

Georgia Department of Natural Resources

Lonice C. Barrett, Commissioner

205 Butler Street, S.E., Suite 1058 East Floyd Tower, Atlanta, Georgia 30334

Environmental Protection Division, Water Protection Branch

Alan W. Hallum, Chief

404/656-4708

FAX: 404/656-5723

November 5, 1997

Ms. Beverly Rhea
Review Coordinator
Atlanta Regional Commission
200 Northcreek, Suite 300
3715 Northside Parkway
Atlanta, GA 30327

Re: Development of Regional Impact
Overton, Cobb County

Dear Ms. Rhea:

This will acknowledge receipt of your letter dated October 22, 1997, concerning a Development of Regional Impact (DRI) proposed in Cobb County.

The Georgia Environmental Protection Division (EPD) requires that the project obtain a Land Disturbing Activity permit from Cobb County and follow all the provisions of the Georgia Erosion & Sedimentation Act. EPD also requires that the project comply with all the requirements of the Cobb County Comprehensive Stormwater Management and Stormwater Quality Ordinance.

Sincerely,



Alan W. Hallum, Chief
Water Protection Branch

AWH:azk



United States Department of the Interior

NATIONAL PARK SERVICE
CHATTAHOOCHEE RIVER NATIONAL RECREATION AREA
1978 Island Ford Parkway
Atlanta, GA 30350-3400

IN REPLY REFER TO:

L3215(CHAT)
x102-25

November 5, 1997

Ms. Beverly Rhea
Review Coordinator
Atlanta Regional Commission
3715 Northside Parkway
200 Northcreek, Suite 300
Atlanta, GA 30327-2807

Dear Ms. Rhea:

In response to your request for comments on the Development of Regional Impact (DRI) for the proposed office high rise, hotel and commercial development located on the east side of I-75 and west of the newly constructed Kennedy Parkway and Akers Mill Road, project name Overton, we offer the following:

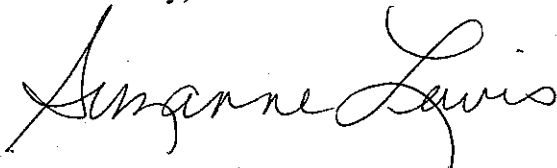
- The National Park Service (NPS) was not able to determine from the information provided what would be the maximum allowable density under the current zoning of RM-12 (Residential Multi-family, 12 units per acre) and OI (Office Institutional) as compared with the requested zoning change to OHR (Office High Rise). The NPS believes this comparison is essential to determine the full Development of Regional Impact, especially concerning the effects on air quality and traffic congestion relative to allowable densities.
- The NPS remains concerned about the impacts from storm water runoff in all of the drainage areas, especially Rottenwood Creek and the Chattahoochee River. The NPS requests that a master drainage plan be prepared for the watershed and reviewed and accepted by all concerned parties prior to taking any action on the final zoning request. The need for this master plan is critical as the current water quality and quantity in the watershed is not at a completely acceptable level and the proposed zoning change would allow for 50% of a currently undeveloped 33 acre tract to be developed into impervious surfaces and thereby potentially further damaging the water quality and quantity without comprehensive and cumulative mitigation measures.

- The condition of the existing sewage lines in this area and their ability to absorb additional capacity such as that associated with this proposed zoning change and development is of major concern, as the NPS has reported on numerous occasions sewage overflows at manholes immediately downstream of Rottenwood Creek within the Paces Mill Unit of the Chattahoochee River National Recreation Area (CRNRA). These sewer overflows have occurred as recently as early October, 1997 during a multi-day heavy rain event. Overflows in this area are consistently reported to Cobb County. In addition to capacity concerns for the sewer lines, the NPS is also concerned about the condition of current sewage lines regarding cracks, leaks and the condition of the main sewer interceptor north of Rottenwood Creek. The NPS believes that these issues should be resolved prior to any final action on the zoning request.
- Of critical importance to the NPS regarding this proposed zoning request is the visual/viewshed impacts on the CRNRA. While the NPS has reviewed a viewshed study regarding the viewshed impacts from Rottenwood Creek, the NPS feels that a similar analysis is needed for that portion of the CRNRA from Long Island Shoals area to I-75 and back up (north) river. The NPS feels this viewshed analysis should address both leaf on and leaf off conditions.
- It should be noted and brought to the attention of the Commission that the majority of the mitigation measures proposed for the CRNRA in Exhibit B of the 1993 Agreement between The Georgia Conservancy and CID regarding the construction of the Kennedy Parkway have not been completed or in many cases even started. Given the relationship between the Agreement and the proposed zoning request, the NPS requests that no final action be taken on this request until a final action plan to complete all elements of Exhibit B of the Agreement has been prepared and agreed upon by all concerned parties.

The CRNRA appreciates the opportunity to offer what we feel are comments on very critical issues regarding the proposed rezoning petition.

Should you have questions or need additional information, please contact our Resource Management Specialist Ted Waters at 770-399-8089.

Sincerely,

A handwritten signature in cursive script that reads "Suzanne Lewis". The signature is written in dark ink and is positioned above the printed name and title.

Suzanne Lewis
Superintendent

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November 6, 1997

VIA TELECOPIER AND U.S. MAIL

Ms. Beverly Rhea, Review Coordinator
Atlanta Regional Commission
200 Northcreek, Suite 300
3715 Northside Parkway
Atlanta, Georgia 30327-2809

Re: Development of Regional Impact Review - Overton

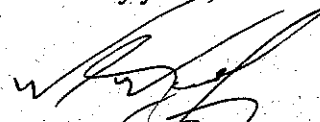
Dear Beverly:

Thank you for the opportunity to review and comment upon the proposed Overton development plan as a Development of Regional Impact (DRI). As you know, The Georgia Conservancy has devoted considerable resources to the objective of having the development of the proposed Cumberland Boulevard (fka Kennedy Parkway) proceed in as environmentally sensitive a manner as possible

Because of the evolving nature of the proposal and because of the very limited time frame in which DRI comments can be framed in response to the notice, the Conservancy is unable at this time to offer a full perspective on the proposed development. We are very pleased, however, with the willingness of the applicant to work with and, in significant part, accommodate our concerns. We will be present at the Land Use & Environment Committee meeting on November 13th and will be able to give a more considered response to the proposal at that time.

Thank you again for the opportunity to comment and please do not hesitate to call if you have any questions.

Sincerely yours,


S. WESLEY WOOLF
 Vice President for
 Environmental Policy

SWW/bs



Your River Your Future

November 5, 1997

TO: Beverly Rhea
FROM: Sally Bethea

RE: DRI Request - Overton Park (Cobb County)

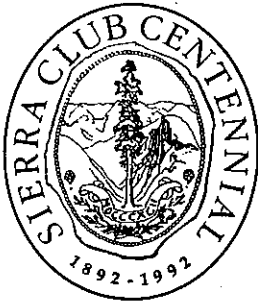
This correspondence is in response to your request for comments on the above-referenced DRI project. Riverkeeper is very familiar with the area to be developed. We have expressed our concerns regarding the impacts of the Kennedy Parkway and associated development on Rottenwood Creek and the Chattahoochee River since Riverkeeper's inception in 1994.

We believe that Hines is making a valid attempt to address the various environmental issues, however, a number of items remain outstanding -- particularly with regard to mitigation measures required under the 1993 Agreement between the Georgia Conservancy and the Cobb CID that have not been implemented, stormwater and erosion control plans and impact on the viewshed.

The attached comment letter from Superintendent Suzanne Lewis to ARC outlines five areas of concern. Until these items are resolved through additional information and/or conversations with Hines, we have no choice but to oppose this DRI request and urge that ARC find the project to be "not in the best interest of the state."

Thank you for the opportunity to provide these comments.

Sally Bethea
Executive Director and Riverkeeper



Sierra Club Georgia Chapter

CENTENNIAL GROUP

Marietta, GA
November 13, 1997

Ms. Beverly Rhea
Atlanta Regional Commission
200 Northcreek, Suite 300
3715 Northside Parkway
Atlanta, GA 30327

Dear Ms. Rhea:

Thank you for the opportunity to comment on the pending Development of Regional Impact proposed for the Kennedy Tract.

The Centennial Group of the Sierra Club is a component of the national organization and the Georgia Chapter. Our local group has about 1,000 members who reside in Cobb, Cherokee, and North Fulton Counties.

Our primary concerns about this proposed highrise development involve the specific location of the site, building scale, transportation, and air quality.

The Chattahoochee River National Recreation Area (CRNRA) was created by legislative action and the expenditure of millions of taxpayer dollars. This worthwhile investment will only increase in value (\$'s and otherwise) as the population of the Atlanta Region climbs, and an hour or so of peace and solitude becomes even more vital. Efforts must be taken to insure that nearby development does not detract from the visitor's experience.

The applicant has provided viewshed analyses to the proposed highrises from the surfaces of Rottenwood Creek and the Chattahoochee River. The preliminary indication is that the new buildings probably will not be seen from these vantage points. However, a great many visitors recreate by hiking on the established trails along ridges and slopes away from the Creek and the River.

We understand that viewsheds are not considered to be impaired by newly proposed buildings if existing buildings can also be seen from the same specific observation points. This guideline may be adequate in some cases, but not in others. Specifically, proximity of the proposed buildings should be taken into account. This should apply to the view of the buildings proposed in this DRI from the trail along the slope on the eastern side of Rottenwood Creek. The proposed 16-story buildings will loom up only a few hundred feet away from the viewer. By contrast, the existing buildings, when visible, are much farther away on the far side of I-75. Furthermore, the cumulative adverse effect of additional buildings should be considered in relation to the viewshed and the park experience.

The proposed development site lies in the approximately eastern quadrant of the I-75/I-285 intersection. This quadrant is mostly CRNRA parkland and lowrise "garden" residential developments. By contrast, the other three quadrants are heavily developed commercial activity centers with numerous highrise buildings.

It is recommended that the eastern quadrant retain its current less urbanized characteristics. Therefore, it is specifically recommended that development of the Kennedy Tract be accomplished under the current zoning classification so as to blend in and be as unobtrusive as possible. This can be done by keeping building height below the mature tree line, plus by advantageously using building design, layout, landscaping, and other techniques. There are examples of human scale commercial development in the metro Atlanta area where this approach has allowed structures to blend into the environment while still deriving productive use of the property.

Heavily developed highrise commercial activity centers, like Cumberland/Galleria, should be served by comprehensive public transportation similar to their successful counterparts in most central business districts. Currently, the automobile is the principal means of transportation to and from the Cumberland/Galleria area. Cobb Community Transit (CCT) provides valuable service via a number of bus lines. However, service is limited with respect to coverage of the county and schedule frequency.

Furthermore, on the regional level, there is no public transportation service to most other nearby counties. For example, public transportation connecting Cherokee County to Cumberland/Galleria does not exist but would be beneficial since 30% of employed Cherokee County residents work in Cobb County.

Increased public transportation is being evaluated at the regional and local levels. However, one must take into account that studies and plans are still in progress, and commitments to expand transit are not firmly established.

Existence of an operational Transportation Management Association (TMA) in the area is a plus. The TMA would have much more to work with if Cobb County and the region were served by comprehensive public transportation.

It is obvious that correcting this deficiency is beyond the capability of the DRI applicant. However, we suggest that lack of comprehensive public transportation serving the area is a serious shortcoming for this proposed major development.

It should be noted that the applicant has proposed beneficial on-site transportation measures including bike and pedestrian facilities, plus shuttle buses running to Cumberland Mall and the new CCT Transfer Center.

Increasing more trips by single occupancy vehicles will increase emissions and worsen air quality. According to the project traffic impact study, I-75 to the North will bear the brunt (45%) of the anticipated increase in trips. (See the previous comment concerning the lack of public transportation to/from Cherokee County.) We understand that this proposed development may add more than the 50 tons per year NOx threshold. We support reasonable criteria like this which will hold future emissions in check.

We understand that on-site controls to handle stormwater from the Kennedy Interchange roads, I-75, and properties to the west of I-75 need to be rectified. Engineering consultants to the applicant have outlined existing shortcomings and improvements which should be made. We strongly suggest that ARC and the appropriate governmental agencies follow up so that these improvements are made regardless of the outcome of this development proposal.

We are also concerned about the capacity of sewer lines and the treatment facility which serve this site. Apparently, lines have overflowed and spilled raw sewage into the Creek. You have indicated that the County has sealed the manhole covers on these lines, corrected infiltration, and is constructing a reliever tunnel. Although you report that the capacity of the R. L. Sutton plant will be increased, will it be completed in time and be of sufficient scale to handle peak flows from current and planned developments in the area? This is a serious matter since the City of Atlanta water intake is only a mile or so downstream from the mouth of Rottenwood Creek.

Again, we appreciate the opportunity to comment on this
Development of Regional Impact.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Robert E. Fletcher".

Robert E. Fletcher
Transportation Issue Coordinator
Centennial Group, Sierra Club
244 Lamplighter Lane
Marietta, GA 30067