

**NOVEMBER 19, 2013 ZONING HEARING  
“OTHER BUSINESS”  
COMMISSION DISTRICT 4**

**ITEM # 8**

**PURPOSE**

To consider a site plan amendment for Pollo Operations, Inc., D/B/A Pollo Tropical regarding rezoning application #167 of 1987 (The Oxford Group, Inc.), for property located on the north side of the East West Connector between Hospital South Drive and Brookwood Drive, and on the south side of Mulkey Road in Land Lot 920 of the 19<sup>th</sup> District.

**BACKGROUND**

The subject property was rezoned site plan specific to General Commercial (GC) in 1987 for a shopping center. The shopping center was built in 1990 and was successful for a number of years. Now, the portion of the shopping center on the eastern side of the property needs to be redeveloped due to vacant tenants. This request entails revising the approved site plan to allow a new Pollo Tropical restaurant to be built along the East West Connector. The building would be one-story in height with a stucco-type exterior; the proposed building architecture is contained in the Other Business packet. If approved, all previous zoning stipulations would remain in effect.

**FUNDING**

N/A

**STAFF COMMENTS**

Stormwater Management: Subject to Plan Review.

**RECOMMENDATION**

The Board of Commissioners conduct a Public Hearing and consider the proposed site plan amendment.

**ATTACHMENTS**

Other Business application and stipulations.

# Application for "Other Business" Cobb County, Georgia

(Cobb County Zoning Division - 770-528-2035)

BOC Hearing Date Requested: 2013 OCT 14 PM 3:13  
11-19-2013 3:13

COBB COUNTY GEORGIA  
FILED IN OFFICE

COBB COUNTY ZONING DIVISION

**Applicant:** Pollo Operations, Inc. dba Pollo Tropical  
(applicant's name printed)

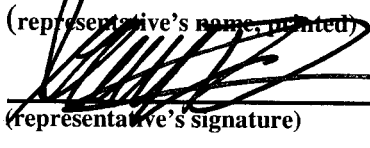
**Phone #:** 407-504-8664

**Address:** 7300 N Kendall Drive, 8th Flr. Miami, FL 33156

**E-Mail:** ksloan@pollotropical.com or aedwards@frgi.com

Glenn Rozansky, VP of Pollo Operations **Address:** 7300 N. Kendall Drive, 8th Floor Miami, FL 33156

(representative's name printed)



**Phone #:** 407-504-8664 **E-Mail:** aedwards@frgi.com

(representative's signature)

Signed, sealed and delivered in presence of:

Kimberly Sloan  
Notary Public

My commission expires:



**Titleholder(s):** Weingarten Realty Investors.

**Phone #:** 770-618-1078

(property owner's name printed)

**Address:** 4747<sup>15</sup> Ashford Dunwoody Rd, Dunwoody GA 30338

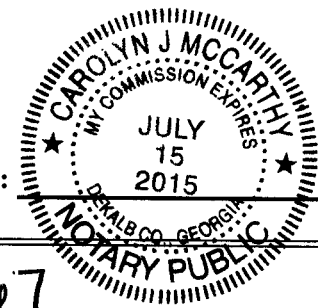
**E-Mail:** kdaigle@weingarten.com

K Daigle (PE, DIR of CONST)  
(Property owner's signature)

Signed, sealed and delivered in presence of:

Carolyn J. McCarthy  
Notary Public

My commission expires:



**Commission District:** 4

**Zoning Case:** 167

**Date of Zoning Decision:** 8/18/87  
1/24/89

**Original Date of Hearing:** 8/18/87

**Location:** 3999 Austell Road  
(street address, if applicable; nearest intersection, etc.)

**Land Lot(s):** 920 & 921

**District(s):** 19

**State specifically the need or reason(s) for Other Business:** Construction of 3800 SF drive thru-fast food restaurant in a portion of existing shopping complex parking lot.

(List or attach additional information if needed)

REVISIONS	DATE	DESCRIPTION

**LONG**  
 2550 Heritage Court  
 Atlanta, Georgia 30339  
 Tel: 770.951.2496  
 Fax: 770.951.2496  
 www.long.com

**POLLO TROPICAL**  
 AUSTELL, GA  
 3999 AUSTELL ROAD  
 AUSTELL, GA  
 ZONING SITE PLAN

**GRAPHIC SCALE**  
 1" = 20' (1:480) 1/4" = 5'

**UTILITY DISCLOSURE**  
 UTILITIES OF DISTRICTS ARE NOT SHOWN ON THE PLAN. THE CONTRACTOR SHALL CONTRACT WITH ALL UTILITIES COMPANIES HAVING UTILITIES UNDER THE PROPERTY. CONTRACTORS SHALL HAVE THE UTILITIES FIELD LOCATED AND COORDINATE WITH UTILITY COMPANIES TO MAKE NEAR RECORDS WHICH RECORDS ON ADAPTED FOR THE PLAN.

*Proposed plan*

**SITE DATA NOTES**

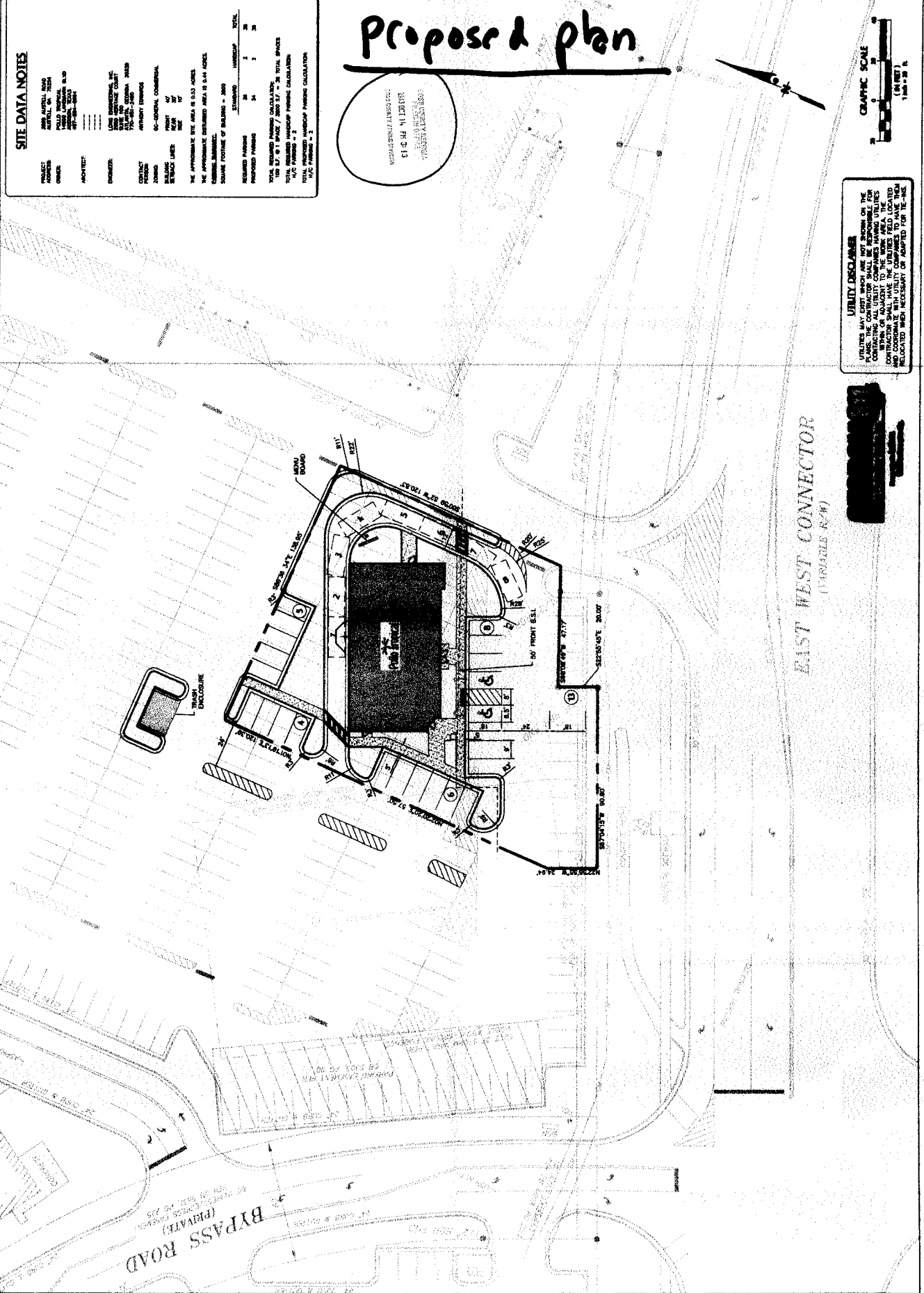
PROJECT: [REDACTED]  
 OWNER: [REDACTED]  
 ARCHITECT: [REDACTED]  
 ENGINEER: [REDACTED]  
 CONTRACTOR: [REDACTED]  
 ZONING: [REDACTED]  
 BLANK LINES: [REDACTED]  
 POINT OF BEGINNING: [REDACTED]  
 BEARING: [REDACTED]  
 DISTANCE: [REDACTED]

THE APPROXIMATE SITE AREA IS 0.43 ACRES.  
 THE APPROXIMATE DISTURBED AREA IS 0.44 ACRES.  
 TOTAL DISTURBED AREA IS 0.44 ACRES.

THE APPROXIMATE PERCENTAGE OF IMPERVIOUS SURFACE IS 15%.

PERMITTED PARKING: 15 SPACES  
 REQUIRED PARKING: 15 SPACES  
 PROVIDED PARKING: 15 SPACES

THIS PROJECT IS SUBJECT TO THE 2011 ZONING ORDINANCE OF THE CITY OF AUSTELL, GEORGIA. THE 2011 ZONING ORDINANCE IS AVAILABLE AT: www.austellga.gov



**BYPASS ROAD (PRIVATE)**  
 10' WIDE

**EAST WEST CONNECTOR (VARIABLE ROW)**

# Proposed building

POLLO TROPICAL



Fiesta Restaurant Group

COBB COUNTY GEORGIA  
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2013 OCT 14 PM 3:13  
COBB COUNTY ZONING DIVISION

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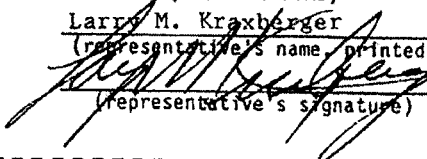
APPLICATION FOR REZONING  
TO THE  
COBB COUNTY BOARD OF COMMISSIONERS OF ROADS AND REVENUES  
AND THE  
COBB COUNTY PLANNING COMMISSION  
(type or print clearly)

Application No. 167

Hearing Date 8-18-87

Applicant The Oxford Group, Inc. Business Phone (404)952-7000 Home Phone N/A  
(business name)

Larry M. Kraxberger Address 1000 Parkwood Circle, Ste 200, Atlanta, GA  
(representative's name, printed)



Business Phone (404)952-7000 Home Phone (404)953-8700  
(representative's signature)

Titleholder See attached Exhibit "A" Business Phone \_\_\_\_\_ Home Phone \_\_\_\_\_

Signature \_\_\_\_\_ Address \_\_\_\_\_  
(attach additional signatures, if needed)

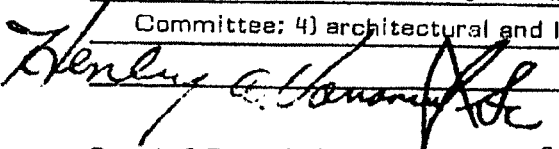
Zoning Request From General Commercial & Planned, Shopping Center To General Commercial  
(present zoning) (proposed zoning)

For the Purpose of Shopping Center, Restaurants and Related Commercial Uses Size of Tract 24.2002 acre(s)  
(subdivision, restaurant, warehouse, apts., etc.)

Location Corner Austell Road, Mulkey Road, Brookwood Drive and proposed East/West  
(street address, if applicable, nearest intersection, etc.) Connector \_\_\_\_\_

Land Lot(s) 920 and 921 District 19th

Recommendation of Planning Commission 7/21/87 - Planning Commission continued public hearing for 30 days. Motion carried 4-0. 8/18/87 - Planning Commission recommended application be approved subject to the following: 1) signage to be ground based with no off-premise signs; 2) no portable signs; 3) subject to Cobb D.O.T. recommendations and review by Plan Review Committee; 4) architectural and landscaping plans to be reviewed and approved by the Staff with



Chairman cont.

Board of Commissioners' Decision 8/18/87 - Board of Commissioners approved application as stated above. Motion by Clay, seconded by Smith, carried 4-0-1, Paschal abstaining.

1-24-89 Regular Meeting of Board of Commissioners - Approval of site plan for the Oxford Group for Austell Road Development: Motion: To approve the site plan as submitted, marked Exhibit A

Clay E. Smith Chairman see second page

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COBB COUNTY BOARD OF COMMISSIONERS OF ROADS AND REVENUES

COBB COUNTY PLANNING COMMISSION

Date of Application \_\_\_\_\_ Date of Hearing August 18, 1987

Applicant's Name The Oxford Group, Inc.  
Address 1000 Parkwood Circle, Suite 200  
Atlanta, GA 30339

Recommendation of Planning Commission (Cont'd from page 1):

the Board of Commissioners having final approval of plan. Motion by McAfee, seconded by Jones, carried 5-0.

*Henry A. ...* Chairman

Final Decision of Board of Commissioners (Cont'd from page 1):

on file in the Zoning Department, for the Oxford Group's Austell Road development, located at the southeast intersection of Austell Road and Mulkey Road, and the northwest intersection of the East-West Connector and Brookwood Drive subject to all other stipulations placed on the property at the time of rezoning to remain in force. (Subject property was rezoned on July 21, 1989, Application No. 167) VOTE: ADOPTED unanimously  
11-21-89 Board of Commissioners approved revised site plan dated November 10, 1989, on file in the Planning and Zoning Department Offices. Motion by Phaschal, second by Burton. Carried 4-0-1 (Powell) absent from vote.

*Carol E. Smith* Chairman

*Philip L. ...* Chairman

