



## Legislation Text

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File #: 2019-4348, Version: 1

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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 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 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.