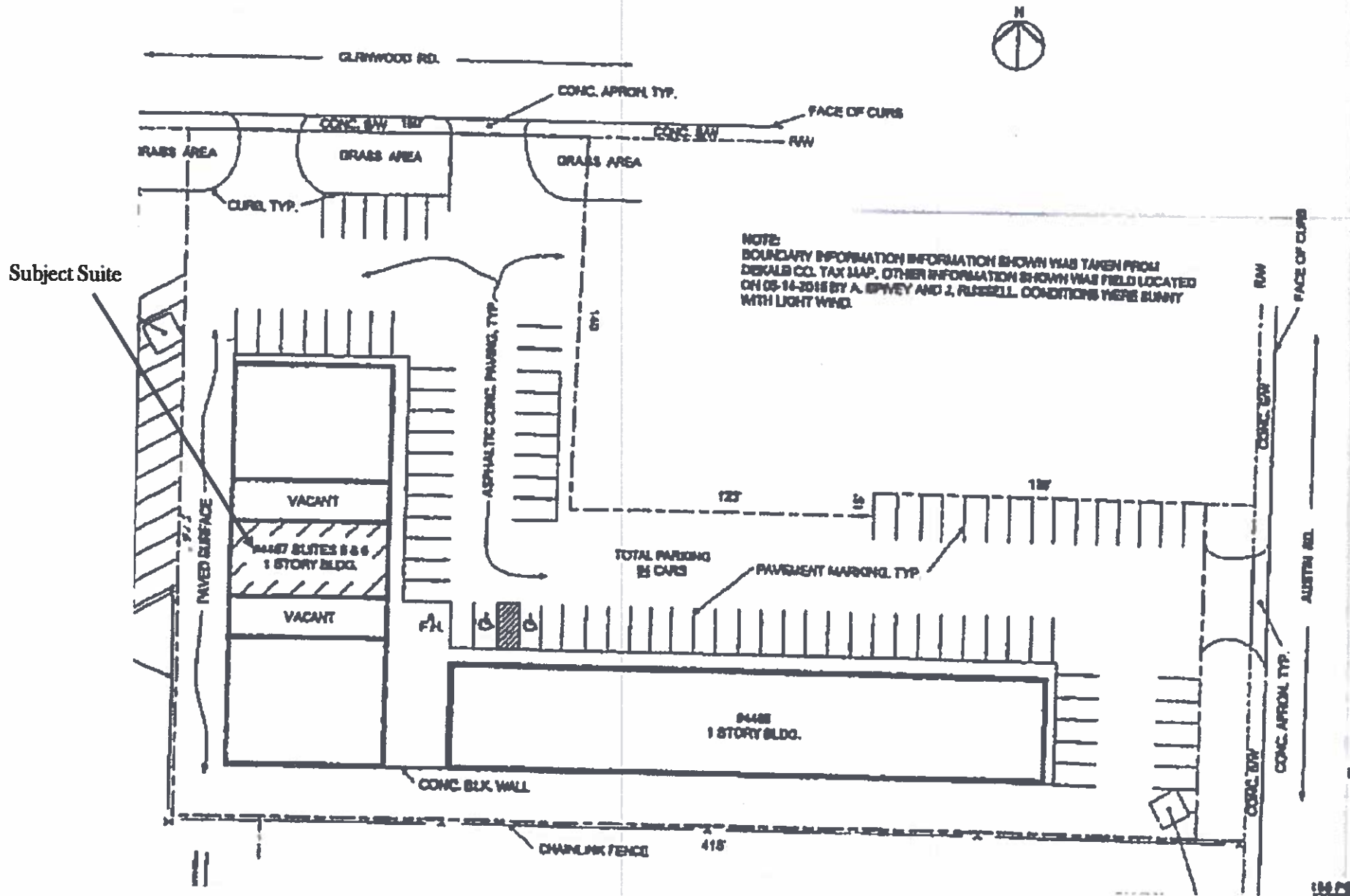
- A. The adequacy of the size of the site for use contemplated is consistent with provision A for the proposed use, yard, open space, off street parking and all other applicable requirements of the zoning district in which the use is located.
- B. This use is compatible as proposed use with adjacent properties and land use and other properties and land uses in the district.
- C. This property has adequacy of public services, public facilities and utilities to serve the use contemplated.
- D. This property is consistent with the adequacy of the public street on which the use is proposed to be located and currently operating and whether or not there is sufficient traffic carrying capacity for the use as no to unduly increase traffic and create congestion in the area.
- E. This property is consistent with existing land uses located along access routes to the site will not be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use.
- F. The property ingress and regress is compatible to all proposed building, structures and uses thereon with particular reverences to pedestrian and automotive safety and convenience, traffic flow and control and access in the event of fire or other emergency is consistent with other property in the location.
- G. This property is consistent with other business and the proposed changes will not create adverse impact upon any adjoining land use by reason of noise, smoke odor, dust or vibration generated by the propose use.
- H. The proposed use is consistent with other business in the commercial strip mall and it will not create any adverse impact upon any adjoin land use by reason of the hours of operation of the proposed use.
- I. The proposed use will not create any adverse impact upon any adjoin land use by reason of the manner of the proposed use.
- J. The proposed plan is consistent with all of the requirements of the zoning district classification which the use is proposed to be located.
- K. The proposed use is consistent with the policies of the comprehensive plan.
- L. The proposed plan provides for all required buffer zones and transitional buffer zones where required by the regulation of the district the purposed change will be located.
- M. The proposed plan provides for the adequate provision of refuse and service are will not change.
- N. The proposed plan for which the request for special land use permit is requested without limited duration.
- O. The size, scale and mass of the proposed building will not change no impact in relation to size, scale and mass of adjacent and nearby lot and buildings.
- P. The proposed plan will not have an impact or adversely affect historic building sites, district or archeological resources. No impact
- Q. The proposed use satisfies the requirements contained within the supplemental regulations for business to stay open later requires a special land use permit.
- R. The proposed building height will not change, will not create a shadow impact on any adjoining lot or buildings.
- S. The purposed use would be consistent with the needs of the neighborhood and community as a whole and is compatible with other business within the neighborhood and is not in conflict with the overall objectives of the comprehensive plan.

-END-

Pisces Banquet Hall Impact Statement











DEPARTMENT OF PLANNING & SUSTAINABILITY

SPECIAL LAND USE PERMIT APPLICATION

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

RECEIVED
SEP 04 2019
BY: Dionne Newell

Date Received:

Application No: SLUP-19-1243490

APPLICANT NAME:

Dionne Newell (for) Piscees Banquet Hall

Daytime Phone:

678-598-0883

E-Mail:

Mailing Address:

1383 KALA DR Lithonia, GA 30068

Owner Name:

SAME

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

Daytime Phone:

E-Mail:

Mailing Address:

SUBJECT PROPERTY ADDRESS OR LOCATION:

4467 Glenwood Rd

Suite 4, 5

DeKalb County, GA,

30032

Parcel ID:

15-165-01-015

Acreage or Square Feet:

Commission Districts

3, 7

Existing Zoning:

C-1

Proposed Special Land Use (SLUP)

C-1 Late Night

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

Dionne Newell

Printed Name of Applicant:

Dionne Newell

Notary Signature and Seal:

Phenita J. Furcron



NOTICE

Re: Pisces Banquet Hall Request for

DEKALB COUNTY SLUP (Special land Use Permit)

Location: Community Meeting scheduled for 8-9 2019 at 10AM
4467 Glenwood Ave Suite 4 & 5
Decatur, GA 30032

Neighbor Support

This notice is to inform you that I am a neighbor, I own a business and I am aware of that "PISCES Banquet Hall" is asking for a special land use permit. This permit is for the business to be uniform with the codes for late night establishments in the shopping center and establishes that events if scheduled will end at the same time as other business in the area are allowed to do. With the business area clean and closed no later than 4:00 am as other establishments as required by DeKalb County ordinances.

I am in support of this business having extended hours which are uniform with other establishments in the center.

Name/Business	Address	Optional Ph
Name: <u>Hampton's Silhouette</u>	<u>4469 Glenwood Rd, Dec 30032</u>	_____
Name: <u>Edwin Hair Care</u>	<u>4469 Glenwood Rd</u>	_____
Name: <u>Dec's Package</u>	<u>4457 Glenwood rd</u>	_____
Name: <u>Tanisha Moore</u>	<u>447 Glenwood Rd</u>	<u>678-515-3060</u>
Name: <u>Archimedes</u>	<u>4421 Glenwood Rd</u>	_____
Name: <u>QYO Hotel</u>	<u>4460 Glenwood Rd.</u>	_____
Name: <u>Samson Nisettis</u>	<u>4476 Glenwood Rd</u>	<u>404 453 330</u>
Name: <u>Tanya Richardson</u>	<u>4371 Glenwood Rd</u>	<u>678 598 1623</u>
Name: <u>Cy. Mungier</u>	<u>4476 Glenwood rd</u>	<u>678-705-9144</u>
Name: <u>Al the Jewels</u>	<u>4999 Glenwood Rd</u>	<u>(678) 768-9765</u>
Name: _____	_____	_____
Name: _____	_____	_____
Name: _____	_____	_____
Name: _____	_____	_____



DEPARTMENT OF PLANNING & SUSTAINABILITY

LATE NIGHT ESTABLISHMENT OR NIGHTCLUB CHECK LIST

Discard BANQUET HALL

1. Is the requested SLUP for a new business or an existing business? (Please check only one) New Business Existing Business . If the SLUP is for an existing business please answer question Nos. 2 - 5.
2. Does this Business have a current Business License? Yes No
If yes, provide a copy of current business license.
3. Has this business ever been operated without a Business License? Yes No
If yes, how long did the business operate without a business license? N/A
4. Has this business received a citation for any of the following: NO
 - a. Life safety violations such as pyrotechnics, overcrowding, inadequate ingress/egress operating beyond the permitted hours of operation.
 - b. Construction (major/minor renovation, alteration and addition) without a valid DeKalb County permit.
 - c. Business closure and renovation without surrendering license to State and County as required by State law.
 - d. Change of business name, ownership, or use without DeKalb County approval.
 - e. No valid Certificate of Occupancy issued by DeKalb County
 - f. Violation of operating hours of the Zoning ordinance or Alcohol Ordinance.
 - g. Lack of proof of residency under DeKalb County. Any person who holds a liquor license in DeKalb County is required under DeKalb County law to be a resident of DeKalb County.
5. If one or more of the citations mentioned in No. 4 have been issued, please provide copies of summons and citations and summary of court decision or resolution.

Submittal of a fraudulent application is a violation of DeKalb County and State law.

NOTICE

COMMUNITY MEETING

**Re: Pisces Banquet Hall Request for
DEKALB COUNTY SLUP (Special land Use Permit)**

Meeting Date: August 9, 2019 **Time:** 10 AM

Location: Pisces Banquet Hall
4467 Glenwood Ave Suite 4 & 5
Decatur, GA 30032

This notice is to inform you that the "PISCES Banquet Hall" is asking for a special land use permit. This permit is for our business to be uniform with the codes for late night establishments in the shopping center. This permit establishes that our events if scheduled will end at the same time as other business in the area clean and closed no later than other establishments as required by DeKalb County ordinances.

Dionne Newell

Owner

7.24.19

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: PISCES BANQUET HALL
Dianne Newell Phone: 678-0883 Email: diannewell2002@yahoo.com

Property Address: 4467 Glenwood Ave Suite 415

Tax Parcel ID: 15-145-01-015 Comm. District(s): 3:7 Acreage: _____

Existing Use: Event Center in shopping center Proposed Use: Late night

Supplemental Regs: _____ Overlay District: NA DRI: NA

Rezoning: Yes _____ No

Existing Zoning: C-1 Proposed Zoning: _____ Square Footage/Number of Units: _____

Rezoning Request: _____

Land Use Plan Amendment: Yes _____ No

Existing Land Use: CNC Proposed Land Use: Late Night Consistent _____ Inconsistent _____

Special Land Use Permit: Yes No _____ Article Number(s) 27- 4.2.32

Special Land Use Request(s) Late night Event Center

Major Modification:

Existing Case Number(s): _____

Condition(s) to be modified:

NOTICE

Re: Pisces Banquet Hall Request for

DEKALB COUNTY SLUP (Special land Use Permit)

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Decatur, GA 30032

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I am in support of this business having extended hours which are uniform with other establishments in the center.

Name/Business	Address	Optional Ph
Name: <u>Hempstead Brewery</u>	<u>4469 Glenwood Rd, Dec 30032</u>	_____
Name: <u>Edery Hair Care</u>	<u>4469 Glenwood Rd</u>	_____
Name: <u>Dec's Package</u>	<u>4467 Glenwood rd</u>	_____
Name: <u>Tanisha Moore</u>	<u>447 Glenwood Rd</u>	<u>678-515-3060</u>
Name: <u>Archivia</u>	<u>4481 Glenwood Rd</u>	_____
Name: <u>QYO Hotel</u>	<u>4460 Glenwood Rd.</u>	_____
Name: <u>Samson Nisettis</u>	<u>4476 Glenwood Rd</u>	<u>404 453 330</u>
Name: <u>Tanya Richardson</u>	<u>4371 Glenwood Rd</u>	<u>678 598 1623</u>
Name: <u>Cy. Hunter</u>	<u>4476 Glenwood rd</u>	<u>678-705-9144</u>
Name: <u>AL ...</u>	<u>4499 Glenwood Rd</u>	<u>(678) 708-9765</u>
Name: _____	_____	_____
Name: _____	_____	_____
Name: _____	_____	_____
Name: _____	_____	_____

Name: Apco of Glenwood 4375 Glenwood Rd
Decatur, GA. 30032 404-549-747

Name: _____

Name: _____

Name: _____

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Name: _____

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Name: _____

Name: _____

Name: _____

Name: _____

Name: _____

Name: _____

Name: _____

Name: _____

Name: _____

Dionne Newell

Owner

19

MEETING SIGN-IN SHEET

Project: SLAP - Late Night

Meeting Date: 8-9-2019

Facilitator: Bonita Lacy

Location: 4467 Glenwood Ave

Name

Address

Phone

Email

<u>Al Jones</u>	<u>4499 Memorial Dr</u>	<u>(628) 768-9765</u>	
<u>Wayne Stern</u>			

<u>A. Edman</u>	<u>4468 Glenwood</u>	<u>4-914-1404</u>	
<u>Moussal Shukry</u>	<u>4469 Glenwood Rd</u>	<u>404-403-3891</u>	