

Application for "Other Business"

Cobb County, Georgia

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

BOC Hearing Date Requested: 11-19-2024
08-68

Applicant: Carlos Iglesias Phone #: 214.235.0367
(applicant's name printed)

Address: 2080 N Hwy 360 Ste 240 Grand Prairie, TX 75050 E-Mail: carlos@cumulusdesign.net

Carlos Iglesias Address: 2025 N. Hwy 360 Grand Prairie, TX 75050
(representative's name, printed)

[Signature] Phone #: 253-3204617 E-Mail: James Gregory Craft
(representative's signature) NOTARY PUBLIC

Dawson County, GEORGIA

My Comm. Expires

12/08/2024

Signed, sealed and delivered in presence of:

James Gregory Craft My commission expires: 12/08/2024
Notary Public

Titleholder(s): Mableton CGB GA, LLC Phone #: 205-643-0083
(property owner's name printed)

Address: 351 Summit Blvd Ste 110 Birmingham, AL E-Mail: ebuchalter@cgbuchalter.com

[Signature] James Gregory Craft
(Property owner's signature) Authorized Agent NOTARY PUBLIC

Signed, sealed and delivered in presence of:

James Gregory Craft My commission expires: 12/08/2024
Notary Public



Commission District: 4 **Zoning Case:** 2-118-1996

Size of property in acres: 0.7385 **Original Date of Hearing:** Z-118/1996; Z-74/1995
7-17-96

Location: 4855 Floyd Rd SW Mableton, GA 30126
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 31, 42 **District(s):** 17

State specifically the need or reason(s) for Other Business: Modification to original site approval.
The intent is to redevelop the existing site into a 3,361 S.F. one-story Financial Center with one ATM drive-thru lane.
The site will be modified to meet current codes for parking, ADA accessibility, lighting, etc. When completed, the site will
provide 30 parking spaces with two ADA accessible space, and a bicycle rack that can accommodate two bicycles.

(List or attach additional information if needed)

ORIGINAL DATE OF APPLICATION: 9/96

APPLICANTS NAME: WISE PROPERTIES, INC.

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

BOC DECISION OF 9-17-96 ZONING HEARING: The Board of Commissioners approved Rezoning to the NRC zoning district subject to: 1) project subject to all zoning stipulations of Z-74 of 1995, Wise Properties, (copy of stipulations attached and made a part hereof); 2) project subject to Stormwater Management Division comments and recommendations; 3) project subject to Cobb DOT comments and recommendations; 4) owner/developer to enter into a Development Agreement pursuant to O.C.G.A. §36-71-13 for dedication of system improvements to mitigate traffic concerns; 5) owner/developer required to meet all Cobb County development requirements and ordinances related to project improvements; 6) per agreement attached and made a part hereof, the applicant/owner will participate in the cost of a traffic signal at White Boulevard if warranted. Motion by Poole, second by Byrne, carried 4-0.



Z-118 of 1996

MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY COMPANY

JOHN H. MOORE
STEPHEN C. STEELE
WILLIAM R. JOHNSON
ROBERT D. INGRAM
J. BRIAN O'NEIL
G. PHILLIP BEGGS
ELDON L. BASHAM
MATTHEW J. HOWARD
SARAH L. BARGO
DIANE M. BUSCH
DAVID IAN MATTHEWS
JERE C. SMITH
CLAYTON O. CARMACK
JEFFREY A. WATKINS

ROBERT E. JONES*
MICHELLE S. DAVENPORT
KENNETH T. ISRAEL
KEVIN J. McGRATH
LAURA E. STORY
KEVIN B. CARLOCK
ALEXANDER T. GALLOWAY III
G. ANDY ADAMEK
J. KEVIN MOORE
S. GREGORY WAGNER
WILLIAM C. BUHAY
CARL R. CURRY**
SUSAN W. SMITH

ATTORNEYS AT LAW
192 ANDERSON STREET
MARIETTA, GEORGIA 30060

September 20, 1996

*Attachment
as referenced
in zoning
minutes of
9-17-96 (step #6).
K. H. H. H.*

POST OFFICE BOX 3305
MARIETTA, GEORGIA 30061

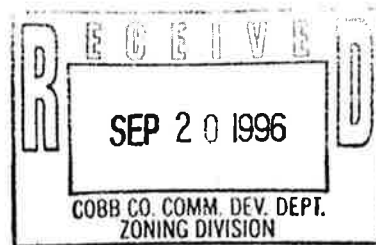
TELEPHONE
(770) 429-1499

TELECOPIER
(770) 429-8531

* ALSO ADMITTED IN FL

Mr. Ed Thomas
Principal Planner
Cobb County Community Development
Zoning Division
Suite 500
100 Cherokee Street
Marietta, Georgia 30090-9674

Hand Delivered



RE: Application for Rezoning
Application No.: Z-118
Applicant: Wise Properties, Inc.
Owner: Katherine B. Nix
Property: Approximately 1.2 Acres located
in Land Lots 31 and 42,
17th District, 2nd Section,
Cobb County, Georgia

Dear Ed:

As you know, this firm represents Wise Properties, Inc., hereinafter "Applicant," in its Application for Rezoning with regard to the above-referenced property. At the Board of Commissioners' Zoning Hearing held on September 17, 1996, the Board considered said Application for Rezoning. During said hearing, the Board requested and the Applicant orally agreed to make an additional stipulation regarding the alignment of White Boulevard and an entrance to the shopping center as shown on the site plan submitted for rezoning. Pursuant to the Board's request and the Applicant's oral agreement thereto, we submit this letter of stipulation which shall be made part of the requested rezoning:

- (1) The Applicant agrees to participate in the construction of a traffic signal at the intersection of White Boulevard and Floyd Road at such time as the Cobb County Department of Transportation determines that a traffic signal is necessary at said intersection.

We trust the foregoing comports with the Board's direction in this matter. If there should be any questions or if additional information should be necessary, please do not hesitate to contact us.

MOORE INGRAM JOHNSON & STEELE

Mr. Ed Thomas
Principal Planner
Cobb County Community Development
Zoning Division
Page Two
September 20, 1996

With kindest regards, we remain

Very truly yours,

MOORE INGRAM JOHNSON & STEELE, LLC


John H. Moore


J. Kevin Moore

JHM/JKM:cc

2-118 of 1996 - Attachment as referenced
in Zoning Minutes of 7-17-96
(Step # 1) Ken Her

Minutes of the meeting of the Cobb County Board of Commissioners' Zoning Hearing held on **July 18, 1995** in the Second Floor Commissioners' Meeting Room, Cobb County Building, 100 Cherokee Street, Marietta, Georgia.

Z-74

WISE PROPERTIES (Janie W. Ayers and Mary W. Green, owners) for Rezoning from **OI and R-15** to **CRC** for the purpose of Neighborhood Shopping Center in Land Lots 31, 32, 41 and 42 of the 17th District. 12.5 acres. Located at the northeast intersection of Floyd Road and Nickajack Road. The Board of Commissioners **deleted** application to the NRC zoning district subject to: 1) letter of agreeable conditions submitted dated July 14, 1995, marked as Exhibit "A" (item #8 clarified to reflect that the 20 foot landscape buffer along Nickajack Road will end at the approximate location of the rear wall of those retail shops immediately adjacent to said buffer); 2) no portion of the site to be used for a business which principally features sexually explicit products or drug-related paraphernalia; 3) delivery truck access via Floyd Road only; 4) maximum of two (2) outparcels; 5) site plans for outparcel sites to be approved by the Board of Commissioners prior to permits being issued for each site; 6) landscape plan to be approved by Staff through the Plan Review process; 7) protective covenants are to be filed on property pertaining to signage, landscaping and style of buildings - covenants are to be filed before building permits are issued; 8) owner/developer is to provide comprehensive hydrology/detention to include the development of any outparcels; 9) developed runoff must be controlled to not exceed the capacity of the existing storm drainage system downstream; 10) owner/developer to enter into a Development Agreement pursuant to O.C.G.A. §36-71-13 for dedication of system improvements to mitigate traffic concerns; 11) owner/developer to coordinate with the Cobb DOT Engineering Division, Construction Section prior to development plan approval in order to ensure compatibility with the roadway project; 12) owner/developer to install an additional lane along the entire property frontage of Floyd Road; 13) owner/developer to install 150 foot deceleration and acceleration lanes for ingress/egress at all access locations on Nickajack Road; 14) owner/developer to provide interparcel access to serve the adjacent property owner; 15) curb and gutter to be reinstalled along Floyd Road if disturbed due to construction. Motion by Byrne, second by Wysong, carried 5-0.

Large plan in zoning file

PAULSON & ASSOCIATES, INC.
 LAND PLANNERS & ENGINEERS
 223 VILLAGE PARKWAY
 MARETTA, GEORGIA 30087
 PHONE: (770) 851-1897
 FAX: (770) 851-1835

PROJECT
MABLETON CROSSING
 COBB COUNTY, GEORGIA

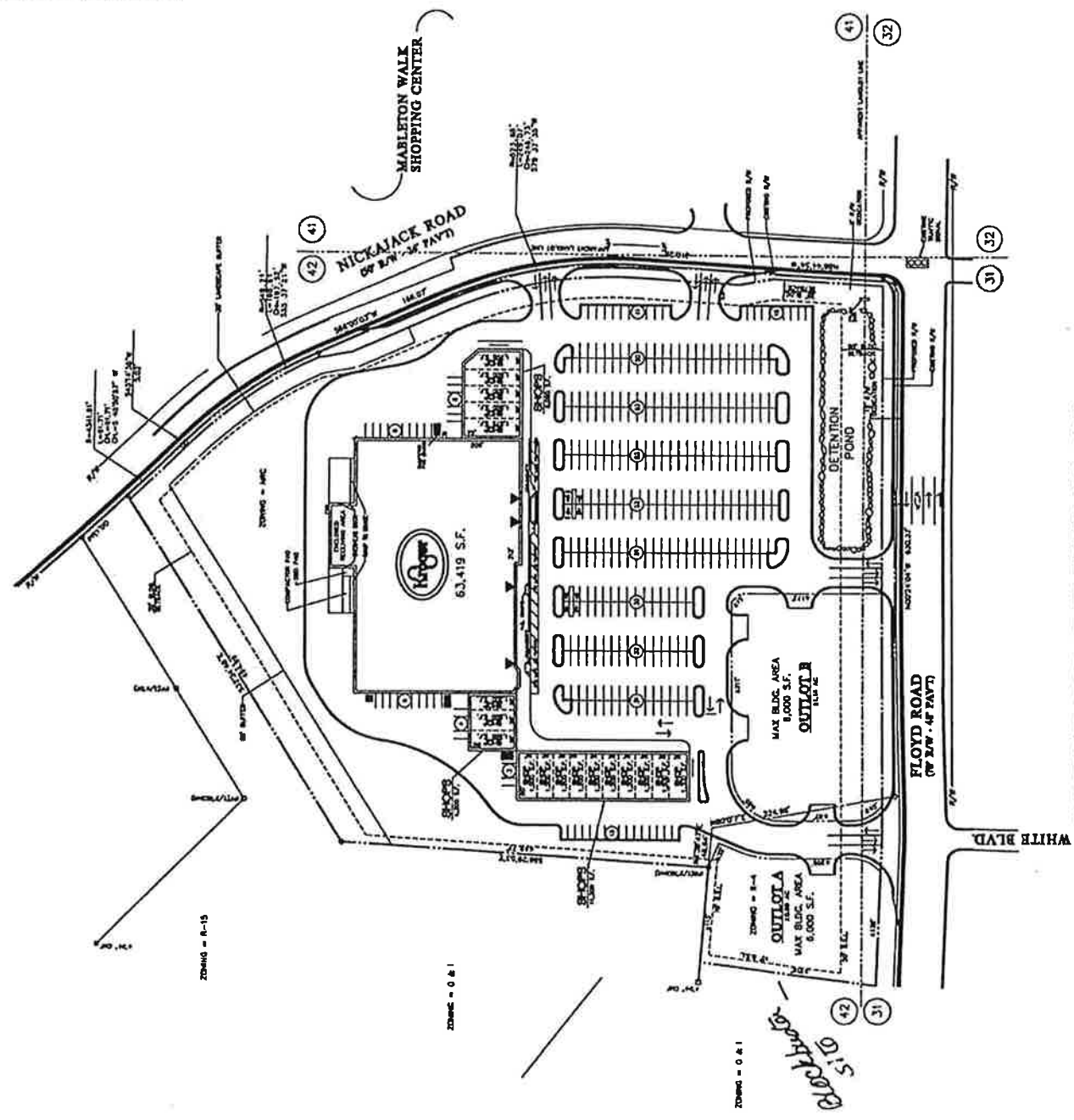
WISE PROPERTIES
 BRANDYME, ALABAMA
 SHEET TITLE
PRELIMINARY SITE PLAN
 U. S. 31, 42 & 42, DIST. 17
 SECOND SECTION
 COBB COUNTY, GA.

JOB NUMBER: 21292A
 DATE: 5-18-96
 REVISIONS:
 SHEET NUMBER: 1



*2-74 g 1957
 2-118 g 196 -
 overall plan*

SITE ANALYSIS	
CROSS (CA-105)	63,419 S.F.
SHOPS	24,600 S.F.
OUTLOT A	10,000 AC
OUTLOT B	5,114 AC
TOTAL BUILDING AREA	26,099 S.F.
PARKING	400 SPACES
PARKING RATIO	5.13/ACSF
TOTAL LAND AREA	12.50 AC.



PRELIMINARY SITE PLAN

Blackhawk

ORIGINAL DATE OF APPLICATION: 9/96APPLICANTS NAME: WISE PROPERTIES, INC.

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

OTHER BUSINESS ITEM #10 OF 2-18-97 ZONING HEARING:

To consider site plan approval for Blockbuster Video regarding applications Z-74 of July 18, 1995 and Z-118 of September 17, 1996 (Wise Properties), for property located on the east side of Floyd Road, and the north side of Nickajack Road in Land Lots 31 and 42 of the 17th District.

Mr. Danneman reported that site plan submitted for the Blockbuster Video represents the most northern outparcel of this overall development. It was further reported there is an encroachment into the 35' landscaped buffer, but that the adjoining property owner had acquiesced to this encroachment with the condition of a fence and plantings (fence and landscaping is shown on plan submitted). Following this presentation, the Board of Commissioners **approved** site plan submitted for the Blockbuster Video outparcel (reference zoning applications Z-74 of '95 and Z-118 of '96 - Wise Properties) for property located on the east side of Floyd Road, and the north side of Nickajack Road in Land Lots 31 and 42 of the 18th District subject to: 1) site plan submitted dated January 1, 1997 (reduced copy attached and made a part hereof); 2) this parcel is to comply with the protective covenants placed on the Kroger Center, i.e., signage, landscaping, style of buildings); 3) other applicable conditions/stipulations of Z-74 of '95 and Z-118 of '96; 4) letter dated February 6, 1997 from William Harbour (attached and made a part hereof). Motion by W. Thompson, second by Byrne, carried 5-0.

Other Business
Item # 10

of 2-18-97

2-74 of 195

+ 2-118 of 196

K. Allen

February, 6, 1997

Ms. Judy Williams
Cobb County Development Department
100 Cherokee Street
Suite 500
Marietta, Georgia 30090

Re: Blockbuster/Floyd Road
970028

Dear Ms. Williams;

As the owner of the property behind the proposed Blockbuster Video, I give my approval for construction to occur in the 35 foot buffer.

As a condition for the construction in the buffer the contractor shall save as many of the existing trees as possible with the use of retaining walls, build a six foot high wooden fence and plant pine trees between the new fence and my property line.

Sincerely,

William Harbour

William Harbour