



Legislation Details (With Text)

**File #:** 2019-4071    **Version:** 1    **Name:**  
**Type:** Ordinance    **Status:** Public Hearing  
**File created:** 7/24/2019    **In control:** Board of Commissioners  
**On agenda:** 10/22/2019    **Final action:** 10/22/2019  
**Title:** COMMISSION DISTRICT(S): 4 & 6  
Application of Woodland Asset Management for a Special Land Use Permit for a proposed restaurant with a drive through in a C-1 (Local Commercial) District, at 5100 Memorial Drive.

**Indexes:**

**Attachments:** 1. 2019 10.22 Item 2019-4071, 2. N4 Staff Report SLUP 19 1243380, 3. Recommended Conditions SLUP 19 1243380, 4. 2019 10.22 Item 2019-4071- Revised Conditions

Date	Ver.	Action By	Action	Result
10/22/2019	1	Board of Commissioners		
9/24/2019	1	Board of Commissioners - Zoning Meeting	deferred 30 days	Pass
9/10/2019	1	Planning Commission	approved with conditions per staff recommendation	Pass

Substitute

**Public Hearing:** YES  NO     **Department:** Planning & Sustainability

**SUBJECT:**

**COMMISSION DISTRICT(S): 4 & 6**

**Application of Woodland Asset Management for a Special Land Use Permit for a proposed restaurant with a drive through in a C-1 (Local Commercial) District, at 5100 Memorial Drive.**

**PETITION NO: N4. SLUP-19-1243380**

**PROPOSED USE:** Drive-Through Restaurant

**LOCATION:** 5100 Memorial Drive

**PARCEL NO. :** 18 043 01 026

**INFO. CONTACT:** Marian Eisenberg

**PHONE NUMBER:** 404-371-4922

**PURPOSE:**

Application of Woodland Asset Management for a Special Land Use Permit for a proposed restaurant with a drive through in a C-1 (Local Commercial) District in accordance with Chapter 27, Article 4 of the DeKalb County Zoning Ordinance, Table 4.1. The property is located on the southwest corner of Memorial Drive and Memorial College Avenue in the Citadel Shopping Center, at 5100 Memorial Drive, Decatur, Georgia. The property has approximately 120 feet of frontage along Memorial Drive and 180 feet of frontage along Memorial College Avenue and contains 0.49 acres.

**RECOMMENDATION:**

**COMMUNITY COUNCIL:** Approval

**PLANNING COMMISSION:** Approval with modified conditions

**STAFF RECOMMENDATION:** Approval with conditions

**PLANNING STAFF:** Approval with conditions

**PLANNING STAFF ANALYSIS:** The proposed Popeyes Louisiana restaurant with a drive-through lane is compatible with nearby commercial uses along Memorial Drive. The site is in the Neighborhood Center Character Area where the proposed drive-through restaurant is consistent with the following policy and intent of the character area: creating mixed uses that offer a variety of retail and commercial services along Memorial Drive. Therefore, it is the recommendation of the Planning and Sustainability Department that the Special Land Use Permit (SLUP) to allow a Popeyes Louisiana restaurant with a drive through be APPROVED per Staff's conditions.

**PLANNING COMMISSION VOTE:** Approval with modified conditions 7-2-0. L. Osler moved, J. Johnson seconded for approval with Staff's modified conditions as follows: Remove condition #4 and correct condition #2 to change, "Memorial College Drive" to "Memorial College Avenue". G. McCoy and J. West opposed.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION: Approval 10-0-0.**