



# DeKalb County Government

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

## Legislation Details (With Text)

**File #:** 2020-0086      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Preliminary Item  
**File created:** 1/13/2020      **In control:** Board of Commissioners - Zoning Meeting  
**On agenda:** 5/28/2020      **Final action:**  
**Title:** COMMISSION DISTRICT(S): 3 & 6  
Application of Eden Rock Moreland, LLC for a Special Land Use Permit (SLUP) for a proposed drive-through restaurant in a C-2 (General Commercial) District, at 1250 Moreland Avenue.

### Indexes:

**Attachments:** 1. Recommended Conditions SLUP 20 1243754, 2. N5 Eden Rock Moreland SLUP 20 1243754 5-28-2020 BOC Staff report, 3. Revised Conditions

Date	Ver.	Action By	Action	Result
5/28/2020	1	Board of Commissioners - Zoning Meeting	approved with conditions	Pass
3/3/2020	1	Planning Commission	approved with conditions per staff recommendation	Pass

**Public Hearing:** YES ☒ NO ☐

**Department:** Planning & Sustainability

### SUBJECT:

**COMMISSION DISTRICT(S): 3 & 6**

**Application of Eden Rock Moreland, LLC for a Special Land Use Permit (SLUP) for a proposed drive-through restaurant in a C-2 (General Commercial) District, at 1250 Moreland Avenue.**

**PETITION NO: N5. SLUP-20-1243754 (2020-0086)**

**PROPOSED USE:** Restaurant with a drive-through lane

**LOCATION:** 1250 Moreland Avenue

**PARCEL NO. :** 15-144-02-054

**INFO. CONTACT:** Matthew Williams

**PHONE NUMBER:** 404-371-2155

### PURPOSE:

Application of Eden Rock Moreland, LLC for a Special Land Use Permit for a proposed restaurant with a drive-through in a C-2 (General Commercial) District in accordance Chapter 27, Article 4 of the DeKalb County Zoning Ordinance, Table 4.1. The property is located on the south east corner of Moreland Avenue and Lynwyn Lane, at 1250 Moreland Avenue, Atlanta, GA. The property has approximately 150 feet of frontage along Moreland Avenue and approximately 255 feet of frontage along Lynwyn Lane and contains 1 acre.

### RECOMMENDATION:

**COMMUNITY COUNCIL:** Denial.

**PLANNING COMMISSION:** Approval with modified conditions.

**PLANNING STAFF:** Approval

**STAFF ANALYSIS:** The proposed restaurant with a drive-through lane is compatible with nearby commercial uses along Moreland Avenue. The site is in the Commercial Redevelopment Corridor 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 Moreland Avenue. Therefore, it is the recommendation of Planning and Sustainability Department that the Special Land Use Permit (SLUP) to allow a restaurant with a drive-through be “Approved, with Staff’s conditions”.

**PLANNING COMMISSION VOTE:** **Approval with modified conditions 8-0-0.** V. Moore moved, E. Patton seconded for Approval, with the following modifications to conditions: Remove condition #3; and, on condition #2, replace the words “stream buffer” with “flood plain”.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION:** **Denial 8-0-0.**