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# Application for "Other Business" Cobb County, Georgia

(Cobb County Zoning Division - 770-528-2045)

BOC Hearing Date Requested: August 17, 2010

**Applicant:** Cousins Properties Incorporated Phone #: (404) 407-1000  
(applicant's name printed)

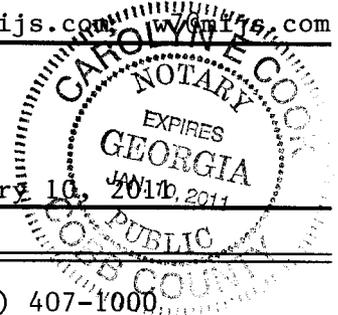
**Address:** Suite 3600, 191 Peachtree Street, N.E., **E-Mail:** Not Applicable  
Moore Ingram Johnson & Steele, LLP Atlanta, GA 30303

John H. Moore **Address:** Emerson Overlook, 326 Roswell Street  
(representative's name, printed) Marietta, GA 30060

**BY:** [Signature] Phone #: (770) 429-1499 **E-Mail:** jmoore@mijss.com  
(representative's signature) www.cousins.com

Signed, sealed and delivered in presence of:

[Signature: Carolyn E. Cook] My commission expires: January 10, 2011  
Notary Public



**Titleholder(s):** CP Venture Five - AEC, LLC Phone #: (404) 407-1000  
(property owner's name printed)

**Address:** Suite 3600, 191 Peachtree Street, N.E., **E-Mail:** Not Applicable  
Atlanta, GA 30303

See Attached Exhibit "A" for signature  
(Property owner's signature)

Signed, sealed and delivered in presence of:

\_\_\_\_\_ My commission expires: \_\_\_\_\_  
Notary Public

**Commission District:** 3 **Zoning Case:** Z-118 (1997)

**Date of Zoning Decision:** 09/16/1997 **Original Date of Hearing:** 09/16/1997  
05/18/2004 (OB Amendment)

**Location:** Northerly side of Roswell Road; easterly of Johnson Ferry Road  
(street address, if applicable; nearest intersection, etc.)

**Land Lot(s):** 829/16 **District(s):** 16th/1st

**State specifically the need or reason(s) for Other Business:** \_\_\_\_\_

See Attached Exhibit "B" incorporated herein by reference.

(List or attach additional information if needed)

**EXHIBIT "A" - ATTACHMENT TO APPLICATION FOR "OTHER BUSINESS"**  
**(STIPULATION AMENDMENT)**

**Application No.:** Z-118 (1997)  
**Original Hearing Date:** September 16, 1997  
**Date of Zoning Decision:** September 16, 1997  
**"Other Business"**  
**Hearing Date:** May 18, 2004  
**Current Hearing Date:** August 17, 2010

**BEFORE THE COBB COUNTY BOARD OF COMMISSIONERS**

**Applicant:** Cousins Properties Incorporated  
**Property Owner:** CP Venture Five – AEC, LLC

CP VENTURE FIVE – AEC, LLC

BY: CP VENTURE FIVE LLC,  
Sole Member

BY: COUSINS PROPERTIES INCORPORATED  
Manager, Pursuant to the Management Agreement  
dated June 29, 2006

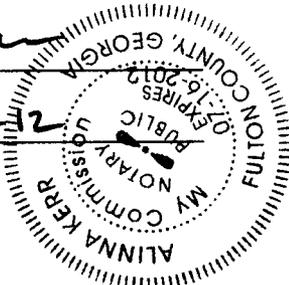
BY:   
\_\_\_\_\_  
Pamela P. Roper  
Senior Vice President

(Corporate Seal)

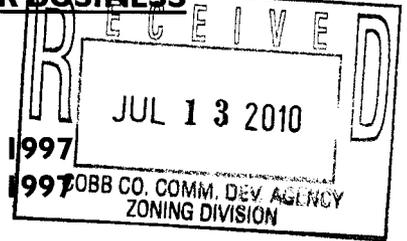
**Address:** CP Venture Five – AEC, LLC  
c/o Cousins Properties Incorporated  
Suite 3600  
191 Peachtree Street, N.E.  
Atlanta, Georgia 30303

**Telephone No.:** (404) 407-1000

Signed, sealed, and delivered in the presence of:

  
\_\_\_\_\_  
Notary Public  
Commission Expires: 7-16-12  
  
(Notary Seal)

**EXHIBIT "B" - ATTACHMENT TO APPLICATION FOR OTHER BUSINESS**  
**(STIPULATION AMENDMENT)**



**Application No.:** Z-118 (1997)  
**Original Hearing Date:** September 16, 1997  
**Date of Zoning Decision:** September 16, 1997  
**"Other Business"**  
**Hearing Date:** May 18, 2004  
**Current Hearing Date:** August 17, 2010

**BEFORE THE COBB COUNTY BOARD OF COMMISSIONERS**

**Applicant:** Cousins Properties Incorporated  
**Property Owner:** CP Venture Five – AEC, LLC

On September 16, 1997, the Cobb County Board of Commissioners granted a request to rezone the Subject Property to the CRC and LRO zoning categories for the development known as the "Avenue East Cobb." The stipulations approved by the Board of Commissioners allowed for the operation of restaurant facilities within the Avenue East Cobb from 6:00 a.m. to 12:00 midnight, Monday through Sunday. However, pursuant to the terms of the Mutual Release and Settlement Agreement which was entered into with adjacent neighbors and the EastHampton Community Association, Inc., Applicant in the rezoning action, Cousins MarketCenters, Inc., accommodated the neighbors' and the Association's request and altered the hours of operation for restaurants within the center from 6:00 a.m. to 11:00 p.m. Sunday through Thursday, and 6:00 a.m. to 12:00 midnight, Friday and Saturday.

Applicant seeks an amendment to allow the hours of operation for restaurants within the Avenue East Cobb to be from 6:00 a.m. to 1:00 a.m., Monday through Saturday, and 12:00 Midnight on Sunday. The proposed revision in operating hours does not substantially alter the overall development, but enhances the quality service established during the approximately ten years of operation of the Avenue East Cobb, and further meets the demands of the residents of East Cobb County and the surrounding area. Additionally, the revision presented herein in no way adversely impacts or affects surrounding properties or property owners. If the requested revisions are approved, as submitted, they shall become an additional part of the final zoning and shall be binding upon the Avenue East Cobb.

The balance and remainder of the stipulations and conditions specifically enumerated in the official minutes, and attachments thereto, of the Board of Commissioners Zoning Hearing held on September 16, 1997; the site plan and stipulation amendment approved by the Board of Commissioners on May 18, 2004, as well as the Mutual Release and Settlement Agreement with East Hampton Community Association, Inc. and adjacent neighbors, are unaltered by this request for Stipulation Amendment.