



# DeKalb County Government

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

## Legislation Text

File #: 2021-2425, Version: 1

### Substitute

Public Hearing: YES ☒ NO ☐

Department: Planning & Sustainability

### SUBJECT:

COMMISSION DISTRICT(S): 5 & 7

Application of Raw Properties, Inc. for a Major Modification of the zoning conditions approved pursuant to CZ-18-22045, to allow a restaurant in the C-1 (Local Commercial) District, at 3138 Snapfinger Road.

PETITION NO: CZ-21-1244668

PROPOSED USE: Modification of conditions to allow a restaurant.

LOCATION: 3138 Snapfinger Road, Decatur.

PARCEL NO. : 15-096-02-002; -009; -040; -071

INFO. CONTACT: Melora Furman, Sr. Planner.

PHONE NUMBER: 470-542-3022

### PURPOSE:

Application of Raw Properties, Inc. for a Major Modification of the zoning conditions approved pursuant to CZ-18-22045, to allow a restaurant in the C-1 (Local Commercial) District. The property is located on the east side of Snapfinger Road, at 3138 Snapfinger Road, Decatur. The property has approximately 790 feet of frontage along Snapfinger Road and contains 6.89 acres.

### RECOMMENDATION:

COMMUNITY COUNCIL: Approval with one condition.

PLANNING COMMISSION: Approval with Conditions.

PLANNING STAFF: Approval with Conditions.

**PLANNING STAFF ANALYSIS:** Instead of conforming to the character of a residential suburb with occasional nodes of neighborhood-serving, small-scale businesses, the properties that surround the subject property appear to be transitioning from a type of semi-rural character that can be found in the least developed areas of the County. Thus, it is difficult to identify policies that apply to the proposed development. At the same time, the proposed development does not appear to directly or indirectly conflict with any of the policies of the Suburban character area and would be suitable in view of the use and development of adjacent and nearby properties. The restaurant would need to comply with the Noise Ordinance of the County Code, so that it would not disturb residents that might eventually occupy a residential neighborhood that has been platted for a location approximately 200 feet to the north. In addition, Staff has proposed a condition to reduce the possibility that objectionable levels of

noise and activity might be generated by the restaurant or by special events that might be allowed on the property by Special Administrative Permit. The restaurant would be a unique venue that would provide an alternative dining/entertainment experience to that provided by a chain or “fast food” restaurant. There has been no indication from commenting divisions, departments, and agencies that the proposed restaurant would burden the existing infrastructure. Therefore, the Department of Planning and Sustainability recommends “Approval”, with conditions. (Note: the conditions were revised after preparation of the staff recommendation for the May 27 BOC hearing.)

**PLANNING COMMISSION VOTE: Approval with Conditions 9-0-0.** Gwendolyn McCoy moved, and April Atkins seconded for Approval with Staff’s recommended 12 conditions. The motion passed unanimously.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION: Approval with one condition 8-2-0,** that the applicant not come back at a later date to amend the closing time of the restaurant.