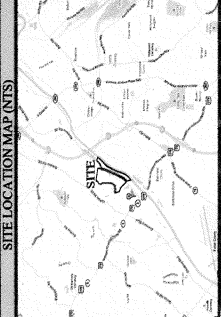


PROJECT CONTACT:
Mr. Walter Brown @ 404-835-8223

SITE DATA
 ALL TOTAL SITE AREA: 81.95 ACRES
 ZONING: R-20 (RESIDENTIAL)
 PROPOSED ZONING: P-VC (PLANNED VILLAGE COMMUNITY)
 ZONING JURISDICTION: COBB COUNTY, GEORGIA (P Z-28-2010)

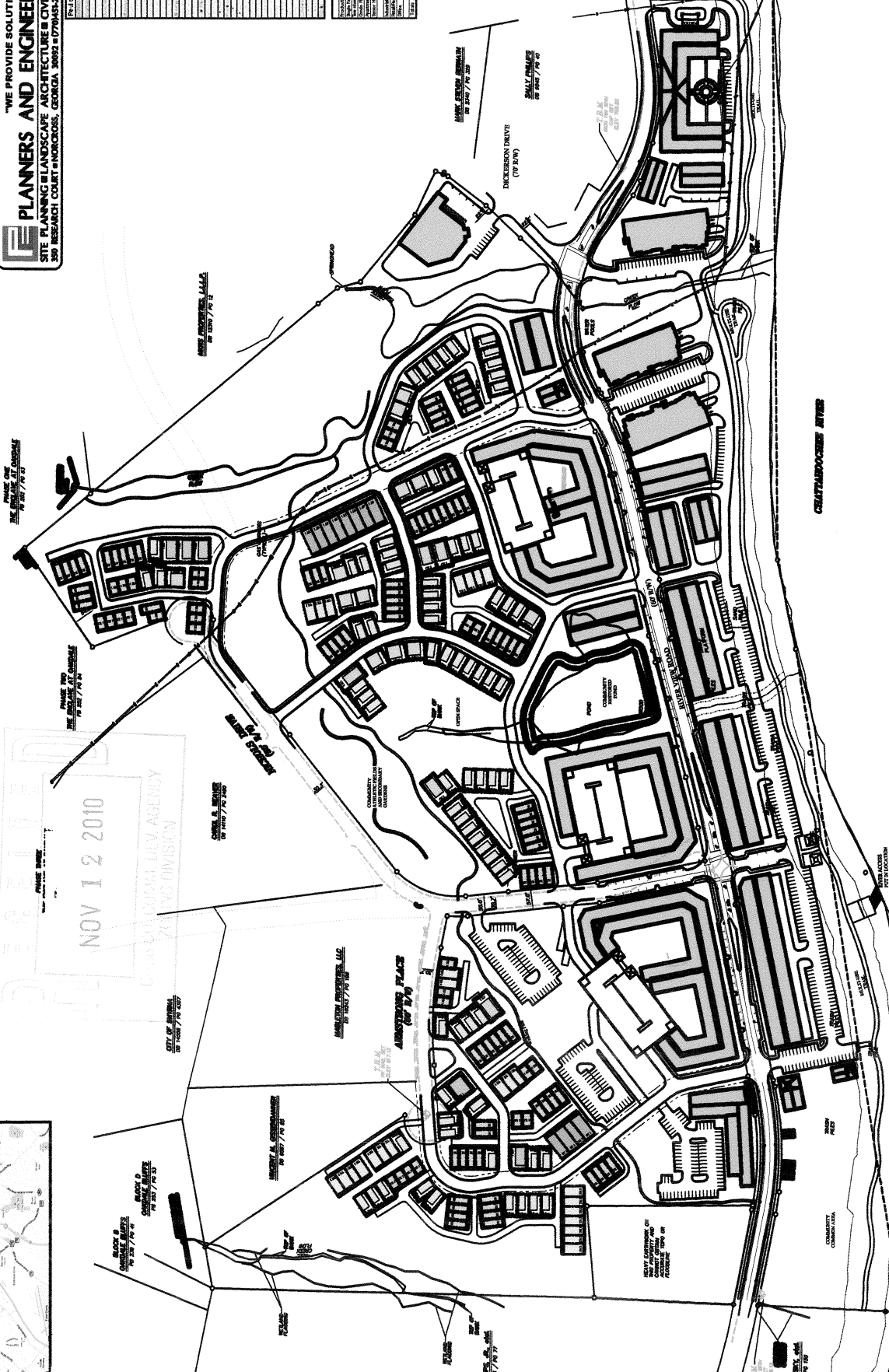


REDEVELOPMENT OF RIVERVIEW ROAD
 A MASTER PLANNED MIXED USE COMMUNITY
 GREEN STREET PROPERTIES
 999 PEACOCK STREET, NE
 ATLANTA, GEORGIA 30309
 PHONE: 404-835-8223

PLANNERS AND ENGINEERS COLLABORATIVE
 SITE PLANNING LANDSCAPE ARCHITECTURE CIVIL ENGINEERING LAND SURVEYING
 300 RESEARCH COURT - NORCROSS, GEORGIA 30093 • (770) 451-2741 FAX (770) 451-3915 • WWW.PEACAT.COM

NO. OF UNITS	TOTAL AREA (SQ. FT.)	AVG. UNIT AREA (SQ. FT.)
100	100,000	1,000
200	200,000	1,000
300	300,000	1,000
400	400,000	1,000
500	500,000	1,000
600	600,000	1,000
700	700,000	1,000
800	800,000	1,000
900	900,000	1,000
1,000	1,000,000	1,000

**Z-28
(2010)
Master Plan**



SCALE: 1" = 100'
 0 50 100 200 300
 PROJECT: 08031.00
 DATE: Oct-25, 2010
 DRI#: 2152
 NOTE: SITE IS ENTIRELY WITHIN COBB COUNTY

*Illustrative Master Plan
River View on the Chattahoochee*

Riverview on the Chattahoochee
 A MASTER PLANNED MIXED USE COMMUNITY
 FOR GREEN STREET PROPERTIES
 JAMESTOWN
 999 PEACHTREE STREET, N.E.
 ATLANTA, GA 30309
 PHONE: 404.525.2200
 FAX: 404.525.2201

THE PROVIDE SOLUTIONS[®]
PLANNERS AND ENGINEERS COLLABORATIVE
 SITE PLANNING, ARCHITECTURE, CIVIL, ENGINEERING, LAND SURVEYING
 300 RESEARCH COURT - NORCROSS, GEORGIA 30062
 PHONE: 770.442.2741 FAX: 770.442.2741 WWW.PEATL.COM

SITE DATA:
 OVERALL TOTAL SITE AREA: 111.28 ACRES
 ZONING: UNZONED
 PROPOSED ZONING: P1C (PLANNED VILLAGE COMMUNITY)
 ZONING JURISDICTION: COBB COUNTY, GEORGIA (# Z-28-2010)

DISTRICT AREAS:

MIXED USE DEVELOPMENT DISTRICT
 District A1: 21 Acres
 District A2: 28 Acres
 District A3: 16 Acres
 District A4: 21.14 Acres
 District A5: 21.14 Acres
 District A6: 21.14 Acres

MEDIUM DENSITY RESIDENTIAL DISTRICT
 District B1: 34 Acres

COMMUNITY RECREATION DISTRICT
 District C1: 69 Acres

OPEN SPACE / GREEN SPACE DISTRICT
 District D1: 65 Acres
 District D2: 42 Acres
 District D3: 69 Acres

MIXED USE PARKING/RECREATION/OPEN SPACE DISTRICT
 District E1: 19 Acres
 District E2: 33 Acres

TOTAL AVERAGE: 31 Acres

DISTRICT LEGEND:

MIXED USE DEVELOPMENT DISTRICT (CONDOS, MULTIFAMILY, SENIOR HOMES, SINGLE FAMILY, COMMERCIAL, OFFICE, INDUSTRIAL)
 District - A1 - A6

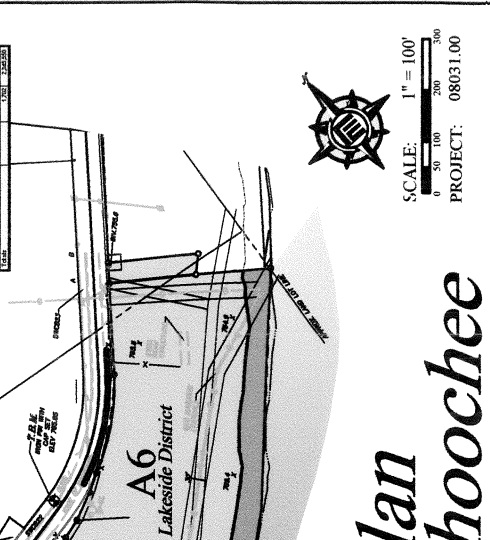
MEDIUM DENSITY RESIDENTIAL DISTRICT (SINGLE-FAMILY RESIDENTIAL)
 District - B1

COMMUNITY RECREATION DISTRICT
 District - C1

OPEN SPACE / GREEN SPACE DISTRICT
 District - D1-D3

MIXED USE PARKING/RECREATION/OPEN SPACE DISTRICT
 District - E1-E2

DISTRICT	AREA (ACRES)	AVG. DENSITY	TOTAL UNITS
A1	21	10	210
A2	28	10	280
A3	16	10	160
A4	21.14	10	211.4
A5	21.14	10	211.4
A6	21.14	10	211.4
B1	34	10	340
C1	69	10	690
D1	65	10	650
D2	42	10	420
D3	69	10	690
E1	19	10	190
E2	33	10	330
TOTAL	31	10	310



RECEIVED
 NOV 12 2010
 CITY OF ATLANTA
 COMMUNITY DEVELOPMENT AGENCY
 ZONING DIVISION

Rezoning Master Plan Riverview on the Chattahoochee

**Z-28 (2010)
 Zone/Density Plan**

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APPLICANT: Green Street Properties/Marthasville Development/
Jamestown Properties

REPRESENTATIVE: Sams, Larkin & Huff, LLP
Garvis L. Sams, Jr. or Parks F. Huff 770-422-7016

TITLEHOLDER: Riverview Industries, L.P.

PETITION NO: Z-28 (2010)

HEARING DATE (PC): 10-05-10

HEARING DATE (BOC): 10-19-10

PRESENT ZONING: HI, R-20

PROPERTY LOCATION: Located on the southeasterly side of River
View Road, between I-285 and the Southern Railway Railroad tracks;
on the southeasterly side of River View Road, south of I-285; on the
northwesterly side of River View Road, between Dickerson Drive and
Nichols Drive; and on the southerly side of Nichols Drive, between
River View Road and Armstrong Place.

PROPOSED ZONING: PVC

PROPOSED USE: Mixed Use Development

ACCESS TO PROPERTY: River View Road, Nichols Road,
Armstrong Place, Dickerson Drive

SIZE OF TRACT: 87.605 acres

DISTRICT: 18

LAND LOT(S): 58, 171, 172, 174, 175, 284

PARCEL(S): See zoning file

PHYSICAL CHARACTERISTICS TO SITE: Existing developed
industrial uses in HI and R-20 zoning categories

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 4

CONTIGUOUS ZONING/DEVELOPMENT

FUTURE LAND USE MAP: Industrial

- NORTH:** HI/Industrial Development
- SOUTH:** HI & R-20/Industrial Use
- EAST:** Chattahoochee River
- WEST:** HI/Industrial Dev & City of Smyrna/The Enclave at Oakdale & Oakdale Bluffs

OPPOSITION: NO. OPPOSED **PETITION NO:** _____ **SPOKESMAN** _____

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

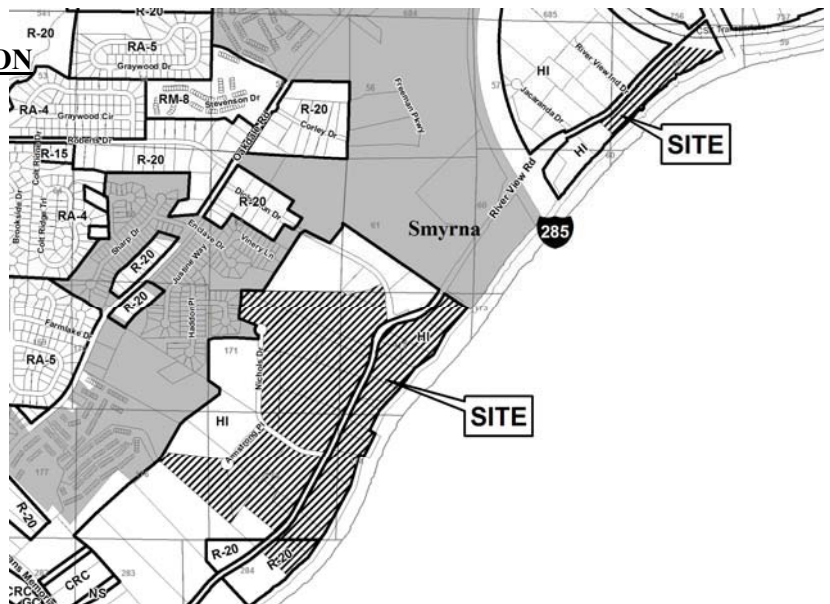
BOARD OF COMMISSIONERS DECISION

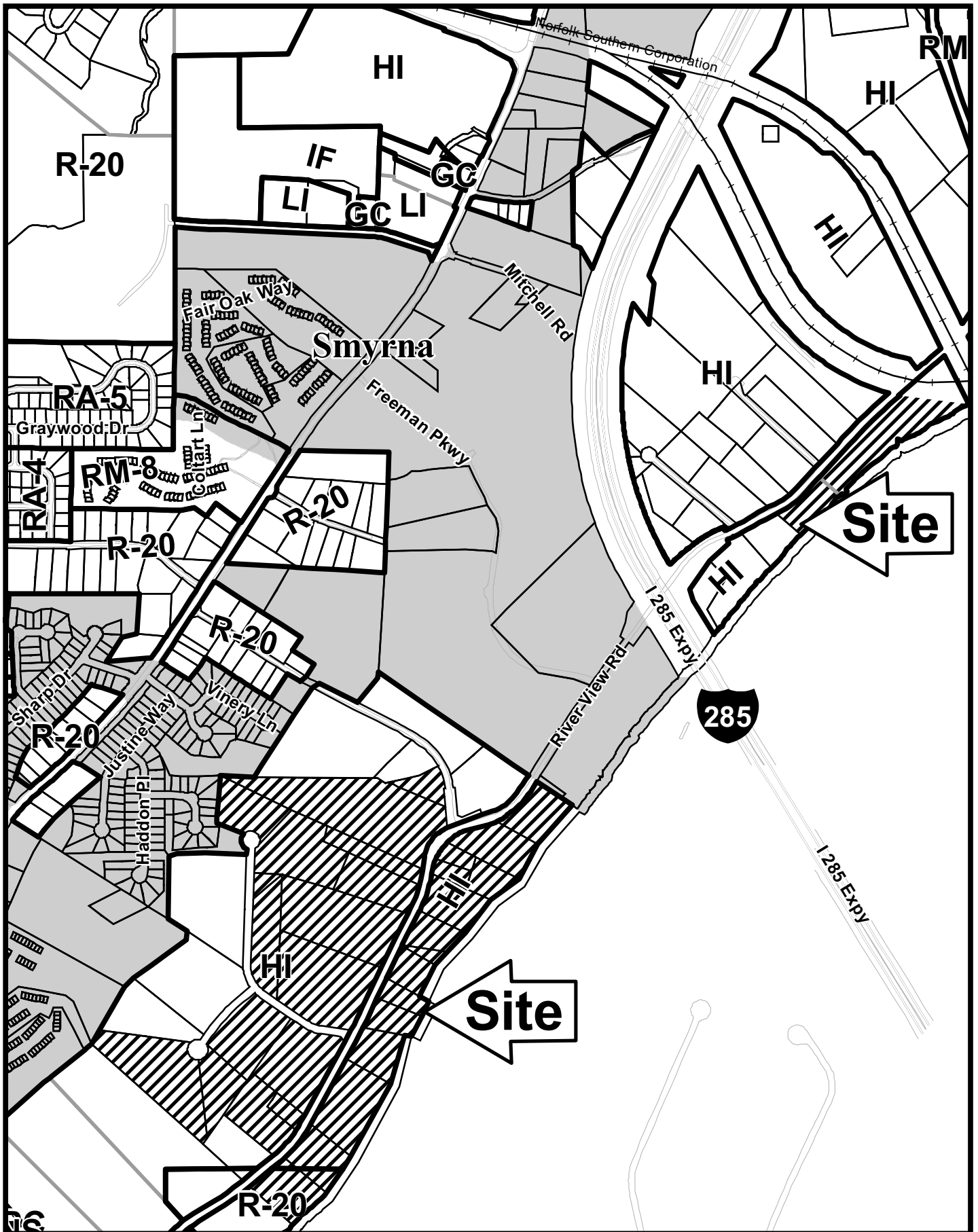
APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

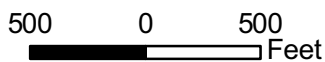
HELD _____ **CARRIED** _____

STIPULATIONS:





This map is provided for display and planning purposes only. It is not meant to be a legal description.



City Boundary
Zoning Boundary

APPLICANT: Green Street Properties, et al.

PETITION NO.: Z-28 (2010)

PRESENT ZONING: HI & R-20

PETITION FOR: PVC

ZONING COMMENTS:

Staff Member Responsible: Jason A. Campbell

Land Use Plan Recommendation: Industrial

Proposed Number of Buildings: 82 **Total Square Footage of Development:** 2,345,550

F.A.R.: 0.61 **Square Footage/Acre:** 26,772 **Residential Density:** 19.42 upa

Parking Spaces Required: 1,816 **Parking Spaces Provided:** 897

The applicant is requesting the PVC zoning district to develop a mixed use community. The project will consist of single-family residential, town homes, condominiums, senior housing, apartments, retail, restaurants, office and self-service storage buildings. The proposal will contain themed architectural treatments throughout to tie all buildings together. The project has received positive findings on the required Development of Regional Impact from the Atlanta Regional Commission (ARC) and the Georgia Regional Transportation Authority (GRTA). The applicant’s letter of agreeable stipulations is attached to this analysis.

First, the mixed use development will have a commercial component that will have retail, restaurants, climate controlled self-service storage buildings and offices utilizing the village concept with varying storefronts, roof elevations and other aesthetically pleasing treatments. The non-residential architecture shall be neo-traditional with a mixture of siding material and architectural features that will compliment the residential component of the mixed use development. The front building facades shall be a mixture of brick, stone, cedar shake, stucco, hardi-board, wood siding or other compatible materials. The commercial buildings would range in height from one story to four stories. There will be retail, restaurants and offices on the first floor with condos on the upper floors. The commercial buildings will be located along either side of River View Road, Nichols Drive and the southeast intersection of Nichols Drive and Armstrong Place. Also in the non-residential components, there will be pedestrian walkways between the proposed buildings and throughout the parking areas subject to approval pursuant to the landscape plan submitted during the Plan Review process. Additionally, there will be pedestrian connectivity between the non-residential and the residential components. The anticipated hours of operation for the commercial, office and light industrial uses will be traditional days and times.

Second, the applicant is proposing a residential component that will consist of 155 single-family residences; 332 town homes, 165 condominium flats; 200 residential senior housing units; and, 850 apartment units. The architectural style of said residences shall reflect a mixture of brick, stacked stone, wood siding, cedar shake, hardi-plank and other compatible materials. This building will range in height from one to six stories. The square footages will range in size from 700 square feet for a studio apartment to 4,000 square feet for single-family residential. The for-sale units will range in price from \$200,000 to \$500,000.

The applicant seeks to rezone to the conceptual site plan submitted to the Zoning Division on November 12, 2010, and seeks variances and conditions to the PVC zoning district that include, but are not limited to, lot size and building setback variances to the minimum allowed by the International Building Code; open space requirements found at §134-217(13) of the Zoning Ordinance; restaurants larger than 3,000 square feet and additional variances as identified in the site plan.

APPLICANT: Green Street Properties, et al.

PETITION NO.: Z-28 (2010)

PRESENT ZONING: HI & R-20

PETITION FOR: PVC

Historic Preservation: After consulting various county historic resources surveys, historic maps, archaeology surveys and Civil War trench location maps, it is determined that a portion of the project area is in the immediate vicinity of documented Civil War trenches. In order to determine if any significant Civil War features are located within the project area, an archeological field survey performed by a cultural resource professional on the parcels on the west side of Riverview Road and north of Nichols Drive is to be considered at site plan review. This survey, if completed, should be submitted to the historic preservation planner. Based on the determination of either the presence or absence of potentially significant features, further recommendations (such as buffers, fencing, interpretive signage, etc.) shall be made by staff.

Cemetery Preservation: No comments.

COBB COUNTY-MARIETTA WATER AUTHORITY COMMENTS (CCMWA):

CCMWA requests to review the plans for this project as soon as they are available in order to determine the extent of impact upon our facilities. CCMWA has a 36” DIP Transmission Water Line with permanent easements that run along Riverview Road and through the woods between Riverview Road and the Chattahoochee River. The owner/developer will be financially responsible for any impacts to CCMWA facilities from the project. Contact Chuck Byrge at (770) 426-8788 to coordinate plan review.

SCHOOL COMMENTS:

<u>Name of School</u>	<u>Enrollment</u>	<u>Capacity Status</u>	<u>Number of Portable Classrooms</u>
Harmony Leland	512	Over	
Elementary Lindley	1,318	Under	
Middle Pebblebrook	2,113	Over	

High

* School attendance zones are subject to revision at anytime.

Additional Comments:

Approval of this zoning could adversely impact enrollment at Harmony Leland Elementary and Pebblebrook High School.

Cobb County Fire and Emergency Services

Applicant Name: Green Street Properties/ Marthasville Development/ Jamestown Properties

Petition Number: Z-28

Date:8/19/2010

Fire Marshal Comments

Fire Apparatus Access Road

All access roads shall have an all weather driving surface capable of supporting 75,000 pounds with an unobstructed width of not less than 20 feet, 25 feet inside turning radius, 50 foot outside turning radius and unobstructed vertical clearance of not less than 13 feet 6 inches.

Access road shall extend to within 150-feet of all portions of the facility or any portion of the exterior wall of the first floor.

Aerial apparatus access shall be required for all structures over 30 feet in height measured from the lowest level of fire department access to the ceiling height of the highest occupiable floor level. Aerial fire apparatus roads shall be a minimum width of 24 feet face of curb to face of curb maximum of 40 feet from the structure and be positioned parallel to the long side of the building for its entire length. No overhead utility and power lines shall be located within the aerial apparatus access.

Dead-end access roads in excess of 150-feet shall be provided with a turn-around by one of the following methods:

Commercial: Cul-de-sac without an island to have a 60 foot paved radius or Hammerhead turnaround – total of 110-feet needed (45 feet + 20 foot wide roadway + 45 feet).

Residential subdivision: Cul-de-sac with an island – minimum 60 foot radius to outside curb, measured to inside of curb, minimum lane width 24 feet or Cul-de-sac without an island – 38 foot outside radius or Hammerhead turn-around – total of 110 feet needed (45 feet + 20 foot wide roadway + 45 feet).

Gates securing fire apparatus access shall be a minimum 14 feet in clear width for a single lane and 20 feet for a double lane. Gate shall be swing or sliding type. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the Cobb County Fire Marshal's Office.

Fire Hydrant

Commercial: Fire hydrant within 500 feet of most remote part of structure.

APPLICANT: Green Street Properties...

PETITION NO.: Z-28

PRESENT ZONING: HI, R-20

PETITION FOR: PVC

River Line Master Plan/Veterans Memorial Highway – D. L. Hollowell Parkway Livable Centers Initiative

The River Line Master Plan was approved in 2010 and sets the policy and vision for new investment along Veterans Memorial Highway, Riverview Road, and Oakdale Road up to the Chattahoochee River. The Veterans Memorial Highway LCI study recommends a transportation system in connection with the City of Atlanta that will enable the visions and concepts contained in the River Line study to come to fruition. Together, these two initiatives provide the framework for new development in this area. The following items are made in the two studies that impact this application for rezoning:

- The area under consideration is identified in both the Master Plan and the LCI study as Mixed-use/Village Center.
- Uses within the Mixed-use/Village Center should contain a combination of commercial, office, residential, and industrial uses.
- Importance is placed on designing the new village center in a manner that will be compatible with the existing “quality” industrial uses.
- Alterations to Riverview Road should occur in a manner that would allow for the creation of a more pedestrian-bicycle friendly environment, while also ensuring safety and enhanced mobility for the numerous large trucks and other industrial vehicles that utilize the corridor.
- Additional connections should be made to the Chattahoochee River to encourage and enhance this areas quality-of-life.
- Environmental issues and concerns are vital to success of any new development in this area and as such, the 1972 FEMA floodplain map should be re-evaluated prior to development and alternative methods to stormwater management should be considered to assist in improving water quality heading into the Chattahoochee River.
- Three concepts were proposed for the Riverview Road, see images below. A final concept was not proposed. The range of right-of-way requirement for the three concepts was between sixty-four feet



(64') and Seventy-eight feet (78').

Design Guidelines

Is the parcel in an area with Design Guidelines? Yes No

If yes, design guidelines area _____

Does the current site plan comply with the design requirements?

Yes No Not applicable

APPLICANT Green St., Marthasville Dev., Jamestown Properties

PETITION NO. Z-028

PRESENT ZONING HI, R-20

PETITION FOR PVC

WATER COMMENTS: NOTE: Comments reflect only what facilities were in existence at the time of this review.

Available at Development: Yes No

Fire Flow Test Required: Yes No

Size / Location of Existing Water Main(s): **8" DI / NW side Riverview Road**

Additional Comments: Meter allocation subject to plan review

Developer may be required to install/upgrade water mains, based on fire flow test results or Fire Department Code. This will be resolved in the Plan Review Process.

SEWER COMMENTS: NOTE: Comments reflect only what facilities were in existence at the time of this review.

In Drainage Basin: Yes No

At Development: Yes No

Approximate Distance to Nearest Sewer: **On site at Chattahoochee River, also at creek S of Dickerson Rd**

Estimated Waste Generation (in G.P.D.): **A D F 896,000 Peak= 2,240,000**

Treatment Plant: **South Cobb**

Plant Capacity: Available Not Available

Line Capacity: Available Not Available

Projected Plant Availability: 0 - 5 years 5 - 10 years over 10 years

Drv Sewers Required: Yes No

Off-site Easements Required: Yes* No *If off-site easements are required, Developer must submit easements to CCWS for review/approval as to form ans stipulations prior to the execution of easements by the property owners. All easement acquisitions are the responsibility of the Developer

Flow Test Required: Yes No

Letter of Allocation issued: Yes No

Septic Tank Recommended by this Department: Yes No

Subject to Health Department Approval: Yes No

Additional Comments: Line capacity unknown. Developer responsible for any necessary line upsizing.

Developer will be responsible for connecting to the existing County water and sewer systems, installing and/or upgrading all outfalls and water mains, obtaining on and/or offsite easements, dedication of on and/or offsite water and sewer to Cobb County, as may be required. Rezoning does not guarantee water/sewer availability/capacity unless so stated in writing by the Cobb County Water System. Permit issuances subject to continued treatment plant compliance with EPD discharge requirements.

APPLICANT: Green Street/Marthasville/Jamestown

PETITION NO.: Z-28

PRESENT ZONING: HI, R-20

PETITION FOR: PVC

DRAINAGE COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Chattahoochee River FLOOD HAZARD INFO: Zone AE

- FEMA Designated 100 year Floodplain Flood.
- Flood Damage Prevention Ordinance DESIGNATED FLOOD HAZARD.
- Project subject to the Cobb County Flood Damage Prevention Ordinance Requirements.
- Dam Breach zone from (upstream) (**onsite**) lake - need to keep residential buildings out of hazard.

WETLANDS: YES NO POSSIBLY, NOT VERIFIED

Location: _____

- The Owner/Developer is responsible for obtaining any required wetland permits from the U.S. Army Corps of Engineer.

STREAMBANK BUFFER ZONE: YES NO POSSIBLY, NOT VERIFIED

- Metropolitan River Protection Area (within 2000' of Chattahoochee River) ARC (review 35' undisturbed buffer each side of waterway).
- Chattahoochee River Corridor Tributary Area
- Georgia Erosion-Sediment Control Law and County Ordinance - **County Review**/State Review.
- Georgia DNR Variance may be required to work in 25 foot streambank buffers.
- County Buffer Ordinance: **50'**, 75', 100' or 200' each side of creek channel.

DOWNSTREAM CONDITION

- Potential or Known drainage problems exist for developments downstream from this site.
- Stormwater discharges must be controlled not to exceed the capacity available in the downstream storm drainage system.
- Minimize runoff into public roads.
- Minimize the effect of concentrated stormwater discharges onto adjacent properties.
- Developer must secure any R.O.W required to receive concentrated discharges where none exist naturally
- Existing Lake Downstream _____.
Additional BMP's for erosion sediment controls will be required.
- Lake Study needed to document sediment levels.
- Stormwater discharges through an established residential neighborhood downstream.
- Project engineer must evaluate the impact of increased volume of runoff generated by the proposed project on downstream receiving stream (Chattahoochee River).

APPLICANT: Green Street/Marthasville/Jamestown

PETITION NO.: Z-28

PRESENT ZONING: HL, R-20

PETITION FOR: PVC

DRAINAGE COMMENTS CONTINUED

SPECIAL SITE CONDITIONS

- Provide comprehensive hydrology/stormwater controls to include development of out parcels.
- Submit all proposed site improvements to Plan Review.
- Any **spring activity** uncovered must be addressed by a qualified geotechnical engineer (PE).
- Structural fill _____ must be placed under the direction of a qualified registered Georgia geotechnical engineer (PE).
- Existing facility.
- Project must comply with the Water Quality requirements of the CWA-NPDES-NPS Permit and County Water Quality Ordinance.
- Water Quality/Quantity contributions of the existing lake/pond on site must be continued as baseline conditions into proposed project.
- Calculate and provide % impervious of project site.
- Revisit design; reduce pavement area to reduce runoff and pollution.

INSUFFICIENT INFORMATION

- No Stormwater controls shown _____
- Copy of survey is not current - Additional comments may be forthcoming when current site conditions are exposed.
- No site improvements showing on exhibit.

ADDITIONAL COMMENTS

1. It is understood that the current proposed plan is fairly conceptual at this time. However, any proposed plan will have to be consistent with all of the Metropolitan River Protection Act (MRPA) guidelines (ie. impervious setbacks, undisturbed stream buffers, building height restrictions within the 500-year floodplain, impervious and disturbed area coverage limits, etc.)
2. The proposed plan must also comply with Cobb County’s Flood Damage Prevention Ordinance. The County cannot waive FEMA or Metropolitan North Georgia Water Planning District mandated ordinances related to development within the 100-year regulatory floodplain. Most of what is proposed between the river bank and Riverview Road is located in the effective 100-year floodplain – much of it is within the regulatory floodway. It is understood that a floodplain revision has been submitted to FEMA that will impact this section of the Chattahoochee River. However, the Stormwater Management Division is required to regulate based on the current mapping until the revised study becomes effective.
3. Based on discussions during the applicant meetings it is anticipated that innovative water quality and stormwater management measures will be utilized for this development. Since these designs are highly dependent on the final proposed site layout, these issues will need to be addressed during the plan review process.

APPLICANT: Green Street Properties/ Marthasville Development/ Jamestown Properties

PETITION NO.: Z-28

PRESENT ZONING: HI, R-20

PETITION FOR: PVC

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
Riverview Road	4200	Major Collector	35 mph	Cobb County	80'
Nichols Road	N/A	Local	25 mph	Cobb County	50'
Armstrong Place	N/A	Local	25 mph	Cobb County	50'
Dickerson Drive	600	Local	25 mph	Cobb County	50'

*Based on 2006 traffic counting data taken by Cobb County DOT (Riverview Road)
Based on 2002 traffic counting data taken by Cobb County DOT (Dickerson Drive)*

COMMENTS AND OBSERVATIONS

Riverview Road is classified as a major collector and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

Install curb, gutter, and sidewalk along all Riverview Road, Nichols Road, Armstrong Place, and Dickerson Drive frontages.

RECOMMENDATIONS

Recommend applicant consider entering into a development agreement pursuant of O.C.G.A. 36-71-13 for dedication of the following system improvements to mitigate traffic concerns: a) donation of right-of-way on Riverview Road, a minimum of 50' from the roadway centerline.

Recommend installing curb, gutter, and sidewalk along all the road frontages.

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

STAFF RECOMMENDATIONS

Z-28 Green Street Properties/Marthasville Development/Jamestown Properties

- A. It is Staff's opinion that the applicant's rezoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. While the area currently has a large number of industrial uses, there are also a number of commercial and residential uses found on properties in the county and city in this area. The developer's proposal promotes the idea of a live, work, new urbanization development.
- B. It is Staff's opinion that the applicant's rezoning proposal will not have an adverse affect on the usability of adjacent or nearby property. Staff believes developing the property as a unified development for the property would be preferable to many separate developments. Master planning this property into one comprehensive development will reduce potential problems in the future regarding drainage, access, utilities, etc. The applicant's proposal incorporates a unified mixed use plan to develop the property and incorporate recreational uses along the Chattahoochee River.
- C. It is Staff's opinion that the applicant's rezoning proposal will not result in a use which would cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. This opinion can be supported by the departmental comments contained in this analysis. This opinion can also be supported by the comments and recommendations from ARC and GRTA. Traffic on River View Road is very heavy due to the character of the area and existing uses. Applicant's proposal reflects some uses that will have staggered peak times for traffic.
- D. It is Staff's opinion that the applicant's rezoning proposal is in conformity with the policy and intent of the *Cobb County Comprehensive Plan*, substudy for the *Cobb County River Line Master Plan*. The components of this plan seek to do the following: enhance connectivity, reconnect to the river, enhance recreation opportunities, emphasize cultural and historic resources, create community-friendly character; develop a strong sense of identity; and enhance business in the area. The applicant's plan meets all of those components by providing a plan for a mixed use development that includes commercial, residential and recreational uses for the property.
- E. It is Staff's opinion that there are existing and changing conditions affecting the use and development of the property which give supporting grounds for approving the applicant's rezoning proposal. Staff believes the applicant's proposal will be a suitable use for the property and that the proposal will not adversely affect adjacent properties. Staff believes that the development of this property would be beneficial for the County, and beneficial for the area. The applicant's proposal could continue to encourage other mixed-use projects in the area. The applicant's proposal of a mixed use of commercial, residential and recreational uses meets the intent of the *River Line Master Plan* by providing the mixed uses and incorporating recreational uses along the river and providing connectivity via pedestrian walkways and by focusing on protecting/enhancing natural resources.

Based on the above analysis, Staff recommends APPROVAL subject to the following conditions:

- Site plan received by the Zoning Division on November 12, 2010;
- Comments and recommendations from the Development of Regional Impact;
- Fire Department comments and recommendations;
- Water and Sewer comments and recommendations;
- Stormwater Management comments and recommendations;
- DOT comments and recommendations;
- 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.

The recommendations made by the Planning and Zoning Staff are only the opinions of the Planning and Zoning Staff and are by no means the final decision. The Cobb County Board of Commissioners makes the final decisions on all Rezoning and Land Use Permits at an advertised public hearing.

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

GARVIS L. SAMS, JR.
JOEL L. LARKIN
PARKS F. HUFF
JAMES A. BALLI

SUITE 100
376 POWDER SPRINGS STREET
MARIETTA, GEORGIA 30064-3448

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TELEPHONE
770-426-6583
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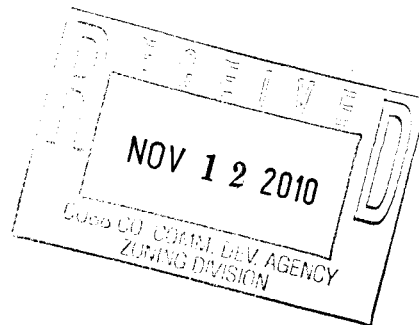
MELISSA P. HAISTEN
JUSTIN H. MEEKS

November 12, 2010

SAMSLARKINHUFF.COM

VIA HAND DELIVERY AND VIA FACSIMILE

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
Community Development Agency
1150 Powder Springs Road, Suite 400
Marietta, GA 30064



Re: Application of Green Street Properties/Marthasville Development/
Jamestown Properties to Rezone an 81.95± Acre Tract from
R-20 & HI to Conditional Planned Village Community (No. Z-28 [2010])

Dear John:

As you know, this firm has been engaged by and represents Green Street Properties, Marthasville Development and Jamestown Properties (hereinafter collectively referred to as the "Developer") concerning the above-captioned Application for Rezoning. Additionally, we represent Riverview Industries, L.P. (hereinafter "Riverview Industries") which is the owner of the assembled properties constituting the project proposed for the subject property.

The rezoning proposal, which potentially represents in excess of Three Hundred Million Dollars in real estate development, is a Development of Regional Impact ("DRI") which has been submitted for review to the Atlanta Regional Commission ("ARC") and the Georgia Regional Transportation Authority ("GRTA"). The documentation submitted to ARC and GRTA included a Transportation Analysis prepared by Kimley-Horn & Associates, Inc. ("Kimley-Horn"). At present, GRTA and ARC staff are studying the information which has been submitted (DRI #2152) with GRTA poised to issue its Technical Analysis to the ARC now that the Final Review Package has been submitted. Thereafter, both GRTA and ARC will file their respective Notice of Decision and Final Report in order to place Cobb County in a position to schedule and complete public hearings before the Cobb County Planning Commission and the Cobb County Board of Commissioners.

VIA HAND DELIVERY & VIA FACSIMILE

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Department
November 12, 2010
Page 2

With respect to the foregoing and consistent with the dialogue which we have established with ARC's and GRТА's representatives, Cobb County's professional staff, representatives of the Mableton Improvement Coalition ("MIC"), representatives of area industrial business owners, area residents and homeowner group representatives, we have been authorized by the Developer and Riverview Industries to submit this letter of agreeable stipulations which, if the Application for Rezoning is approved as submitted, shall become conditions and a part of the grant of the requested rezoning and binding upon the subject property thereafter. The referenced stipulations are as follows, to wit:

GENERAL STIPULATIONS APPLICABLE TO THE OVERALL DEVELOPMENT

1. The stipulations and conditions set forth herein shall replace and supercede in full any and all prior stipulations and conditions in whatsoever form which are currently in place concerning the property which constitutes the subject matter of the above-captioned Application for Rezoning ("subject property").
2. Rezoning of the subject property shall be from the Heavy Industrial ("HI") and R-20 zoning districts to Conditional Planned Village Community with reference to that certain Master Site Plan prepared by Planners & Engineers Collaborative, dated October 25, 2010 which shall be filed under separate cover.
3. The total site area of the subject property consists of 81.95± acres which shall be developed as a Mixed Use Development including the following: Single-Family Residential, Town Homes, Condominiums, Senior Housing, Apartments, Retail, Restaurants, Office and Self-Service Storage Buildings.
4. There shall be multiple sets of Protective Covenants which will include all phases of the proposed community. Concurrent therewith, Homeowner Associations will be formed which will include all components of the proposed development. The Association(s) shall be responsible for the oversight, upkeep and maintenance of the entrance areas, common areas, open space areas and similar features contained within the overall community (i.e. open space, walking trails, bike paths, sidewalks, etc.).

VIA HAND DELIVERY & VIA FACSIMILE

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Department
November 12, 2010
Page 3

5. The Associations to be formed shall have Architectural Design Regulations which shall control such items as signage and other usual and necessary covenants and restrictions to protect the quality and integrity of the overall development.
6. The various entrances to the proposed community shall include the following: Six (6) intersection locations along Riverview Road; eight (8) intersection locations along Nichols Drive; twelve (12) intersection locations along Armstrong Place; and, one (1) intersection location on Dickerson Drive.
7. All entrance signage shall be ground-based, monument-style signage with finish, materials and color being in substantial conformity to the architectural style embodied in the mixed-use development. There shall be no roof signs and no exterior, temporary signs excepting only grand opening signage and signage indicating the coming development. Free standing signage and other signage shall be permitted in accordance with the terms and provisions of the Cobb County Sign Ordinance.
8. At full build-out, there shall be a network of walking trails and bicycle paths located within the proposed community which shall link the various components of the development.
9. Lighting within the proposed mixed-use community shall be chosen by the Developer and shall be environmentally sensitive, themed to the architectural style of the buildings and residences to be constructed and shall be utilized throughout the community. Every effort shall be made to make all lighting as unobtrusive as possible.
10. Compliance with the recommendations and conclusions contained within that certain Archaeological Reconnaissance Report prepared by R.S. Webb & Associates. Additionally, compliance with Cobb County Historic Preservation comments and recommendations.
11. Modifications to the within stipulations/conditions, Master Plan, lighting, landscaping, architecture, site features, variances and the like may be approved by the District Commissioner as needed or necessary.
12. All set-backs and buffer areas may be penetrated for purposes of detention, utilities and stormwater management.

VIA HAND DELIVERY & VIA FACSIMILE

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Department
November 12, 2010
Page 4

13. An agreement to comply with Cobb County Development Standards and Ordinances related to project improvements except as approved by the Board of Commissioners, the Cobb County Department of Transportation or the Cobb County Community Development Agency, as their respective authority may allow.
14. Compliance with recommendations from Stormwater Management Division with respect to the location, configuration and methodology of water quality and on-site detention (if any). Additionally, an agreement to the following:
 - a. To design and adhere to the Best Management Practices in the construction of detention and water quality areas on site with such design and installation based upon Cobb County Development Standards.
 - b. All above-ground detention areas shall landscaped and/or fenced in accordance with Cobb County Development Standards.
15. Compliance with the recommendations of the Cobb County Water System with respect to the availability and acquisition of water and sewer to service the subject property.
16. With respect to the residential components of the proposed development, the Applicant seeks a rezoning to a Conceptual Site Plan and seeks variances to the regulations of the PVC zoning district which are consistent with the Conceptual Site Plan including, but not limited to, lot size and building set-back variances; open space requirements found at § 134-217 (13); restaurants larger than 3,000 sq. ft. and additional variances as identified on the site plan.
17. An agreement to comply with on-site system improvements mandated by GRTA, Cobb County DOT and the recommendations contained within the Transportation Analysis prepared by Kimley-Horn & Associates and submitted to GRTA on November 5, 2010, as may be modified through negotiations and agreements with the Cobb County Department of Transportation.
18. Staff shall approve all landscaping and architecture not otherwise herein approved as depicted in the renderings/elevations and plans to be filed under separate cover prior to the issuance of building permits.

VIA HAND DELIVERY & VIA FACSIMILE

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Department
November 12, 2010
Page 5

19. Proposed plans are to include restaurants as a part of the retail component within the proposed community. Said restaurants may serve alcoholic beverages as a part of their respective food services upon securing the proper permits from Cobb County and State agencies.
20. There shall be no tenant vehicles or vehicles of any type parked in front of the proposed overall development containing tenant identification signage or advertising signage. This provision shall be contained within any lease between the Developer and any prospective tenant and the Developer agrees to enforce these provisions against any tenant which violates the foregoing.

STIPULATIONS APPLICABLE TO THE NON-RESIDENTIAL COMPONENTS

1. The Developer proposes retail, restaurants, climate controlled self service storage buildings and offices utilizing the Village Concept with varying storefronts, roof elevations and other aesthetically pleasing treatments. The front building facades shall be a mixture of brick, stone, cedar shake, stucco, hardi-board, wood siding or other compatible materials. The architectural style and composition shall be reasonably consistent with the renderings/elevations which will be submitted under separate cover.
2. The proposed non-residential components shall contain a maximum of 190,000 sq. ft. which will include a flexible mix of commercial space including retail/restaurants, office space and self-service storage facilities. Parking for the proposed development shall be at a ratio of not less than three (3) spaces per 1,000 sq. ft. of building area as such area is determined under and pursuant to the Cobb County Zoning Ordinance. On-street parking and shared (time of day) parking may count toward the total minimum.
3. Landscaping for the proposed development shall be pursuant to that certain Landscape Plan which shall be submitted under separate cover, reference being made to said plan for a more particular delineation and location of plantings and species to be planted.
4. Parking area lighting shall be a maximum height of thirty feet (30') and shall be environmentally sensitive, low-level luminaries so as to prevent illumination from penetrating outside the boundaries of the subject property.

VIA HAND DELIVERY & VIA FACSIMILE

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Department
November 12, 2010
Page 6

5. Hooded security lighting shall be utilized on the buildings within the non-residential areas as required by Cobb County Codes and Ordinances.
6. The Developer agrees to install and construct site lighting pursuant to a Site Lighting/Photometric Plan which shall be submitted to staff for review and approval.
7. Dumpsters shall be positioned in locations with screening by berms, landscaping, walls and/or vegetation. Dumpsters shall have rubber lids and bumpers to minimize noise during emptying.
8. All exhaust from restaurant facilities shall be filtered and attenuated to minimize grease and odors.
9. There shall be no outside paging systems, phone bells or loud speakers. However, outdoor music systems shall be allowed.
10. The following uses shall be prohibited:
 - a. Automotive sales, repair and/or service facilities.
 - b. Video arcades as a primary use.
 - c. Adult themed bookstores as a primary use.
 - d. Pawn shops and check cashing establishments.
 - e. Skating rinks.
 - f. Bowling alleys.
 - g. Tattoo or body piercing parlors and any business which principally features sexually explicit products or drug related paraphernalia.
 - h. Retail facilities which sell guns or knives as a primary use.

VIA HAND DELIVERY & VIA FACSIMILE

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Department
November 12, 2010
Page 7

11. An agreement that there shall be no outside storage facilities as such term is used and defined in the Cobb County Zoning Ordinance.
12. The non-residential components will include pedestrian walkways between the proposed buildings and throughout the parking areas subject to approval pursuant to the Landscape Plan submitted during the Plan Review process. Additionally, there will be pedestrian connectivity between the non-residential and the residential components.

STIPULATIONS APPLICABLE TO THE RESIDENTIAL COMPONENTS

1. Within residential areas there shall be a total number of one-hundred fifty-five (155) single-family residences; three-hundred thirty-two (332) town homes; one hundred sixty-five (165) condominium flats; two hundred (200) residential senior housing units; and, eight hundred fifty (850) apartment units.
2. The architectural style of the various residential components shall be reasonably consistent with the renderings/elevations which will be submitted under separate cover. The composition of said residences shall reflect a mixture of brick, stacked stone, wood siding, cedar shake, hardi-plank and other compatible materials.
3. The establishment of one or more mandatory homeowner association(s) which shall include architectural control oversights and the submission of Declaration of Covenants, Conditions and Restrictions or, in the case of the condominium component, said units shall comply in all respects to the State of Georgia Condominium Act.
4. A third-party management company and/or the Developer shall manage the day-to-day operations of the homeowners association(s), including the responsibility of all commonly owned properties and all amenities within the proposed community. They shall also be responsible for the management of all association monies as well as ensuring that any association is properly insured.
5. The submission of a landscape plan during the Plan and Review Process which shall be subject to staff review and approval and which shall include the following:
 - a. Sodded front, side and rear yards.

VIA HAND DELIVERY & VIA FACSIMILE

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Department
November 12, 2010
Page 8

- b. The installation of underground utilities.
 - c. Ground-based, monument-style signage which shall be landscaped and irrigated as appropriate.
 - d. Landscaping throughout the community which shall be irrigated as appropriate.
6. A network of sidewalks and bike paths throughout the residential community which shall be designed to promote a pedestrian and bicycle friendly atmosphere and which shall be designed in order to provide meaningful connectivity to adjacent retail and office areas.

MASTER PLAN DISTRICTS AND MISCELLANEOUS STIPULATIONS/CONDITIONS

1. The gross square footage of permitted land uses within the Master Plan Districts shall be as described on the Rezoning Master Plan (Riverview on the Chattahoochee) prepared by Planners & Engineers Collaborative which is being submitted under separate cover. Any unused permitted development may be transferred to and among the various districts shown on Master Plan.
2. Bike lanes, where designated, shall be a minimum of four feet (4') in width, except where on-street parking is also present and then shall be a minimum of four feet, six inches (4'6") in width. On all of the internal streets, bike routes shall be permitted and encouraged.
3. For non-residential uses, bicycle parking shall be provided. Every effort shall be made to allow public and resident access to commercial bicycle parking facilities during non-business hours.
4. With respect to on-street parking, parallel parking lanes shall not exceed eight feet (8') in width and shall not exceed twenty two feet (22') in length. Angled parking lanes shall not exceed nine feet (9') in width and shall not exceed twenty two feet (22') in length.
5. Trees shall be planted on all streets and shall be a minimum of two and one-half inches (2½") in caliper. Said trees shall have a minimum of twenty-four (24) sq. ft. of planting

VIA HAND DELIVERY & VIA FACSIMILE

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Department
November 12, 2010
Page 9

area and shall be spaced an average of forty-five feet (45') apart and a maximum of fifty-five feet (55'). Trees shall be permitted within two feet (2') of the face of curb at the time of planting.

6. Street lighting will consist light fixtures which shall be utilized on all roadways within the proposed development. Spacing between the street lighting which will be chosen by the Developer shall be a maximum of eighty feet (80') with poles located either on the same side of the street or alternating sides. Lamps shall be either metal halide or high pressure sodium, or other approved high-efficiency type lamps. The Developer shall determine the type of posts and fixtures subject to approval by the Zoning Division Manager.
7. Pedestrian crossings shall be standard painted markings on Riverview Road only. No other pedestrian markings shall be required within the proposed development.
8. With respect to street signage, standard city street signage shall be utilized. A topper may be installed on the top of the sign indicating the name of the development and/or make reference to the Riverline Historic Area.
9. Posted street speed shall be thirty-five (35) miles per hour on Riverview Road. Internal streets shall have a maximum posted speed of twenty-five (25) miles per hour. Alleys may restrict speeds to ten (10) miles per hour.
10. All public street widths, including parking lane widths, travel lane widths and bike lane widths shall be built according to Cobb County Development Standards, subject to modifications approved by the District Commissioner and/or Cobb County 's professional staff.

Once ARC and GRTA have completed their respective analyses concerning the proposed mixed-use development, it is anticipated that ARC will reach the conclusion that the development is in the best interest in the State of Georgia and in the best interest of the region. More importantly, however, the proposed development has been designed as a walkable, new urbanistic, upscale, family lifestyle mixed use development which will translate into significant and positive economic impact for the County.

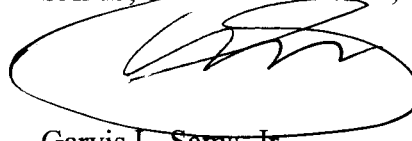
VIA HAND DELIVERY & VIA FACSIMILE

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Department
November 12, 2010
Page 10

We believe that the requested rezoning is an appropriate use of the subject property which consolidates a multitude of products into one upscale, Mixed Use Development. The proposed community will promote a live/work/play concept and will be an enhancement to Cobb County as a whole. Please do not hesitate to call should you or your staff have any questions whatsoever regarding these matters. With kind regards, I am

Very truly yours,

SAMS, LARKIN & HUFF, LLP



Garvis L. Sams, Jr.
gsams@samslarkinhuff.com

GLS, Jr./dsj

cc: Members, Cobb County Board of Commissioners (via hand delivery)
Members, Cobb County Planning Commission (via email)
Mr. David Hankerson, County Manager (via hand delivery)
Mr. Robert L. Hosack, Jr., AICP, Director (via hand delivery)
Mr. Dana Johnson, AICP, Manager Planning Division (via hand delivery)
Ms. Jane Stricklin, P.E. (via email)
Mr. David Breaden, P.E. (via email)
Ms. Karen King, Assistant County Clerk (via email)
Ms. Lori Presnell, Deputy County Clerk (via email)
Mr. Ben Clopper, Mableton Improvement Coalition (MIC) (via email)
Ms. Robin Meyer, MIC (via email)
Ms. Roberta Cook, MIC (via email)
John H. Moore, Esq. (via email)
Mr. Walter Brown
Green Street Properties (via email)
Ms. Katharine W. Kelley
Green Street Properties (via email)

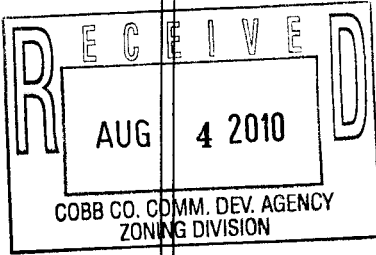
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VIA HAND DELIVERY & VIA FACSIMILE

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Department
November 12, 2010
Page 11

Mr. Stephen Arms
Marthasville Development (via email)
Mr. Brandon Kessinger
Jamestown Properties (via email)
Mr. Kenneth J. Wood, P.E., LEED AP
Planners and Engineers Collaborative, Inc. (via email)
Mr. John Walker
Kimley-Horn and Associates (via email)

**ZONING IMPACT STATEMENT FOR THE REZONING APPLICATION
OF GREEN STREET PROPERTIES/MARTHASVILLE DEVELOPMENT/
JAMESTOWN PROPERTIES**



COME NOW, GREEN STREET PROPERTIES/MARTHASVILLE

DEVELOPMENT/JAMESTOWN PROPERTIES (collectively "Applicant"), and, pursuant to Section 134-121(a)(7) of the Cobb County Zoning Ordinance, file this Zoning Impact Statement, as follows:

- A. The proposal to redevelop this existing Heavy Industrial site into a vibrant mixed-use development is consistent with the county's recently approved River Line Master Plan by creating a Village Center to anchor the proposed River Line neighborhood.

- B. The zoning proposal will have no adverse effect or impact upon the existing uses or usability of adjacent or nearby properties. The plan is sensitive to the existing industrial uses and will incorporate buffers and transportation elements to ensure compatibility.

- C. The subject property to be affected by the zoning proposal has no reasonable economic use as currently zoned in that the fair market value of same falls below the range of values of similarly zoned and situated properties with equivalent utility.

- D. The zoning proposal will ultimately be an improvement on the existing County infrastructure including, but not limited to, existing streets, transportation facilities, utilities and schools. The redevelopment plan complies with the goals and objectives of the River Line Master Plan by incorporating transportation improvements, both car and pedestrian, into its overall plan. The mixed-use development will also achieve transportation objectives by incorporating housing, and job creating retail, office and light industrial uses in the Village Center. The proposal achieves recreation and environmental goals including green space and recreation areas for new residents.
- E. The zoning proposal is consistent with Cobb County's Comprehensive Land Use Plan as defined in the recently approved River Line Master Plan and its objective to redevelop the area along the Chattahoochee River to create an environmentally sensitive mixed use development with a Village Center that will create the heart of the River Line neighborhood with public space, residential, commercial and community use.
- F. There is no substantial relationship between the existing zoning classifications of HI & R-20 which limit the property in terms of its present utilization and the public health, safety and general welfare.

Respectfully submitted, this the 4 day of August, 2010.

SAMS, LARKIN & HUFF, LLP

By: Garvis L Sams *by PAJ*
GARVIS L. SAMS, JR.
Attorney for Applicant
Ga. Bar No. 623950