

**NOVEMBER 16, 2010 ZONING HEARING  
“OTHER BUSINESS”  
COMMISSION DISTRICT 1**

**ITEM # 4**

**PURPOSE**

To consider a stipulation amendment for BILFIF Inc. regarding International House of Pancakes. This request concerns application Z-80 (Home Depot USA, Inc.) of July 15, 1997, for property located on the north side of Dallas Highway, east of Barrett Parkway in Land Lot 329 of the 20<sup>th</sup> District.

**BACKGROUND**

The subject property is zoned CRC many stipulations. One of the stipulations calls for the applicant to submit plans to the Board of Commissioners for review of the building exterior. The Board of Commissioners’ decision is attached (see Exhibit A) and the proposed site plan is attached (see Exhibit B). The building architecture plan for this project was approved in July 2010; however the applicant has revised the exterior elevation to keep as much of the existing exterior brick and colors as possible. The proposed architectural plan is attached (see exhibit C). P.L.A.N. has reviewed the plans. The property was previously approved for a South Trust Bank and el Polo Loco, which have closed. The proposal has been submitted to Staff for comments, which do not have any comments.

**FUNDING**

N/A

**RECOMMENDATION**

The Board of Commissioners consider the proposed site plan amendment.

**ATTACHMENTS**

Zoning stipulations (Exhibit A)  
Proposed Site Plan (Exhibit B)  
Proposed Building Architecture (Exhibit C)  
Other Business Application (Exhibit D)

PAGE \_\_\_\_\_ OF \_\_\_\_\_ APPLICATION NO. \_\_\_\_\_ Z-

ORIGINAL DATE OF APPLICATION: 07-15-97

APPLICANTS NAME: HOME DEPOT USA, INC.

THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE  
COBB COUNTY BOARD OF COMMISSIONERS

**BOC DECISION OF 05-15-07 ZONING HEARING:**

**OTHER BUSINESS ITEM #5 – TO CONSIDER A SITE PLAN AMENDMENT  
FOR EL POLLO LOCO REGARDING APPLICATION Z-80 (HOME DEPOT  
USA, INC.) OF JULY 16, 1997**

To consider a site plan amendment for El Pollo Loco regarding application Z-80 (Home Depot USA, Inc.) of July 15, 1997, for property located on the north side of Dallas Highway, east of Barrett Parkway in Land Lot 329 of the 20<sup>th</sup> District.

Mr. John Pederson, Planner III, provided information regarding request for site plan amendment. The public hearing was opened and Mr. Doug Brown addressed the Board. Following presentation and discussion, the following motion was made:

**MOTION:** Motion by Goreham, second by Olens, to **approve** Other Business Item #5 regarding site plan amendment for redevelopment of site by El Pollo Loco regarding application Z-80 (Home Depot USA, Inc.) of July 15, 1997, for property located on the north side of Dallas Highway, east of Barrett Parkway in Land Lot 329 of the 20<sup>th</sup> District, **subject to:**

- **site plan received by the Zoning Division April 23, 2007 (copy attached and made a part of these minutes)**
- **drawing of proposed building architecture (Exhibit C - copy attached and made a part of these minutes)**
- **departmental comments (Exhibit E - copy attached and made a part of these minutes)**
- **all other previous zoning stipulations and conditions to remain in effect**

**VOTE:** **ADOPTED** unanimously

PAGE 3 OF 17

APPLICATION NO.: Z-80

ORIGINAL DATE OF APPLICATION: 07/97

APPLICANT'S NAME: HOME DEPOT

**THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE COBB COUNTY BOARD OF COMMISSIONERS**

**BOC DECISION OF 08-19-97 ZONING HEARING:**

HOME DEPOT USA, INC. (P.B. and D.D. Averill, G. L. Turner and Edith Hopkins, owners) for Rezoning from PSC, OI, and R-20 to CRC for the purpose of Retail Development in Land Lot 329 of the 20th District. 32.44 acres. Located on the north side of Dallas Highway, east of Ridgeway Road. The Board of Commissioners approved rezoning of property to the CRC and LRO zoning districts subject to: 1) portion of property rezoned to the LRO zoning district is approximately located as shown on the reduced site plan attached and made a part hereof; 2) letter of agreeable conditions (including reduced size exhibits - landscaping plans, elevation drawings, etc.) are attached and made a part hereof, with clarification of and addition to those stipulations of a) amendment of item #8 to read: Any "muted" orange color used for signage shall be selected by P.L.A.N., from at least 5 samples presented by the Applicant, which must be made within thirty (30) days of presentation, otherwise Applicant may proceed with its choice. Any color used for building accents shall be a color selected by P.L.A.N., from at least 5 samples presented by the Applicant, which must be made within thirty (30) days of presentation, otherwise Applicant may proceed with its choice; b) amendment of item #18 to read: Applicant may access the subject property, if obtainable, from Ridgeway Road (Barrett Parkway) in the approximate location as shown on the referenced site plan and identified as "Barrett Parkway Access." Applicant agrees to direct (by notification letters to vendors and signage - on Dallas Highway and the access easement - if granted permission to post such signage on the easement) its delivery trucks to use the Dallas Highway entrance. However, no access shall be provided to the subject development north of Egleston or north of Pike Nursery locations; c) addition of a new stipulation to read: Applicant is required to construct the proposed retaining wall(s) of key-stone block stone, unless the applicant's engineer certifies that such construction material is not safe or correct



**LANDSCAPE NOTES**

1. ALL PLANTINGS SHALL BE INSTALLED BY THE LANDSCAPE ARCHITECTURE PROJECT MANAGEMENT COMPANY.
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**EL POLLO LOCO**

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**COUNTY NOTES**

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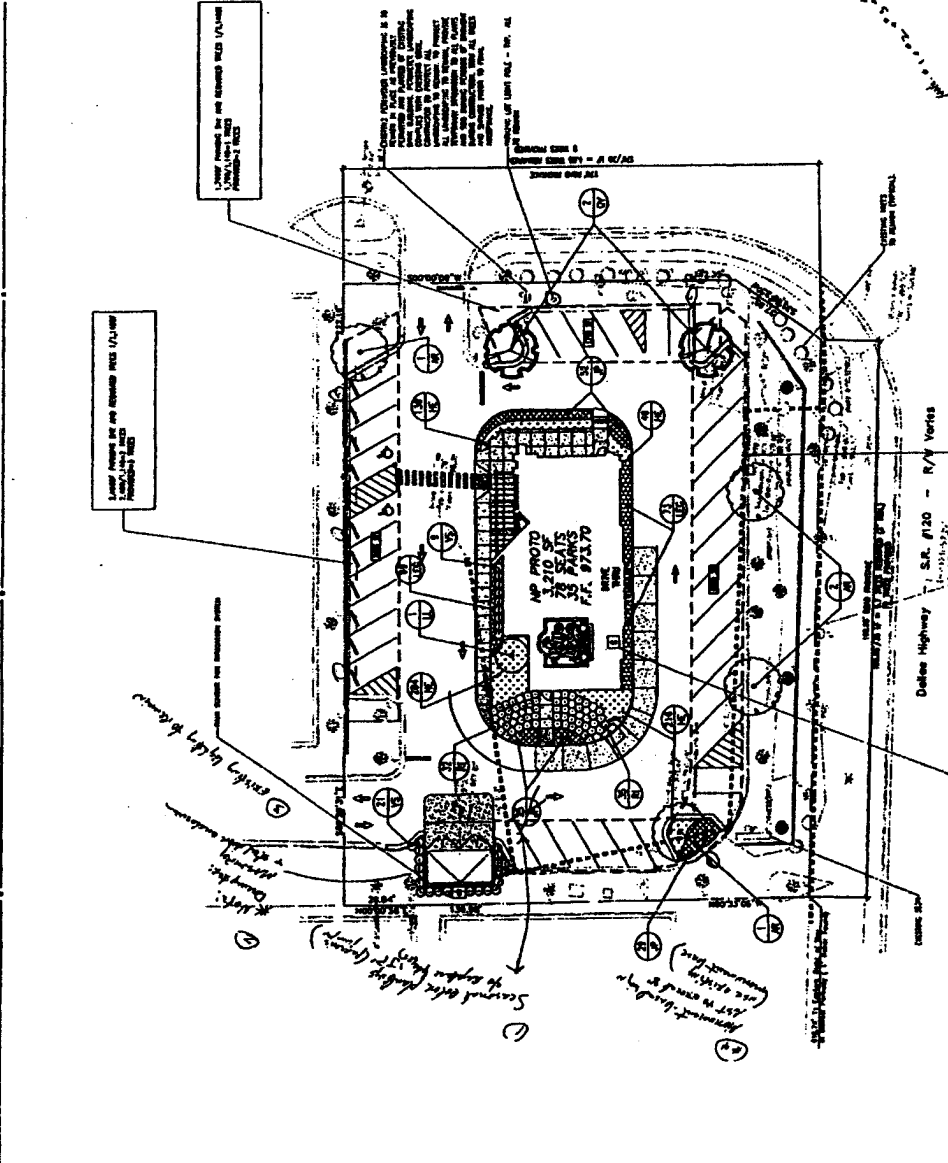
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**IRRIGATION NOTE**

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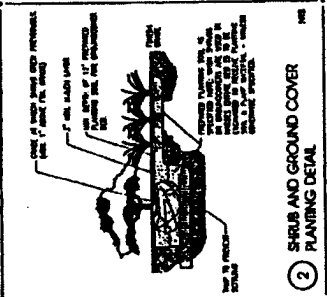
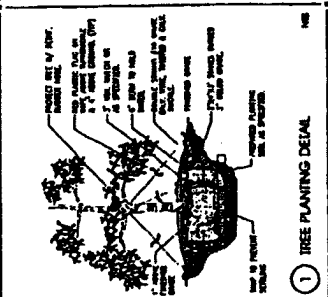
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Min. Bk. 49 Z-80 of 1997  
 Doc. Type Site plan OB#5  
 Meeting Date May 15, 2007

**RECEIVED**  
 APR 23 2007  
 COBB CO. COMM. DEV. AGENCY  
 ZONING DIVISION



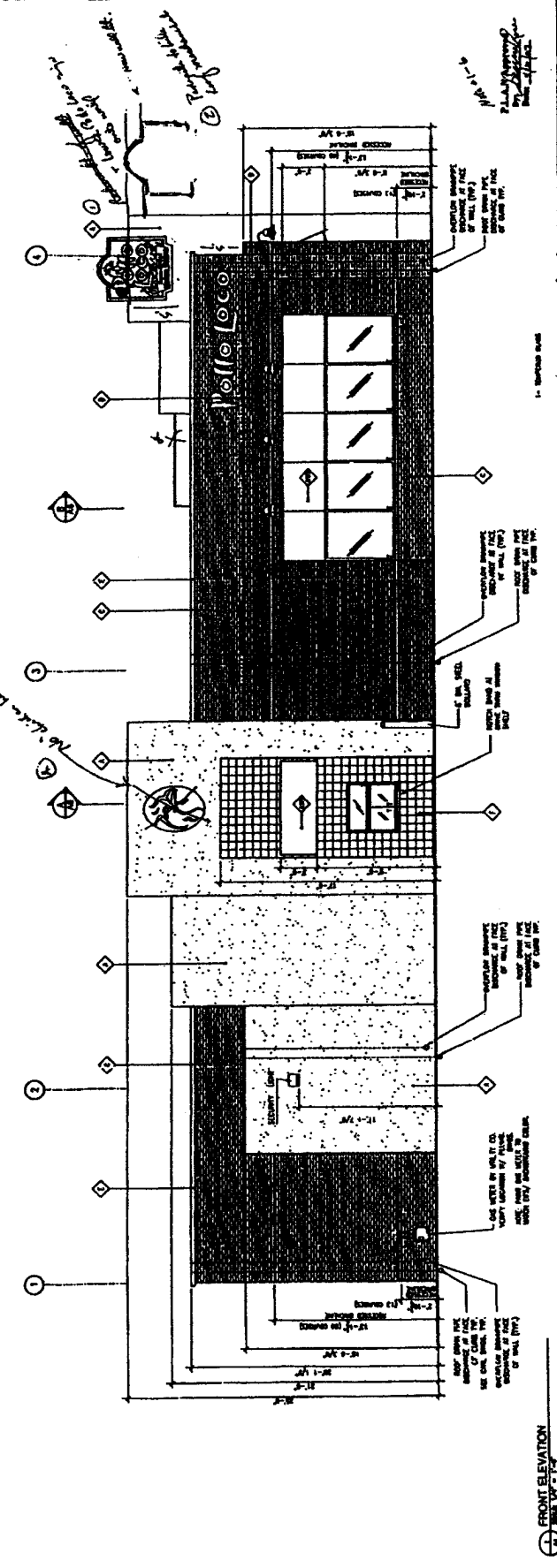
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**INTERPLAN**  
ARCHITECTURE  
LANDSCAPE ARCHITECTURE  
PROJECT MANAGEMENT

11111 UNIVERSITY AVENUE  
SUITE 100  
ATLANTA, GA 30328  
PHONE: 404.525.1111  
FAX: 404.525.1111

DATE: \_\_\_\_\_  
DRAWN BY: \_\_\_\_\_  
CHECKED BY: \_\_\_\_\_



**EL POLLO LOCO**

11111 UNIVERSITY AVENUE  
SUITE 100  
ATLANTA, GA 30328

COMPANY: El Pollo Loco, Inc.  
CORPORATION & OTHER STATES  
11111 UNIVERSITY AVENUE  
SUITE 100  
ATLANTA, GA 30328  
PHONE: 404.525.1111  
FAX: 404.525.1111

**EXTERIOR FINISH SCHEDULE**

①-10 CONCRETE REINFORCED PRECAST CONCRETE  
- SEE NOTES FOR FINISHES

①-11 GROUT  
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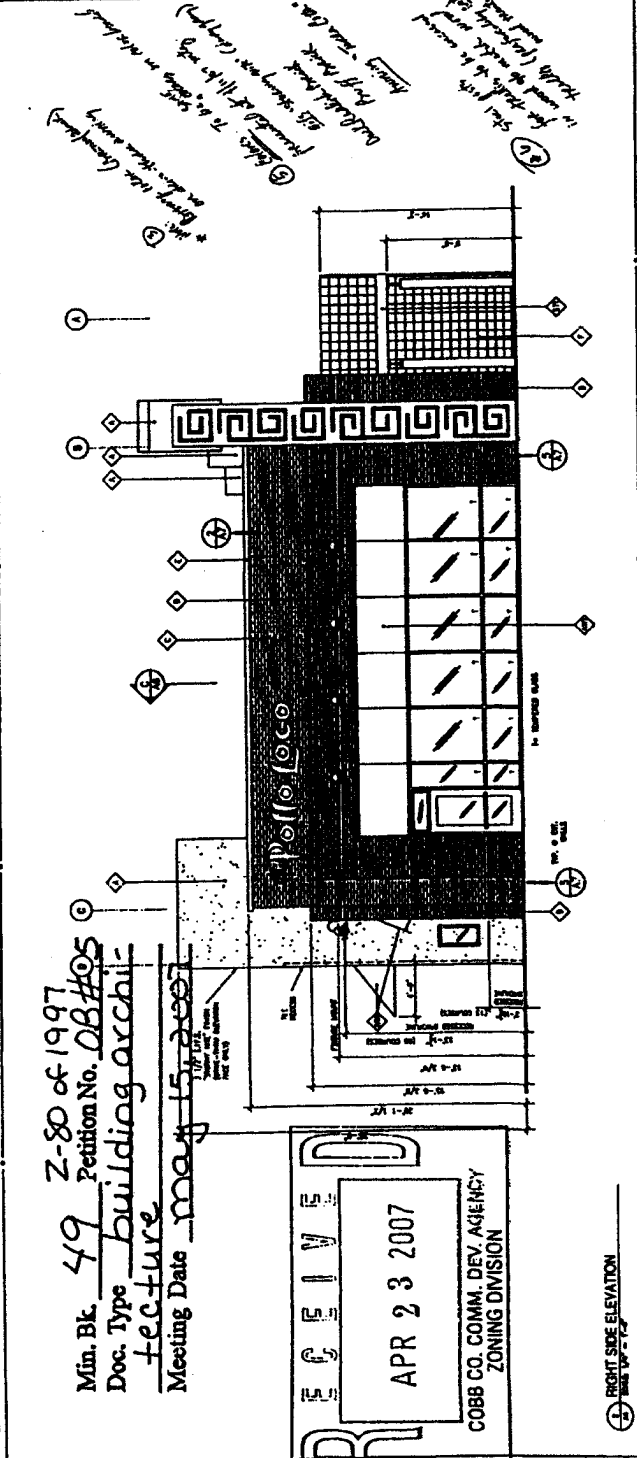
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Min. Bk. 49 Z-80 of 1997  
Petition No. OB#105  
Doc. Type building archi-  
tecture  
Meeting Date May 15, 2007

**RECEIVED**  
APR 23 2007  
COBB CO. COMM. DEV. AGENCY  
ZONING DIVISION

RIGHT SIDE ELEVATION  
SCALE: 1/8" = 1'-0"

APPLICANT: El Pollo Loco

PETITION NO.: OB 5

Exhibit E  
Other Business Item #5  
DOT & Stormwater comments  
Page 1 of 1

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**TRANSPORTATION COMMENTS**

The following comments and recommendations are based on field investigation and office review of the subject rezoning case:

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Dallas Highway	NA	Arterial	45 mph	GDOT	100'

**COMMENTS AND OBSERVATIONS**

Dallas Highway is classified as an Arterial and according to the available information, the existing right-of-way does meet the minimum requirements for this classification.

**RECOMMENDATIONS**

Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

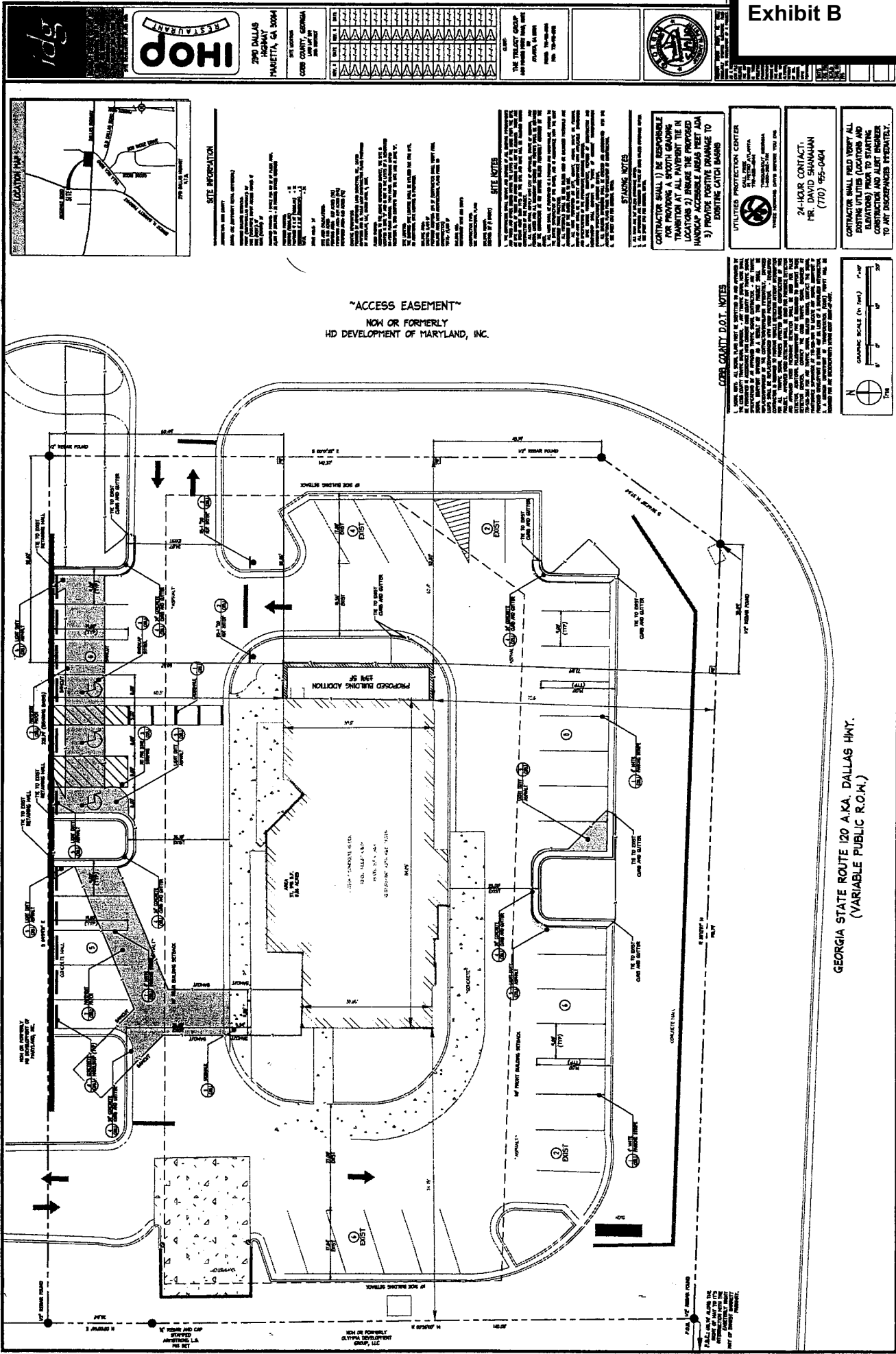
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**DRAINAGE COMMENTS**

Min. Bk. 49 2-80 of 1997  
 Petition No. OB#5  
 Doc. Type Departmental  
Comments  
 Meeting Date May 15, 2007

The proposed project will replace the existing Southtrust Bank facility. Adequate detention and water quality volume capacity to accommodate this proposed development within the adjacent master detention facility must be verified during Plan Review.

Recommend applicant/developer be required to meet all other Ordinances, Rules, and Cobb County Development Standards related to project improvements.



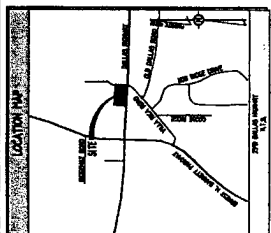
~ACCESS EASEMENT~  
NOW OR FORMERLY  
HD DEVELOPMENT OF MARYLAND, INC.



3990 DALLAS HIGHWAY  
MARIETTA, GA 30067  
COW COUNTY, GEORGIA  
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3042 1/2

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THE TRUSTEES GROUP  
1000 NORTH WALKER  
ATLANTA, GA 30309  
PHONE 770-455-1000  
FAX 770-455-1000



**SITE INFORMATION**  
OWNER: HOPI RESTAURANT  
PROJECT: HOPI RESTAURANT  
SITE NO.: 11/11/11  
DATE: 11/11/11

**SITE NOTES**  
1. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF ATLANTA DEPARTMENT OF PUBLIC WORKS PERMITS AND SPECIFICATIONS.  
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING A SMOOTH GRADING TRANSITION AT ALL PAVEMENT TIE IN LOCATIONS.  
3. PROVIDE POSITIVE DRAINAGE TO HANDICAP ACCESSIBLE AREAS MEET ADA REQUIREMENTS.  
4. PROVIDE CATCH BASINS AT ALL DRAINAGE POINTS.  
5. ALL UTILITIES SHALL BE DEPTH MARKED AND PROTECTED.  
6. ALL EXISTING UTILITIES SHALL BE MAINTAINED AND PROTECTED.  
7. ALL NEW UTILITIES SHALL BE INSTALLED AND PROTECTED.  
8. ALL CONCRETE SHALL BE FINISHED WITH A BROOM FINISH.  
9. ALL ASPHALT SHALL BE FINISHED WITH A SMOOTH FINISH.  
10. ALL GRAVEL SHALL BE FINISHED WITH A SMOOTH FINISH.  
11. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT CONSTRUCTION.  
12. ALL SITEWORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.  
13. ALL MATERIALS SHALL BE STORED PROPERLY AND PROTECTED FROM WEATHER.  
14. ALL TRAFFIC SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.  
15. ALL NEIGHBORS SHALL BE NOTIFIED OF CONSTRUCTION ACTIVITIES.  
16. ALL UTILITIES SHALL BE DEPTH MARKED AND PROTECTED.  
17. ALL EXISTING UTILITIES SHALL BE MAINTAINED AND PROTECTED.  
18. ALL NEW UTILITIES SHALL BE INSTALLED AND PROTECTED.  
19. ALL CONCRETE SHALL BE FINISHED WITH A BROOM FINISH.  
20. ALL ASPHALT SHALL BE FINISHED WITH A SMOOTH FINISH.  
21. ALL GRAVEL SHALL BE FINISHED WITH A SMOOTH FINISH.  
22. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT CONSTRUCTION.  
23. ALL SITEWORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.  
24. ALL MATERIALS SHALL BE STORED PROPERLY AND PROTECTED FROM WEATHER.  
25. ALL TRAFFIC SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.  
26. ALL NEIGHBORS SHALL BE NOTIFIED OF CONSTRUCTION ACTIVITIES.

**STANDING NOTES**  
1. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF ATLANTA DEPARTMENT OF PUBLIC WORKS PERMITS AND SPECIFICATIONS.  
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING A SMOOTH GRADING TRANSITION AT ALL PAVEMENT TIE IN LOCATIONS.  
3. PROVIDE POSITIVE DRAINAGE TO HANDICAP ACCESSIBLE AREAS MEET ADA REQUIREMENTS.  
4. PROVIDE CATCH BASINS AT ALL DRAINAGE POINTS.  
5. ALL UTILITIES SHALL BE DEPTH MARKED AND PROTECTED.  
6. ALL EXISTING UTILITIES SHALL BE MAINTAINED AND PROTECTED.  
7. ALL NEW UTILITIES SHALL BE INSTALLED AND PROTECTED.  
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13. ALL MATERIALS SHALL BE STORED PROPERLY AND PROTECTED FROM WEATHER.  
14. ALL TRAFFIC SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.  
15. ALL NEIGHBORS SHALL BE NOTIFIED OF CONSTRUCTION ACTIVITIES.

UTILITIES PROTECTION CENTER  
CALL 770-455-1000  
770-455-1000  
770-455-1000  
770-455-1000

24-HOUR CONTACT:  
MR. DAVID SHANNAN  
(770) 955-0424

CONTRACTOR SHALL BE RESPONSIBLE FOR ALL EXISTING UTILITIES (LOCATIONS AND DEPTHS) PRIOR TO STARTING CONSTRUCTION AND ALERT ENGINEER TO ANY DISCREPANCIES IMMEDIATELY.

**COW COUNTY D.O.T. NOTES**  
1. WORK WITH ALL UTILITIES SHALL BE DEPTH MARKED AND PROTECTED.  
2. ALL EXISTING UTILITIES SHALL BE MAINTAINED AND PROTECTED.  
3. ALL NEW UTILITIES SHALL BE INSTALLED AND PROTECTED.  
4. ALL CONCRETE SHALL BE FINISHED WITH A BROOM FINISH.  
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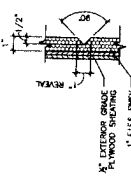
GEORGIA STATE ROUTE 120 A.K.A. DALLAS HWY.  
(VARIABLE PUBLIC R.O.W.)



PROJECT FOR  
THE TRILOGY GROUP, LLC  
6400 POWERS FERRY RD,  
ATLANTA, GA 30339  
17701 955-0404

arie kohn architects, p.c.  
16 BROADVIEW ROAD, BOSTON, MA 02108  
TEL: 617-552-3300  
WWW.ARIEKOHNS.COM

2380 DALLAS HWY., PROJECT: 11008  
MARIETTA, GA 30066 DATE: 09/19/10



GENERAL NOTES

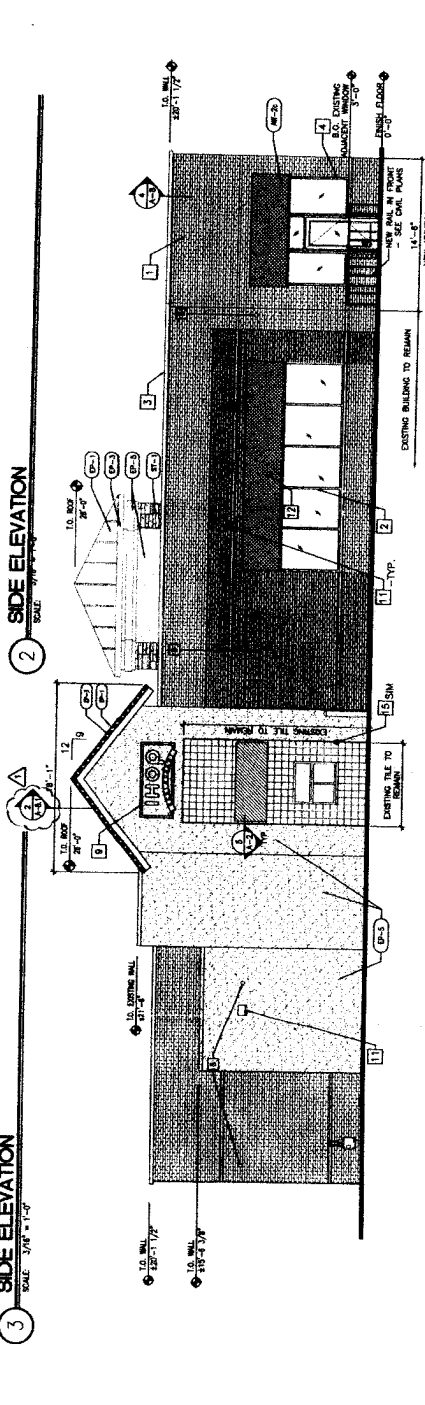
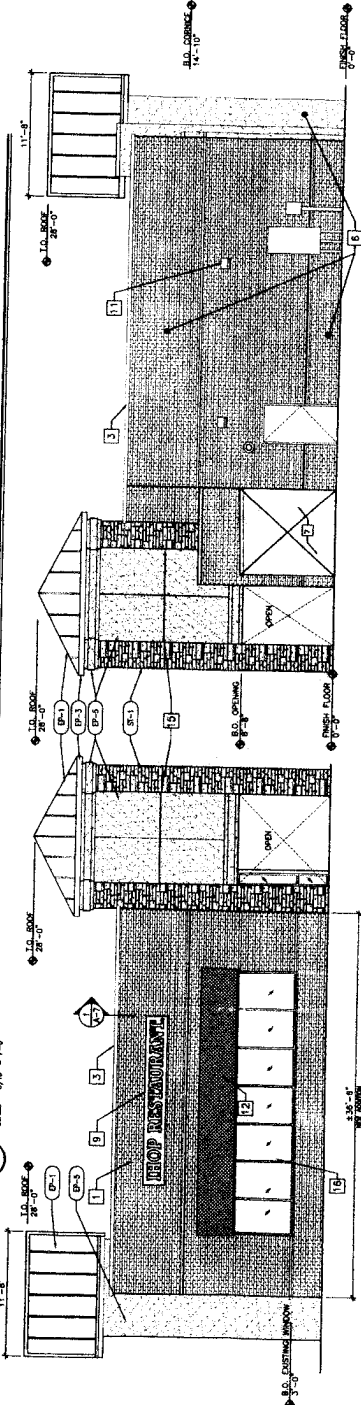
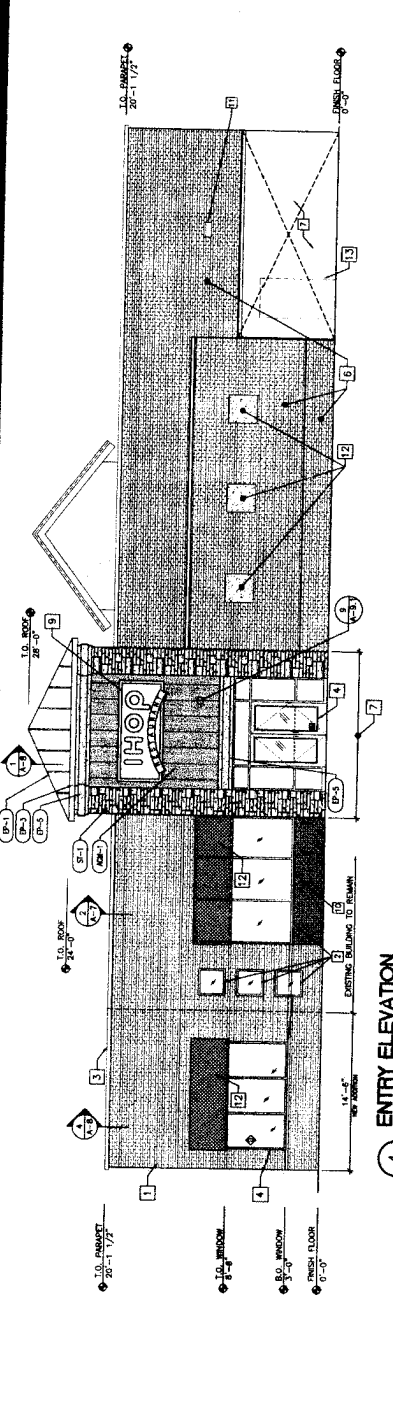
1. PRESSURE WASH ALL EXISTING CONC. WALLWAYS, FINIS AND CURBS.
2. REPAINT CURBS IF NECESSARY.
3. SEE FINISHED SCHEDULE ON SHEET A-11 FOR FINISH SPEC. & COLORS.

NOTES:

1. INSTALL NEW BRICK VENEER TO MATCH EXISTING IN SIZE AND PATTERN.
2. EXISTING CONCREMENT TO REMAIN. CLEAN AS REQD.
3. INSTALL NEW PRE-FABRICATED METAL CORNER UNIT EP-1.
4. INSTALL NEW STAINLESS STEEL TO MATCH EXISTING ADJACENT STRUCTURE.
5. REPAIR & REPAINT EXISTING OVERLAYS TO FUNCTION PROPERLY.
6. COLOR TO MATCH EXISTING.
7. EXISTING COULDS TO REMAIN. CLEAN AS REQD.
8. EXISTING COULDS TO BE REPAIRED TO MATCH EXISTING ADJACENT BRICK VENEER TO SUBSTITUTION. SEE SHEET A-11 FOR UNIT COORDINATES TO BE PROVIDED.
9. NEW BRICK VENEER TO BE PROVIDED.
10. INSTALL NEW WALL WITH BRICK FINISH.
11. CLEAN AND REPAIR EXISTING EXTERIOR LIGHTS.
12. B.I.O. PRE-FABRICATED ANKING INSTALL AT 8'-4" AFF.
13. SEE SHEET A-11 FOR EXISTING EXTERIOR WALL TO V.I.B.
14. NEW BRICK TO MATCH EXISTING ADJACENT BRICK.
15. SEE DETAIL 5/A-3 FOR TYPICAL REVEAL.
16. REPAIR EXISTING STONE FROM WEST NEW BRICK VENEER.

COLOR LEGEND

EXTERIOR WALL COLORS
(B-1) MANUFACTURER TO DALLAS UNIT COLOR FINISH BLUE (4041-BLUE) COLOR ORDER: (4041-BLUE) 80
(B-2) MANUFACTURER TO DALLAS UNIT COLOR CLASSIC LIGHT RED-TAN 80 COLOR ORDER: (4041-RED-TAN) 80
(B-3) MANUFACTURER TO DALLAS UNIT COLOR CLASSIC LIGHT RED-TAN 80 COLOR ORDER: (4041-RED-TAN) 80
(B-4) MANUFACTURER TO DALLAS UNIT COLOR CLASSIC LIGHT RED-TAN 80 COLOR ORDER: (4041-RED-TAN) 80
(B-5) MANUFACTURER TO DALLAS UNIT COLOR CLASSIC LIGHT RED-TAN 80 COLOR ORDER: (4041-RED-TAN) 80
(B-6) MANUFACTURER TO DALLAS UNIT COLOR CLASSIC LIGHT RED-TAN 80 COLOR ORDER: (4041-RED-TAN) 80
(B-7) MANUFACTURER TO DALLAS UNIT COLOR CLASSIC LIGHT RED-TAN 80 COLOR ORDER: (4041-RED-TAN) 80
(B-8) MANUFACTURER TO DALLAS UNIT COLOR CLASSIC LIGHT RED-TAN 80 COLOR ORDER: (4041-RED-TAN) 80
(B-9) MANUFACTURER TO DALLAS UNIT COLOR CLASSIC LIGHT RED-TAN 80 COLOR ORDER: (4041-RED-TAN) 80
(B-10) MANUFACTURER TO DALLAS UNIT COLOR CLASSIC LIGHT RED-TAN 80 COLOR ORDER: (4041-RED-TAN) 80
(B-11) MANUFACTURER TO DALLAS UNIT COLOR CLASSIC LIGHT RED-TAN 80 COLOR ORDER: (4041-RED-TAN) 80
(B-12) MANUFACTURER TO DALLAS UNIT COLOR CLASSIC LIGHT RED-TAN 80 COLOR ORDER: (4041-RED-TAN) 80
(B-13) MANUFACTURER TO DALLAS UNIT COLOR CLASSIC LIGHT RED-TAN 80 COLOR ORDER: (4041-RED-TAN) 80
(B-14) MANUFACTURER TO DALLAS UNIT COLOR CLASSIC LIGHT RED-TAN 80 COLOR ORDER: (4041-RED-TAN) 80



Other Business #4  
Exhibit D

# Application for "Other Business"

## Cobb County, Georgia

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

OCT 15 2010

BOC Hearing Date Requested: 11-16-10

COBB CO. COMM. DEV. AGENCY  
ZONING DIVISION

Applicant: BILFIF INC  
~~Muhammad H. Htishar~~  
(applicant's name printed)

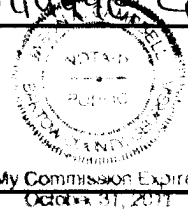
Phone #: 678-457-8475

Address: 2273 Villa Parc Ct

E-Mail: lhq4449@gmail.com

Htishar Address: \_\_\_\_\_  
(representative's name, printed)

678-457-8475 Phone #: \_\_\_\_\_ E-Mail: lhq4449@gmail.com  
(representative's signature)



Signed, sealed and delivered in presence of:

Jamal Campbell  
Notary Public

My commission expires: My Commission Expires October 31, 2011

Titleholder(s): Muhammad Htishar Phone #: 678-457-8475  
(property owner's name printed)

Address: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Htishar  
(Property owner's signature)



Signed, sealed and delivered in presence of:

Jamal Campbell  
Notary Public

My commission expires: My Commission Expires October 31, 2011

Commission District: 1 Zoning Case: Z-80

Date of Zoning Decision: 8-19-97 Original Date of Hearing: 7-15-97

Location: 2390 Dallas Highway, Marietta, GA 30064  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 329 District(s): 20

State specifically the need or reason(s) for Other Business: Design approval  
Just few color changes of the approved Plans.

(List or attach additional information if needed)