

**MARCH 15, 2016 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 2**

ITEM-004

PURPOSE

To consider a stipulation amendment for Oxford Properties, LLC regarding rezoning application Z-55 of 2013 (Riverview Office, LLC), for property located on the east side of Cobb Galleria Parkway and Cumberland Boulevard, and on the southwest side of Interstate 75, in Land Lots 1014 and 1015 of the 17th District. *(Continued by staff from the March 15, 2016 zoning hearing)*

BACKGROUND

The subject property is zoned Regional Retail Commercial (RRC) for a mixed used development consisting of residential, office and retail. The developer is getting ready to permit the signage for the project and finds they need to amend the zoning conditions and renderings to allow their particular signage package on the property. There are three signs the applicant would like to have approved as part of this Other Business item that need variances. First, the applicant would like to place a “blade sign” on the Cumberland Boulevard side of the project; this is shown as the “Projecting Sign Location” on the site plan. A variance would be required for this sign since it projects from the wall 60 inches in lieu of the 24 inch requirement. Second, the applicant would like to have a “Leasing Center” sign on the Cobb Galleria Parkway side of the building. A variance would be required for this sign since it projects from the wall 60 inches in lieu of the 24 inch requirement. Third, the applicant would like to have a monument sign facing the north bound traffic on I-75 (sign facing south); this sign is shown on the site plan as “Proposed Freestanding Letters”. This sign would need a variance for size, going from 200 square feet to 428 square feet. There is an Option B for this same sign proposing the sign be 240 square feet in size. If approved all other stipulations and conditions would remain in effect.

STAFF COMMENTS

Cobb DOT: Recommend the sign be installed where it will not impede the line of sight for the driveways or roadways. Recommend GDOT permits for all work that encroaches upon State right-of-way.

RECOMMENDATION

The Board of Commissioners conduct a Public Hearing and consider the stipulation amendment.

ATTACHMENTS

Other Business Application, request letter, renderings and stipulations.

Application for "Other Business"

OB-004-2016

Cobb County, Georgia

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

BOC Hearing Date Requested: 2-16-16

Applicant: OXFORD PROPERTIES, LLC

Phone #: (770) 818-4050

(applicant's name printed)

Address: 3284 Northside Pkwy Suite 150 Atlanta, GA 30327 E-Mail: bhargett@oxford-properties.com

MICHAEL NORTON

Address: 4521 INDUSTRIAL ACCESS RD DOUGLASSVILLE, GA 30134

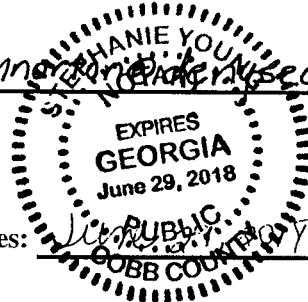
(representative's name, printed)

Michael Norton

Phone #: (678) 523-195

E-Mail: morton@oxfordproperties.com

(representative's signature)



Signed, sealed and delivered in presence of:

Stephanie Young

My commission expires: June 29, 2018

Notary Public

Titleholder(s): Oxford Encore Apartments LLC

Phone #: 770-818-4072

(property owner's name printed)

Address: 3284 Northside Parkway, Ste 150 Atlanta, GA 30327 E-Mail: dfaulk@oxford-properties.com

W. D. Faulk
(Property owner's signature) Managing Member

Signed, sealed and delivered in presence of:

Connie B. Bridges

My commission expires: 04/09/2017

Notary Public

Connie B Bridges
NOTARY PUBLIC
Haralson County, GEORGIA
My Comm. Expires
04/09/2017

Commission District: 2

Zoning Case: Z-55

Size of property in acres: 6.651

Original Date of Hearing: 03/18/2014

Location: 3290 COBB GALLERIA PARKWAY ATLANTA, GA 30339

(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 1014 1015

District(s): 17

State specifically the need or reason(s) for Other Business: REQUEST FOR INCREASED ALLOWANCE FOR PROJECTING BLADE SIGN TO 5 FEET IN WIDTH, ALSO REQUEST FOR ADDITIONAL SQUARE FOOTAGE ALLOWANCE FOR FREE STANDING SIGNAGE, BOTH REQUESTS PERTAIN TO THE LIMITED VISIBILITY FOR PROSPECT TRAFFIC DUE TO THE LIMITATION INCURRED BY THE GEOGRAPHIC CONDITIONS. THE PROPERTY SITS MUCH HIGHER THAN ROAD ELEVATION LIMITING THE VIEW OF POTENTIAL RESIDENTS - SEE ATTACHMENT LETTER

(List or attach additional information if needed)

(Exhibit A)



Application for "Other Business"

The Encore 3290 Cobb Galleria Pkwy Atlanta, Georgia 30339

Reasons for request for consideration.

- Projecting Blade Sign – requesting increased sign area because of geographical conditions in regards to the street elevation and the building height. Due to the height of the building above the street level at Cumberland Blvd. the visibility for prospect traffic is limited. It is also noted that similar requests for consideration from the county for the same kind of signage at other multi-family developments in the vicinity have been approved by Cobb County.
- Freestanding Sign facing the intersection at Cumberland Blvd & I-75 – The circumstances regarding the request for the increased sign area for this free standing sign are the same. The geographical conditions of this development places the building well above the line of site of prospect traffic on Cumberland Blvd. The goal of this sign is to establish a recognizable identification for recognition by future residents traveling in this area. This kind of signage could also be recognized as a "landmark" sign for locating this community.

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1-800-941-7446
www.denyseco.com

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Management Company
N/A

Property Name & Address
Encore, The
Atlanta GA

Bid Number
12059

Project Manager
Mike Norton

Designer
WJB

Date
5.20.2014

Revision Date

09.14.2015 BC
09.22.2015 BC
09.23.2015 BC
10.27.2015 BC
11.11.2015 BC
11.11.2015 BC
01.11.2016 BC

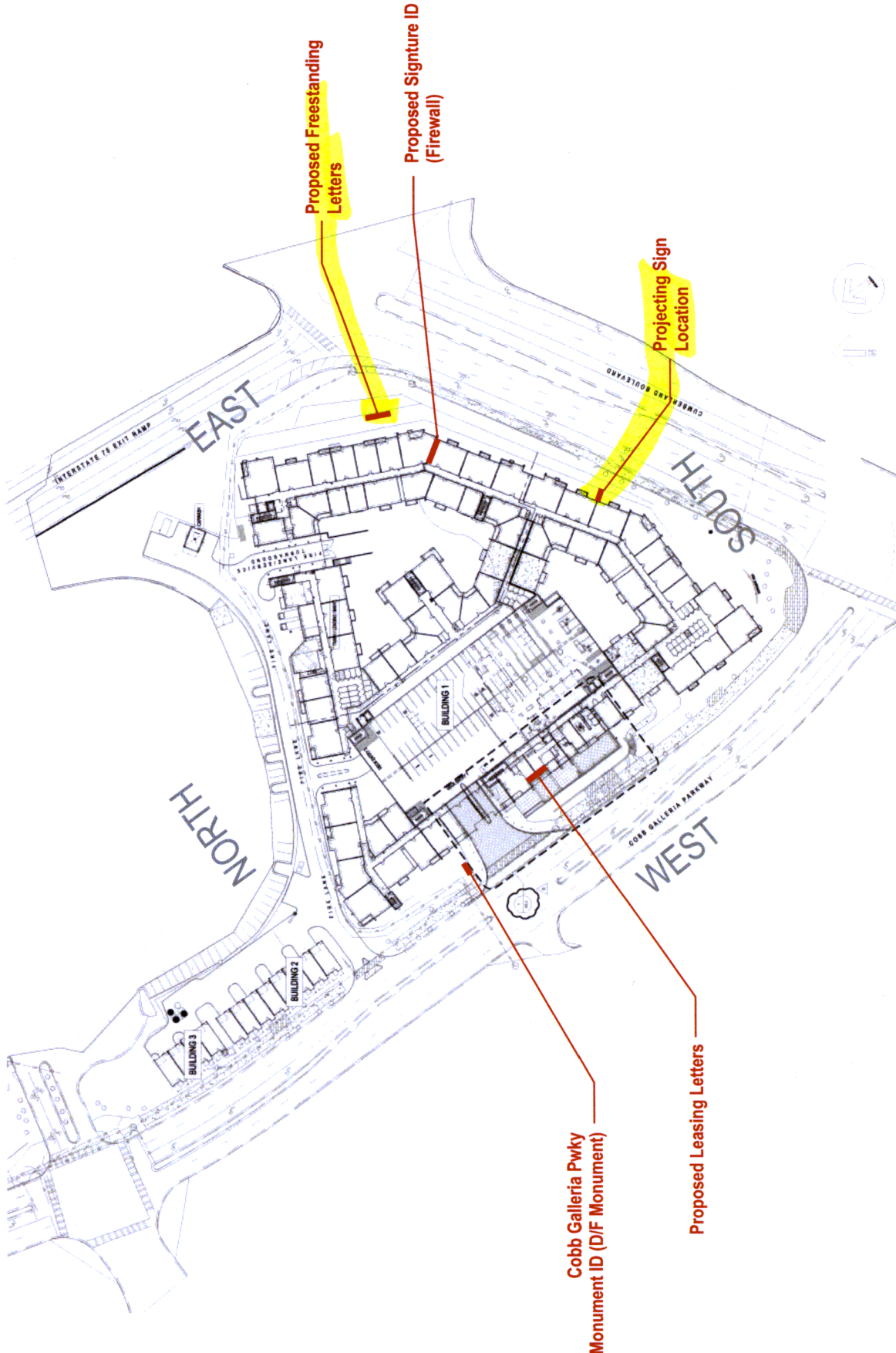
Design Time
42

Customer Approval

Filename
Exterior ID 1v16

- Concept
- Preliminary
- Production

OB-004-2016
2 Proposed
Signage
1/9



Signage Location / Plan

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DENYSE
C O M P A N I E S
ARCHITECTURAL
1.800.941.7446
www.denyseco.com

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Management Company
N/A

Property Name & Address
Encore, The
Atlanta GA

Bid Number
12059

Project Manager
Mike Norton

Designer
WJB

Date
5.20.2014

Revision Date

16
09.14.2015. ac
09.22.2015. ac
09.23.2015. ac
10.27.2015. ac
11.11.2015. ac
11.23.2015. ac
01.11.2016. ac

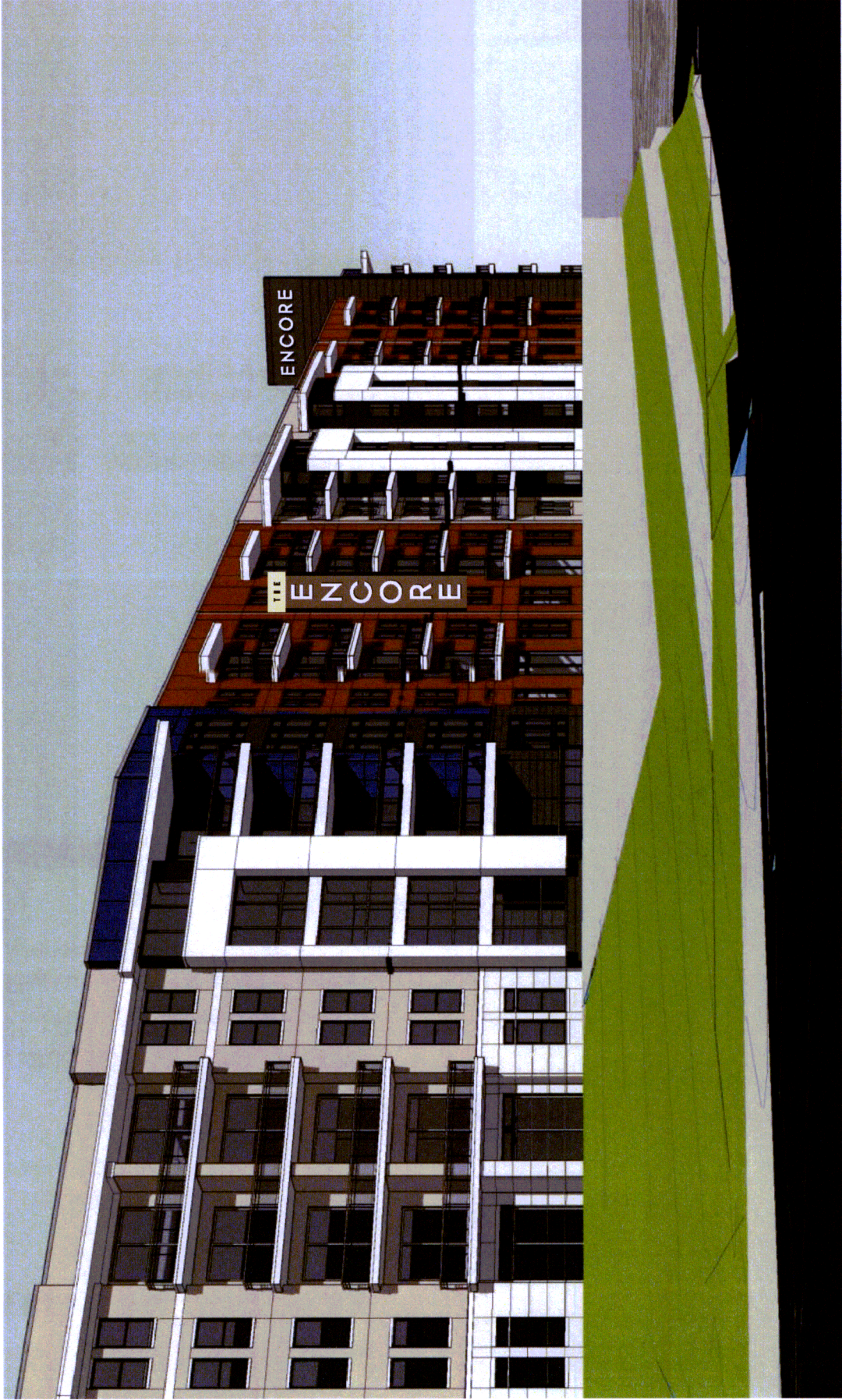
Design Time
42

Customer Approval

Filename
Exterior ID 1v16

Concept
 Preliminary
 Production

2/a



Field Survey Required
All measurements & site conditions are to be field verified prior to production. Patterns may be required for production.

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Colors & Finishes

Colors shown here are for informational purposes only. Colors are subject to change without notice. Colors are to be used as a guide only. Colors are not to be used for production or approval. DeNyse color samples or color specifications.

- C1** SW 7068 Grizzle Gray
- C2** STO PT 13-1108 Sand Dollar
- C3** RT 16-1442 Red Olexa
- C4** PT 16-3208 Blue Insigno
- C5** Matthews® Brushed Aluminum (SG)
- C6** SW 0050 Classic Light Buff
- C7** White
- C8** SW 0038 Library Pewter
- C9** Prato™ Black C

DENYSE
C O M P A N I E S
CORPORATE LIGHTING ARCHITECTURAL
1.800.944.7446
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Management Company
N/A

Property Name & Address
Encore, The
Atlanta GA

Bid Number
12059

Project Manager
Mike Norton

Designer
WJB

Date
5.20.2014

Revision Date
09.14.2015.ac
09.22.2015.ac
09.23.2015.ac
10.27.2015.ac
11.11.2015.ac
11.23.2015.ac
01.11.2016.ac

Design Time
42

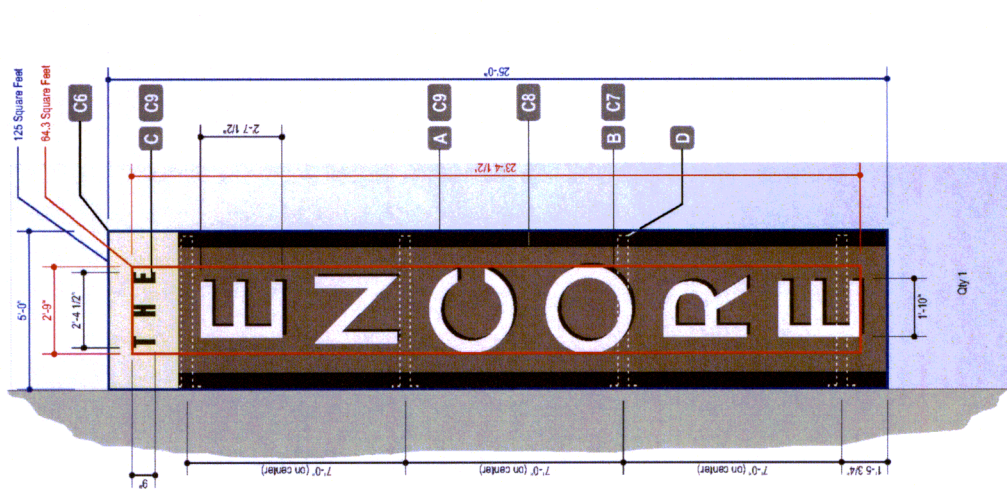
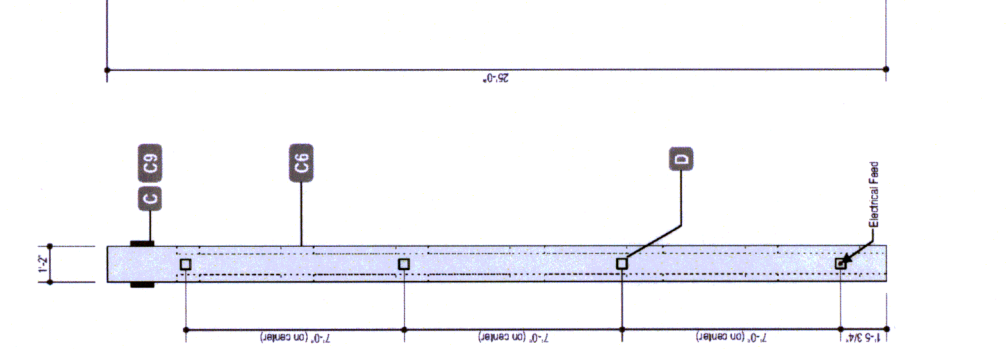
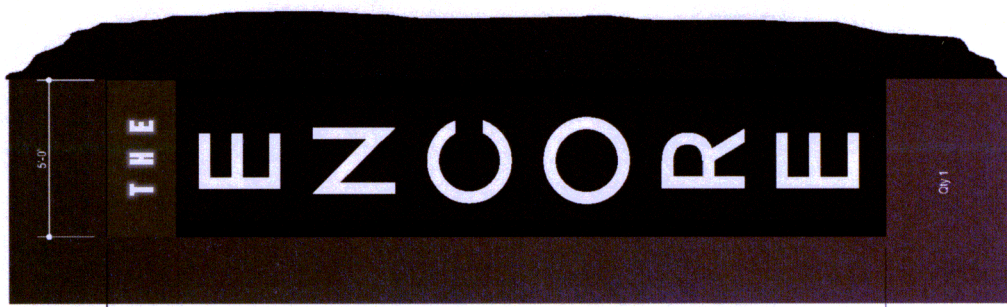
Customer Approval

Filename
Exterior ID 1v16

- Concept
- Preliminary
- Production

4

3/a



Electrical NOTES

- ⊗ Disconnect switch(es) UL & ID labels Vent - 2" Dia Louvered
- FINAL ELECTRICAL HOOK UP BY OTHERS
- Suitable for Wet Location
- Electrical Requirements: 120 volt, 60 hz
- Connection Type: permanent continuous operation
- Number of Circuits: One (1) 20 amp Dedicated Branch Circuit(s)
- Primary Wire Size: 12 awg / conduit size: 1/2"
- Secondary Wire Size: 18 awg
- Max. Line Current: 10d

Inspected and labeled in accordance with UL Standard for Electric Signs with Article 800 of the National Electric Code and other applicable local codes. This includes proper grounding and bonding.

This signed product may contain Fluorescent, Neon, HID lamps or components that use Mercury in them. Dispose of these lamps & components according to the laws of the authority having jurisdiction.

Projecting ID - Side B
Scale: 1/4" = 1'-0"

Projecting ID - End View
Scale: 1/4" = 1'-0"

Projecting ID - Side A
Scale: 1/4" = 1'-0"



Field Survey Required
All measurements & site conditions are to be field verified prior to production. Patterns may be required for production.

Projecting ID / Detail

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Management Company
 N/A

Property Name & Address
 Encore, The
 Atlanta GA

Bid Number
 12059

Project Manager
 Mike Norton

Designer
 WJB

Date
 5.20.2014

Revision Date
 09.14.2015 ac
 09.22.2015 ac
 09.23.2015 ac
 10.27.2015 ac
 11.17.2015 ac
 11.23.2015 ac
 01.11.2016 ac

Design Time
 42

Customer Approval

Filename
 Exterior ID 1v16

Concept
 Preliminary
 Production

4/9
 Option "A"

Colors & Finishes
 Colors shown here may exactly match manufacturer color chart swatch or actual sample. Client to either provide samples or specifications for custom colors prior to production or approve Denyse color samples or color specifications.

- Project Colors**
- C1 SW 7068 Gazze Gray
 - C2 STO PT 13-1198 Sand Dollar
 - C3 PT 19-1442 Red Oaks
 - C4 PT 19-3928 Blue Indigo
 - C5 Matthews® Brushed Aluminum (SS)
 - C6 Parstone 442 C
 - C7 White
 - C8 Parstone Black 7 C

Code Research

Max Sign Area Allowed: 200 SF (Based around copy area only)
 Max Structure Area: 500 SF
 Designed Area: 428 SF
 Max Projection: 24" x 6"

Electrical Notes

- Disconnect switch(es) UL & ID labels Vent - 2" Dia Louvered
- FINAL ELECTRICAL HOOK UP BY OTHERS
- Suitable for Wet Location
- Electrical Requirements: 120 volt 60 Hz
- Connection Type: permanent continuous operation
- Number of Circuits: One (1) 20 amp Dedicated Branch Circuit(s)
- Primary Wire Size: 12 awg / conduit size 1/2"
- Secondary Wire Size: 18 awg
- Max. Line Current: 10d

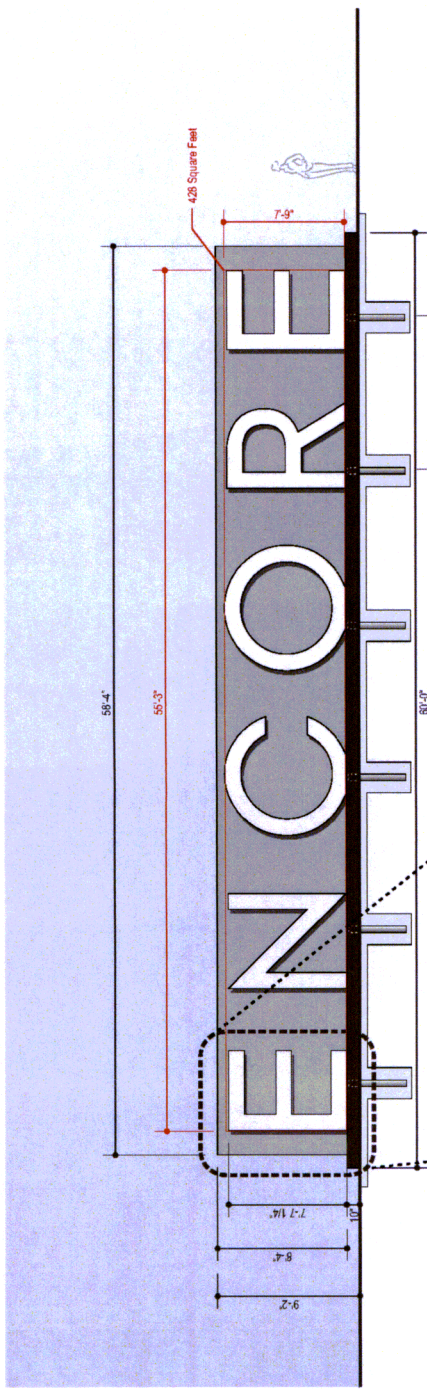
Inspect and label in accordance with UL Standard for Electric Signs (UL 913) and applicable local codes with Article 600 of the National Electric Code and other applicable local codes. This includes proper grounding and bonding.

This lighted product may contain Fluorescent, Neon, HID lamps or components that use Mercury in them. Dispose of these lamps & components according to the laws of the authority having jurisdiction.

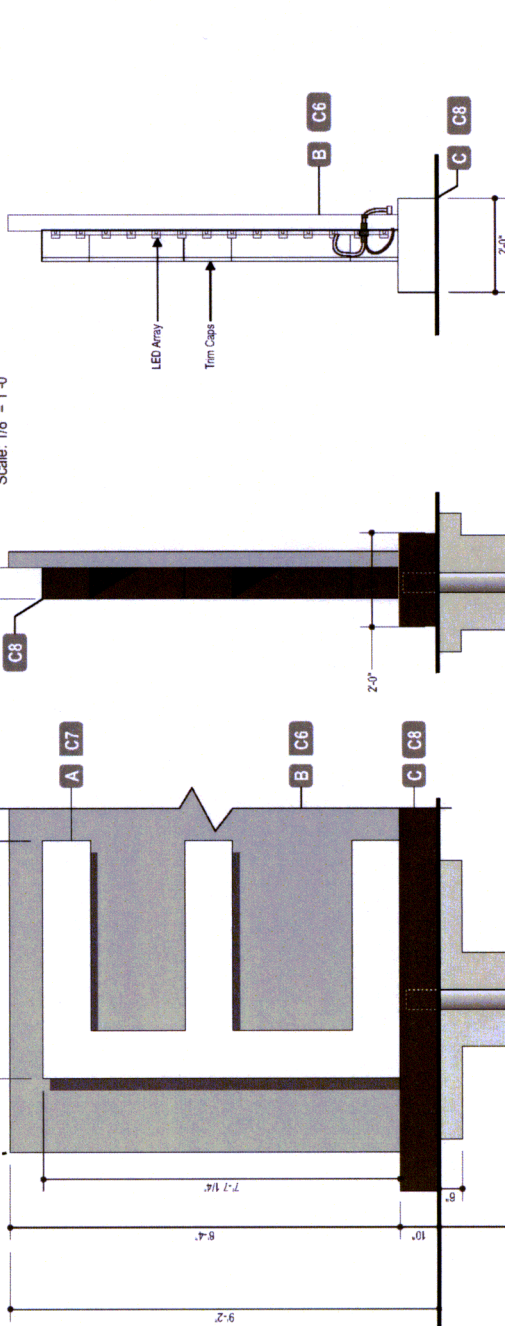
Construction Specifications

- A 8" deep Aluminum channel letter(s), internally illuminated
- B 4" aluminum pan backer
- C Aluminum mounting base, saddle mounted to 3" steel post(s)

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Front Elevation
 Scale: 1/8" = 1'-0"



Side Elevation
 Scale: 3/8" = 1'-0"

Side Section
 Scale: 3/8" = 1'-0"

Front Elevation
 Scale: 3/8" = 1'-0"



Field Survey Required
 All measurements & site conditions are to be field verified prior to production. Patterns may be required for production.

Individual Freestanding Letters / Details

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Colors & Finishes

Colors shown here are not necessarily match manufacturer's color strength or actual sample. Color is subject to change based on specifications for custom colors prior to production or approval. Develops color samples or color specifications.

- C1 SW 7668 Gazzer Gray
- C2 STC PT 13-1195 Sand Dollar
- C3 PT 18-1442 Red Oak
- C4 PT 19-5928 Blue Indigo
- C5 Matthews® Brushed Aluminum (SS)
- C6 Pantone 442 C
- C7 White
- C8 Pantone Black 7 C

Project Colors

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Management Company
N/A

Property Name & Address
Encore, The
Atlanta GA

Bid Number
12059

Project Manager
Mike Norton

Designer
WJB

Date
5.20.2014

Revision Date
 09.14.2015 AC
 09.22.2015 AC
 09.23.2015 AC
 10.27.2015 AC
 11.11.2015 AC
 11.23.2015 AC
 01.11.2016 AC

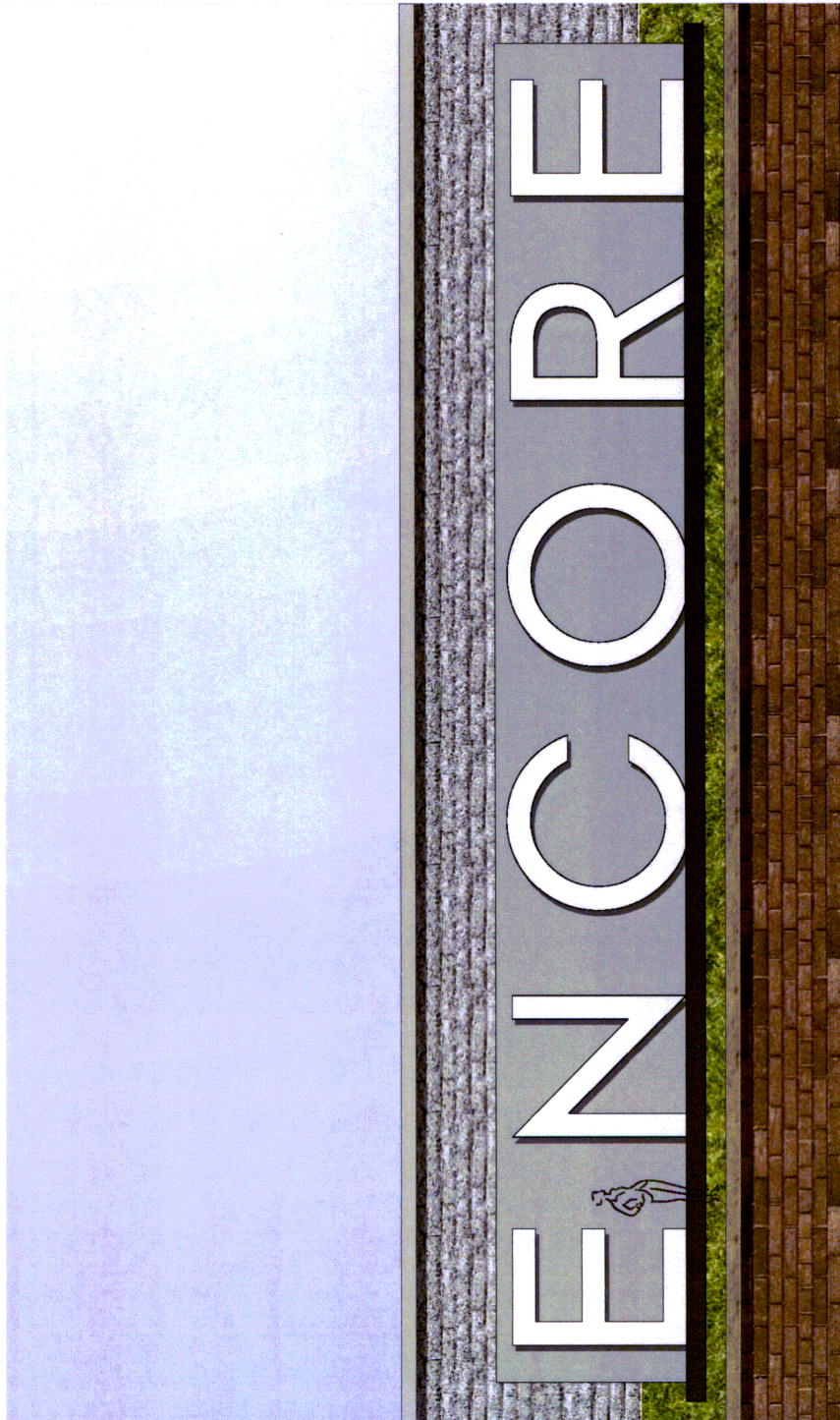
Design Time
42

Customer Approval

Filename
Exterior ID 1V16

Concept
 Preliminary
 Production

S/S
option "A"



Code Research

Max Sign Area Allowed: 200 SF (Boxed around copy area only)
 Max Structure Area: 500 SF
 Max Height: 20' & 35'
 Max Projection: 24" & 6"?

Electrical Notes

- Disconnect switch(es) UL & ID labels Vert - 2" Dia. Louvered
- FINAL ELECTRICAL HOOK UP BY OTHERS
- Suitable for Wet Location
- Electrical Requirements: 120 volt 60 Hz
- Connection Type: permanent continuous operation
- Number of Circuits: One (1) 20 amp Dedicated Branch Circuit(s)
- Primary Wire Size: 12 AWG / conduit size: 1/2"
- Secondary Wire Size: 18 AWG
- Max. Line Current: 10A

Inspected and labeled in accordance with UL Standard for Electric Signs installed using UL listed parts and methods of installation in accordance with the rules of the National Electrical Code and other applicable local laws and codes. This includes proper grounding and bonding.

This lighted product may contain Fluorescent, Neon, HID lamps or components that use Mercury in them. Dispose of these lamps & components according to the laws of the authority having jurisdiction.

Construction Specifications

- A 4" deep Aluminum channel (letters), non-illuminated
- B 1.5" aluminum tube supports
- C Aluminum mounting base
- D .125" aluminum panel, to be mounted to existing brick wall
- E .25" acrylic copy, flush mounted to panel
- F 1 cast aluminum letter(s), acrylic mounted to base
- G .125" aluminum angle mounts

Front Elevation

Scale: 3/16" = 1'-0"



More Information Required

Before fabrication can proceed on this sign, additional information is required.



Field Survey Required

All measurements & site conditions are to be field verified prior to production. Patterns may be required for production.

Individual Freestanding Letters

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Management Company
N/A

Property Name & Address
Encore, The
Atlanta GA

Bid Number
12059

Project Manager
Mike Norton

Designer
WJB

Date
5.20.2014

Revision Date
1A
09.14.2015, RC
09.22.2015, RC
09.23.2015, RC
10.27.2015, RC
11.11.2015, RC
11.23.2015, RC
01.11.2016, RC

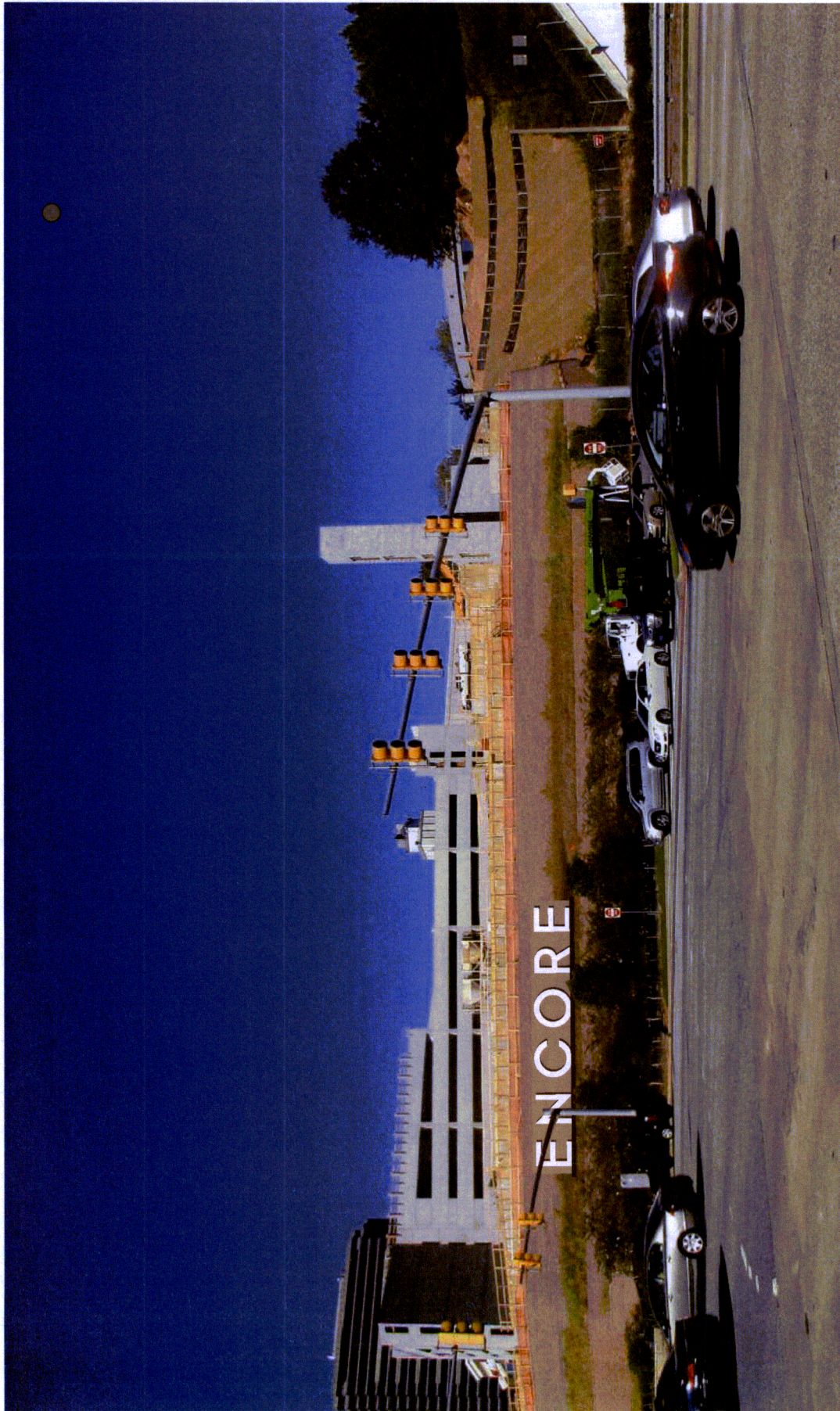
Design Time
42

Customer Approval

Filename
Exterior ID 1416

Concept
 Preliminary
 Production

10



Individual Freestanding Letters - Superimposed



Field Survey Required
All measurements & site conditions are to be field verified prior to production. Patterns may be required for production.

More Information Required
Before fabrication can proceed on this sign, additional information is required.

option "A" 6/9

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Management Company
NA

Property Name & Address
Entire, The
Atlanta GA

Bid Number
12059

Project Manager
Mike Norton

Designer
WJB

Date
5.20.2014

Revision Date
 19 09.14.2015 ac
 20 09.22.2015 ac
 21 09.23.2015 ac
 22 10.27.2015 ac
 23 11.17.2015 ac
 24 11.23.2015 ac
 25 01.11.2016 ac

Design Time
42

Customer Approval

Filename
Exterior ID 1v16

Concept
 Preliminary
 Production

option "B" 7/9

Colors & Finishes

Colors shown here may not exactly match manufacturer's color chart swatch or actual sample. Client to either provide samples or specifications for custom colors prior to production or approve Denyse color samples or color specifications.

- Project Colors
- C1 SW 7068 Grizzle Gray
 - C2 STC PT 13-1108 Sand Dollar
 - C3 PT 19-1442 Red Oaks
 - C4 PT 19-3628 Blue Indigo
 - C5 Mathews® Brushed Aluminum (SS)
 - C6 Pantone 442 C
 - C7 White
 - C8 Pantone Black 7 C

Code Research

Max Sign Area Allowed: 200 SF (boxed around copy area only)
 Max Structure Area: 500 SF
 Designed Area: 428 SF
 Max Projection: 24" x 6"

Electrical Notes

- Disconnect switch(es) UL & ID labels Vent - 2" Dia. Louvered
- FINAL ELECTRICAL HOOK UP BY OTHERS
- Suitable for Wet Location
- Electrical Requirements: 120 volt 60 hz
- Connection Type: permanent continuous operation
- Number of Circuits: One (1) 20 amp Dedicated Branch Circuit(s)
- Primary Wire Size: 12 awg / conduit size: 1/2"
- Secondary Wire Size: 18 awg
- Max. Line Current: 10d

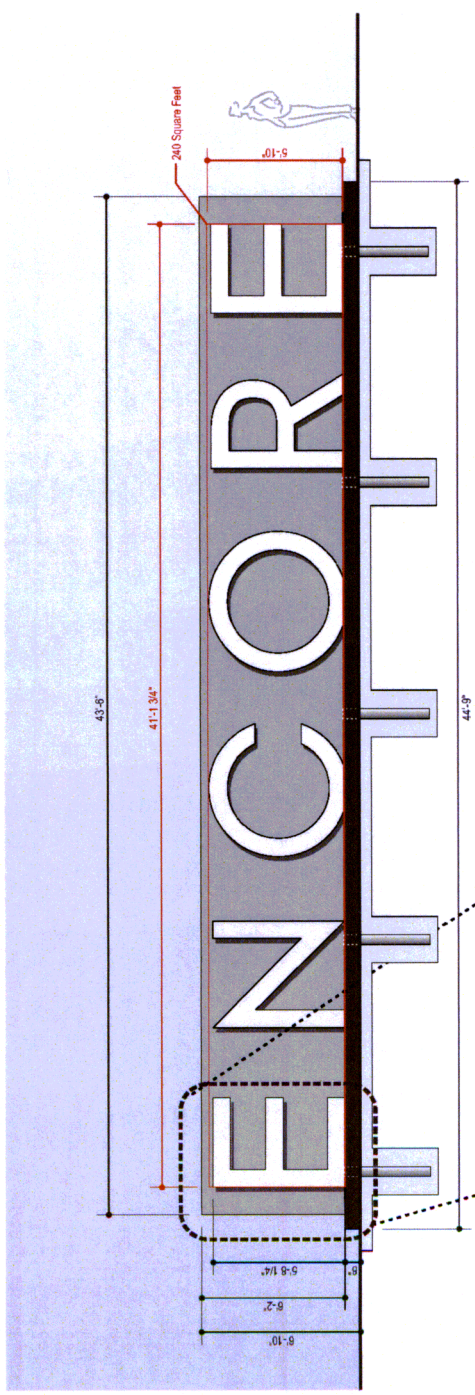
Inspected and labeled in accordance with UL Standards for Electric Signs (UL 1810) and the National Electrical Code (NEC) with Article 600 of the National Electrical Code and other applicable local, state, and federal codes. This indicates proper grounding and bonding.

This signed product may contain Fluorescent, Neon, HID lamps or components that use Mercury in them. Dispose of these lamps & components according to the laws of the authority having jurisdiction.

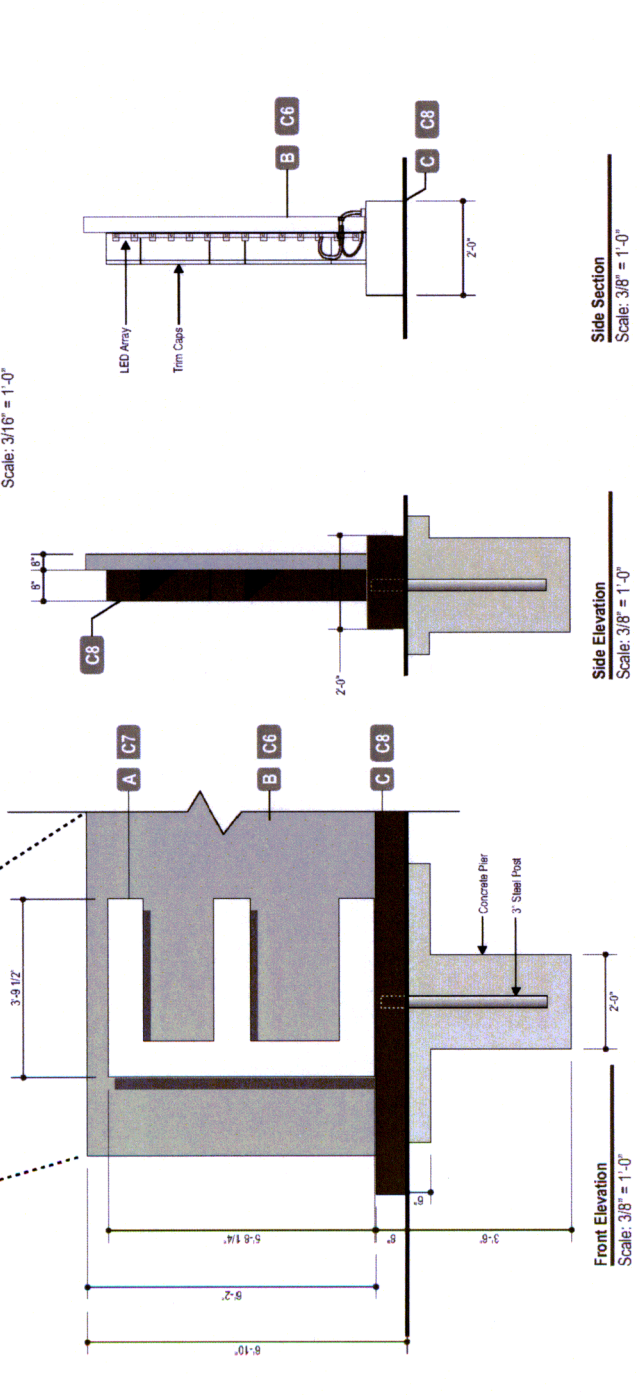
Construction Specifications

- A 8" deep Aluminum channel letter(s), internally illuminated
- B 4" aluminum pan backer
- C Aluminum mounting base, saddle mounted to 3" steel post(s)

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Front Elevation
Scale: 3/16" = 1'-0"



Side Section
Scale: 3/8" = 1'-0"

Side Elevation
Scale: 3/8" = 1'-0"

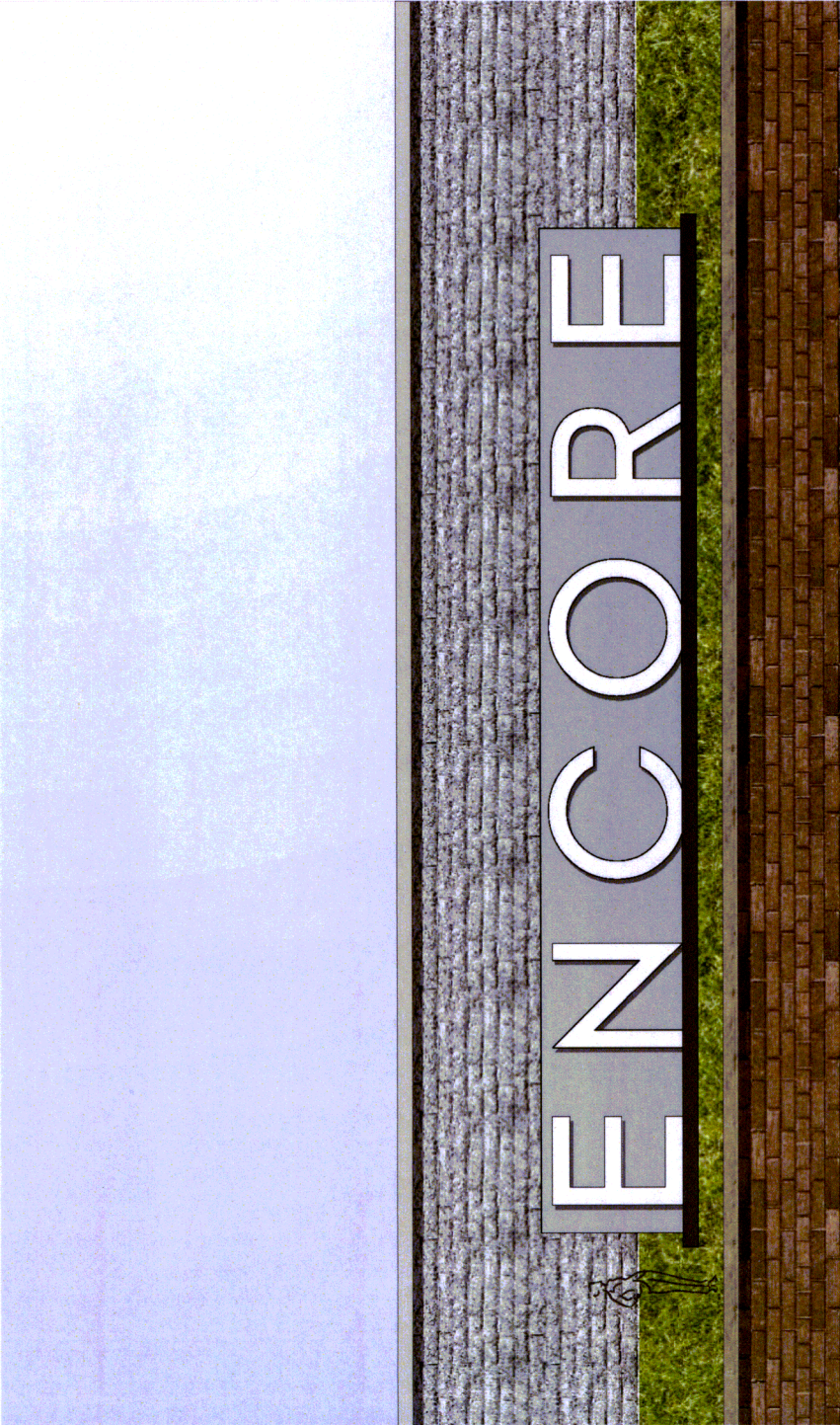
Front Elevation
Scale: 3/8" = 1'-0"



Field Survey Required
 All measurements & site conditions are to be field verified prior to production. Patterns may be required for production.

Individual Freestanding Letters / Details - ALTERNATE SIZE

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Colors & Finishes

Colors shown here may not exactly match manufacturers color chart swatch or actual sample. Colors are for reference only. Colors are subject to change without notice. Colors are for production of approved devices color samples or color specifications.

- C1 SW 7688 Gazza Gray
- C2 STO PT 13-1106 Sand Dollar
- C3 PT 18-1442 Red Oxide
- C4 PT 19-3826 Blue Indigo
- C5 Mathews® Brushed Aluminum (SS)
- C6 Pastore 442 C
- C7 White
- C8 Pastore Black 7 C

Code Research

Max Sign Area Allowed: 200 SF (Boxed around copy area only)
 Max Structure Area: 500 SF
 Max Height: 20' & 35'
 Max Projection: 24" & 6"

Electrical Notes

- Disconnect switch(es) UL & ID labels Vert. - 2" Dia. Louvered
- FINAL ELECTRICAL HOOK UP BY OTHERS
- Suitable for Wet Location
- Electrical Requirements: 120 volt 60 Hz
- Connection Type: permanent continuous operation
- Number of Circuits: One (1) 20 amp Dedicated Branch Circuit(s)
- Primary Wire Size: 12 awg / conduit size 1/2"
- Secondary Wire Size: 18 awg
- Max. Line Current: 10A



Inspected and labeled in accordance with UL Standard for Electric Signs. Insulator using UL listed parts and methods of installation in accordance with Article 800 of the National Electric Code and other applicable local laws. This includes proper grounding and bonding.



This lighted product may contain Fluorescent, Neon, HID lamps or components that use Mercury in them. Dispose of these lamps & components according to the laws of the authority having jurisdiction.

Construction Specifications

- A 4" deep Aluminum channel letter(s), non-illuminated
- B 1.5" aluminum tube supports
- C Aluminum mounting base
- D .125" aluminum panel, to be mounted to existing brick wall
- E .25" acrylic copy, flush mounted to panel
- F 1" cast aluminum letter(s), acrylic mounted to base
- G .125" aluminum angle mounts

Front Elevation

Scale: 3/16" = 1'-0"



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Management Company
N/A

Property Name & Address
Encore, The
Atlanta GA

Bid Number
12059

Project Manager
Mike Norton

Designer
WJB

Date
5.20.2014

Revision Date

- 15 09.14.2015 ac
- 16 09.22.2015 ac
- 17 09.23.2015 ac
- 18 10.27.2015 ac
- 19 11.11.2015 ac
- 20 11.23.2015 ac
- 21 01.11.2016 ac

Design Time
42

Customer Approval

Filename
Exterior ID 1v16

- Concept
- Preliminary
- Production

Individual Freestanding Letters - ALTERNATE SIZE

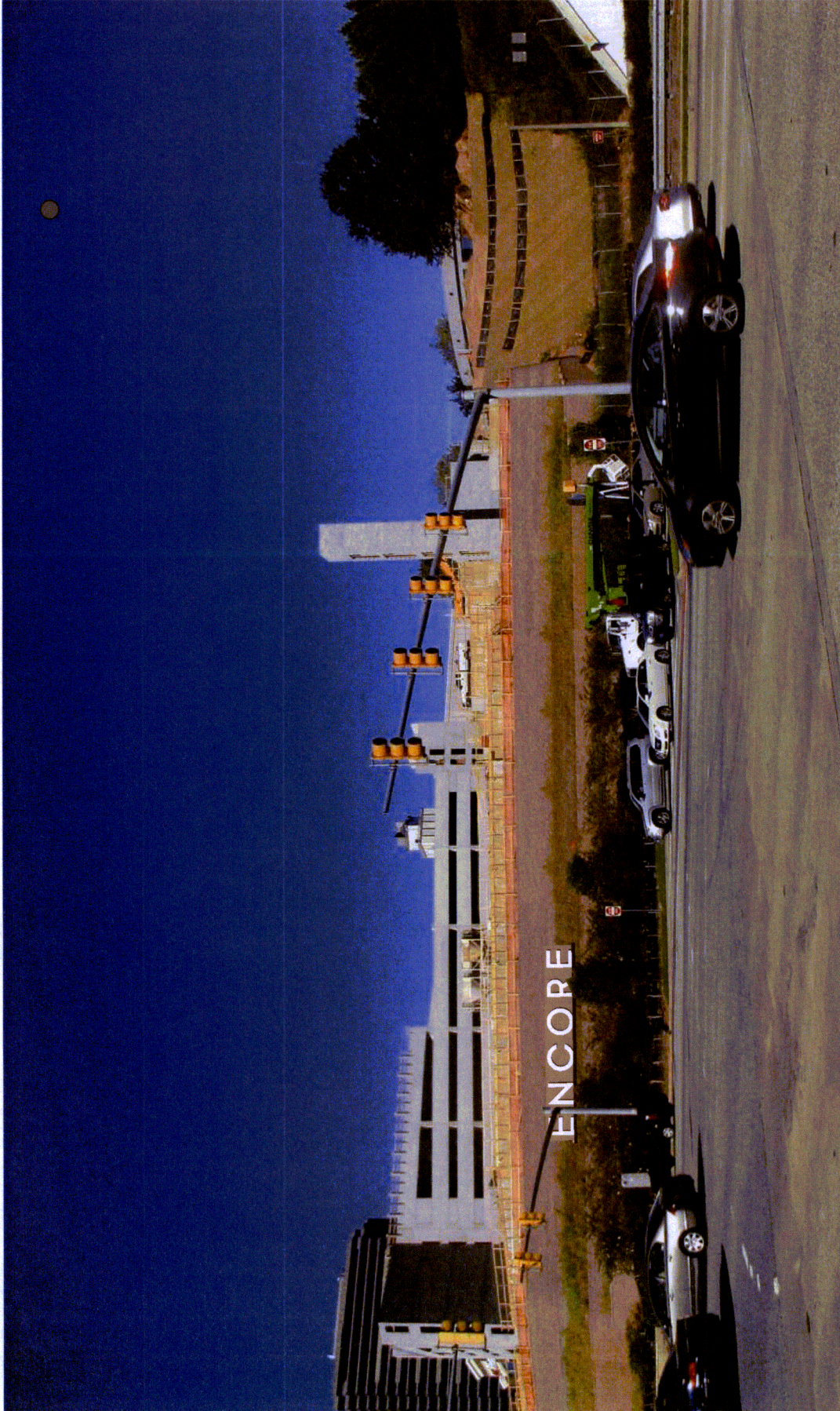


More Information Required
Before fabrication can proceed on this sign, additional information is required.

Field Survey Required
All measurements & site conditions are to be field verified prior to production. Patterns may be required for production.

option "B" 11/9

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Management Company
N/A

Property Name & Address
Encore, The
Atlanta GA

Bid Number
12059

Project Manager
Mike Norton

Designer
WJB

Date
5.20.2014

Revision Date
15
09.14.2015 BC
09.22.2015 BC
09.23.2015 BC
10.27.2015 BC
11.11.2015 BC
11.23.2015 BC
01.11.2016 BC

Design Time
42

Customer Approval

Filename
Exterior ID 1v16

Concept
 Preliminary
 Production

14

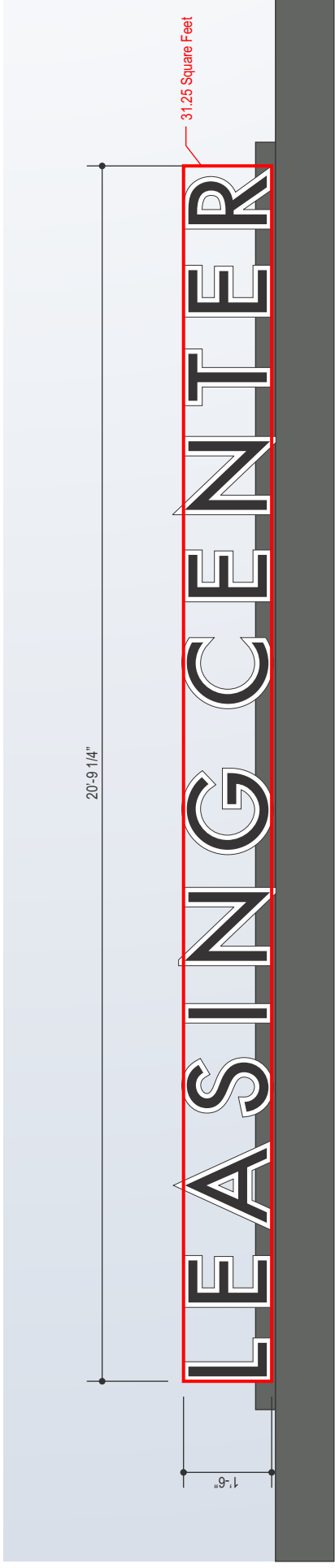
Individual Freestanding Letters - Superimposed - ALTERNATE SIZE



? More Information Required
Before fabrication can proceed on this sign, additional information is required.

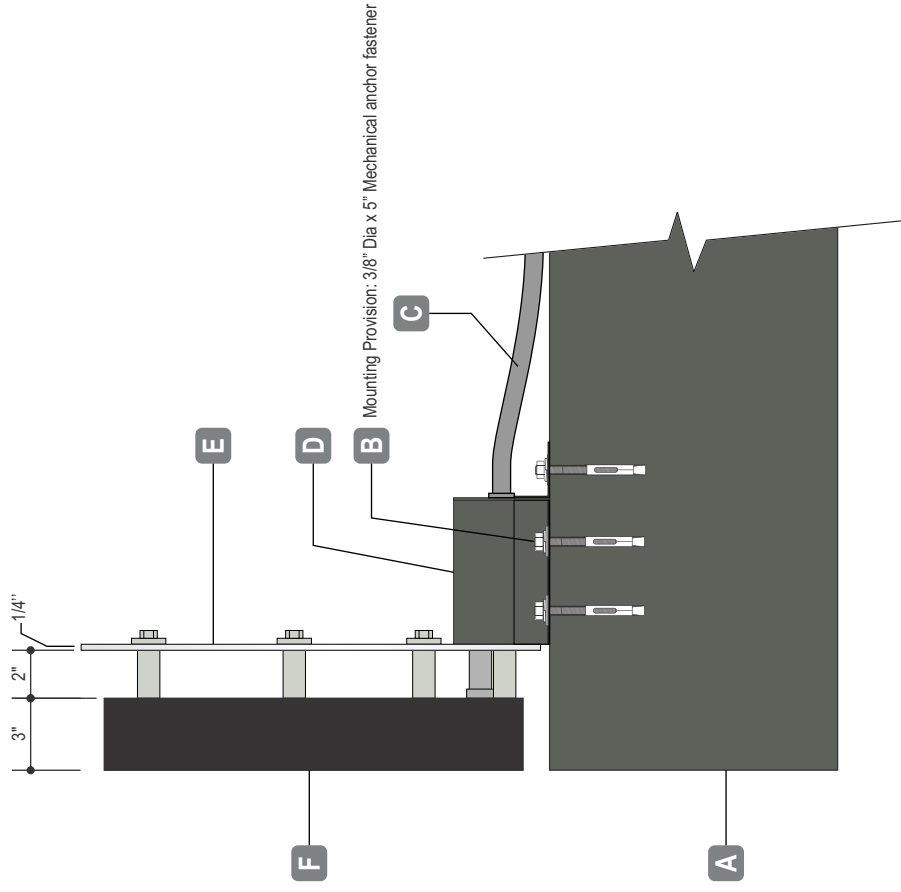
! Field Survey Required
All measurements & site conditions are to be field verified prior to production. Patterns may be required for production.

option "B" a/a



Leasing Center Letters

Scale: 3/8" = 1'-0"



Detail View

Scale: 1-1/2" = 1'

Colors & Finishes

Colors shown here may not exactly match manufacturers color chart or actual sample. Client to either provide samples or specifications for custom colors prior to production or approve DeNyse color samples or color specifications

- C1** SW 7068 Grizzle Gray
- C2** STO PT 13-1106 Sand Dollar
- C3** PT 18-1442 Red Okra
- C4** PT 19-3928 Blue Indigo
- C5** Matthews® Brushed Aluminum (SG)
- C6** White

Code Research

Max Sign Area Allowed: 431 SF (Boxed around copy area only)

Designed Sign Area: 31.25 SF per side

Electrical Notes

- Disconnect switch(s) UL & ID labels Vent - 2" Dia. Louvered
- FINAL ELECTRICAL HOOK UP BY OTHERS**
- Electrical Requirements:** 120 volt 60 hz
- Connection Type:** permanent continuous operation
- Number of Circuits:** One (1) 20 amp Dedicated Branch Circuit(s)
- Wire Size:** 12 awg / conduit size: 1/2"
- Max. Line Current:** tbd



Inspected and labeled in accordance with UL Standard for Electric Signs installed using UL listed parts and methods of installation in accordance with Article 600 of the National Electric Code and other applicable local codes. This includes proper grounding and bonding.



This lighted product may contain Fluorescent, Neon, HID lamps or components that use Mercury in them. Dispose of these lamps & components according to the laws of the authority having jurisdiction.

Construction Specifications

- A** Aluminum canopy By Others
- B** Mounting Provision: 3/8" Dia x 5" Mechanical anchor fastener
- C** Electrical Provision: To be Coordinated w/ Client, GC & or Architect
- D** 4x6 Aluminum as Raceway with removable Access Panel at Back
- E** .250" thick Aluminum plate
- F** 3" deep LED Reverse Channel Letters

Management Company
N/A

Property Name & Address
Encore, The
Atlanta GA

Bid Number
12059

Project Manager
Mike Norton

Designer
WJB

Date
5.20.2014

Revision Date
NA



Design Time
42

Customer Approval

Filename
Exterior ID 2 v1

- Concept
- Preliminary
- Production

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Management Company
N/A

Property Name & Address
Encore, The
Atlanta GA

Bid Number
12059

Project Manager
Mike Norton

Designer
WJB

Date
5.20.2014

Revision Date
NA

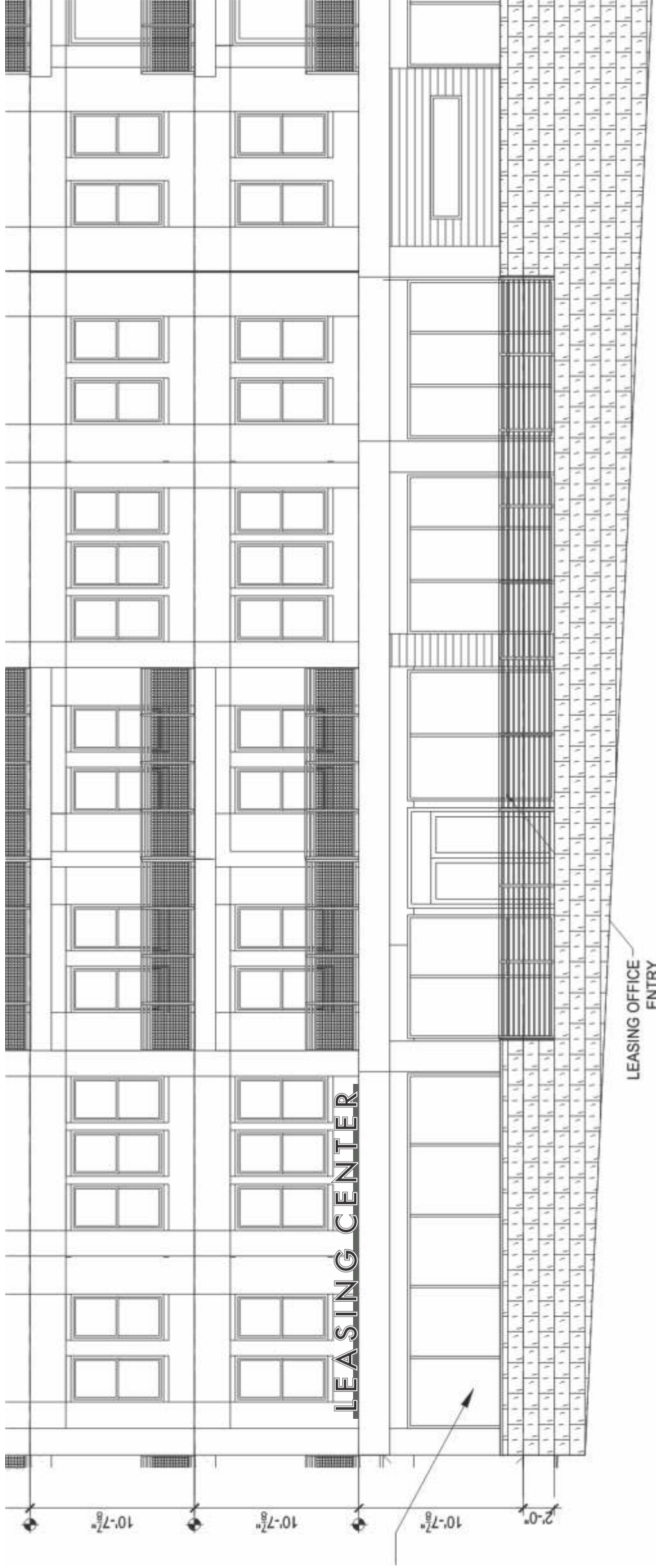


Design Time
42

Customer Approval

Filename
Exterior ID 2 v1

- Concept
- Preliminary
- Production



Leasing Center Letter
Scale: 1-1/2" = 1'

**MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
SEPTEMBER 17, 2013
9:00 A.M.**

The Board of Commissioners' Zoning Hearing was held on Tuesday, September 17, 2013 at 9:00 a.m. in the second floor public meeting room of the Cobb County building, Marietta, Georgia. Present and comprising a quorum of the Board were:

Vice Chair JoAnn Birrell
Commissioner Lisa Cupid
Commissioner Helen Goreham
Commissioner Bob Ott

Not Present: Chairman Tim Lee

Z-55

RIVERVIEW OFFICE, LLC (Crescent Communities, LLC, owner) requesting Rezoning from **OHR** to **RRC** for the purpose of Mixed Use Development in Land Lots 1014 and 1015 of the 17th District. Located on the east side of Cobb Galleria Parkway, north of the intersection of Cobb Galleria Parkway and Cumberland Boulevard; and on the southwest side of Interstate 75.

The public hearing was opened and Mr. John Moore addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by Ott, second by Goreham, to approve Rezoning to the **RRC** zoning district subject to:

- *Revised* site plan dated August 28, 2013 (attached and made a part of these minutes)
- Letter of agreeable conditions from Mr. John Moore dated September 11, 2013 (attached and made a part of these minutes) with the following change:
 - Item No. 21, subset d. – revise to read: *“Gas stations and self-service gas stations that sell gas and convenience stores”*
- Letter of agreeable conditions from Mr. John Moore dated September 16, 2013 (attached and made a part of these minutes) with the following change:
 - Page 1, third paragraph, second sentence: *“...no townhomes or other structures or encroachments of any kind shall be placed...”*
- Fire Department comments and recommendations, *not otherwise in conflict*
- Stormwater Management Division comments and recommendations, *not otherwise in conflict*

COBB COUNTY ZONING DEPARTMENT
2013 FEB 10 PM 4:00

- **Water and Sewer Division comments and recommendations, *not otherwise in conflict***
- **Revised Cobb DOT comments and recommendations dated August 29, 2013 (attached and made a part of these minutes), *not otherwise in conflict***

VOTE: ADOPTED 4-0, Chairman Lee absent

2014 FEB 10 PM 4:00

COBB COUNTY BOARD OF COMMISSIONERS

COBB COUNTY GEORGIA

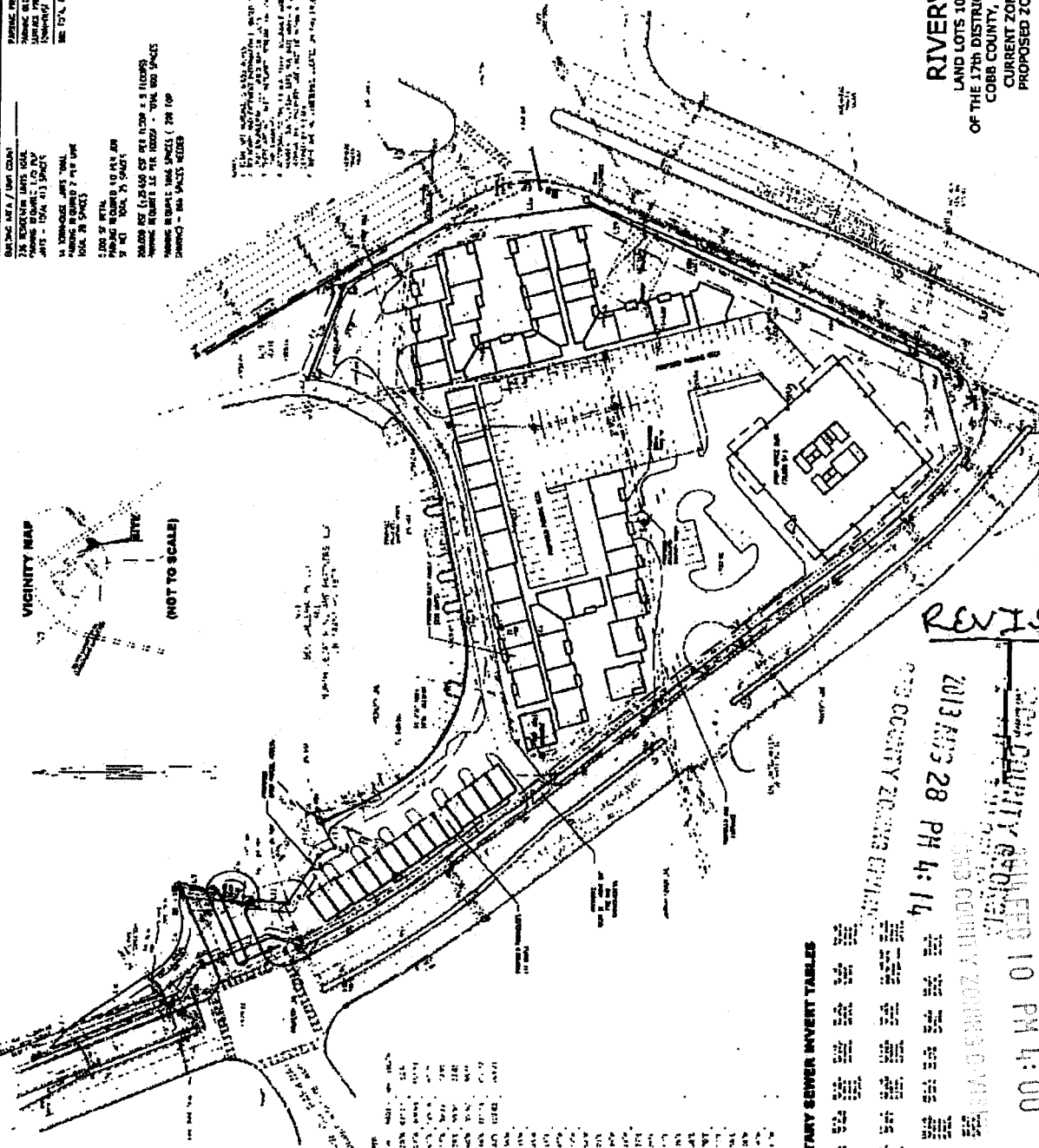
Man. Bk. 70 Petition No. 2-55
 Doc. Type site plan
 Meeting Date 9/11/13

RIVERVIEW
 LAND LOTS 101.4 & 101.5
 OF THE 17th DISTRICT, 2ND SECTION
 COBB COUNTY, GEORGIA
 CURRENT ZONING OHR
 PROPOSED ZONING RRC

EXISTING AREA / UNIT COUNT
 216 EXISTING LOTS TOTAL
 14 UNITS PER LOT (AVG)
 3024 UNITS TOTAL
 14 UNITS PER LOT (AVG)
 198 UNITS TOTAL
 10% INCREASE IN UNITS
 3324 UNITS TOTAL

PARKING REQUIRED
 1 SPACE PER UNIT
 3324 SPACES TOTAL
 10% INCREASE IN SPACES
 3656 SPACES TOTAL

THIS SITE PLAN SHOWS THE PROPOSED DEVELOPMENT OF THE LAND LOTS 101.4 & 101.5 OF THE 17th DISTRICT, 2ND SECTION, COBB COUNTY, GEORGIA. THE PROPOSED DEVELOPMENT IS A MIXED-USE DEVELOPMENT INCLUDING RESIDENTIAL, COMMERCIAL, AND OFFICE USES. THE PROPOSED DEVELOPMENT IS SUBJECT TO THE APPROVAL OF THE COBB COUNTY ZONING COMMISSION AND THE GEORGIA DEPARTMENT OF COMMUNITY DEVELOPMENT.



STORM AND SANITARY SEWER INVERT TABLES

Station	Storm Invert (ft)	Sanitary Sewer Invert (ft)
1+00	10.00	10.00
1+10	10.00	10.00
1+20	10.00	10.00
1+30	10.00	10.00
1+40	10.00	10.00
1+50	10.00	10.00
1+60	10.00	10.00
1+70	10.00	10.00
1+80	10.00	10.00
1+90	10.00	10.00
2+00	10.00	10.00
2+10	10.00	10.00
2+20	10.00	10.00
2+30	10.00	10.00
2+40	10.00	10.00
2+50	10.00	10.00
2+60	10.00	10.00
2+70	10.00	10.00
2+80	10.00	10.00
2+90	10.00	10.00
3+00	10.00	10.00
3+10	10.00	10.00
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3+80	10.00	10.00
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9+40	10.00	10.00
9+50	10.00	10.00
9+60	10.00	10.00
9+70	10.00	10.00
9+80	10.00	10.00
9+90	10.00	10.00
10+00	10.00	10.00

REVISED

COBB COUNTY ZONING COMMISSION
 2013 AUG 28 PM 4:14
 COBB COUNTY ZONING DIVISION
 COBB COUNTY GEORGIA
 10 PM 4:00

COBB COUNTY GEORGIA

MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP
WWW.MIJS.COM

JOHN M. MOORE
STEPHEN C. STEELE
WILLIAM R. JOHNSON¹
ROBERT D. INGRAM¹
J. BRIAN O'NEIL
O. PHILIP BEGGS
ELDON L. BARNHAM
MATTHEW J. HOWARD
JERE C. SMITH
CLAYTON O. GARMACK
KEVIN B. CARLOCK¹
ALEXANDER T. GALLOWAY III¹
J. KEVIN MOORE
RODNEY R. McCOLLOCH
SUSAN B. STUART
BRIAN D. SMITH
HARRY R. TEAR III
W. TROY HART¹
JEFFREY A. DAXE
KIM A. ROPER
VICTOR A. VALMIUS
WILLIAM R. WINDERS, JR.¹

ANGELA H. SMITH¹
JOYCE W. HARPER
CHRISTOPHER C. MINDLEDOFF¹
ANGELA D. TARTLINE
CARLEY E. OLSON¹
CHARLES E. PIERCE¹
PRESTON D. HOLLOWAY
WILMA R. BUSH
GREGORY H. FULLER¹
VERONICA L. RICHARDSON
TODD L. WEIRD¹
ALEXANDER B. MORRISON¹
DOUGLAS W. BUTLER, JR.
APRIL A. HOLLOWAY
CARLA C. WEBSTER¹
ADON J. SOLOMON¹
AMY L. JETP¹
JEFF C. MORMAN¹
RYAN M. INGRAM
SHAWN G. SHELTON
KRISTEN C. STRYKERSON¹
CARLY R. FEDELE

MARIETTA, GEORGIA
EMERSON OVERLOOK
306 ROSWELL ST
MARIETTA, GEORGIA 30068
TELEPHONE (770) 433-1499

KNOXVILLE, TENNESSEE
488 N. CEDAR BLUFF RD • STE 600
KNOXVILLE, TENNESSEE 37823
TELEPHONE (865) 592-8038

JACKSONVILLE, FLORIDA
10181 DIERHOOD PARK BLVD • BLDG 808, STE 800
JACKSONVILLE, FLORIDA 32256
TELEPHONE (904) 423-1663

NASHVILLE, TENNESSEE
8208 WEST END AVE • STE 800
NASHVILLE, TENNESSEE 37203
TELEPHONE (615) 423-7947

LOUISVILLE, KENTUCKY
9100 CORPORATE CAMPUS DR • STE 3000
LOUISVILLE, KENTUCKY 40223
TELEPHONE (502) 410-8821

CHARLESTON, SOUTH CAROLINA
4800 B. FABER PLACE DR • STE 800
CHARLESTON, SOUTH CAROLINA 29405
TELEPHONE (843) 382-0002

BARAH H. BEBY¹
RYAN C. EDENS¹
JULIE C. FULLER¹
JODI B. LODEN¹
TAMMI L. BROWN
TRAVIS R. JACKSON
DAVID A. HURTADO
J. MARSHALL WEHRINT
JONATHAN J. SMITH
MONTAYA K. HO-SANG¹
TRISTAN B. MORRISON¹
WILLIAM B. WARRIHAM¹
K. COLLINS BROWN
ROBERT A. BUTLER
COLLEEN K. MORSE¹
ORANAM P. ROBERTS
DAVID J. OTTEN¹
JONATHAN S. FUTRELL
JOHNUA D. ARTERS¹
NOBBERT D. HUMMEL, IV
DAVID R. CONLEY
LYNDBEY J. HURST

B. CHASE ELLEY
B. BARDIN HOOKS
DAPHNE S. WITHROW
WILLIAM W. MCGOWAN, III¹
TYLER R. MORGAN¹
MARIANNA L. JABLONSKI¹

OF COUNSEL:
JOHN L. SKELTON, JR.¹

¹ ALSO ADMITTED IN TN
ALSO ADMITTED IN FL
ALSO ADMITTED IN GA
ALSO ADMITTED IN TX
ALSO ADMITTED IN AL
ALSO ADMITTED IN NY
ALSO ADMITTED IN NC
ALSO ADMITTED IN MD
ADMITTED ONLY IN TN
ADMITTED ONLY IN FL

September 11, 2013

Hand Delivered

Min. Bk. 70 Petition No. 2-55
Doc. Type letter of agreeable
conditions
Meeting Date 9/17/13

Mr. Jason A. Campbell
Planner III
Zoning Division
Cobb County Community Development Agency
Suite 400
1150 Powder Springs Road
Marietta, Georgia 30064

RE: Application for Rezoning - Application No. Z-55 (2013)
Applicant: Riverview Office, LLC
Property Owner: Crescent Communities, LLC
Property: 6.658 acres located at the northerly intersection of Cumberland Boulevard with Cobb Galleria Parkway, southwesterly of Interstate 75, Land Lots 1014 and 1015, 17th District, 2nd Section, Cobb County, Georgia

Dear Jason:

The undersigned and this firm represent Riverview Office, LLC, the Applicant (hereinafter referred to as "Applicant"), and Crescent Communities, LLC, the Property Owner (hereinafter referred to as "Property Owner"), in their Application for Rezoning with regard to a total tract of 6.658 acres, more or less, located at the northerly intersection of Cumberland Boulevard with Cobb Galleria Parkway, southwesterly of Interstate 75, Land Lots 1014 and 1015, 17th District, 2nd Section, Cobb County, Georgia (hereinafter referred to as the "Property" or the "Subject Property"). After meetings with planning and zoning staff, reviewing the staff comments and recommendations; reviewing the uses of surrounding properties, and following

COBB COUNTY GEORGIA
 FILED IN OFFICE
 2013 SEP 11 AM 11:42
 COBB COUNTY ZONING DIVISION
 10 PM 11:00

MOORE INGRAM JOHNSON & STEELE

Mr. Jason A. Campbell
Planner III
Zoning Division
Cobb County Community Development Agency
Page 2 of 13
September 11, 2013

Petition No. 2-55
Meeting Date 9/17/13
Continued

the presentation to the Cobb County Planning Commission, we have been authorized by the Applicant and Property Owner to submit this revised letter of agreeable stipulations and conditions, which, if the Application for Rezoning is approved, as submitted, shall become a part of the grant of the requested zoning and shall be binding upon the Subject Property. This letter shall supersede and replace in full the previous letter of stipulations and conditions dated and filed August 29, 2013. The revised stipulations are as follows:

- (1) The stipulations and conditions set forth herein shall replace and supersede in full any and all prior stipulations and conditions, in whatsoever form, which are currently in place on the Subject Property; together with any and all Departmental Comments and Staff Recommendations relating to the Subject Property from any prior zoning actions.
- (2) Applicant seeks rezoning of the Subject Property from the existing zoning category of Office High Rise ("OHR") to the proposed zoning category of Regional Retail Commercial ("RRC"), site plan specific to the revised Zoning Site Plan prepared for Applicant by Croy Engineering, LLC, dated July 3, 2013, last revised September 4, 2013, and filed contemporaneously herewith. A reduced copy of the revised Zoning Plan is attached hereto for ease of reference as Exhibit "A" and incorporated herein by reference.
- (3) By this revised letter of agreeable stipulations and conditions, Applicant amends its Application for Rezoning to include the revised Zoning Site Plan for the proposed development hereinabove referenced, same being prepared for Applicant by Croy Engineering, LLC, dated July 3, 2013, last revised September 4, 2013, and filed contemporaneously herewith.
- (4) The Subject Property consists of approximately 6.658 acres of total site area and shall be developed for a mixed-use development consisting of office, retail, and residential.

2014 FEB 10 PM 4:00
COBB COUNTY COMMUNITY DEVELOPMENT
PLANNING DIVISION

STIPULATIONS APPLICABLE TO THE OVERALL DEVELOPMENT

- (1) There shall be master protective covenants for the entire development which will include all phases of the development; and concurrent therewith a master association, and possibly sub-associations, will be formed which will include all

MOORE INGRAM JOHNSON & STEELE

Mr. Jason A. Campbell
Planner III
Zoning Division
Cobb County Community Development Agency
Page 3 of 13
September 11, 2013

Petition No. 2-55
Meeting Date 9/12/13
Continued

component parts of the proposed development. The master association shall be responsible for the oversight, upkeep, and maintenance of the entrance areas, common areas, open space areas, and the like contained within the overall development.

- (2) The master association, and any sub-associations, to be formed hereunder shall have architectural design regulations which shall control such items as signage for individual units, and other such usual and necessary covenants and restrictions to protect the quality and integrity of the total development.
- (3) The entrances to the proposed development shall be as more particularly shown and reflected on the referenced revised Zoning Site Plan.
- (4) There shall be a traffic signal installed at the project's main entrance on Cobb-Galleria Parkway, in the location as shown and reflected on the referenced revised Zoning Site Plan. Applicant shall be responsible for and pay to the Cobb County Department of Transportation all costs associated with the design and installation of the referenced traffic signal.
- (5) Entrance signage for the proposed overall development shall be ground-based, monument-style signage, with the finish, materials, and color being in conformity with the architecture and design of the various components. Such signage shall contain no flashing sign components.
- (6) The entrance areas, together with all islands and planted areas, shall be professionally designed, landscaped, and maintained. These areas shall be part of the overall landscape plan approved by staff as part of the plan review process.
- (7) Lighting within the proposed development shall be environmentally sensitive, decorative, and themed to the architecture and style of the respective components of the development.
- (8) Additionally, hooded security lighting shall be utilized on the exteriors of the buildings and throughout the walkways, surface parking areas, and parking deck areas; excepting only, the individual townhome units which shall utilize only decorative, themed lighting as described above.

Cobb County Department of Planning and Zoning
2013 FEB 10 PM 4:00

MOORE INGRAM JOHNSON & STEELE

Mr. Jason A. Campbell
Planner III
Zoning Division
Cobb County Community Development Agency
Page 4 of 13
September 11, 2013

Project No. 2-55
Project Date 9/17/13
City of Atlanta

- (9) All dumpsters servicing any portion of the overall development shall be enclosed with a minimum six (6) foot high brick enclosure on three sides with a solid wooden screen gate or doors on the access side. All dumpsters shall contain rubber lids to minimize noise. Dumpsters shall be emptied Monday through Saturday from 5:00 a.m. to 7:00 p.m. and Sunday from 2:00 p.m. to 7:00 p.m.
- (10) Parking lot cleaning with the use of mechanical equipment shall be restricted to hours Monday through Saturday from 5:00 a.m. to 10:00 p.m. and Sunday from 11:00 a.m. to 9:00 p.m.
- (11) Deliveries to the proposed retail uses shall be limited to between the hours of 5:00 a.m. to 11:00 p.m., Monday through Friday; 9:00 a.m. to 7:00 p.m. on Saturday and Sunday.
- (12) Store hours which are open to the public for the retail uses proposed for this development shall be limited to Monday through Saturday, 6:00 a.m. to 10:00 p.m. and Sunday from 6:00 a.m. to 9:00 p.m. Restaurants may remain open until 2:00 a.m.
- (13) There shall be no tenant vehicles or vehicles of any type parked in front of the proposed buildings containing tenant identification signage or advertising signage. This provision shall be contained within any lease between Applicant and any prospective tenant, and Applicant agrees to enforce these provisions against any tenant which violates the foregoing. Additionally, there shall be no vehicles parked in front of the proposed retail centers with "for sale" signs posted thereon.
- (14) Minor modifications to the within stipulations, the referenced revised Zoning Site Plan, lighting, landscaping, architecture, site features, and the like, may be approved by the District Commissioner, as needed or necessary, except for those that:
 - (a) Increase the density of a residential project or the overall square footage of a non-residential project;

2014 FEB 10 PM 4:00

COBB COUNTY RECORDS
SIGNATURE DEPARTMENT

MOORE INGRAM JOHNSON & STEELE

Mr. Jason A. Campbell
Planner III
Zoning Division
Cobb County Community Development Agency
Page 5 of 13
September 11, 2013

Petition No 2-55
Meeting Date 9/17/13
Case No.

- (b) Reduce the size of an approved buffer adjacent to a property that is zoned the same or in a more restrictive zoning district;
 - (c) Relocate a structure closer to the property line of an adjacent property that is zoned the same or in a more restrictive zoning district;
 - (d) Increase the height of a building that is adjacent to a property that is zoned the same or in a more restrictive zoning district; or
 - (e) Change an access location to a different roadway.
- (15) All setbacks and buffer areas may be penetrated for purposes of access, utilities, and stormwater management, including, but not limited to, detention/retention facilities, drainage facilities, and any and all slopes or other required engineering features of the foregoing.
- (16) Applicant agrees to comply with all Cobb County development standards and ordinances relating to project improvements, except as approved by the Board of Commissioners or by the Department of Transportation or Community Development Agency, as their authority may allow.
- (17) All streets within the proposed development shall be private with the construction therefor complying in all respects as to materials, base, and other requirements to the Cobb County Code.
- (18) All landscaping referenced herein shall be approved by the Cobb County Arborist as part of the plan review process and incorporated into the overall landscape plan for the proposed development.
- (19) Applicant agrees to comply with all Cobb County Stormwater Management requirements applicable to the Subject Property.
- (20) All utilities for the proposed overall development shall be located underground.
- (21) The following uses shall be prohibited from the proposed overall development:
- (a) Video arcades as a primary use;

2014 FEB 10 PM 1:00

COBB COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

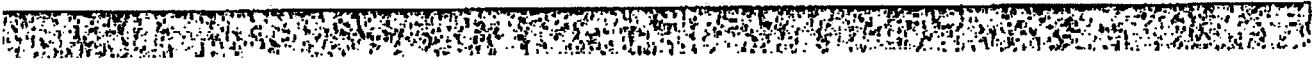
MOORE INGRAM JOHNSON & STEELE

Mr. Jason A. Campbell
Planner III
Zoning Division
Cobb County Community Development Agency
Page 6 of 13
September 11, 2013

2-55
9/17/13

- (b) Adult-themed bookstores as a primary use;
 - (c) Automotive sales, leasing, repair, and/or service facilities;
 - (d) Gas stations that sell gas and convenience stores;
 - (e) Truck and trailer leasing facilities;
 - (f) Automotive paint and body repair shops;
 - (g) Automotive upholstery shops;
 - (h) Billiards and pool halls which are the sole or predominant use;
 - (i) Bus stations (not to exclude bus stops);
 - (j) Fraternity and sorority house;
 - (k) Full-service gas stations;
 - (l) Light automotive repair;
 - (m) Rooming houses and boarding houses;
 - (n) Any form of adult entertainment business; and
 - (o) Nightclubs and bars, except that same would be permitted within a restaurant or hotel provided that they are an integral part of a restaurant or hotel operation.
- (22) As to the overall development, there shall be "zero lot lines" among the various components within the development so as to allow for the free flow of access, parking, and the like.

COBB COUNTY COMMUNITY DEVELOPMENT
2014 FEB 10 PM 4:00



MOORE INGRAM JOHNSON & STEELE

Mr. Jason A. Campbell
Planner III
Zoning Division
Cobb County Community Development Agency
Page 7 of 13
September 11, 2013

Permit No. 2-55
Issuing Date 9/17/13
Contract

- (23) There shall be a minimum of nine hundred forty-seven (947) on-site parking spaces for the proposed overall development, as follows:
 - (a) Parking Deck - 441 spaces;
 - (b) Grade Level and Two Levels Below Grade Level Parking - 461 spaces;
 - (c) Townhome and Street Parking - 45 spaces.

- (23) Applicant shall have performed a ULI Shared Parking Study to determine if nine hundred forty-seven (947) parking spaces are sufficient based upon shared use by office, retail, and residential users. Applicant shall present the Study to the Cobb County Zoning Office and the Cobb County Department of Transportation as soon as possible after the final hearing before the Cobb County Board of Commissioners. Cobb County Department of Transportation and the Cobb County Zoning Office approval of the Study will be a condition which must be achieved prior to permitting.

- (24) There shall not be required decel lanes at the entrances to the proposed Project. However, if the Cobb County Department of Transportation should later believe that, due to traffic issues presented, decel lanes in some form are required, then the Cobb County Department of Transportation shall present a request therefor to the Cobb County Board of Commissioners in "Other Business," and the Board shall determine whether to require a decel lane or lanes and the exact requirements therefor. If the Board of Commissioners decides that a decel lane or lanes are required, Applicant agrees to install and construct said lane(s) at its sole cost and expense.

- (25) All construction and employee vehicles and equipment will be parked, and otherwise located on, the Subject Property during development of infrastructure and construction of the structures, and shall not be parked on or along Cobb Galleria Parkway and Cumberland Boulevard. There will be no stacking of vehicles on either road waiting for entry onto the Subject Property.

RECEIVED
SEP 17 2013
Cobb County Zoning Office
2:49 PM

MOORE INGRAM JOHNSON & STEELE

Mr. Jason A. Campbell
Planner III
Zoning Division
Cobb County Community Development Agency
Page 8 of 13
September 11, 2013

Petition No. 2-55
Meeting Date 9/17/13
Cr. no.

I. OFFICE COMPONENT

- (1) The office component of the proposed development shall consist of a maximum 10-story office tower containing approximately 225,000 square feet. The 10-story maximum does not include the two levels of parking underneath the building and plaza.
- (2) Parking for tenants of the proposed office tower shall be accomplished by providing connectivity to the proposed multi-level parking deck.
- (3) The exterior finish of the proposed office building shall consist of glass, brick, stone, steel, concrete, and stucco, or combinations thereof; and shall be substantially similar to the renderings to be presented to the Planning Commission and Board of Commissioners at the respective upcoming public hearings.

II. RESIDENTIAL COMPONENT

- (1) The residential component of the proposed development shall have a maximum of two hundred fifty-four (254) residential leased units, be as follows:
 - (a) A maximum of fourteen (14) townhome units which shall be located as more particularly shown and reflected on the revised Zoning Site Plan submitted herewith. Specifics as to the townhomes are as follows:
 - (i) Maximum of three (3) stories in height;
 - (ii) Minimum 1,600 square feet, and greater;
 - (iii) Traditional in style and architecture;
 - (iv) Exterior façade consisting of brick, stone, stacked stone, cementitious siding, and combinations thereof.
 - (b) A maximum of two hundred forty (240) units shall be contained within a maximum of six (6) stories located within the mid-rise buildings as more particularly shown and reflected on the revised Zoning Site Plan submitted herewith. Specifics as to the units are as follows:

2014 FEB 10 PM 4:00
Cobb County Zoning Division
MOORE INGRAM JOHNSON & STEELE

MOORE INGRAM JOHNSON & STEELE

Mr. Jason A. Campbell
Planner III
Zoning Division
Cobb County Community Development Agency
Page 9 of 13
September 11, 2013

Project No. 2-55
Meeting Date 9/17/13
City Council

- (i) Units shall consist of one, two, and three bedrooms;
 - (ii) Unit size shall range from a minimum of 540 square feet in a one-bedroom unit to a maximum of 1,600 square feet in a three-bedroom unit. The average unit shall be approximately 1,000 square feet of heated living space;
 - (iii) Building architecture and exterior façade shall be complementary to the office building.
- (2) Floor plans and finishes for the residential units shall consist, at a minimum, of the following:
- (a) Enhanced corian, granite, or marble counter tops, or other solid surface materials;
 - (b) Minimum ceiling heights:
 - i) Minimum 9 feet, except in furred-down areas, from floor to finished ceiling and greater; and
 - ii) Minimum 10 feet between floors;
 - (c) European or upscale wooden face-frame cabinetry;
 - (d) Top-of-the line appliances;
 - (e) Extra-deep stainless steel sinks and side-by-side refrigerators/freezers as upgrades;
 - (f) A selection of faux hardwood flooring, high-end carpet, and tile throughout;
 - (g) Spacious open floor plans which eliminate the necessity for typical hallways within the units;
 - (h) Brushed chrome, brushed nickel, or oiled rubbed bronze bathroom and kitchen fixtures;
 - (i) Ceramic tile or faux hardwood bathrooms and laundry rooms;

2014 FEB 10 PM 4:01
COBB COUNTY COMMUNITY DEVELOPMENT AGENCY

MOORE INGRAM JOHNSON & STEELE

Mr. Jason A. Campbell
Planner III
Zoning Division
Cobb County Community Development Agency
Page 10 of 13
September 11, 2013

Application No. 2-55
Date 9/17/13

- (j) Brushed chrome bathroom and kitchen fixtures;
 - (k) Spacious walk-in closets;
 - (l) High-speed internet wiring in all rooms of each unit;
 - (m) Large tubs with showers;
 - (n) Six feet, eight inch (6'8") to eight (8) foot entry doors subject to fire rating;
 - (o) Energy-efficient construction which will exceed the Georgia Energy Code;
 - (p) Double-paned, insulated windows in all units; and
 - (q) Controlled access building and amenity areas.
- (3) Parking for residents of the proposed residential high-rise shall be within the parking deck to be utilized by the office component.
- (4) All residents of the proposed residential community shall have access to and use and enjoyment of the amenity areas, which will include the following:
- (a) Pool;
 - (b) Fitness center;
 - (c) Clubroom;
 - (d) Business center or internet café;
 - (e) Courtyards.
- (5) The residents within the proposed residential community will utilize a compactor system for refuse.

COBB COUNTY COMMUNITY DEVELOPMENT AGENCY
2013 FEB 10 PM 4:01
COBB COUNTY RECORDS

MOORE INGRAM JOHNSON & STEELE

Mr. Jason A. Campbell
Planner III
Zoning Division
Cobb County Community Development Agency
Page 11 of 13
September 11, 2013

Petition No. 2-55
Meeting Date 9/17/13
Continued

- (6) All residential units, including townhomes units, within the proposed residential community may be leased. The units shall be converted to "for sale" units at such time as market conditions allow as determined by the primary lending institution, at any given time, financing the subject development.
- (7) During the period of time residential units shall be leased, and prior to conversion to "for sale" units, all residential units, including townhome units, shall be subject to the Cobb County Condominium Ordinance, as more particularly set forth in the Cobb County Zoning Ordinance; and shall not be subject to the Georgia Condominium Act.
- (8) However, upon conversion of the units to "for sale" condominium units, the units shall be made subject to the Georgia Condominium Act and shall comply in all respects therewith. The submission of these units to the Georgia Condominium Act shall be concurrent with the conversion of the units to "for sale" units. Upon such conversion, Applicant agrees to the recording and enforcement of a Declaration of Condominium which shall contain covenants, rules, and regulations applicable to the proposed residential condominium community.
- (9) Additionally, and in conjunction with the submission of the community to the Georgia Condominium Act, Applicant agrees to the creation of a mandatory condominium association which shall be responsible for the upkeep and maintenance of the entrance areas, all common areas, amenity areas, and the like, contained within the residential condominium community.
- (10) Upon conversion of the units to "for sale" units, there shall be established a restrictive covenant which limits the number of units which can be leased or rented at any one time to a maximum of ten (10) percent of the total number of units, or as allowed by any federal agency.

III. RETAIL COMPONENT

- (1) There shall be a maximum of 5,000 square feet of retail space which shall be located on the ground level of buildings located adjacent to the parking deck and across the courtyard area from the high-rise office building.

2013 FEB 10 PM 4:01

COBB COUNTY COMMUNITY DEVELOPMENT AGENCY

MOORE INGRAM JOHNSON & STEELE

Mr. Jason A. Campbell
Planner III
Zoning Division
Cobb County Community Development Agency
Page 12 of 13
September 11, 2013

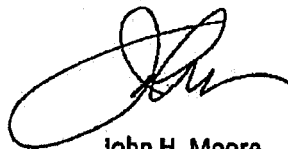
Permit No 2-55
Meeting Date 9/17/13
Continued

We believe the requested zoning, pursuant to the revised Zoning Site Plan and the revised stipulations set forth herein, is an appropriate use of the Subject Property. The proposed community is an exciting project which fits together various types of product into one development. The proposed development shall promote the "live where you work" concept; shall be of the highest quality; shall be compatible with surrounding retail developments, businesses, and neighborhoods; and shall be an enhancement to the Subject Property and Cobb County as a whole. Thank you for your consideration in this request.

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP



John H. Moore

JHM:cc
Attachment

- c: Cobb County Board of Commissioners:
 - Timothy D. Lee, Chairman
 - Helen C. Goreham
 - Robert J. Ott
 - Joanne Birrell
 - Lisa N. Cupid
 - (With Copy of Attachment)

Mike Terry, Chairman
Cobb County Planning Commission
(With Copy of Attachment)

COBB COUNTY ZONING DIVISION
2014 FEB 10 PM 4:01
COBB COUNTY ZONING DIVISION

MOORE INGRAM JOHNSON & STEELE

Mr. Jason A. Campbell
Planner III
Zoning Division
Cobb County Community Development Agency
Page 13 of 13
September 11, 2013

Petition No. 2-56
Meeting Date 9/17/13
Continued

- c: Wade Goetz
Area Property Owner
(With Copy of Attachment)
(Via E-mail Only)

- Riverview Office, LLC
(With Copy of Attachment)

COBB COUNTY COMMUNITY DEVELOPMENT
PAGE 13 OF 13
2014 FEB 10 PM 4:01
COBB COUNTY ZONING DEPARTMENT

Petition No. 2-55
 Meeting Date 9/17/13
 Continued

RIVERVIEW
 LAND LOTS 9, 10, 11 & 12
 OF THE 17TH DISTRICT, 2ND SECTION
 COBB COUNTY, GEORGIA
 CURRENT ZONING OHR
 PROPOSED ZONING RNC

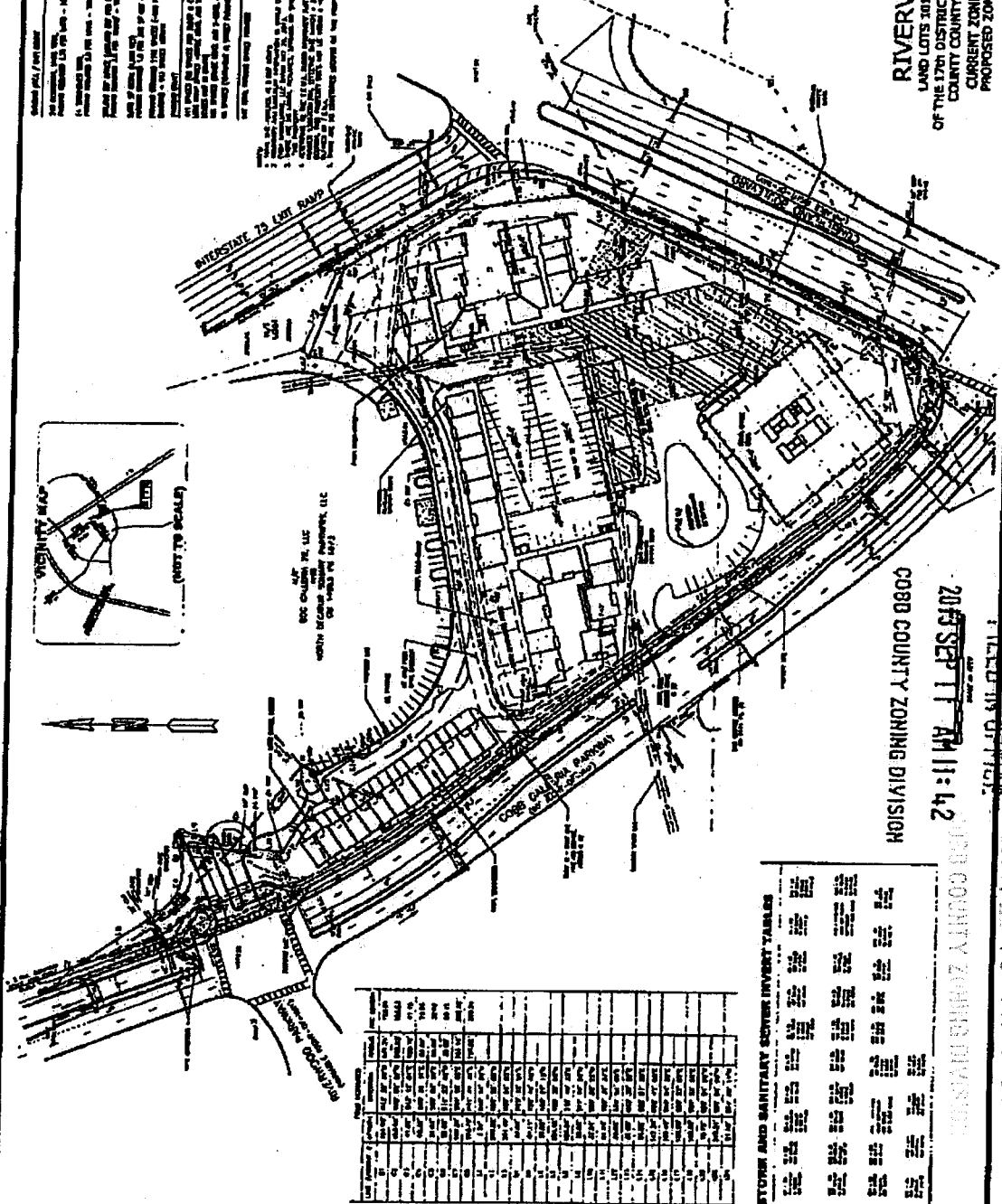
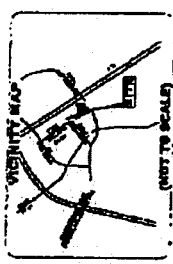
1. The proposed zoning change is consistent with the Comprehensive Zoning Ordinance of Cobb County, Georgia, as amended.

2. The proposed zoning change is in the public interest and is necessary for the proper development and use of the land.

3. The proposed zoning change is in accordance with the Comprehensive Zoning Ordinance of Cobb County, Georgia, as amended.

4. The proposed zoning change is in the best interests of the community and is necessary for the proper development and use of the land.

5. The proposed zoning change is in accordance with the Comprehensive Zoning Ordinance of Cobb County, Georgia, as amended.



Lot No.	Area (sq. ft.)	Current Zoning	Proposed Zoning
1	10,000	HR	RNC
2	10,000	HR	RNC
3	10,000	HR	RNC
4	10,000	HR	RNC
5	10,000	HR	RNC
6	10,000	HR	RNC
7	10,000	HR	RNC
8	10,000	HR	RNC
9	10,000	HR	RNC
10	10,000	HR	RNC
11	10,000	HR	RNC
12	10,000	HR	RNC

STORM AND SANITARY COVER INVERT TABLES

Station	Storm Invert	Sanitary Invert
1+00	100.00	95.00
2+00	100.00	95.00
3+00	100.00	95.00
4+00	100.00	95.00
5+00	100.00	95.00
6+00	100.00	95.00
7+00	100.00	95.00
8+00	100.00	95.00
9+00	100.00	95.00
10+00	100.00	95.00
11+00	100.00	95.00
12+00	100.00	95.00

COBB COUNTY ZONING DIVISION
 2013 SEP 11 AM 11:42
 COBB COUNTY ZONING DIVISION
 FILED IN OFFICE
 COBB COUNTY GEORGIA
 SEP 10 PM 4:01

EXHIBIT "A"

MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP
WWW.MIJG.COM

JOHN H. MOORE
STEPHEN C. STEELE
WILLIAM R. JOHNSON^{1,2}
ROBERT D. INGRAM¹
J. BRIAN O'NEIL
G. PHILLIP BEGGS
ELDON L. BASHAM
MATTHEW J. HOWARD
JERE C. SMITH
CLAYTON G. CARMACK
KEVIN B. CARLOCK¹
ALEXANDER T. GALLOWAY III¹
J. KEVIN MOORE
ROONEY R. MCCOLLOCH⁴
SUSAN S. STUART
BRIAN D. SMITH
HARRY N. TEAR III
W. TROY HART^{1,3}
JEFFREY A. DAXE
KIM A. ROPER
VICTOR P. VALMUS
WILLIAM R. WINDERS, JR.²

ANGELA H. SMITH¹
JOYCE W. HARPER
CHRISTOPHER C. MINGLEDORFF²
ANGELA D. TARTLINE
CAREY E. OLSON²
CHARLES E. PIERCE²
PRESTON D. HOLLOWAY
WILMA R. BUSH
GREGORY H. FULLER²
VERONICA L. RICHARDSON
TODD I. HEIRD²
ALEXANDER B. MORRISON²
DOUGLAS W. BUTLER, JR.
APRIL R. HOLLOWAY
CARLA C. WESTER²
ADON J. SOLOMON²
AMY L. JETT²
JEFF C. MORMAN²
RYAN M. INGRAM
SHAWN G. SKELTON
KRISTEN C. STEVENSON²
CARLY R. FEDELE

MARIETTA, GEORGIA
EMERSON OVERLOOK
525 ROXBELL ST.
MARIETTA, GEORGIA 30068
TELEPHONE (770) 429-1488

KNOXVILLE, TENNESSEE
406 N. CEDAR BLUFF RD. • STE 400
KNOXVILLE, TENNESSEE 37925
TELEPHONE (423) 592-8039

JACKSONVILLE, FLORIDA
10161 DEERWOOD PARK BLVD • BLDG 202, STE 250
JACKSONVILLE, FLORIDA 32256
TELEPHONE (904) 428-1488

NASHVILLE, TENNESSEE
3200 WEST END AVE • STE 400
NASHVILLE, TENNESSEE 37203
TELEPHONE (615) 428-7347

LOUISVILLE, KENTUCKY
8900 CORPORATE CAMPUS DR • STE 300A
LOUISVILLE, KENTUCKY 40223
TELEPHONE (502) 410-8921

CHARLESTON, SOUTH CAROLINA
4900 S. FABER PLACE DR • STE 300
CHARLESTON, SOUTH CAROLINA 29405
TELEPHONE (843) 392-0092

SARAH H. BEET¹
RYAN C. EDENS²
JULIE C. FULLER²
JODI B. LODEN²
TAMMI L. BROWN
TRAVIS R. JACKSON
DAVID A. HURTADO
J. MARSHALL WEHUNT
JONATHAN J. SMITH
MONTAYA W. HO-SANG¹
TRISTAN B. MORRISON²
WILLIAM S. WARHAM²
W. COLLINS BROWN
ROBERT A. BUTLER
COLLEEN K. HORN²
GRAHAM P. ROBERTS
DAVID J. OTTEN²
JONATHAN B. PUTRELL
JOSHUA D. ANTERS²
MORBERT O. HUMMEL, IV
DAVID P. COMLEY
LYNDBREY J. HURST

B. CHASE ELLERY
G. BARDON HOOKS
DAPHNE S. WITHROW
WILLIAM W. MCGOWAN, III²
TYLER R. MORGAN²
MARIANNA L. JABLONSKI²

OF COUNSEL:
JOHN L. SKELTON, JR.²

¹ ALSO ADMITTED IN TN
² ALSO ADMITTED IN FL
³ ALSO ADMITTED IN GA
⁴ ALSO ADMITTED IN TX
⁵ ALSO ADMITTED IN AL
⁶ ALSO ADMITTED IN KY
⁷ ALSO ADMITTED IN NC
⁸ ALSO ADMITTED IN MO
⁹ ADMITTED ONLY IN TN
⁰ ADMITTED ONLY IN FL

September 16, 2013

Via E-mail and First-Class Mail

Mr. Wade H. Goetz
Baker Dennard & Goetz
Suite 1225
3424 Peachtree Road
Atlanta, Georgia 30326

Min. Bk. 70 Petition No. Z-55
Doc. Type letter of agreeable
conditions
Meeting Date 9/17/13

RE: Application for Rezoning – Application No. Z-55 (2013)
Applicant: Riverview Office, LLC
Property Owner: Crescent Communities, LLC
Property: 6.658 acres, more or less, located at the northerly intersection of Cumberland Boulevard with Cobb Galleria Parkway, Land Lots 1014 and 1015, 17th District, 2nd Section, Cobb County, Georgia

Dear Mr. Goetz:

This letter will respond to your e-mail to Mr. John P. Pederson, Cobb County Zoning Administrator, dated Friday, September 13, 2013, a copy of which is attached hereto and incorporated herein by reference.

The first issue raised is interparcel access. Our proposed site plan shows the interparcel access reflected thereon as “proposed.” Applicant fully agrees that there shall be no interparcel access established between the two respective properties until such time as the owners thereof so agree.

The second issue raised is possible encroachment by the proposed townhomes on an existing easement in favor of your property. In this regard, Applicant agrees that no townhomes or other structures shall be placed upon or within any easement areas to which you have rights.

COBB COUNTY RECORDS
 2013 SEP 10 PM 4:01
 COBB COUNTY ZONING DIVISION

MOORE INGRAM JOHNSON & STEELE

Mr. Wade H. Goetz
Baker Dennard & Goetz
Page 2 of 3
September 16, 2013

Petition No. 2-55
Meeting Date 9/17/13
Continued

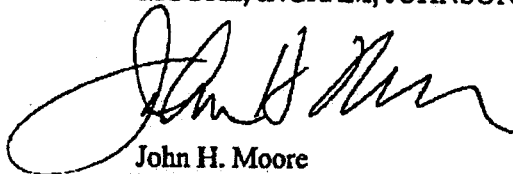
The last issue raised by your e-mail is the notation on the Zoning Site Plan as to a "billboard." In this regard, Applicant agrees that there shall be no billboard proposed or approved by the Cobb County Board of Commissioners as a result of this rezoning request.

Pursuant to our conversation of this date regarding the foregoing, we agree to submit this letter as additional stipulations for the proposed rezoning at the hearing before the Cobb County Board of Commissioners on Tuesday, September 17, 2013.

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP



John H. Moore

JHM:cc

Attachment

c: Cobb County Board of Commissioners:

Timothy D. Lee, Chairman

Helen C. Goreham

Robert J. Ott

Joanne Birrell

Lisa N. Cupid

(With Copy of Attachment)

(Via E-mail Only)

Mike Terry, Chairman

Cobb County Planning Commission

(With Copy of Attachment)

(Via E-mail Only)

COBB COUNTY ZONING DIVISION
2014 FEB 10 PM 4:01

MOORE INGRAM JOHNSON & STEELE

Mr. Wade H. Goetz
Baker Dennard & Goetz
Page 3 of 3
September 16, 2013

Petition No. 2-55
Meeting Date 9/17/13
Continued

c: John P. Pederson, AICP
Zoning Administrator
Zoning Division
Cobb County Community Development Agency
(With Copy of Attachment)
(Via E-mail Only)

Jason A. Campbell
Planner III
Zoning Division
Cobb County Community Development Agency
(With Copy of Attachment)
(Via E-mail Only)

Deborah L. Dance, Esq.
Joseph B. Atkins, Esq.
Cobb County Attorney's Office
(With Copy of Attachment)
(Via E-mail Only)

Karen L. King
Assistant County Clerk
(With Copy of Attachment)
(Via E-mail Only)

Lori P. Barton
Deputy County Clerk
(With Copy of Attachment)
(Via E-mail Only)

Riverview Office, LLC
(With Copy of Attachment)
(Via E-mail Only)

COBB COUNTY RECORDS
PHILIP H. HARRIS
2014 FEB 10 PM 4:01
COBB COUNTY ZONING DIVISION

APPLICANT: Riverview Office, LLC PETITION NO.: Z-55

PRESENT ZONING: OHR PETITION FOR: RRC

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
Cumberland Boulevard	19,000	Arterial	35 mph	Cobb County	100'
Cobb Galleria Parkway	4700	Major Collector	35 mph	Cobb County	80'

*Based on 2007 traffic counting data taken by Cobb DOT (Cumberland Boulevard)
Based on 2007 traffic counting data taken by Cobb DOT (Cobb Galleria Parkway)*

COMMENTS AND OBSERVATIONS

Cumberland Boulevard is classified as an arterial and according to the available information the existing right-of-way does meet the minimum requirements for this classification.

Cobb Galleria Parkway is classified as a minor collector and according to the available information the existing right-of-way does meet the minimum requirements for this classification.

RECOMMENDATIONS

Recommend no access to Cumberland Boulevard.

Recommend a traffic study.

Recommend a FAA study.

Recommend a deceleration lane for all access points on Cobb Galleria Parkway.

Recommend replacing any disturbed concrete curb, gutter, and wide sidewalk.

Recommend a minimum intersection sight distance of 390 feet be maintained for all full access points on Cobb Galleria Parkway.

Recommend a minimum intersection sight distance of 335 feet be maintained for the right in/right out access on Cobb Galleria Parkway.

Recommend developer contribute 100% of the cost for a traffic signal at the southern entrance, if installation is approved by Cobb County DOT.

Recommend modifying pavement markings for left turn lane on Cobb Galleria Parkway.

App. No. 70 Petition No. Z-55
Type revised DOT
comments 9/17/13

2013 FEB 10 PM 4:01
COBB COUNTY ZONING DEPARTMENT
5150 HUNTERS BLVD
CUMBERLAND BOULEVARD

Recommend all access points angle of intersection not be at an interior angle less than 85 degrees per Cobb County Development Standards.

Recommend the applicant consider inter-parcel access with the adjacent property owner.

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

Petition No. 2-55
Meeting Date 9/17/13
Continued

COBB COUNTY GEORGIA
PLANNING DEPARTMENT
2014 FEB 10 PM 4:01
COBB COUNTY ZONING DEPARTMENT

**MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
NOVEMBER 19, 2013
9:00 A.M.**

The Board of Commissioners' Zoning Hearing was held on Tuesday, November 19, 2013 at 9:00 a.m. in the second floor public meeting room of the Cobb County building, Marietta, Georgia. Present and comprising a quorum of the Board were:

Chairman Tim Lee (arrived at 11:19 a.m.)
Vice Chair JoAnn Birrell
Commissioner Lisa Cupid
Commissioner Helen Goreham
Commissioner Bob Ott

O.B. 4 To consider a stipulation amendment for Riverview Office, LLC regarding rezoning application Z-55 of 2013 (Riverview Office, LLC), for property located on the east side of Cobb Galleria Parkway and Cumberland Boulevard, and on the southwest side of Interstate 75, in Land Lots 1014 and 1015 of the 17th District.

Mr. Pederson provided information regarding a stipulation amendment. The public hearing was opened and there being no speakers, the hearing was closed. Following presentation and discussion, the following motion was made:

MOTION: Motion by Ott, second by Birrell, to **approve** Other Business Item No. 4 for stipulation amendments regarding for Riverview Office, LLC, application Z-55 of 2013 (Riverview Office, LLC), for property located on the east side of Cobb Galleria Parkway and Cumberland Boulevard, and on the southwest side of Interstate 75, in Land Lots 1014 and 1015 of the 17th District **subject to:**

- **Exhibit B received by the Zoning Division November 8, 2013 (attached and made a part of these minutes)**
- **All previous stipulations and conditions, *not otherwise in conflict*, to remain in effect**

VOTE: ADOPTED unanimously

COBB COUNTY ZONING DIVISION
2014 FEB 10 PM 4:01
COBB COUNTY ZONING DIVISION

Min. Bk. 70 Petition No. 034

Doc. Type Exhibit B

Meeting Date 11/19/13

**EXHIBIT "B" – AMENDMENT TO ATTACHMENT TO
APPLICATION FOR "OTHER BUSINESS"
(STIPULATION AMENDMENT)
(Amended November 8, 2013)**

Application No.: Z-55 (2013)
Original Hearing Date: September 17, 2013
Date of Zoning Decision: September 17, 2013
Current Hearing Date: November 19, 2013

COBB COUNTY GEORGIA
FILED IN OFFICE
2013 NOV -8 PM 3:14
COBB COUNTY ZONING DIVISION

BEFORE THE COBB COUNTY BOARD OF COMMISSIONERS

Applicant: Riverview Office, LLC
Titleholder: Crescent Communities, LLC, a Georgia limited liability company; f/k/a Crescent Resources, LLC, a Georgia limited liability company; f/k/a Crescent Resources of Georgia, Inc., a Georgia corporation, successor by merger to Crescent Resources, Inc., a South Carolina corporation

Exhibit "B," Attachment to Application for "Other Business," filed on October 15, 2013, regarding Other Business Item No. 4 pending for hearing before the Cobb County Board of Commissioners on November 19, 2013, shall be deleted in its entirety and replaced in full, as follows:

The property which is the subject of this Application for "Other Business" is 6.658 acres, more or less, and is located at the northerly intersection of Cumberland Boulevard with Cobb Galleria Parkway, southwesterly of Interstate 75, in Land Lots 1014 and 1015, 17th District, 2nd Section, Cobb County, Georgia (hereinafter "Property" or "Subject Property"). The Property was rezoned to the Regional Retail Commercial ("RRC") zoning classification by the Cobb County Board of Commissioners on September 17, 2013, to allow its use as a mixed-use development.

With the filing of this Application for "Other Business," Applicant seeks the amendment of stipulations as to the office and residential components of the proposed development, more particularly set forth in the letter of agreeable stipulations and conditions dated September 11, 2013, as follows:

A. Applicant proposes the deletion of the stipulation found on page 8, section titled "Office Component," subparagraph (1), of the September 11, 2013, letter of agreeable stipulations and conditions, which reads as follows:

- (1) The office component of the proposed development shall consist of a maximum 10-story office tower containing approximately 225,000 square feet. The 10-story maximum does not include the two levels of parking underneath the building and plaza.

**MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
MARCH 18, 2014
9:00 A.M.**

The Board of Commissioners' Zoning Hearing was held on Tuesday, March 18, 2014 at 9:00 a.m. in the second floor public meeting room of the Cobb County building, Marietta, Georgia. Present and comprising a quorum of the Board were:

Vice Chair Bob Ott
Commissioner JoAnn Birrell
Commissioner Lisa Cupid
Commissioner Helen Goreham

Not Present: Chairman Tim Lee

O.B. 2 To consider stipulation and site plan amendments for Oxford Properties, LLC regarding rezoning application Z-55 of 2013 (Riverview Office, LLC), for property located on the east side of Cobb Galleria Parkway and Cumberland Boulevard, and on the southwest side of Interstate 75, in Land Lots 1014 and 1015 of the 17th District.

Mr. Pederson provided information regarding a stipulation and site plan amendment. The public hearing was opened and Mr. John Moore addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by Ott, second by Birrell, to approve Other Business Item No. 2 for stipulation and site plan amendment regarding Oxford Properties, LLC for rezoning application Z-55 of 2013 (Riverview Office, LLC), for property located on the east side of Cobb Galleria Parkway and Cumberland Boulevard, and on the southwest side of Interstate 75, in Land Lots 1014 and 1015 of the 17th District subject to:

- **Revised site plan received by the Zoning Division March 12, 2014 (attached and made a part of these minutes)**
- **Rendering received by the Zoning Division March 12, 2014, with District Commissioner approving final architecture (attached and made a part of these minutes)**
- **Letters of agreeable conditions from Mr. John Moore dated February 10, 2014 and March 12, 2014 (attached and made a part of these minutes)**
- **All previous stipulations and conditions, *not otherwise in conflict*, to remain in effect**

VOTE: ADOPTED 4-0, Lee absent

MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP
WWW.MIJS.COM

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
JERE C. SMITH
CLAYTON O. CARMACK
KEVIN B. CARLOCK†
ALEXANDER T. GALLOWAY III†
J. KEVIN MOORE
RODNEY R. McCOLLOCH
SUSAN S. STUART
BRIAN D. SMITH
HARRY R. TEAR III
W. TROY HART†‡
JEFFREY A. DAXE
KIM A. ROPER
VICTOR P. VALMUS
WILLIAM R. WINDERS, JR. ^

ANGELA H. SMITH†
JOYCE W. HARPER
CHRISTOPHER C. MINGLEDORFF‡
ANGELA D. TARTLINE
CAREY E. OLSON*
CHARLES E. PIERCE*
PRESTON D. HOLLOWAY
WILMA R. BUSH
GREGORY H. FULLER*
VERONICA L. RICHARDSON
TODD I. HEIRD*
ALEXANDER B. MORRISON*
DOUGLAS W. BUTLER, JR.
APRIL R. HOLLOWAY
CARLA C. WESTER‡
ADON J. SOLOMON*
AMY L. JETT*
JEFF C. MORMAN*
RYAN M. INGRAM
SHAWN G. SHELTON
KRISTEN C. STEVENSON*
CARLY R. FEDELE

MARIETTA, GEORGIA
EMERSON OVERLOOK
326 ROSWELL ST
MARIETTA, GEORGIA 30060
TELEPHONE (770) 429-1499

KNOXVILLE, TENNESSEE
408 N. CEDAR BLUFF RD • STE 500
KNOXVILLE, TENNESSEE 37923
TELEPHONE (865) 692-9039

JACKSONVILLE, FLORIDA
10151 DEERWOOD PARK BLVD • BLDG 200, STE 250
JACKSONVILLE, FLORIDA 32256
TELEPHONE (904) 428-1465

NASHVILLE, TENNESSEE
3200 WEST END AVE • STE 500
NASHVILLE, TENNESSEE 37203
TELEPHONE (615) 425-7347

LOUISVILLE, KENTUCKY
9900 CORPORATE CAMPUS DR • STE 3000
LOUISVILLE, KENTUCKY 40223
TELEPHONE (502) 410-6021

CHARLESTON, SOUTH CAROLINA
4000 S. FABER PLACE DR • STE 300
CHARLESTON, SOUTH CAROLINA 29405
TELEPHONE (843) 302-0002

SARAH H. BEST*†
RYAN C. EDENS*
JULIE C. FULLER*
JODI B. LODEN*
TAMMI L. BROWN
TRAVIS R. JACKSON
DAVID A. HURTADO
J. MARSHALL WEHUNT
JONATHAN J. SMITH
MONTOYA M. HO-SANG†
TRISTAN B. MORRISON****
WILLIAM B. WARIHAY*
W. COLLINS BROWN
ROBERT A. BUTLER
COLLEEN K. HORN*****
GRAHAM P. ROBERTS
DAVID J. OTTEN*
JONATHAN S. FUTRELL
JOSHUA D. ARTERS*
NORBERT D. HUMMEL, IV
DAVID P. CONLEY
LYNDESEY J. HURST

B. CHASE ELLEBY
G. BARDIN HOOKS
DAPHNE S. WITHROW
WILLIAM W. MCGOWAN, II†
TYLER R. MORGAN*
MARIANNA L. JABLONSKI*

OF COUNSEL:
JOHN L. SKELTON, JR.†

† ALSO ADMITTED IN TN
* ALSO ADMITTED IN FL
**** ALSO ADMITTED IN CA
^ ALSO ADMITTED IN TX
• ALSO ADMITTED IN AL
‡ ALSO ADMITTED IN KY
‡ ALSO ADMITTED IN SC
* ALSO ADMITTED IN NC
• ADMITTED ONLY IN TN
◇ ADMITTED ONLY IN FL

EXHIBIT "1" TO APPLICATION FOR "OTHER BUSINESS"

February 10, 2014

Hand Delivered

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

RE: Application for "Other Business" - Application No. Z-55 (2013)

Applicant: Oxford Properties, LLC
Property Owner: GP-RV Land I, LLC
Property: 6.658 acres located at the northerly intersection of Cumberland Boulevard with Cobb Galleria Parkway, southwesterly of Interstate 75, Land Lots 1014 and 1015, 17th District, 2nd Section, Cobb County, Georgia

Dear John:

The undersigned and this firm represent Oxford Properties, LLC, the Applicant (hereinafter referred to as "Applicant"), and GP-RV Land I, LLC, the Property Owner (hereinafter referred to as "Property Owner"), in this Application for "Other Business" with regard to a total tract of 6.658 acres, more or less, located at the northerly intersection of Cumberland Boulevard with Cobb Galleria Parkway, southwesterly of Interstate 75, Land Lots 1014 and 1015, 17th District,

COBB COUNTY ZONING DEPARTMENT
2/10/2014 10:59:59 AM
C:\Users\jpederson\Documents\Z-55 (2013)\EXHIBIT 1 TO APPLICATION FOR OTHER BUSINESS

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Page 2 of 11
February 10, 2014

COBB COUNTY GEORGIA
OFFICE OF THE CLERK
2014 FEB 10 PM 3:59
COBB COUNTY ZONING DIVISION

2nd Section, Cobb County, Georgia (hereinafter referred to as the “Property” or the “Subject Property”). The Property was rezoned to the Regional Retail Commercial (“RRC”) zoning category by the Cobb County Board of Commissioners on September 17, 2013. Subsequently, on November 19, 2013, the Board of Commissioners approved a minor stipulation amendment regarding the Office Component.

Applicant and Property Owner now seek approval of a revised Zoning Site Plan and revised stipulations through this Application for “Other Business,” which, if approved, as submitted, shall supersede and replace in full the previously approved Zoning Site Plan and stipulations previously approved by the Board of Commissioners on September 17, 2013, and November 19, 2013, and shall be binding upon the Subject Property. The revised stipulations are as follows:

- (1) The stipulations and conditions set forth herein shall replace and supersede in full any and all prior stipulations and conditions, in whatsoever form, which are currently in place on the Subject Property; together with any and all Departmental Comments and Staff Recommendations relating to the Subject Property from any prior zoning actions.
- (2) Development of the Subject Property shall be to the Regional Retail Commercial (“RRC”) zoning category, as previously approved by the Cobb County Board of Commissioners on September 17, 2013, and shall be site plan specific to the revised Zoning Site Plan prepared for Applicant by Croy Engineering, LLC, dated February 10, 2014, and filed contemporaneously herewith. A reduced copy of the revised Zoning Plan is attached to this stipulation letter for ease of reference as Exhibit “1-A” and incorporated herein by reference.
- (3) The Subject Property consists of approximately 6.658 acres of total site area and shall be developed for a mixed-use development consisting of office, retail, and residential.

STIPULATIONS APPLICABLE TO THE OVERALL DEVELOPMENT

- (1) There shall be the following access/entrances to the proposed development as more particularly shown and reflected on the referenced Zoning Site Plan:
 - (a) The main entrance shall be located on Cobb Galleria Parkway at a median break and shall consist of four lanes, with two lanes dedicated to entering

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
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COBB COUNTY ZONING DIVISION

the development and two lanes dedicated to exiting the development. There will be no “gating” of the development at the main entrance; but rather, the “gating” shall be located farther into the parking deck to allow more room for stacking of vehicles.

- (b) There shall be a second entrance located on Cobb Galleria Parkway as shown and reflected on the referenced Zoning Site Plan which shall be right-in/right-out only.
 - (c) There shall also be a fire lane access for emergency access by fire trucks only located on Cobb Galleria Parkway as more particularly shown and reflected on the referenced Zoning Site Plan. There shall be no median break for this access. The access will be gated and no vehicles allowed except fire trucks.
- (2) There shall be a traffic signal installed at the project’s main entrance on Cobb-Galleria Parkway, in the location as shown and reflected on the referenced revised Zoning Site Plan. Applicant shall be responsible for and pay to the Cobb County Department of Transportation all costs associated with the design and installation of the referenced traffic signal.
 - (3) Signage for the proposed overall development shall be ground-based, monument-style signage, with the finish, materials, and color being in conformity with the architecture and design of the various components. Such signage shall contain no flashing sign components. There shall be a monument sign located at the intersection of Cumberland Boulevard and Cobb Galleria Parkway; a monument sign located at the main entrance on Cobb Galleria Parkway; and building signage located on the building and wall adjacent to Interstate 75, all as more particularly shown and reflected on the referenced Zoning Site Plan.
 - (4) The entrance areas, together with all islands and planted areas, shall be professionally designed, landscaped, and maintained. These areas shall be part of the overall landscape plan approved by staff as part of the plan review process.
 - (5) Lighting within the proposed development shall be environmentally sensitive, decorative, and themed to the architecture and style of the respective components of the development.

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
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COBB COUNTY ZONING DIVISION

- (6) Additionally, hooded security lighting shall be utilized on the exteriors of the buildings and throughout the walkways, surface parking areas, and parking deck areas; excepting only, the individual townhome units which shall utilize only decorative, themed lighting as described above.
- (7) There shall be no tenant vehicles or vehicles of any type parked in front of the proposed buildings containing tenant identification signage or advertising signage. This provision shall be contained within any lease between Applicant and any prospective tenant, and Applicant agrees to enforce these provisions against any tenant which violates the foregoing. Additionally, there shall be no vehicles parked in front of the proposed retail centers with "for sale" signs posted thereon.
- (8) Setbacks for the components of the overall proposed development shall be as more particularly shown and reflected on the referenced Zoning Site Plan.
- (9) Minor modifications to the within stipulations, the referenced revised Zoning Site Plan, lighting, landscaping, architecture, site features, and the like, may be approved by the District Commissioner, as needed or necessary, except for those that:
 - (a) Increase the density of a residential project or the overall square footage of a non-residential project;
 - (b) Reduce the size of an approved buffer adjacent to a property that is zoned the same or in a more restrictive zoning district;
 - (c) Relocate a structure closer to the property line of an adjacent property that is zoned the same or in a more restrictive zoning district;
 - (d) Increase the height of a building that is adjacent to a property that is zoned the same or in a more restrictive zoning district; or
 - (e) Change an access location to a different roadway.
- (10) All setbacks and buffer areas may be penetrated for purposes of access, utilities, and stormwater management, including, but not limited to, detention/retention

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
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facilities, drainage facilities, and any and all slopes or other required engineering features of the foregoing.

- (11) Applicant agrees to comply with all Cobb County development standards and ordinances relating to project improvements, except as approved by the Board of Commissioners or by the Department of Transportation or Community Development Agency, as their authority may allow.
- (12) All streets within the proposed development shall be private with the construction therefor complying in all respects as to materials, base, and other requirements to the Cobb County Code.
- (13) All landscaping referenced herein shall be approved by the Cobb County Arborist as part of the plan review process and incorporated into the overall landscape plan for the proposed development.
- (14) Applicant agrees to comply with all Cobb County Stormwater Management requirements applicable to the Subject Property.
- (15) All utilities for the proposed overall development shall be located underground.
- (16) The following uses shall be prohibited from the proposed overall development:
 - (a) Video arcades as a primary use;
 - (b) Adult-themed bookstores as a primary use;
 - (c) Automotive sales, leasing, repair, and/or service facilities;
 - (d) Gas stations and self-service gas stations that sell gas and convenience stores;
 - (e) Truck and trailer leasing facilities;
 - (f) Automotive paint and body repair shops;
 - (g) Automotive upholstery shops;

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
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Cobb County Zoning Division

- (h) Billiards and pool halls which are the sole or predominant use;
 - (i) Bus stations (not to exclude bus stops);
 - (j) Fraternity and sorority house;
 - (k) Full-service gas stations;
 - (l) Light automotive repair;
 - (m) Rooming houses and boarding houses;
 - (n) Any form of adult entertainment business; and
 - (o) Nightclubs and bars, except that same would be permitted within a restaurant or hotel provided that they are an integral part of a restaurant or hotel operation.
- (17) As to the overall development, there shall be “zero lot lines” among the various components within the development so as to allow for the free flow of access, parking, and the like.
- (18) There shall be a minimum of six hundred forty-four (644) on-site parking spaces for the proposed overall development. According to Cobb County Code, there are six hundred thirty-three (633) parking spaces required.
- (19) There shall not be required decel lanes at the entrances to the proposed Project. However, if the Cobb County Department of Transportation should later believe that, due to traffic issues presented, decel lanes in some form are required, then the Cobb County Department of Transportation shall present a request therefor to the Cobb County Board of Commissioners in “Other Business,” and the Board shall determine whether to require a decel lane or lanes and the exact requirements therefor. If the Board of Commissioners decides that a decel lane or lanes are required, Applicant agrees to install and construct said lane(s) at its sole cost and expense.
- (20) Applicant agrees that there shall be no interparcel access established between Applicant and the Galleria 75 property unless and until the owners of each

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
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respective property so agree. Applicant further agrees that no townhomes or other structures shall be placed upon or within any easement area to which the Cobb Galleria 75 property has rights.

- (21) Applicant agrees that there shall be no billboard proposed or approved by the Cobb County Board of Commissioners as a result of this Application for “Other Business” request.
- (22) Applicant will not seek any tax incentives for the proposed project.

I. RESIDENTIAL COMPONENT

- (1) The residential component of the proposed development shall have a maximum of three hundred forty-four (344) residential leased units, be as follows:
 - (a) A maximum of twelve (12) townhome units which shall be located as more particularly shown and reflected on the Zoning Site Plan submitted herewith. Specifics as to the townhomes are as follows:
 - (i) Maximum of three (3) stories in height;
 - (ii) Minimum 1,600 square feet, and greater;
 - (iii) Traditional in style and architecture;
 - (iv) Exterior façade consisting of brick, stone, stacked stone, stucco-type cementious siding, and combinations thereof. The District Commissioner shall approve all final elevations.
 - (b) A maximum of three hundred thirty-two (332) units shall be contained within a maximum of six (6) stories, not including the parking deck, as more particularly shown and reflected on the Zoning Site Plan submitted herewith. Specifics as to the units are as follows:
 - (i) Units shall consist of one and two bedrooms;
 - (ii) Unit size shall range from a minimum of 540 square feet to 1,300 square feet, and greater; and
 - (iii) Building architecture and exterior façade shall be substantial conformity to the renderings to be presented at the hearing before

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
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COBB COUNTY GEORGIA
PLANNING DEPARTMENT
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the Cobb County Board of Commissioners. The District Commissioner shall approve all final elevations.

- (2) Floor plans and finishes for the residential units shall consist, at a minimum, of the following:
 - (a) Enhanced corian, granite, or marble counter tops, or other solid surface materials;
 - (b) Minimum ceiling heights:
 - i) Minimum 9 feet, except in furred-down areas, from floor to finished ceiling and greater; and
 - ii) Minimum 10 feet between floors;
 - (c) European or upscale wooden face-frame cabinetry;
 - (d) Top-of-the line appliances;
 - (e) A selection of faux hardwood flooring, high-end carpet, and tile throughout;
 - (f) Spacious open floor plans;
 - (g) Brushed chrome, brushed nickel, or oiled rubbed bronze bathroom and kitchen fixtures;
 - (h) Spacious walk-in closets;
 - (i) High-speed internet wiring in all rooms of each unit;
 - (j) Tubs with showers;
 - (k) Six feet, eight inch (6'8") to eight (8) foot entry doors subject to fire rating;
 - (l) Energy-efficient construction which will meet or exceed the Georgia Energy Code;

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
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- (m) Double-paned, insulated windows in all units; and
 - (n) Controlled access to the project.
- (3) All residents of the proposed residential community shall have access to and use and enjoyment of the amenity areas, which will include the following:
- (a) Pool;
 - (b) Fitness center;
 - (c) Clubroom;
 - (d) Business center or internet café;
 - (e) Courtyards.
- (4) The residents within the proposed residential community will utilize a compactor system for refuse.
- (5) All residential units, including townhomes units, within the proposed residential community may be leased. The units shall be converted to “for sale” units at such time as market conditions allow as determined by the primary lending institution, at any given time, financing the subject development.
- (6) During the period of time residential units shall be leased, and prior to conversion to “for sale” units, all residential units, including townhome units, shall be subject to the Cobb County Condominium Ordinance, as more particularly set forth in the Cobb County Zoning Ordinance; and shall not be subject to the Georgia Condominium Act.
- (7) However, upon conversion of the units to “for sale” condominium units, the units shall be made subject to the Georgia Condominium Act and shall comply in all respects therewith. The submission of these units to the Georgia Condominium Act shall be concurrent with the conversion of the units to “for sale” units. Upon such conversion, Applicant agrees to the recording and enforcement of a Declaration of Condominium which shall contain covenants, rules, and regulations applicable to the proposed residential condominium community.
- (8) Additionally, and in conjunction with the submission of the community to the Georgia Condominium Act, Applicant agrees to the creation of a mandatory

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
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condominium association which shall be responsible for the upkeep and maintenance of the entrance areas, all common areas, amenity areas, and the like, contained within the residential condominium community.

- (9) Upon conversion of the units to “for sale” units, there shall be established a restrictive covenant which limits the number of units which can be leased or rented at any one time to a maximum of ten (10) percent of the total number of units, or as allowed by any federal agency.

III. RETAIL/OFFICE COMPONENT

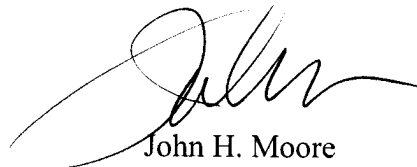
- (1) There shall be a maximum of 10,000 square feet of retail/office space which shall be located within the mid-rise residential building.

We believe the development of the project, pursuant to the revised Zoning Site Plan and the revised stipulations set forth herein, is an appropriate use of the Subject Property. The proposed community is an exciting project which fits together various types of product into one development. The proposed development shall promote the “live where you work” concept; shall be of the highest quality; shall be compatible with surrounding retail developments, businesses, and neighborhoods; and shall be an enhancement to the Subject Property and Cobb County as a whole. Thank you for your consideration in this request.

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP



John H. Moore

JHM:cc
Attachment

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
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February 10, 2014

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COBB COUNTY ZONING DIVISION

- c: Cobb County Board of Commissioners:
 - Timothy D. Lee, Chairman
 - Helen C. Goreham
 - Robert J. Ott
 - Joanne Birrell
 - Lisa N. Cupid
 - (With Copy of Attachment)

- Mike Terry, Chairman
Cobb County Planning Commission
(With Copy of Attachment)

- Wade Goetz
Area Property Owner
(With Copy of Attachment)
(Via E-mail Only)

- Oxford Properties, LLC
(With Copy of Attachment)



GSWCC CERT # 5769
 PROJECT # 1720.07
 DRAWN BY UNCHECKED BY
 ALG JWW
 DATE 12-10-14
 SHEET NUMBER 1

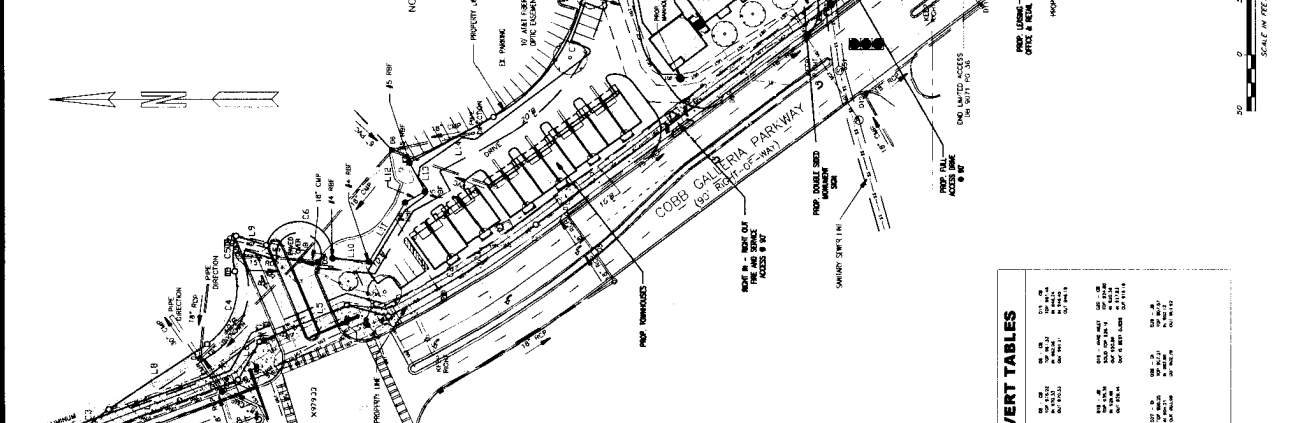
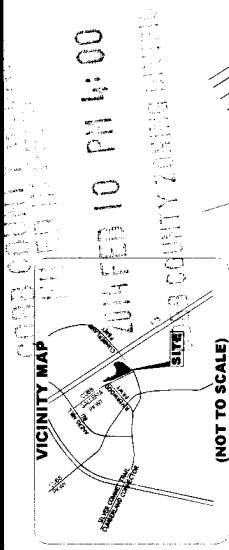
BUILDING AREA / UNIT COUNT

132 MULTI-FAMILY UNITS TOTAL
 PARKING REQUIRED 1.75 PER UNITS - TOTAL 231 SPACES
 12 TOWNHOMES TOTAL
 PARKING REQUIRED 2.1 PER UNITS - TOTAL 24 SPACES
 6,000 SQ. FT. OFFICE
 PARKING REQUIRED 3.0 PER 10,000 SF - TOTAL 20 SPACES
 1,000 SQ. FT. RETAIL
 PARKING REQUIRED 1.0 PER 200 SQ. FT. - TOTAL 8 SPACES
 PARKING REQUIRED 433 SPACES

PARKING COUNT

610 SPACES PARKING DECK
 34 SPACES (TOWNHOME & STREET PARKING)
 644 TOTAL PARKING SPACES PROVIDED

NOTES:
 1. TOTAL SITE ADDRESS IS 602 ACRES.
 2. THE PROPOSED DEVELOPMENT IS SITED ON A 4.16 AC SUBLOT BY LOT 100 ENGINEERING, LLC DATED MAY 20, 2013.
 3. THE PROPOSED DEVELOPMENT IS SITED ON A 4.16 AC SUBLOT BY LOT 100 ENGINEERING, LLC DATED MAY 20, 2013.
 4. ACCORDING TO THE 2011 FLOOD INSURANCE RATE (FIRM) COMMUNITY PANEL FOR DEKALB COUNTY, GEORGIA, THE PROPERTY DOES NOT LIE WITHIN A 100 YEAR FLOOD ZONE AS THERE ARE NO CHANNELS LOCATED ON THIS PROPERTY.



LINE NUMBER	LENGTH	DIRECTION	INVERT	PIPE LENGTH
C1	131.00	N42°25'20"E	621.77	131.00
C2	153.00	N42°25'20"E	621.77	153.00
C3	41.50	S44°12'01"E	125.78	41.50
C4	69.26	S58°57'17"E	59.93	69.26
C5	31.43	S48°53'35"E	58.02	31.43
C6	76.04	S11°27'40"W	30.07	68.10
C7	189.28	S34°55'45"E	107.14	202.22
C8	193.79	N47°24'25"E	129.82	208.77
C9	7.91	N47°24'25"E	129.82	7.91
C10	202.22	S34°55'45"E	107.14	202.22
C11	36.10	N47°24'25"E	129.82	36.10
C12	37.88	N47°12'31"E	121.51	37.88
C13	84.11	N47°12'31"E	121.51	84.11
C14	142.38	N48°45'48"E	108.82	142.38
C15	109.46	S58°04'30"E	56.82	109.46
C16	128.50	S38°27'07"E	68.10	128.50
C17	168.59	S07°25'56"E	25.56	168.59
C18	70.75	S20°04'05"W	10.00	70.75
C19	44.21	S20°04'05"W	10.00	44.21
C20	91.40	S18°09'11"W	11.74	91.40

STORM AND SANITARY SEWER INVERT TABLES

LINE NUMBER	LENGTH	DIRECTION	INVERT	PIPE LENGTH
S1	131.00	N42°25'20"E	621.77	131.00
S2	153.00	N42°25'20"E	621.77	153.00
S3	41.50	S44°12'01"E	125.78	41.50
S4	69.26	S58°57'17"E	59.93	69.26
S5	31.43	S48°53'35"E	58.02	31.43
S6	76.04	S11°27'40"W	30.07	68.10
S7	189.28	S34°55'45"E	107.14	202.22
S8	193.79	N47°24'25"E	129.82	208.77
S9	7.91	N47°24'25"E	129.82	7.91
S10	202.22	S34°55'45"E	107.14	202.22
S11	36.10	N47°24'25"E	129.82	36.10
S12	37.88	N47°12'31"E	121.51	37.88
S13	84.11	N47°12'31"E	121.51	84.11
S14	142.38	N48°45'48"E	108.82	142.38
S15	109.46	S58°04'30"E	56.82	109.46
S16	128.50	S38°27'07"E	68.10	128.50
S17	168.59	S07°25'56"E	25.56	168.59
S18	70.75	S20°04'05"W	10.00	70.75
S19	44.21	S20°04'05"W	10.00	44.21
S20	91.40	S18°09'11"W	11.74	91.40

MOORE INGRAM JOHNSON & STEELE

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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
JERE C. SMITH
CLAYTON G. GARMACK
KEVIN B. CARLOCK†
ALEXANDER T. GALLOWAY III†
J. KEVIN MOORE
RODNEY R. MCCOLLOCH
SUSAN S. STUART
BRIAN D. SMITH
HARRY R. TEAR III
W. TROY HARRE†
JEFFREY A. DAXE
KIM A. ROPER
VICTOR P. VALMUS
WILLIAM R. WINDERS, JR.*

ANGELA H. SMITH†
JOYCE W. HARPER
CHRISTOPHER C. MINGLEDORFF†
ANGELA D. TARTLINE
CAREY E. OLSON*
CHARLES E. PIERCE*
PRESTON D. HOLLOWAY
WILMA R. BUSH
GREGORY H. FULLER*
VERONICA L. RICHARDSON
TODD I. HEIRD*
ALEXANDER B. MORRISON*
DOUGLAS W. BUTLER, JR.
APRIL R. HOLLOWAY
CARLA C. WESTER*
ADON J. SOLOMON*
AMY L. JETT*
JEFF C. MORMAN*
RYAN M. INGRAM
SHAWN G. SHELTON
KRISTEN C. STEVENSON*
CARLY R. FEDELE

MARIETTA, GEORGIA
EMERSON OVERLOOK
928 ROSWELL ST
MARIETTA, GEORGIA 30066
TELEPHONE (770) 428-1499

KNOXVILLE, TENNESSEE
408 N. CEDAR BLUFF RD • STE 500
KNOXVILLE, TENNESSEE 37923
TELEPHONE (865) 692-9038

JACKSONVILLE, FLORIDA
10151 DEERWOOD PARK BLVD • BLDG 200, STE 250
JACKSONVILLE, FLORIDA 32256
TELEPHONE (904) 428-1485

NASHVILLE, TENNESSEE
3200 WEST END AVE • STE 500
NASHVILLE, TENNESSEE 37203
TELEPHONE (615) 425-7347

LOUISVILLE, KENTUCKY
8908 CORPORATE CAMPUS DR • STE 3000
LOUISVILLE, KENTUCKY 40223
TELEPHONE (502) 419-8021

CHARLESTON, SOUTH CAROLINA
4000 S. FABER PLACE DR • STE 300
CHARLESTON, SOUTH CAROLINA 29405
TELEPHONE (843) 302-0002

SARAH H. BEST*†
RYAN C. EDENS*
JULIE C. FULLER*
JODI B. LODEN*
TAMMI L. BROWN
TRAVIS R. JACKSON
DAVID A. HURTADO
J. MARSHALL WEHUNT
JONATHAN J. SMITH
MONTOYA M. HO-SANG†
TRISTAN B. MORRISON****
WILLIAM B. WARRHAY*
W. COLLINS BROWN
ROBERT A. BUTLER
COLLEEN K. HORN****
GRAHAM P. ROBERTS
DAVID J. OTTEN*
JONATHAN S. FUTRELL
JOSHUA D. ARTERS*
NORBERT D. HUMMEL, IV
DAVID P. CONLEY
LYNDBEY J. HURST

B. CHASE ELLSBY
G. BARDIN HOOKS
DAPHNE S. WITHROW
WILLIAM W. MCGOWAN, III*
TYLER R. MORGAN*
MARIANNA L. JABLONSKI*

OF COUNSEL:
JOHN L. SKELTON, JR.†

† ALSO ADMITTED IN TN
* ALSO ADMITTED IN FL
**** ALSO ADMITTED IN GA
▲ ALSO ADMITTED IN TX
‡ ALSO ADMITTED IN AL
‡ ALSO ADMITTED IN KY
‡ ALSO ADMITTED IN NC
‡ ALSO ADMITTED IN SC
‡ ADMITTED ONLY IN TN
‡ ADMITTED ONLY IN FL

March 12, 2014

Hand Delivered

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

Min. Bk. 71 Petition No. 082
Doc. Type Letter of agreeables
Meeting Date 3/8/14

COBB COUNTY CLERK
 2014 MAR 12 PM 2:03
 0000 COBB COUNTY CLERK

RE: Application for "Other Business" - Application No. Z-55 (2013)
("Other Business Item No. 2")

Applicant: Oxford Properties, LLC
Property Owner: GP-RV Land I, LLC
Property: 6.658 acres located at the northerly intersection of Cumberland Boulevard with Cobb Galleria Parkway, southwesterly of Interstate 75, Land Lots 1014 and 1015, 17th District, 2nd Section, Cobb County, Georgia

Dear John:

On behalf of the Applicant, Oxford Properties, LLC, and the Property Owner, enclosed are revised Zoning Site Plans prepared by Corcoran Architecture and Croy Engineering, LLC, dated March 7, 2014, with regard to the development proposed in the above-referenced Application for "Other Business." These revised Zoning Site Plans supersede those initially submitted with the subject Application filed on February 10, 2014; as well as any other subsequent plans. We, therefore, respectfully request the revised Zoning Site Plans submitted herewith be taken into consideration with the Application from this date forward.

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
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March 12, 2014

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Continued

Also enclosed is a rendering of the proposed development for consideration by the Board of Commissioners at its upcoming meeting on Tuesday, March 18, 2014.

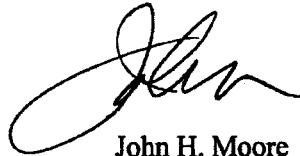
The balance and remainder of the pending Application for "Other Business" is unaltered and unchanged by the submission of the revised Zoning Site Plans and the elevation.

Thank you for your consideration and assistance in this request. If you should have any questions or require additional information or documentation at this time, please do not hesitate to contact me.

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP



John H. Moore

JHM:cc

Attachments

c: Cobb County Board of Commissioners:

Timothy D. Lee, Chairman

Helea C. Goreham

Robert J. Ott

Joann Birrell

Lisa N. Cupid

(With Copies of Attachments)

Mike Terry, Chairman

Cobb County Planning Commission

(With Copies of Attachments)

Wade Goetz

Area Property Owner

(With Copies of Attachments)

(Via E-mail Only)

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
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March 12, 2014

Petition No. OB2
Meeting Date 3/18/14
Continued

c: Oxford Properties, LLC
(With Copies of Attachments)