



CITY COUNCIL AGENDA ITEM

TO: Mayor & City Council **DATE:** October 15, 2014

FROM: John McDonough, City Manager

AGENDA ITEM: **201401601** - 5950 Mitchell Road, *Applicant: Rockhaven Homes*, to rezone from R-1 (Single Family Dwelling District) to R-4 (Single Family Dwelling District) for the development of a 15-lot subdivision, with concurrent variances

MEETING DATE: For Submission onto the October 21, 2014, City Council Regular Meeting Agenda

BACKGROUND INFORMATION: *(Attach additional pages if necessary)*

See attached:

Memorandum
Rezoning Petition

CITY MANAGER APPROVAL: 

PLACED ON AGENDA FOR: **10/21/2014**

CITY ATTORNEY APPROVAL REQUIRED: () YES () NO

CITY ATTORNEY APPROVAL: 



To: John McDonough, City Manager

From: Angela Parker, Director of Community Development 

Date: October 6, 2014 for submission onto the October 21, 2014 City Council meeting

Agenda Item: **201401601 5950 Mitchell Road** a request to rezone the subject property from R-1 (Single Family Dwelling District) to R-4 (Single Family Dwelling District) to allow for the development of 15 single family lots, with concurrent variances.

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

APPROVAL CONDITIONAL of a request to rezone the subject property from R-1 (Single Family Dwelling District) to R-4 (Single Family Dwelling District) to allow for the development of 15 single family lots, with concurrent variances.

Request:
To rezone the subject property from R-1 (Single Family Dwelling District) to R-4 (Single Family Dwelling District) to allow for the development of 15 single family lots.

Additionally, the applicant is requesting one (1) concurrent variance from the Zoning Ordinance as follows:

1. Variance from section 6.6.3.B. to reduce front yard setback from thirty-five (35) feet to twenty-five (25) feet as shown on the site plan.

PROPERTY INFORMATION	
Address, Land Lot, and District	5950 Mitchell Road Land Lot 123, District 17 th
Council District	3 (Graham McDonald)
Frontage	402.67 feet along Mitchell Road
Area	5.09 acres
Existing Zoning and Use	R-1 (Single Family Dwelling District) developed with a Single Family Home.
Overlay District	N/A
2027 Comprehensive Future Land Use Map Designation	R2-3 (2 to 3 units per acre)
Proposed Zoning	R-4 (Single Family Dwelling District)

APPLICANT/PETITIONER INFORMATION			
Property Owner		Petitioner	
Anne F. Goldthwaite		Rockhaven Homes, LLC	
Community Zoning Information Meeting		Planning Commission Hearing	
May 27, 2014		July 17, 2014 September 18, 2014	
Community Developer Resolution Meeting		Mayor and City Council Hearing	
June 26, 2014		August 19, 2014 October 21, 2014	

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

201401601-APPROVAL CONDITIONAL
201401601 Variances #1 APPROVAL CONDITIONAL

PLANNING COMMISSION- September 18 2014

The petition was heard at the September 18, 2014 Planning Commission meeting. Nickles moved to recommend approval seconded by Tart. The Commission recommended approval (5-1, Maziar, Porter, Frostbaum, Nickles, and Tart for; Squire against; and Duncan not voting), with the 17 conditions submitted by the applicant dated September 8, 2014, the revised site plan showing 15 lots and larger rear setbacks along the west property line and staff's conditions.

MAYOR AND CITY COUNCIL- August 19, 2014

The petition was heard at the August 19, 2014 Mayor and City Council meeting. The Council deferred the petition to the September 18th Planning Commission and October 21st Mayor and City Council to allow the applicant to revise the site plan for the staff and neighbors to review.

PLANNING COMMISSION RECOMMENDATION- July 17, 2014

The petition was heard at the July 17, 2014 Planning Commission meeting. Frostbaum moved to recommend deferral seconded by Squire. The Commission recommended deferral (5-0, Maziar, Porter, Frostbaum, Tart, and Squire for; Nickles absent and Duncan not voting), to September 18th Planning Commission and October 21st Mayor and City Council to allow the applicant to revise the site plan for the staff and neighbors to review.

EXISTING LAND USE AND ZONING OF ABUTTING PROPERTIES

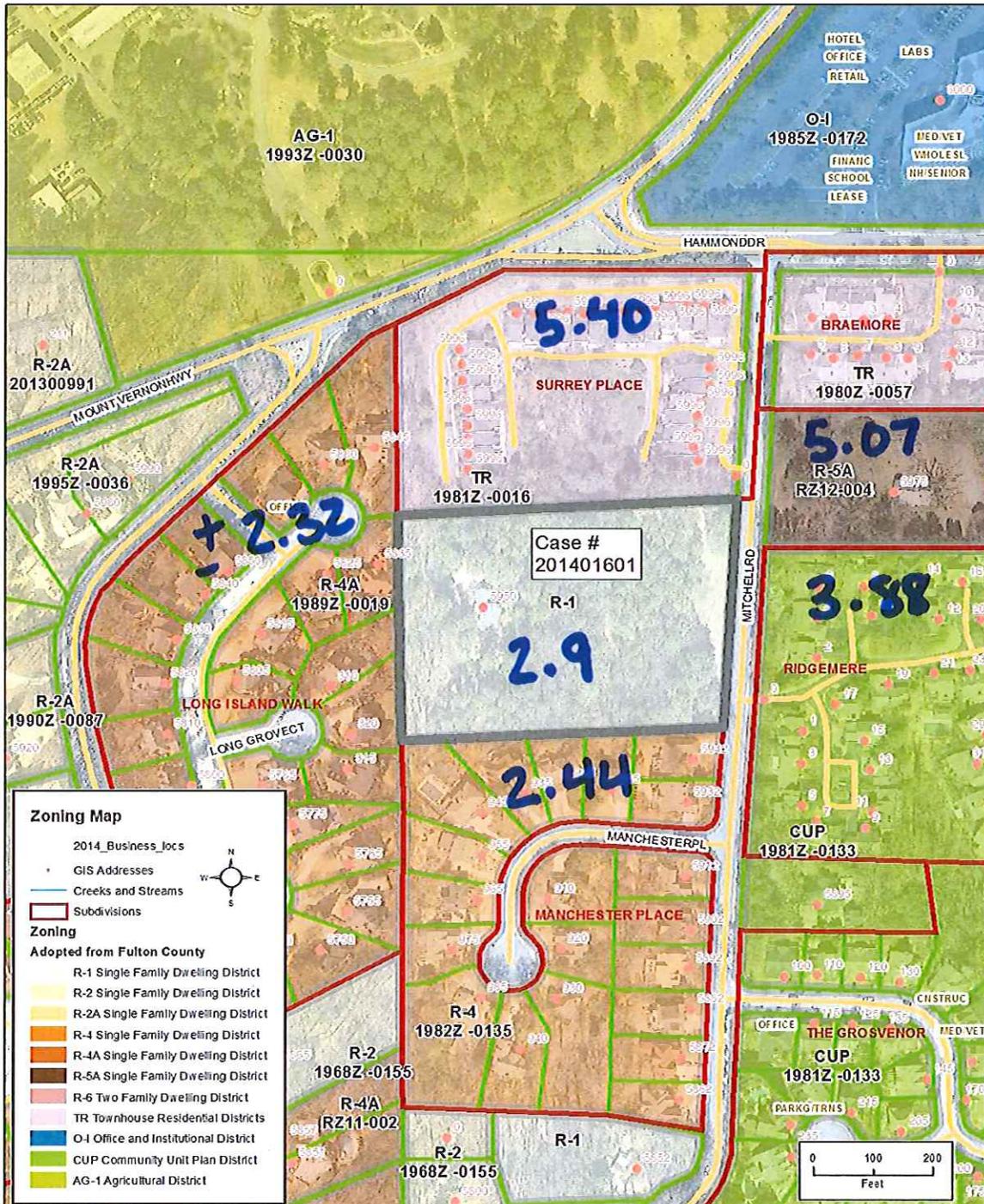
SUBJECT PETITION 201401601	Requested Zoning	Proposed Use	Land Area (Acres)	Units	Density (Units per Acre)
	R-4	Single Family	5.09	15	2.95 units/ac

Location in relation to subject property	Zoning	Use	Land Area (Acres)	Square Footage or Number of Units	Density (Square Feet or Units Per Acre)
North	TR Conditional Z81-0016	Townhomes (Surry Place)	5.37	29 units	5.40 units/ac
East	R-5A Conditional RZ12-004	Fee-simple Single-family Dwellings	2.365	12 units	5.07 units/ac
East	CUP Conditional Z81-133	Single-family Dwellings (Ridgemere)	11.34	44 units	3.88 units/ac
South	R-4 Conditional Z82-0135	Single Family Dwelling (Manchester Place)	8.2	20 units	2.44 units/ac
West	R-4A Conditional Z89-0019	Single Family Dwelling	±10.78	25 units	±2.32 units/ac

Prepared by the City of Sandy Springs Department of Community Development for the Mayor and City Council Meeting August 19, 2014

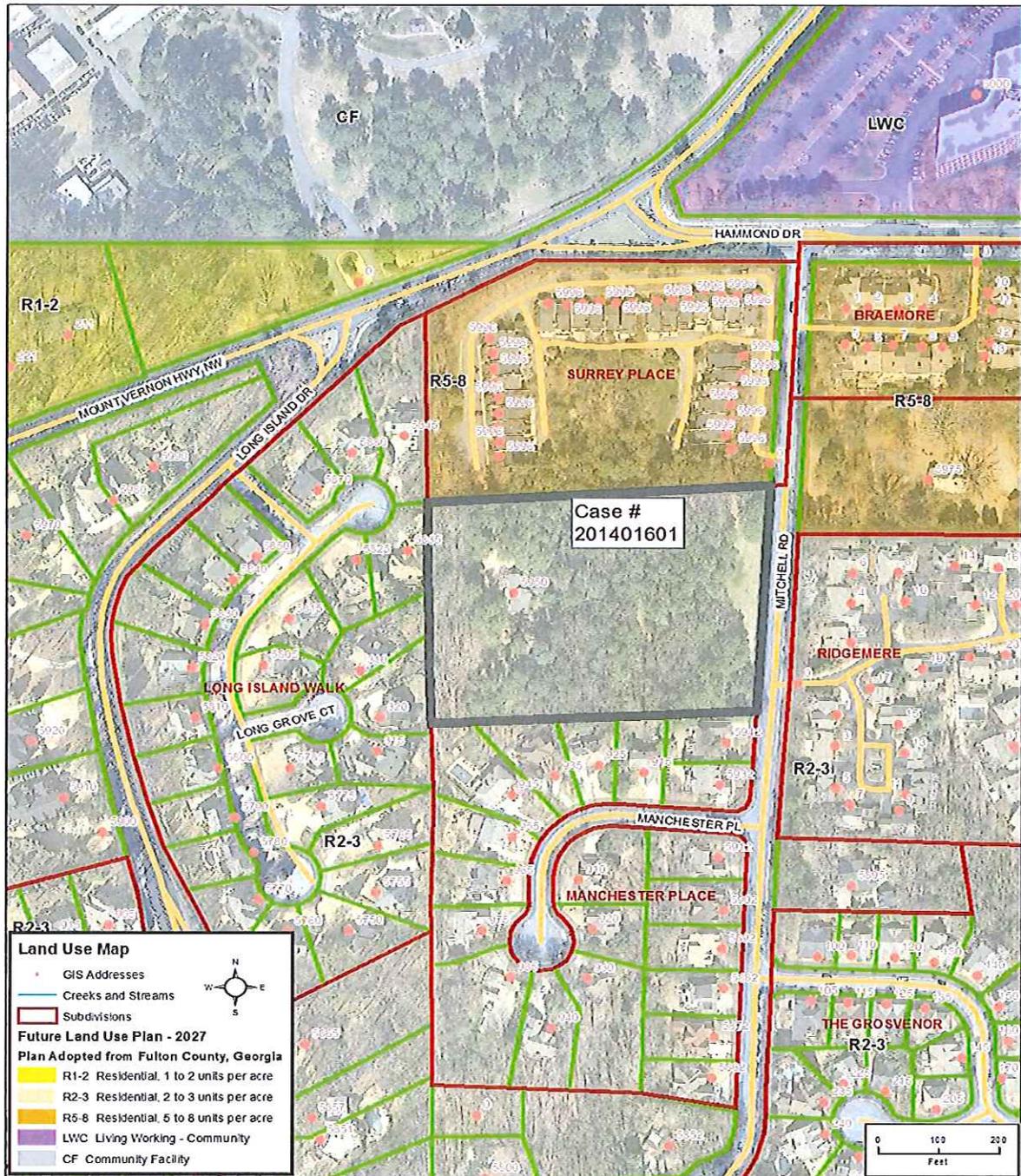
Zoning Map

5950 Mitchell Road



Future Land Use Map

5950 Mitchell Road



ZONING IMPACT ANALYSIS

To rezone the subject property from R-1 (Single Family Dwelling District) to R-4 (Single Family Dwelling District) to allow for the development of 15 single family lots.

Per Article 28.4.1, *Zoning Impact Analysis by the Planning Commission and the Department*, the staff shall make a written record of its investigation and recommendation on each rezoning petition with respect to the following factors:

A. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

Findings: The staff is of the opinion that the proposed use is suitable in view of the use and development of adjacent and nearby property. The surrounding area consists of: TR (Townhouse Residential District) to the north; R-5A (Single Family Dwelling District) and CUP (Community Unit Plan) to the east; R-4 (Single Family Residential) to the south; and R-4A (Single Family Residential) to the west.

B. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

Findings: The staff is of the opinion that the proposal if approved will not have an adverse impact on the use or usability of adjacent or nearby properties because the use would be consistent with adjacent properties. The proposal is for a density of 2.95 units per acre. The proposed density is consistent with the Comprehensive Plan density of 2-3 units per acre. The proposal also provides a transition from the north where the density is above 5 units per acre and east where densities are 5.07 units per acre and 3.88 units per acre.

C. Whether the property to be affected by the zoning proposal may have reasonable economic use as currently zoned.

Findings: The staff is of the opinion that the subject property has a reasonable economic use as currently zoned.

D. Whether the zoning proposal will result in a use which will or could cause an excessive burdensome use of existing streets, transportation facilities, utilities, or schools.

Findings: The staff is of the opinion that the proposal will not result in a use which will cause an excessive or burdensome use of the existing infrastructure. The proposed development will be required to meet all current City codes and ordinances, which will require a stormwater management system.

E. Whether the zoning proposal is in conformity with the policies and intent of the land use plan.

Findings: The staff is of the opinion that the proposal is consistent with the future land use plan, which designates the property as R2-3 (2 to 3 unit per acre). The applicant is proposing 2.95 units per acre. The proposal is consistent with the surrounding properties. The property provides a transition from the higher density properties to the north and east to the slightly lower densities to the south and west.

F. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

Findings: The staff is of the opinion that there are no existing or changing conditions affecting the use and development of the property, which give supporting grounds for approval or denial of the applicant’s proposal.

G. *Whether the zoning proposal will permit a use which can be considered environmentally adverse to the natural resources, environment and citizens of Sandy Springs.*

Findings: The staff is of the opinion that the proposal would not permit a use which could be considered environmentally adverse to the natural resources, environment, or citizens of Sandy Springs. The proposal will be required to meet all current City Codes including a stormwater management system.

VARIANCE CONSIDERATIONS

Article 22 of the Zoning Ordinance indicates the following are considerations in granting variances, of which only one has to be proven:

1. *Relief, if granted, would be in harmony with, or, could be made to be in harmony with, the general purpose and intent of the Zoning Ordinance; or,*
2. *The application of the particular provision of the Zoning Ordinance to a particular piece of property, due to extraordinary and exceptional conditions pertaining to that property because of its size, shape, or topography, would create an unnecessary hardship for the owner while causing no detriment to the public; or*

The applicant is requesting one (1) concurrent variance as outlined below. The applicant has indicated that the variances being requested will be in harmony with the policy and intent of the Zoning Ordinance and will not result in any harm to the health, safety and welfare of the general.

1. Variance from section 6.6.3.B.to reduce front yard setback from thirty-five (35) feet to twenty-five (25) feet as shown on the site plan.

Findings:

Staff is of the opinion that the request to reduce the front setback from thirty-five (35) feet to twenty-five (25) feet as shown on the site plan.is in harmony with the intent of the Zoning Ordinance and would not be a detriment on adjacent properties. The effected lots are all internal to the development and would move the building closer to the internal street. Additionally, it will allow the proposed homes to be pulled away from the residentially zoned properties to the west. Therefore, based on these reasons, the staff recommends APPROVAL of this variance request.

DEPARTMENT COMMENTS

The staff held a Focus Meeting with Transportation, Building and Permitting, Fire, Code Enforcement, Site Development, and the Arborist on June 4, 2014 at which the following departments had comments. The staff has received additional comments from the Fulton County Board of Education and Fulton County Department of Water Resources (see attachments).

Transportation Planner	Mitchell Road is classified a minor street and has a posted speed limit of 25 mph. (Note that zoning site plan has street incorrectly labeled as Mitchell Street).
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	<p>At time of Land Disturbance Permit, site shall meet requirements of Articles 11 and 12 of the Development Ordinance. Based on review of the zoning site plan, please note the following:</p> <ul style="list-style-type: none"> • Street design shall meet design and construction standards, §103-70. • Street frontage along Mitchell Road shall be widened to uniform lane width of 12 feet, §103-73(n). • The minimum cul-de-sac radius is 50 feet, §103-74(c). • The minimum right-of-way for Mitchell Road is 50 feet (existing right-of-way is not show). Applicant shall dedicate right-of-way along entire property front of 25 feet from street centerline, 11 feet behind back of curb, or one foot behind sidewalk, whichever is greater, §103-75(a). Ten foot right-of-way miters are required at Mitchell Road and proposed street §103-75(b). • The corner lots shall have access on Mitchell Road. • Proposed street and driveways shall meet intersection sight distance of §103-77(f). <p>All existing and proposed street frontages shall meet curb and gutter requirements §103-79.</p>
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PUBLIC INVOLVEMENT

Public Comments

- Separate list of questions from one of the neighbor's included in the file – copy was given to Pete & Brad at the meeting, and the developer has committed to following up with the comments in writing at a later date
- Brad basically went through the concerns on the list, which you will be getting in writing soon
- Erosion concerns during construction – BMPS & additional
- Creek on the property? Met with Michael Barnett and it was determined it was not a creek, not a stream
- Topography, running towards neighbors, would owner/developer deal with that?
- Proposed changes in topography throughout the life of the development?
- Retention pond – fenced, underground, what will it look like?
- Gated community?
- Concern about removal of trees, particularly between the street and the edge of the development
 - Magnolias
- Removal of trees in the required and proposed buffers?
 - How will they deal with changes in topography?

CONCLUSION TO FINDINGS

It is the opinion of the staff that the proposal is in conformity with the Future Land Use Map. The proposed density of 2.95 units per acre falls within the range recommended by the Future Land Use Map. The proposal does meet the intent of the Comprehensive Plan Policies. The proposal is consistent with policies to develop similar densities to adjacent properties. Therefore, based on these reasons, the staff recommends **APPROVAL CONDITIONAL** of the rezoning petition and the concurrent variance.

Prepared by the City of Sandy Springs Department of Community Development for the Mayor and City Council Meeting August 19, 2014

STAFF RECOMMENDED CONDITIONS

Should the Mayor and City Council decide to rezone the subject property from R-1 (Single Family Dwelling District) to R-4 (Single Family Dwelling District), the staff recommends the approval be subject to the following conditions. The applicant's agreement to these conditions would not change staff recommendations. These conditions shall prevail unless otherwise stipulated by the Mayor and City Council.

1. To the owner's agreement to restrict the use of the subject property as follows:
 - a. Residential units at a density of 2.95 units per acre or 15 units, whichever is less.

2. To the owner's agreement to abide by the following:
 - a. To the site plan received by the Department of Community Development dated September 19, 2014. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Ordinance and these conditions prior to the approval of a Land Disturbance Permit. The applicant shall be required to complete the concept review procedure prior to application for a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of a Certificate of Occupancy.

3. To the owner's agreement to provide the following site development standards:
 - a. Variance from Section 6.6.3.B. to reduce front yard setback from thirty-five (35) feet to twenty-five (25) feet as shown on the site plan (CV201401601 #1)
 - b. All lots along the west property line (5-11) adjacent to the Long Island Walk subdivision shall have thirty-five (35) foot rear setbacks, as shown on the site plan dated September 19, 2014.
 - c. The detention pond shall be located underground in the general location identified as "stormwater management facility" as shown on the site plan dated September 19, 2014.
 - d. Area around underground detention facility shall be landscaped, subject to the approval of the Sandy Spring Arborist.
 - e. The existing magnolia trees along Mitchell Road as show on the site plan dated received September 19, 2014 shall remain. If said Magnolias die during the development, the Owner/Developer shall install new Magnolias in their current place, subject to the approval of the Sandy Springs Arborist.
 - f. Plant an alternating mix of Magnolia trees and Cryptomeria trees every twenty (20) feet on center around the perimeter of the property as shown on the site plan dated September 19, 2014. Said trees shall be planted at a minimum height of eight (8) feet, subject to the approval of the Sandy Springs Arborist.
 - g. The perimeter plantings referenced in condition 3.f. above shall be planted prior to the issuance of the first building permit on the property, subject to the approval of the Sandy Springs Arborist. The Homeowners Association covenants shall have requirement for perimeter trees to be

replanted if any of the perimeter trees die for any reason. Said covenants shall be recorded as part of the plat.

- h. Install an irrigation drip system within the entire perimeter planting area referenced in condition 3.f.above to maintain plantings. Irrigation system shall be maintained by the Homeowners Association.
- i. Install an irrigation system at the subdivision entrance along Mitchell Road. Said irrigation system shall be maintained by the Homeowners Association.
- j. The subdivision entrance shall be landscaped as shown on the landscaped plan dated received August 18, 2014, subject to the approval of the Sandy Springs Arborist.
- k. Sidewalks shall be installed along the Mitchell Road frontage from the southern property line to Hammond Drive, subject to the approval of the Director of Public Works.
- l. All retaining walls shall have a decorative façade of brick or stone.
- m. Upon completion of the interior street, construction parking along Mitchell Road shall be prohibited.

Attachments

- Amendment to the Letter of Intent dated received September 12, 2014
- Amendment to the Letter of Intent dated received July 17, 2014
- Letter of Intent received May 8, 2014
- Site Plan dated received September 19, 2014
- Site Plans dated received May 2, 2014
- Landscape plan dated received August 18, 2014
- Rockhaven Homes condition letter dated received October 1, 2014
- Site Photographs
- Additional comments from the Fulton County Department of Water Resources, Fulton County School System, City of Atlanta Watershed Management, Fulton County Health and Wellness (On file)
- Letters of Opposition (96) (all previously attached letters and e-mails are on file) **Please note that some concerned citizens have submitted multiple letters.*

FIRST AMENDMENT TO APPLICATION FOR REZONING
AND CONCURRENT VARIANCES

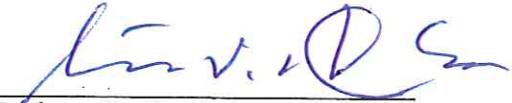
IN RE:)
Rockhaven Homes, LLC) Application Number: 201401601
APPLICANT)
PROPERTY:)
5950 Mitchell Road)
Sandy Springs, Georgia 30328)

Now comes Rockhaven Homes, LLC (the "Applicant" hereunder) who does hereby modify and amend the above referenced Application for Rezoning and Concurrent Variances and associated Letter of Intent as follows:

1.

For Lots 5,6,7, 8, 9, 10 and 11 the following Concurrent Variances are requested: (1) modify and amend the currently requested Concurrent Variance pursuant to Article 6.6.3.F. to reduce the minimum lot width from 70' to 45' and (2) pursuant to Article 6.6.3.B. reduce the minimum front yard set from 35' to 25'.

Now, therefore, the Applicant requests that the above referenced Application for Rezoning and Concurrent Variances be approved as modified and amended to enable the Applicant to proceed with the lawful use and development of the Property.


Nathan V. Hendricks III
Attorney for the Applicant

6085 Lake Forrest Drive
Suite 200
Sandy Springs, Georgia 30328
(404) 255-5161

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SEP 12 2014

CITY OF SANDY SPRINGS

FIRST AMENDMENT TO APPLICATION FOR REZONING
AND CONCURRENT VARIANCES

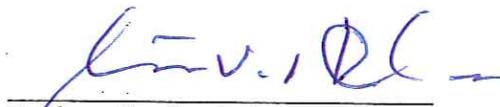
IN RE:)
Rockhaven Homes, LLC) Application Number: 201401601
APPLICANT)
PROPERTY:)
5950 Mitchell Road)
Sandy Springs, Georgia 30328)

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Nathan V. Hendricks III
Attorney for the Applicant

6085 Lake Forrest Drive
Suite 200
Sandy Springs, Georgia 30328
(404) 255-5161

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CITY OF SANDY SPRINGS

LAW OFFICE
NATHAN V. HENDRICKS III
6085 LAKE FORREST DRIVE, SUITE 200
ATLANTA, GEORGIA 30328

July 17, 2014

OFFICE (404) 255-5161
TELECOPIER (404) 255-3899

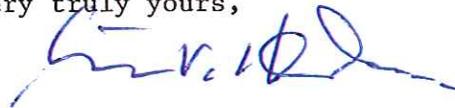
Ms. Patrice S. Dickerson
Manager of Planning & Zoning
7840 Roswell Road, Building 500
Sandy Springs, Georgia 30350

Re: 201401601

Dear Patrice:

The Applicant has submitted this date a revised Site Plan reflecting the correct acreage being 5.09 acres and not the 5.9 acres mistakenly stated on the Site Plan originally submitted. The Applicant further requests that the Concurrent Variance be withdrawn which results in the Applicant requesting a total of 15 lots and not the 16 lots originally requested. The request for 15 lots based on the correct amount of 5.09 acres results in a density of 2.95 units per acre which fully conforms with the suggestion of the Comprehensive Land Plan for residential development at a density range to 2 to 3 units per acre. Please let me know if you have any questions.

Very truly yours,

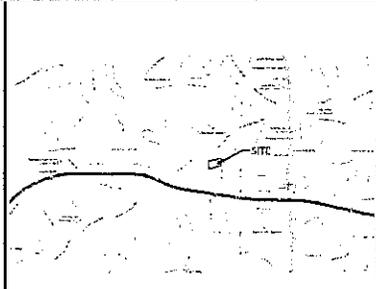
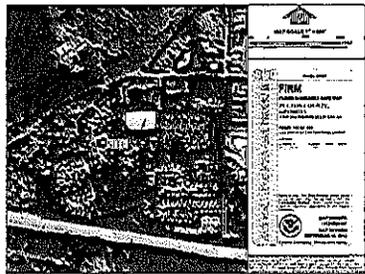


Nathan V. Hendricks III
Attorney for the Applicant

NVH:sks

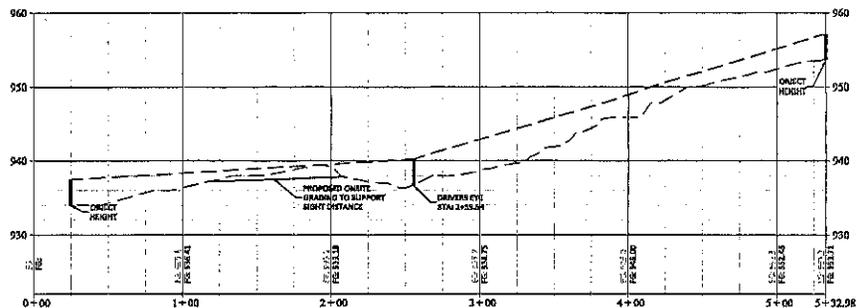
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City of Sandy Springs
Community Development

MAPS

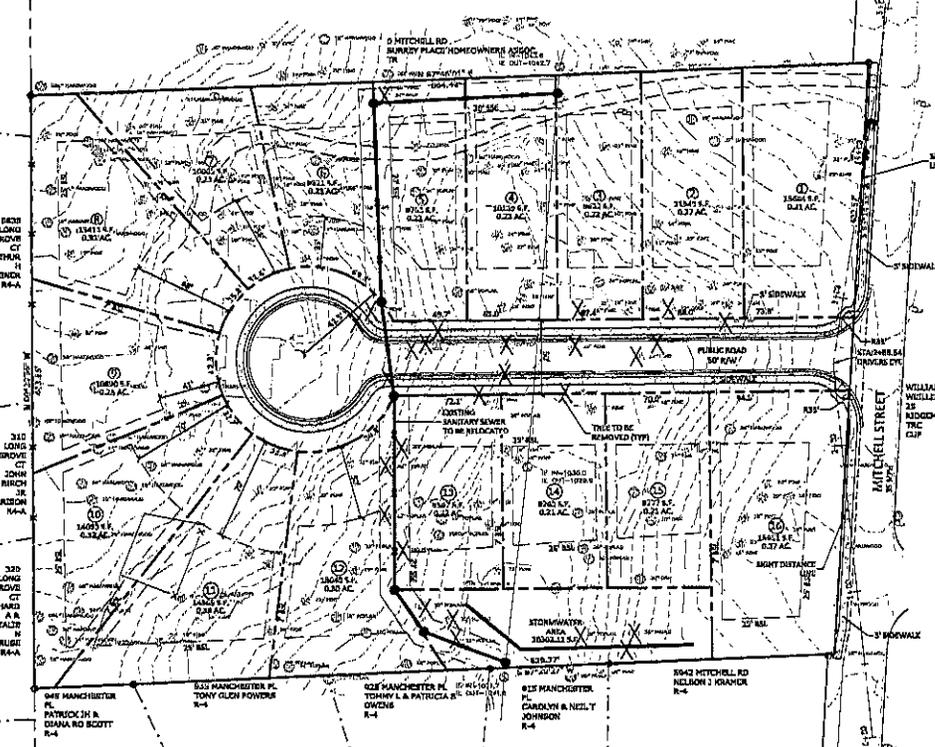


THIS SITE NOT LOCATED WITHIN THE 100 YEAR FLOOD ZONE PER FEMA FLOOD PANELS # 13121C0142P, DATED 9-18-13. FEMA MAP

LOCATION MAP SCALE: NTS



1 SIGHT DISTANCE PROFILE



5578 MITCHELL RD
SAINT JAMES
ANGELICAN CH INC
R-1

DEVELOPMENT STATISTICS SUMMARY CHART WITH PERCENTAGE (%) OF TOTAL SITE COVERAGE

TOTAL SITE AREA:	5.8 ACRES (257,004 SF)	21.9%
BUILDING:	38,000 SF (APPROXIMATE FUTURE HOMES)	15%
PARKING SPACES:	TO BE PROVIDED BY HOMEOWNER	33.4%
IMPERVIOUS SURFACE:	87,930 SF (PAVED DRIVEWAY & SIDEWALKS)	34.2%
LANDSCAPING:	45,000 SF (APPROXIMATE)	17.5%
FLOOD PLAIN:	NA	0%
REMAINING LOT AREA:	64,084 SF	24.9%
TOTAL:		100%

THE SITE IS CURRENTLY WOODED. TREES WITHIN THE FOOTPRINT OF THE DEVELOPMENT WOULD BE REMOVED.

- SYMBOLS**
- IRON PIN FOUND
 - IRON PIN SET
 - CONCRETE MONUMENT
 - LAND LOT SYMBOL
 - SIGN
 - MAILBOX
 - HEADWALL
 - DOUBLE WIRE CATCH BASIN
 - SINGLE WIRE CATCH BASIN
 - CURB INLET
 - DROP INLET
 - FROST-FREE INLET
 - UTILITY POLE
 - GUY WIRE
 - LIGHT POLE
 - TRAFFIC SIGNAL POLE
 - UTILITY MANHOLE (UTILITY SPECIFIED)
 - UTILITY METER BOX (UTILITY SPECIFIED)
 - UTILITY VALVE (UTILITY SPECIFIED)
 - SANITARY SEWER CLEANOUT
 - FILL HYDRANT
 - PLUG / CAP

- LINE TYPES**
- LAND LOT LINE
 - PROJECT PROPERTY LINE
 - ADJOINING PROPERTY LINE
 - UNDISTURBED SURFACE
 - SETBACK
 - FENCE
 - CHAINLINK FENCE
 - DECORATIVE FENCE (WOOD / VINYL)
 - GLASS RAIL
 - CHALK CONTROLLING
 - GHT
 - OVERHEAD TELEPHONE
 - NATURAL GAS
 - UNDERGROUND POWER
 - UNDERHEAD POWER
 - 8" - 36" SANITARY SEWER
 - WATER MAIN

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MAY 02 2014

City of Sandy Springs
Community Development



SITE DATA

OWNER/DEVELOPER: 4625 PFD, LLC
111 LINDSEY STREET, SUITE 200
LAWRENCEVILLE, GA 30046
PHONE: 404-324-8315

ENGINEER/SURVISOR: SOUTHEASTERN ENGINEERING, INC.
2470 SANDY PLAINS ROAD
KANSAS CITY, GA 29044
PHONE: 770-331-3035

BOUNDARY: BOUNDARY SURVEY BY SET, DATED APRIL 20, 2014

TAX PARCEL ID: 13-08-001-001-001-001

TOPOGRAPHY: FIELD PLAN SURVEY BY SET, DATED APRIL 20, 2014

SITE AREA: 5.8 AC

NUMBER OF LOTS: 16

DENSITY: 16 LOTS / 5.80 ACRES = 2.71 UNITS PER ACRE

CURRENT ZONING: R1 RESIDENTIAL

PROPOSED ZONING: R4 RESIDENTIAL

FLOOD INFO: THIS SITE IS LOCATED WITHIN THE 100 YEAR FLOOD ZONE PER FEMA FLOOD PANELS # 13121C0142P, DATED 9-18-13.

AREA BREAKDOWN

DEVELOPMENT STANDARDS:

- MIN. LOT WIDTH AT FRONT SETBACK LINE: 70'
- MIN. FRONT SETBACK: 35'
- MIN. FRONT BUILDING SETBACK: 35'
- MIN. SIDE BUILDING SETBACK: 7' ADD. TO INTERIOR LOT



ISSUED DESCRIPTIONS

NO.	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

SENTINEL PROPERTIES, INC.
111 LINDSEY STREET, SUITE 200
LAWRENCEVILLE, GA 30046
PHONE: 404-454-6016

SITE PLAN
5578 MITCHELL ROAD
SAINT JAMES
ANGELICAN CH INC
R-1

Professional Engineer Seal for David C. Cox, No. 6237, State of Georgia.

Project No: 609-1409
Designed By: CTC
Date Drawn: 01/13/14

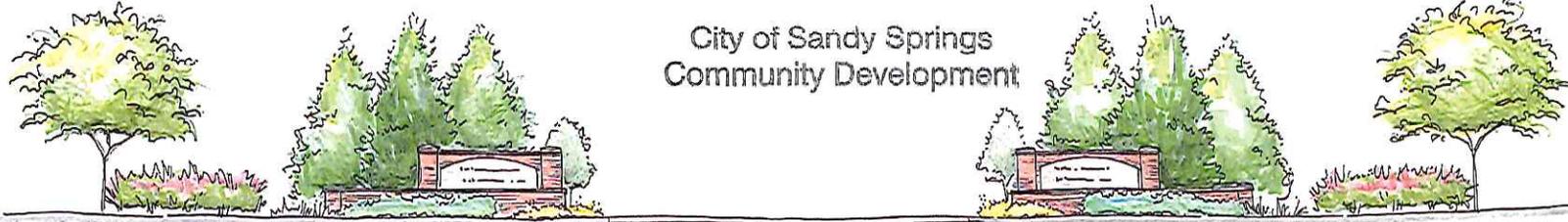
CI

THE UTILITIES SHOWN HEREON ARE FOR THE CONTRACTOR'S CONVENIENCE ONLY. THESE MAY BE OTHER UTILITIES NOT SHOWN ON THESE PLANS. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR THE LOCATIONS SHOWN AND IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY ALL UTILITIES WITHIN THE LIMITS OF THIS WORK. ALL DAMAGE MADE TO EXISTING UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR. IT IS THE OWNER/DEVELOPER'S RESPONSIBILITY TO OBTAIN NECESSARY UTILITY CAPACITY PRIOR TO IMPROVING DESIGN. THE ENGINEER MAKES NO GUARANTEE, WITHOUT EXPRESS OR IMPLIED, REGARDING EXISTING UTILITY LOCATION, CAPACITY OR DEPTH.

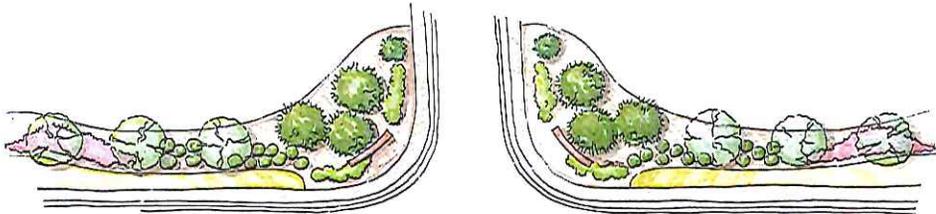
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City of Sandy Springs Community Development

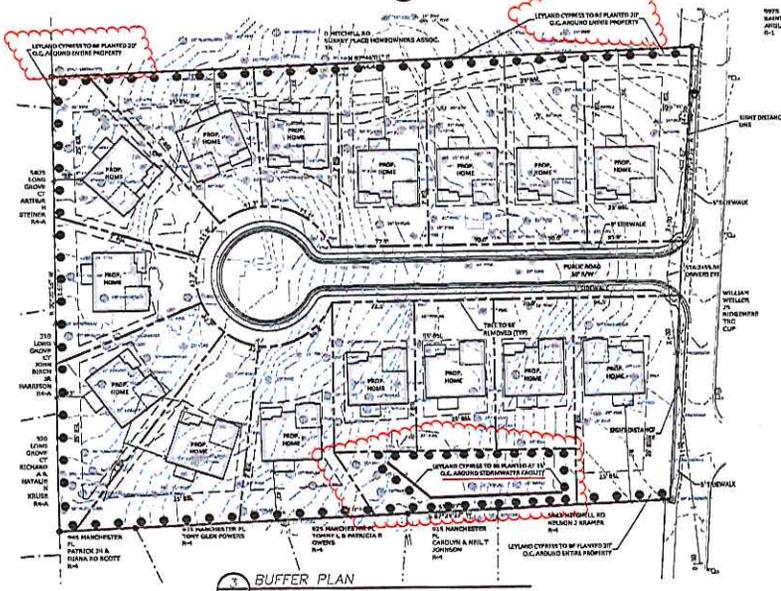


1 ENTRANCE ELEVATION
SCALE: NOT TO SCALE



2 ENTRANCE LANDSCAPE PLAN
SCALE: NOT TO SCALE

PROPOSED LEYLAND CYPRESS BUFFER PLANTINGS



3 BUFFER PLAN
SCALE: 1"=50'



LAND DESIGN GROUP, INC.
LANDSCAPE ARCHITECTS
CERTIFIED ARBORISTS
337 Boulevard NE
Gainesville, Georgia 30501
(p) 770.990.3596
(f) 770.534.6445
email: landdesigngroupinc@gmail.com
web: www.land-design-group.com

STAMP



GEORGIA SOLID AND WATER CONSERVATION COMMISSION
CERTIFICATION NO. 38116

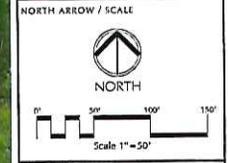
PROJECT

5950 Mitchell Road
Located In
Land Lot 197
17th District
City of Sandy Springs
Fulton County, Georgia

DATE	PROJECT #
6/11/2014	2014-27
DRAWN BY:	CHECKED BY:
LAJ	JMJ

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REVISIONS



SHEET TITLE
BUFFER/ENTRANCE
PLANTINGS

SHEET
L1

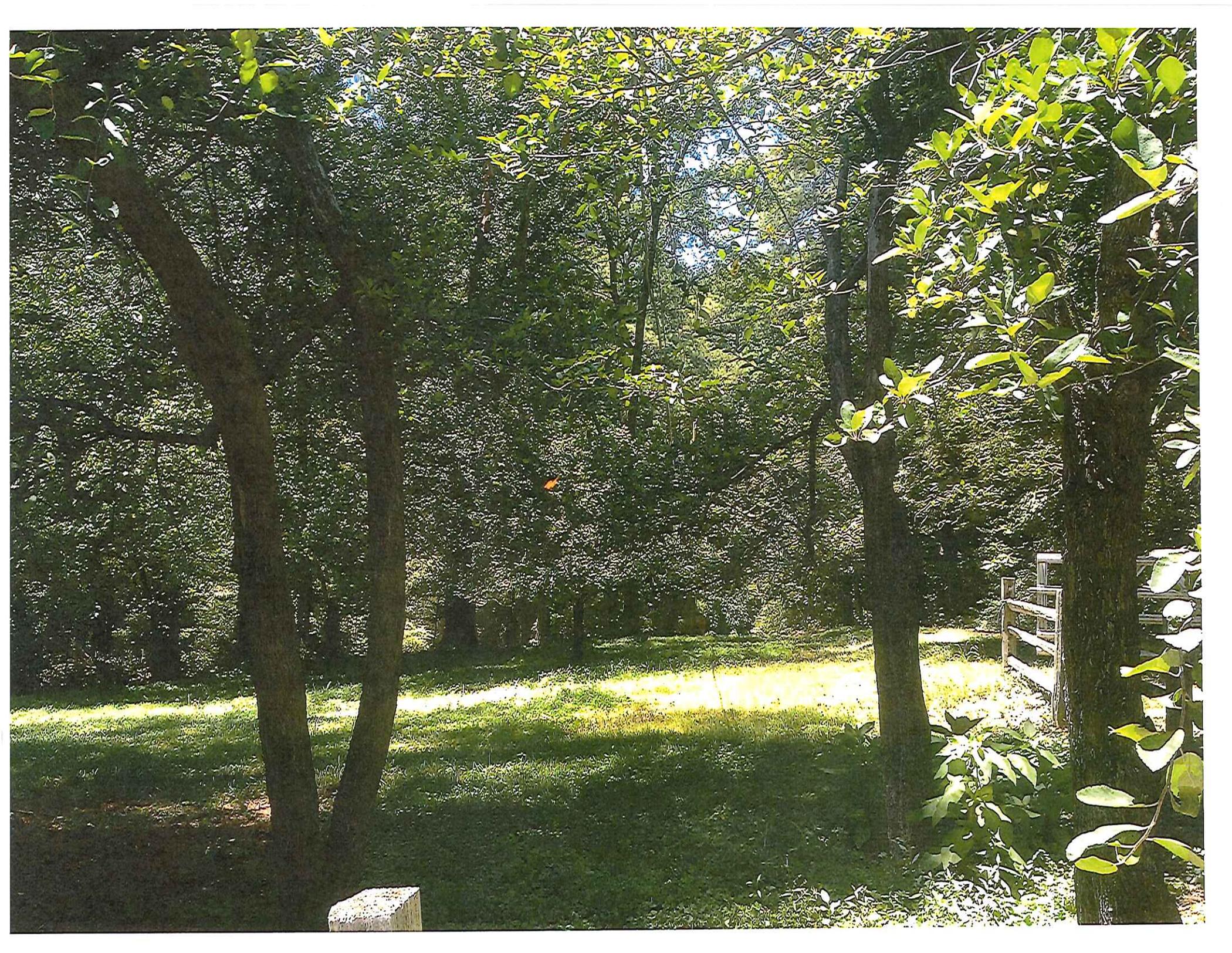


October 1, 2014

In exchange for support of the 15 lot site plan, Rockhaven Homes, LLC will agree to make the following conditions a part of the zoning subject to Sandy Springs approval:

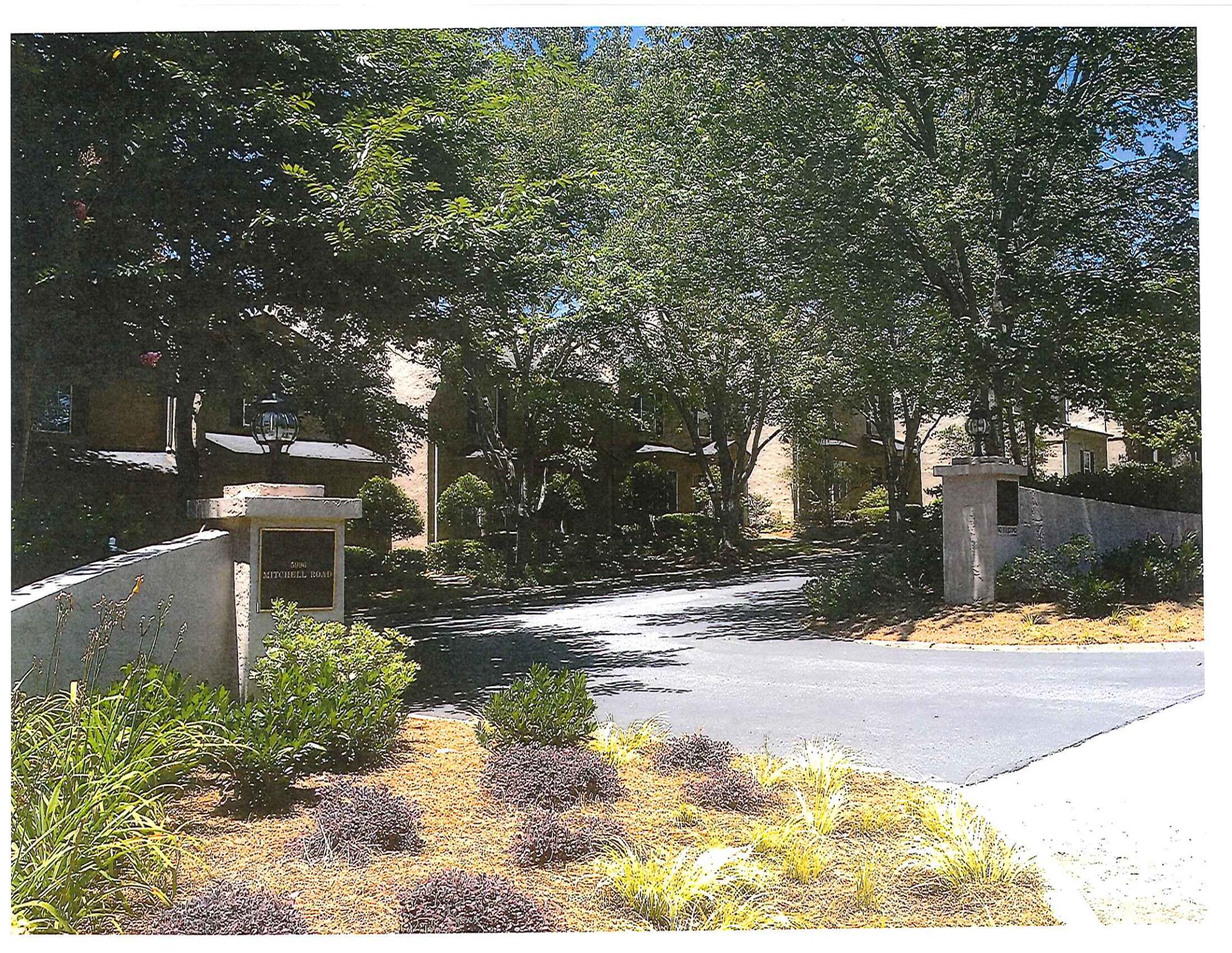
- 1) Install underground detention facility to eliminate the concern of traditional above ground detention only if Rockhaven is approved for 15 lots as shown on site plan.
- 2) Landscape dedicated detention area appropriately for HOA to maintain maintenance of.
- 3) Agree to a 35 foot rear setback on lot #'s 5-11 & 15 to maintain requested separation from adjoining neighboring houses as shown on site plan. This requires the necessary requested front setback variance approval to accomplish such.
- 4) Leave the existing 4 Magnolia Trees along Mitchell Rd as shown on site plan. If said Magnolia's die during the development then Rockhaven shall install new Magnolia's in their current place.
- 5) Plant an alternating mix of Magnolia trees and Cryptomeria Trees every 20 feet on center around the perimeter of the property.
- 6) Agree trees will be at least 8' in height when planted.
- 7) Agree to install entire perimeter buffer after site development is complete and before home construction begins on any lot. HOA will have requirement for perimeter trees to be replanted if any of the perimeter trees die for any reason.
- 8) Install an irrigation drip system along entire perimeter buffer to maintain the plantings. Irrigation system to be maintained by the HOA.
- 9) Install improved landscaping at the entrance and from property line to property line along Mitchell Road as shown on the site plan and landscape plan submitted to the neighborhood associations.
- 10) Install irrigation system for entrance and Mitchell Road frontage landscaping package as shown on the site plan. Irrigation system to be maintained by the HOA.
- 11) Install sidewalk along the property frontage of Mitchell Road.
- 12) Extend sidewalk beyond property frontage along Mitchell Road to Hammond Drive subject to Surrey Place HOA and city approval.
- 13) Any retaining wall built shall have a façade of decorative brick and or stone.
- 14) Agree to install 'No Parking' signs along property frontage on both sides of Mitchell Road.
- 15) Before site development begins, agree to enforce equipment drop off to be restricted to only occur from 9:00am to 12:00pm.
- 16) Once the interior street is completed there shall be no parking along Mitchell Road.





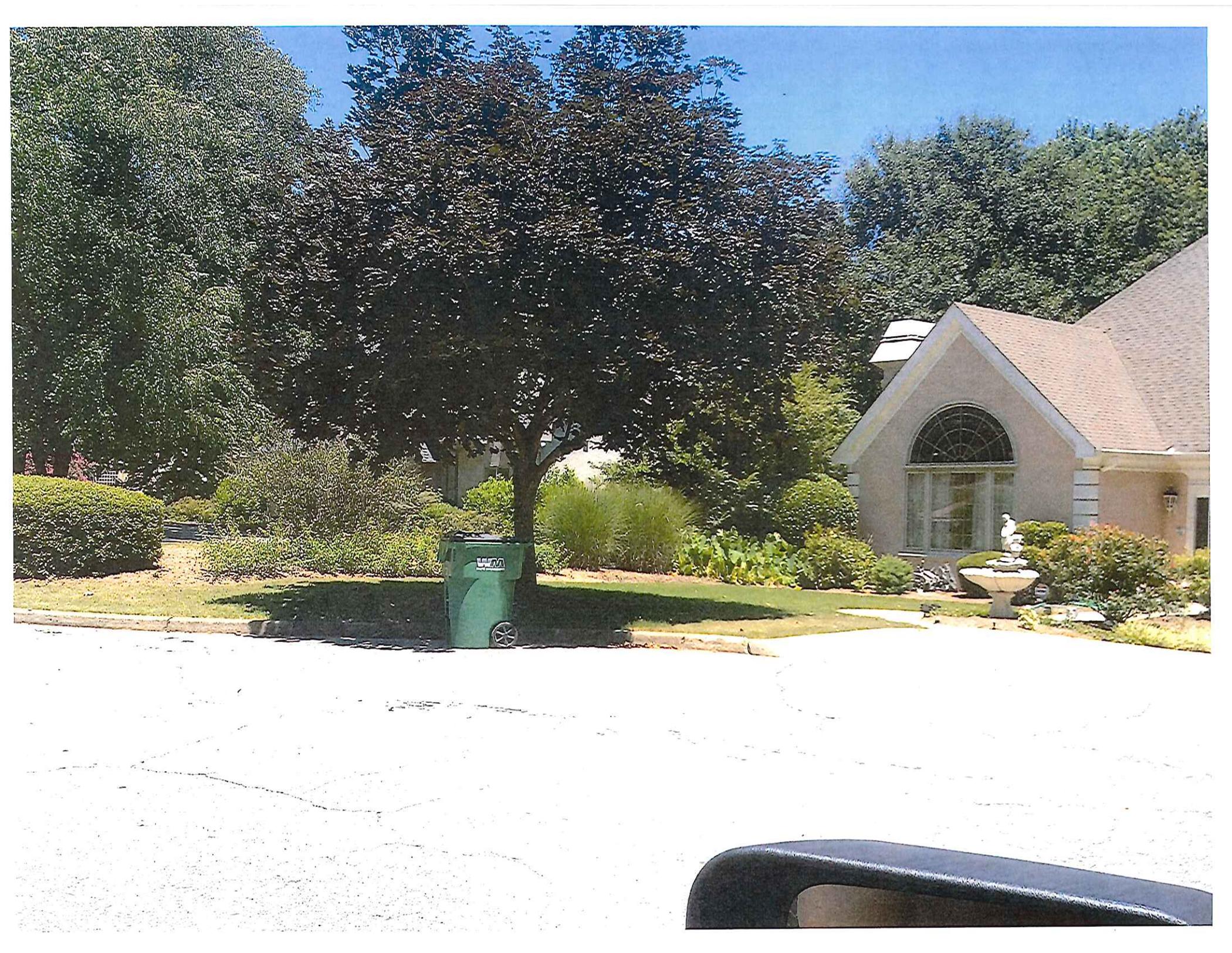


St. James
Anglican Church
Services
Sundays 11:00am
404-251-1953 1928 BC
www.stjamesanglican.org



5096
MITCHELL ROAD





Brad Hughes

From: Katy Harrison <kathryn.huie@gmail.com>
Sent: Wednesday, September 17, 2014 10:22 PM
To: labaray@sandyspringsga.gov
Subject: 5950 Mitchell Rd Rezoning Petition 201401601
Attachments: 35ft Rear Yard Setback VARIANCE BSL 25feet-SITE & MAGNOLIA (2).pdf; Mitchell Road - Letter of Conditions.docx

Dear Ms. Abaray,

I am writing to express my support for Rockhaven Homes' updated site plan proposal for the rezoning and development of 5950 Mitchell Road, contingent upon the Planning Commission and City Council's approval of the requested front setback variance. I wrote before the last Planning Commission meeting expressing my concerns with the plan, and I spoke against the plan at the August City Council meeting, where I noted that I felt Rockhaven Homes was willing to work with neighbors to create a more appropriate plan, but requested a deferral to allow time for those negotiations to take place. In that time, representatives from Rockhaven Homes and Avalon Properties have met multiple times with neighborhood representatives and homeowners with adjoining properties to establish a detailed understanding of the needs of all effected neighbors. After negotiation and some concessions from each side, I feel that the most recent site plan, which I have attached to this email, combined with the attached letter of conditions, provides a plan that will be mutually beneficial to both the developer and to neighbors.

My home directly adjoins the proposed development, and I was initially extremely bothered by the plan to place two separate houses a mere 25 feet of my property line. I am pleased that Rockhaven Homes both listened and adequately responded to my concerns; in addition to moving the two proposed homes to a distance of 40 and 46 feet from my property, they are offering us additional protection, should their plans for any reason need to change, of establishing a rear setback of 35 feet on lots 5-11. This agreement is contingent upon the Planning Commission and City Council's approval of the requested front setback variance, which my husband and I specifically requested to allow the homes on lots 8 and 9 to move away from our back yard. I beseech the commission and council to approve this variance request, as it adds an enhanced level of protection for neighbors in the Long Island Walk community.

I appreciate the Planning Commission and City Council both using apt discretion in the handling of this case so far, and I hope and trust they will continue to do so in approving the requested front setback variance. With the attached letter of conditions, which addresses one neighbor's major concern of moving the proposed detention pond to an underground detention facility, as well as providing enhanced tree screens between yards and offering a variety of other courtesies to concerned neighbors, I feel this updated plan is one that will improve both my neighborhood and the Sandy Springs community. This updated version of Rockhaven Homes' proposed site plan, with the proposed front setback variance to allow for 35-foot rear setbacks on lots 5-11, has my full and earnest support.

Thank you so much for your time and consideration.

Very Best,

Katy Huie Harrison

310 Long Grove Court

--

Katy Huie Harrison

PhD Candidate

Advanced Teaching Fellow

President, Graduate English Association

Georgia State University

Writing and Communications Consultant

Goizueta Business School at Emory University



Sept 8, 2014

In exchange for support of the revised **15 lot** site plan, Rockhaven Homes, LLC will agree to make the following conditions a part of the zoning subject to Sandy Springs approval:

- 1) Install underground detention facility to eliminate the concern of traditional above ground detention only if Rockhaven is approved for 15 lots.
- 2) Landscape dedicated detention area appropriately for HOA enjoyment.
- 3) Agree to a 35 foot rear setback on lot #'s 5-11 to maintain requested separation from adjoining neighboring houses as shown on site plan. This requires the necessary requested front setback variance approval to accomplish such.
- 4) Leave the existing Magnolia Trees along Mitchell Rd as shown on site plan
- 5) Plant an alternating mix of Magnolia trees and Cryptomeria Trees every 20 feet on center around the perimeter of the property.
- 6) Agree trees will be at least 8' in height when planted.
- 7) Agree to install entire perimeter buffer after site development is complete and before home construction begins on any lot.
- 8) Install an irrigation drip system along entire perimeter buffer to maintain the plantings. Irrigation system to be maintained by the HOA.
- 9) Install improved landscaping at the entrance and from property line to property line along Mitchell Road as shown on the site plan and landscape plan submitted to the neighborhood associations.
- 10) Install irrigation system for entrance and Mitchell Road frontage landscaping package as shown on the site plan. Irrigation system to be maintained by the HOA.
- 11) Install sidewalk along the property frontage of Mitchell Road.
- 12) Extend sidewalk beyond property frontage along Mitchell Road to Hammond Drive subject to Surrey Place HOA and city approval.
- 13) Any retaining wall built shall have a façade of decorative brick and or stone.
- 14) Agree to offer potential home buyers at least 5 different master on main floor plans.
- 15) Agree to install 'No Parking' signs along Mitchell Road.
- 16) Before site development begins, agree to enforce equipment drop off to be restricted to only occur from 9:00am to 12:00pm.
- 17) Once the interior street is completed there shall be no parking along Mitchell Road.

Abaray, Linda

From: Laurie Robbins <lrobbins@robbinslaw.com>
Sent: Thursday, October 02, 2014 11:21 AM
To: hwhiteman@dcplaw.com; besnyderatl@gmail.com; kmarshall4960@gmail.com; Jeff Mitchell
Cc: Abaray, Linda
Subject: FW: Neighborhood Conditions with Rockhaven
Attachments: Mitchell Road - Letter of Conditions.docx

All,
Hal and I met with Brad this morning and made it clear that our neighborhoods were opposed to the 15 houses. We generally like the "Conditions of Zoning" otherwise, just not with 15 houses. Brad was told that the "Conditions of Zoning" aren't to be presented to the City of Sandy Springs as something that the neighbors agreed to, so we all need to put that into our emails to the City. Remember that Rockhaven is required by the City to put sidewalks in front of their property so it shouldn't be a "Condition of Zoning."
Also, I think that the tree buffer should be planted closer together and that the trees should be bigger in size than 8 ft. tall.
Please get your letters into Linda Abaray, Labaray@SandySpringsga.gov by Friday.
Thanks,
Laurie

Laurie S. Robbins
Robbins & Associates, P.C.
6000 Lake Forrest Drive
Suite 315
Atlanta, Georgia 30328
404-252-8117 Telephone
404-303-8117 Fax
www.robbinslaw.com

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From: Brad Hughes [mailto:bhughes@rockhavenga.com]
Sent: Wednesday, October 01, 2014 9:58 PM
To: Laurie Robbins; hwhiteman@dcplaw.com; 'Kally1188'; 'Bruce Snyder'; rkruse@coca-cola.com; kathryn.huie@gmail.com; kmarshall4960@gmail.com; 'Jeff Mitchell'

Cc: 'Brent Story'; 'Brad Hughes'; 'Christopher Harris'
Subject: Neighborhood Conditions with Rockhaven

All,

Please see the attached conditions that Rockhaven has agreed to do. If all agree with this list, we would like to have it submitted to Sandy Springs Friday morning to insure it will be part of the packet for the Mayor and Council hearing. Please let me know if I left anything out.

We will meet again on Wednesday Oct 15th at 6pm at Pete's office to have one final meeting prior to the Hearing on Oct 21st.

Thank you very much!

Brad Hughes



770-519-1668

www.rockhavenga.com

From: Brad Hughes [<mailto:bhughes@rockhavenga.com>]
Sent: Monday, September 8, 2014 2:41 PM
To: 'Laurie Robbins'; 'Brent Story'
Cc: hwhiteman@dcplaw.com; 'Bruce Snyder'; 'Jeff Mitchell'; rkruse@coca-cola.com; 'Kally1188'; kmarshall4960@gmail.com; kathryn.huie@gmail.com
Subject: RE: Next Neighborhood Meeting with Rockhaven

Please see the attached revised plan to show the front yard setback variances on the cul de sac lots that back up to Long Grove. Look forward to seeing everyone on Wednesday at 6pm.

Thank you!

Brad Hughes



770-519-1668

www.rockhavenga.com

From: Laurie Robbins [<mailto:lrobbins@robbinslaw.com>]
Sent: Friday, August 29, 2014 9:57 AM
To: Brent Story; Brad Hughes
Cc: hwhiteman@dcplaw.com; Bruce Snyder; Jeff Mitchell; rkruse@coca-cola.com; Kally1188; kmarshall4960@gmail.com
Subject: RE: Next Neighborhood Meeting with Rockhaven

Brent,

Thanks.
See you on September 10th.
Laurie

Laurie S. Robbins
Robbins & Associates, P.C.
6000 Lake Forrest Drive
Suite 315
Atlanta, Georgia 30328
404-252-8117 Telephone
404-303-8117 Fax
www.robbinlaw.com

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From: Brent Story [<mailto:bstory@avalonrepartners.com>]
Sent: Friday, August 29, 2014 8:26 AM
To: Laurie Robbins; Brad Hughes
Cc: hwhiteman@dcplaw.com; Bruce Snyder; Jeff Mitchell; rkruse@coca-cola.com; Kally1188; kmarshall4960@gmail.com
Subject: RE: Next Neighborhood Meeting with Rockhaven

Let's lock in the meeting for September 10th at 6:00. Please call or email if you need anything in the meantime. Have a great holiday weekend.

Thanks

Brent Story
AVALON
Real Estate Partners, LLC
3060 Peachtree Road, Suite 1565
Atlanta, GA 30305
404-504-8793 office
404-784-1134 cell
404-504-8771 fax
www.avalonrepartners.com

From: Laurie Robbins [<mailto:lrobbins@robbinlaw.com>]
Sent: Thursday, August 28, 2014 5:38 PM
To: Brad Hughes; Brent Story

Cc: hwhiteman@dcplaw.com; Bruce Snyder; Jeff Mitchell; rkruse@coca-cola.com; Kally1188; kmarshall4960@gmail.com
Subject: RE: Next Neighborhood Meeting with Rockhaven

Wednesday, September 10 at 6:00pm works for me.

Laurie

Laurie S. Robbins
Robbins & Associates, P.C.
6000 Lake Forrest Drive
Suite 315
Atlanta, Georgia 30328
404-252-8117 Telephone
404-303-8117 Fax
www.robbinlaw.com

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From: Brad Hughes [<mailto:bhughes@rockhavenga.com>]
Sent: Thursday, August 28, 2014 4:45 PM
To: Laurie Robbins; 'Brent Story'
Cc: hwhiteman@dcplaw.com; 'Bruce Snyder'; 'Jeff Mitchell'; rkruse@coca-cola.com; 'Kally1188'; kmarshall4960@gmail.com
Subject: RE: Next Neighborhood Meeting with Rockhaven

Wednesday at 6pm works if that works for everyone. Please let me know if Wednesday at 6pm is good.

Thank you!

Brad Hughes



770-519-1668

www.rockhavenga.com

From: Laurie Robbins [<mailto:lrobbins@robbinlaw.com>]
Sent: Thursday, August 28, 2014 11:48 AM
To: Brad Hughes; Brent Story
Cc: hwhiteman@dcplaw.com; Bruce Snyder; Jeff Mitchell; rkruse@coca-cola.com; Kally1188; kmarshall4960@gmail.com
Subject: Next Neighborhood Meeting with Rockhaven

Brad & Brent,

I am not available on Tuesday, September 9th at 6:00pm to meet. Hal Whiteman mentioned last night that he is also not available that Tuesday evening.

I am available on Tuesday evening at 7:30pm and am also free on Wednesday evening. I believe that there was only one person who couldn't attend on Wednesday.

Is it possible to change the meeting from Tuesday, September 9th to Wednesday, September 10th?

I apologize for not checking my calendar.

Thanks,

Laurie

Laurie S. Robbins
Robbins & Associates, P.C.
6000 Lake Forrest Drive
Suite 315
Atlanta, Georgia 30328
404-252-8117 Telephone
404-303-8117 Fax
www.robbinlaw.com

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Abaray, Linda

From: bonny@wemarshall.com
Sent: Monday, October 06, 2014 10:04 AM
To: Abaray, Linda
Subject: 5950 MITHCELL ROAD REZONING

Importance: High

Linda, I have been out of town until this morning, and was unable to send the email below. It is my hope that it will still be allowed.

I am against Rockhaven's current 15 home (2.95 density) site plan for the following reasons:

1. Density is way too high. We respectfully request a density more in line with bordering neighbors Manchester Place (2.4) and Long island (2.3).
2. I believe that Rockhaven's original 2.71 density was too high and 9,000 sf lots too small. At 2.95 homes per acre, this new plan is higher than originally presented.
3. I am concerned with city council allowing maximum density and unnecessary variances throughout Sandy Springs. I request that the city seriously consider densities in the middle of their range instead of always allowing maximum densities. What would Sandy Spring be like if every piece of land was maxed out?
4. I believe the city should not approve any rezoning density that is higher than the 2.71 density originally presented. This would be 13 homes and would remedy many outstanding issues.
5. 15 homes does not naturally fit on this property. No hardship No variances.
6. I would support a 13 home site plan that naturally fits on this property with a minimum 35 feet back yard setback on all sides. Above ground retention pond landscaped and moved away from Manchester Place.
7. Or, I would support a 14 home site plan with underground retention that naturally fits on the property with a minimum 35 feet back yard setback on all sides.
8. We have been presented twice with site plans with errors/misrepresentations. The first was an acreage error. The second presented to council in August showed a 25 foot backyard setback line in the cul-de-sac that was actually only 20 feet, making that site plan appear to be compliant. Receiving correct information from developers is important. What is the city's policy on incorrect zoning applications?

I respectfully ask Council to vote NO on Rockhaven's 15 home (2.95 Density) rezoning petition.

Bonny Marshall

5995 Mitchell Road #13

Abaray, Linda

From: Betty & Dick Isenberg <bettydick@mindspring.com>
Sent: Tuesday, September 30, 2014 8:26 PM
To: Abaray, Linda
Cc: Paul, Rusty
Subject: 5950 Mitchell Road Property

As neighboring homeowners to 5950 Mitchell Road, we state that we are against more than 14 homes being built on this property. This is a narrow street with a good deal of cut-through traffic. We are often fighting to maintain our quiet, dignified suburban community.

Betty and Dick Isenberg
210 Embassy Court NW
Sandy Springs

Abaray, Linda

From: GMHOFF@aol.com
Sent: Friday, October 03, 2014 4:33 PM
To: Abaray, Linda
Subject: Rezoning 5950 Mitchell Road

Dear Council Members,

Next week you will decide the rezoning for 5950 Mitchell Road.

The applicant, Rockhaven Corporation asks to be allowed to construct 15 homes on this property which makes for a density of 2.95/acre.

I respectfully ask you to vote NO on Rockhaven's rezoning petition for the following reasons:

1. A lower density would be more in line with other Mitchell Road neighbors ;
2. 13 homes with a 35 ft backyard setback on all sides would be better fitted for this property, especially since the site plan calls for a stormwater retention pond or underground retention facility to be located on the south side of the property, close to Manchester Place. Art. 13.6.3 (c) of Ordinance No. 2008-09-48 *Stormwater Facility Location* says "no portion of stormwater facility shall disturb any required buffer, landscape strip or tree protection area."

Therefore, I ask you to vote that the number of houses be reduced to 13 homes and that the retention pond/underground facility be moved away from the buffer zone between Rockhaven and Manchester Place.

Sincerely,

Lisa Hoff

12 Braemore Drive, NW

Abaray, Linda

From: Nelson Kramer <njk@njc.com>
Sent: Friday, October 03, 2014 11:54 PM
To: Abaray, Linda
Subject: 5950 Mitchell Road
Attachments: 2014-06-26 20.54.21.jpg

Ms. Abaray--

My home of 30 years at 5942 Mitchell Road is contiguous to the proposed development at 5950 Mitchell Road. Like many of my neighbors I object to the 15 home (2.95 density) requested by Rockhaven Homes. I believe they should create a neighborhood similar to the actual density of Long Island Walk (2.3) and Manchester Place (2.4) which would allow Rockhaven to address many other issues such as tree preservation, water detention, and privacy concerns.

I have a strong objection to the proposed location of the detention pond. As shown on their plans it would be contiguous to my property, at a lower elevation than my home, and would become the dominant view from my back windows and deck. It does not even appear to have a setback as a normal lot would have. I believe at a minimum it should be located between lots in the new development with the same setbacks as any other lot, and it should have heavy, mature landscaping as a buffer. An even better solution would be to put it underground. It seems inappropriate to hide it away in the new subdivision and have that be at the neighboring homes expense (because of a drop in our homes resale value). On my recent visit to a new Rockhaven development I took a picture of their detention pond and that picture is both below and attached. This looks terrible now and the fencing would not help my view because I would look down into the concrete and weed mess. There is also the possibility/probability of odors, snakes, rodents, etc. This view would diminish the value of my home and that of my neighbors.

These are the main points my neighbors and I are concerned with:

- We object to the 15 home (2.95 density) and request density closer to Long Island Walk (2.3) and Manchester Place (2.4)
- Detention pond should be relocated to a lot with normal setbacks and mature landscaping, or be put underground
- Maximize retention of the specimen trees on the property
- Increase setbacks
- Mature landscaping around the perimeter as a real buffer that will create immediate privacy for all adjoining homeowners

The developer has 'promised' a list of things they might agree to, but we understand that is not binding and may not be passed forward to the City Council by the Planning Commission and Staff. This is very troubling. One of those promises is underground detention but they have yet to present a site plan that shows underground detention.

I respectfully request that City Council deny Rockhaven's 15 home (2.95 Density) rezoning petition. I would support a 13 home plan with underground detention as well as the other promises made by the developer.

Thank you,
--Nelson Kramer
5942 Mitchell Road
404-654-0007
[njc@njc.com](mailto:njk@njc.com)



Abaray, Linda

From: Richard A. Kruse <rkruse@coca-cola.com>
Sent: Friday, October 03, 2014 6:30 PM
To: Abaray, Linda
Subject: Mitchell Road

Dear Ms. Abaray,

Thank you for the continued opportunity for input on this rezoning request. I live in the Long Island Walk neighborhood and my property borders the proposed Mitchell development. To be brief:

- Several of the concerns of adjoining neighbors have been discussed with Rockhaven (after much effort) and I think all sides have tried to and made good progress. I assume that the conditions that Rockhaven has indicated they would include are part of the package and that Rockhaven's proposal - if approved - will be strictly conditioned on these items and enforced. If that is not the case, then I respectfully request the Council to require it or simply deny the rezoning request.
- Of particular concern to those in our adjacent neighborhoods I believe are at least 35 foot rear set backs and appropriate trees and landscaping and drainage for privacy, noise, drainage management, and other important reasons.
- I know that many remain concerned about density, with Manchester and Long Island Walk - the most relevant comps - being materially less dense and with mature landscaping that enhances appeal and value. There is also the concern about what precedent this may set in our area, how the interests of existing and future residents and long term community values are balanced with developers' interests by Sandy Springs staff, planning commission, and Council.

We ask that the Mayor and Council take these factors and concerns into consideration when deciding on this proposed Mitchell Road project and others.

Sincerely,

Richard and Nicole Kruse

320 Long Grove Court
Sandy Springs

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Abaray, Linda

From: adkturn@gmail.com
Sent: Friday, October 03, 2014 6:20 PM
To: Abaray, Linda
Subject: 5950 Mitchell Road Rezoning

Dear Ms. Abaray: I have added my voice at a June 26 meeting and in mail to Councilman McDonald my concerns as a homeowner immediately adjacent to the proposed development at 5950 Mitchell Rd. by Rockhaven Homes. I am disturbed that Rockhaven Homes has twice submitted site plans with errors/misrepresentations that have misled residents and the city as to density, setbacks and buffers, deliberately to make plan appear to be compliant.

As I told the city and my councilman, I am not anti-developer; the instant project should be in line with the same densities as surrounding subdivisions. I oppose the developer's current site plan because:

1. Rockhaven's 2.95 density is excessive and out of line with bordering subdivisions Manchester Plane (2.4) and Long Island (my subdivision: 2.3).
2. Rockhaven's original plan called for 2.71 density and 9000-sq lots. The new plan calls for an even greater density of 2.95, which is an intentional deception to the city and neighbors!
3. I am disturbed with the city setting a trend of approving maximum densities and variances that do not have a basis in hardship but to simply cram as many houses in as small an area as possible and profitable.
4. I would support a 13-home site at 5950 Mitchell Road with minimum 35-ft backyard setbacks on all sides. 15 homes is way to many on this property.

Thank you again for your thoughtful consideration and balancing of new development with preserving the quality of life that attracted so many of us to Sandy Springs in the first place.

Respectfully, David, Kathy and Amanda Turner, 5785 Long Grove Drive, Sandy Springs, Georgia 30328

Abaray, Linda

From: Emily Thomasson <emilythomasson@bellsouth.net>
Sent: Friday, October 03, 2014 4:03 PM
To: Abaray, Linda
Cc: Emily Thomasson
Subject: Rezoning Case 201401601, 5950 Mitchell Road

Dear Ms. Abaray,

As an homeowner in Surrey Place which borders the parcel proposed to be rezoned at 5950 Mitchell Road, I am not in support of sidewalks in front of Surrey Place as proposed by Rockhaven. Surrey Place residents had a meeting last night, Thursday, Oct. 2 with Brad Hughes, of Rockhaven, concerning the sidewalks and I don't feel we have enough information to make an informed decision regarding the sidewalks.

I am not in support of the proposed 15 home density. I would support a 14 home plan with a underground retention with a minimum 35 foot setback on all sides and buffer zones with closer planting than is proposed by Rockhaven.

I am respectfully requesting the City Council to vote against the current rezoning request as proposed by Rockhaven for this property.

Thank you,

Emily Thomasson
5996 Mitchell Road, #28
Atlanta, GA 30328

Abaray, Linda

From: Richard Grimm <rgrimm78@gmail.com>
Sent: Friday, October 03, 2014 3:46 PM
To: Abaray, Linda
Subject: 5950 Mitchell Rd Rezoning

Hello Linda-

I would like to once again voice my feelings regarding 5950 Mitchell Rd.

I'm no expert in these matters but it's obvious from the various plans put forth by Rockhaven that the 15 home plan is like someone with a 38 inch waist trying to squeeze into a pair of 34 jeans. It's not going to look right once it's buttoned up.

Rockhaven has agreed to put the retention pond underground, which the council would probably require them to do anyway, and basically very little else that can be enforced through zoning.

The density should be closer to Manchester Place and Long island at around 2.4. A 14 home plan would put them above that but at their original applied for density of 2.71.

I would like to hear the Council deny the 15 home application and recommend they go back to the seller and renegotiate price so they can modify their plans for a more acceptable fit in the neighborhood and Sandy Springs in general.

Richard Grimm
965 Manchester Place

Abaray, Linda

From: Jeff Mitchell <jeffmitchell@live.com>
Sent: Friday, October 03, 2014 3:33 PM
To: Abaray, Linda
Subject: 5950 Mitchell Road Opposition email

Dear Mayor and Council,

I am against Rockhaven's current 15 home (2.95 density) site plan for the following reasons:

1. **90% of neighborhoods in our area are in the lower 50% of their respective future land use range.** Allowing Rockhaven to maximize the density on their infill project would not be in harmony with other communities. The Density is way too high. We respectfully request a density more in line with bordering neighbors Manchester Place (2.4) and Long island (2.3). These neighborhoods are both lower than the middle range of 2.5 units per acre for their 2-3 FLU designation. In addition, Surrey Place is at the bottom of their FLU range. We ask Rockhaven to conform to this establish pattern in our community.
2. I believed that Rockhaven's original 2.71 density was too high and their 9,000 sf lots too small. At 2.95 homes per acre this new plan is higher than originally presented.
3. I am concerned with city council allowing maxim density and unnecessary variances throughout Sandy Springs. I request that the city seriously consider densities in the middle of their range instead of allowing maximum densities.
4. I believe the city should not approve any rezoning density that is higher than the 2.71 density originally presented. This would be 13 homes and would remedy many outstanding issues. The actual density for 13 homes would be 2.55 which would be more in harmony with surrounding neighborhoods.
5. Closely reviewing the progression of site plans and requested variances. It is clear 15 homes do not naturally fit on this property. If there is No hardship there should be No variances.
6. I would support a 13 home site plan that naturally fits on this property with a minimum 35 foot back yard setback on all sides. Above ground retention pond heavily screened and moved at least 35 feet away from Manchester Place possibly taking up half a lot closer toward the interior.
7. Or I would support a 14 home site plan with underground retention with a minimum 35 feet back yard setback on all sides.
8. If Rockhaven is paying to much for this property and did not leave themselves any margin, please do not make their problem our problem by allowing them to maximize their density. It is just not fair make us pay for their mistake.
9. We have been presented twice with site plans with errors/misrepresentations. The first was an acreage error. The second presented to council in August showed a 25 foot backyard setback line on the cul de sac that was actually only 20 feet. Making that site plan appear to be compliant. I feel that receiving correct information from developers is very important. What is the city's policy on incorrect zoning applications?

I do not support this site plan and respectfully ask Council to vote NO on Rockhaven's 15 home (2.95 Density) rezoning petition.

Thank you for your service to our community.

Jeff Mitchell
Braemore

Abaray, Linda

From: Marsha Cintorino <marsha@cintorino.net>
Sent: Friday, October 03, 2014 3:10 PM
To: Abaray, Linda
Subject: Rockhaven"s Mitchell Rd .development

MARSHA AND TONY CINTORINO 37 RIDGEMERE TRACE RESPECTFULLY ASK THAT THE COUNCIL VOTE NO ON ANY REZONING DENSITY THAT IS HIGHER THAN THE 2.71 ORIGINALLY PRESENTED.15 HOMES DO NOT FIT NATURALLY ON THIS PROPERTY.14 HOMES MAXIMUM WITH A 35 FOOT BACK YARD SET BACK ON ALL SIDES .UNDERGROUND RETENTION POND. WE NEED SOME CONSISTANCY WITH THE ZONING LAWS IN SANDY SRINGS. THANK YOU MARSHA & TONY

Marsha Cintorino

Please note: my new email address is marsha@cintorino.net thank you!

Community Argument on Rockhaven's latest site plan

I would like to explain the concerns that our community has had in response to the continued errors/misrepresentations on Rockhaven's site plans presented to staff, PC, MCC and our community.

On the first site plan attached to the petition in March, there was an error/misrepresentation. Rockhaven was attempting to put 16 homes on 5.9 acres with concurrent variances. This site plan showed a density of 2.71 (Exhibit A). However, Pete Hendrick's paperwork showed a density of **3.14** with 16 homes on 5.09 acres. This original rezoning request exceeded the future land use plan.

When asked about this discrepancy, Rockhaven reiterated that the site plan was correct and the density was 2.71. However, once they learned that staff would not approve the variances needed to get 16 homes and it was unlikely to get approved without a hardship, Rockhaven presented a second site plan to the Planning Commission an hour before their July meeting. This "corrected" plan showed 15 homes, 2.95 density on 5.09 acres. The commission did not appreciate this and deferred.

During the August MCC, Rockhaven instead of immediately asking for a deferral tried to push through a vote on this second plan. Neighbors were amazed and hurt. Thankfully council deferred, because upon closer look at their second site plan, we again found an error/misrepresentation. Exhibit B will show the cul de sac of that second plan.

If you look at the cul de sac lots on this second site plan, the homes fit nicely inside the buildable area boxes with no room to spare. Some actually touch both the front and side setback lines. Looking at the plan it seems that there is room to spare along the 25 foot rear setback line. However, if you measure that rear setback, it is actually 20 feet thus making those homes appear to be compliant. Rockhaven's own measurements prove this. The top corner home shows a measurement of 25 feet from the property line to the corner of the home. However, a correct BSL would have shown that this home is squeezed so tightly that there is no margin for error on every side. In addition, the bottom corner home shows 23 feet from the property line to the home's deck which appears incorrectly to be inside the 25 foot setback line. At least 2 homes would have needed variances on this second site plan but were not requested. Again, we have verified and measured to scale that the 25 foot BSL shown is actually 20 feet. We used an actual large Rockhaven site plan not just the small, hard to read plans that Rockhaven provides to us, PC and MCC. If needed, we can provide this plan for you all to verify. We are thankful that council did not approve this plan in August.

Why does this matter?

First, it bothers us that Rockhaven would again present another site plan as "factual and compliant". It is important that we (community, staff, PC, and MCC) get correct information before making important decisions.

Second, we thought it important for Council to understand why Rockhaven now has a third site plan with concurrent variances requested on the front setback. We argue that this last plan presented to you is an attempt to keep their maximum density without having to prove hardship. This current plan and density does not fit naturally on the site without variances.

If you go back to early emails, the number of homes and crowded nature of this development has always been an issue for many neighbors. Rockhaven will claim that they already dropped one house for us. We say that the 16th home would have never happened because it would have exceeded the FLU in a protected neighborhood. In addition, there was no hardship for the variance required to squeeze that in. There was no concession to the community there.

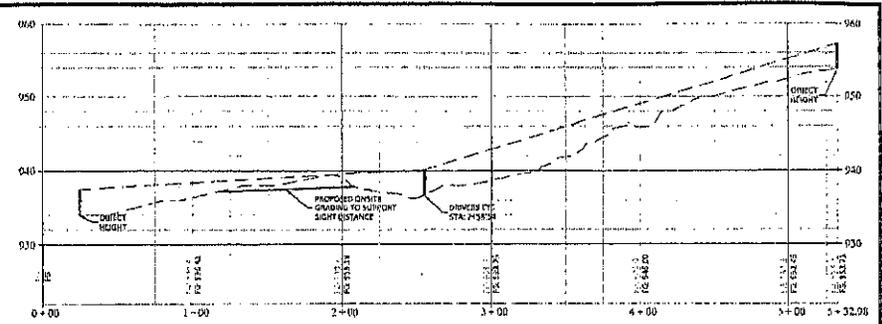
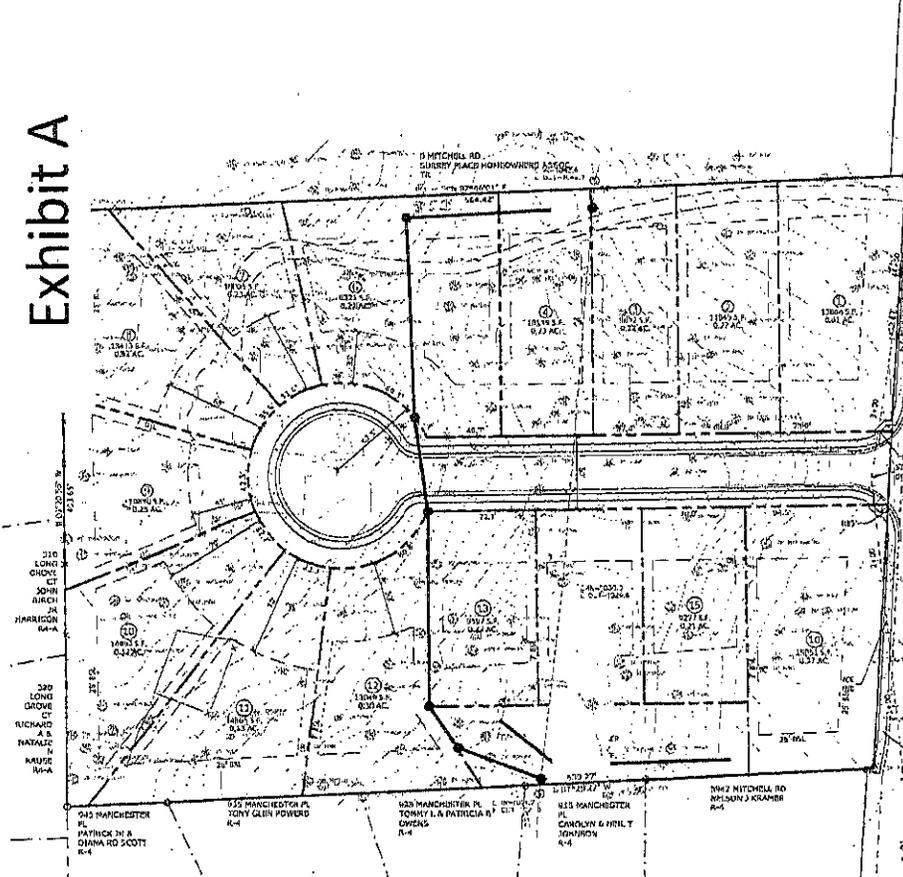
After numerous meetings with Rockhaven, they have provided some fluff concessions. Many are not enforceable and some community ideas will actually increase the value and salability of their community like good perimeter tree screens and underground retention behind the smaller 9,000 sf lots. However, after many requests they will not decrease their density.

In an area where most neighborhoods are near the bottom of their FLU density ranges, allowing this infill project to maximize density, would not be in harmony with the community. Rockhaven has not made any concession on density. They only cleaned up their mistakes. Please do not punish us and make Rockhaven's paying too much for the property our problem also. Our community is clear that we want low to mid-range densities to match what is already built.

Thanks,

Jeff Mitchell, Braemore

Exhibit A



1 SIGHT DISTANCE PROFILE

DEVELOPMENT STATISTICS SUMMARY CHART WITH PERCENTAGE (%) OF TOTAL SITE COVERAGE

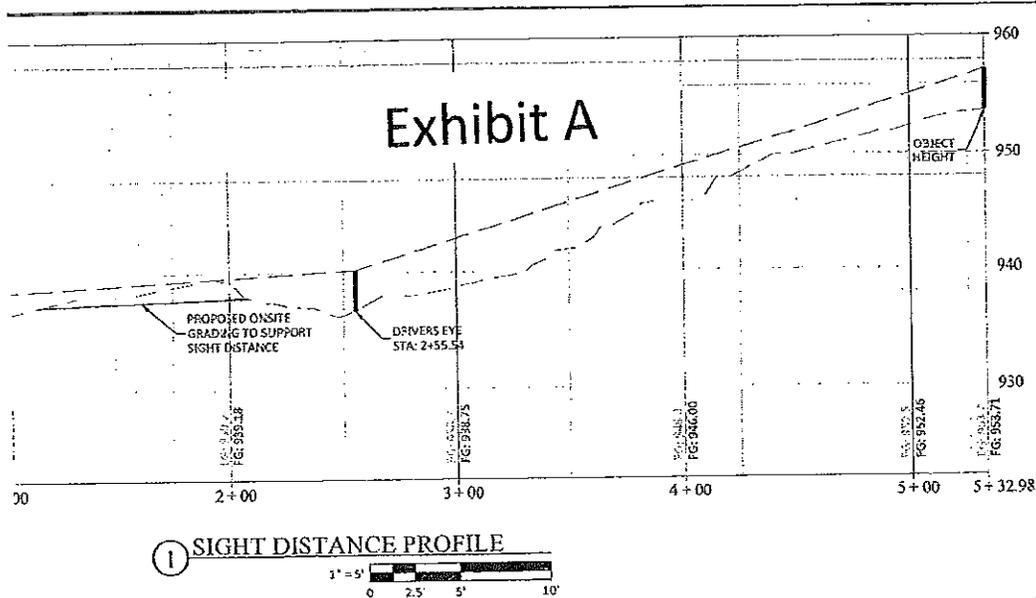
TOTAL SITE AREA:	5.8 ACRES (252,004 SF)	21.8%
BUILDINGS:	32,000 SF (APPROXIMATE FUTURE HOME)	12.7%
PARKING SPACES:	TO BE PROVIDED IN GARAGES	0%
IMPERVIOUS SURFACE:	93,910 SF (APPROXIMATE)	35.4%
LANDSCAPING:	NA	0%
FLOOD PLAIN:	NA	0%
REMOVING LOT AREA:	64,094 SF	22.8%
TOTAL:		100.0%

THE SITE IS CURRENTLY WOODED. TREES WITHIN THE FOOTPRINT OF THE DEVELOPMENT WOULD BE REMOVED.

SYMBOLS

- ADJACENT HOUSING
- WOOD PILE
- CONCRETE MANHOLE
- LAND LOT SYMBOL
- W/O
- SEWER
- HEADWALL
- ROUND WOOD CATCH BASIN
- ANGLE WOOD CATCH BASIN
- CURB INLET
- DRIP PILE
- POSSIBLE PILE
- UTILITY POLE
- BUTYRE
- UTILITY POLE
- UTILITY MANHOLE (UTILITY SPECIFIED)
- UTILITY WITH 18" DIA. UTILITY SPECIFIED
- UTILITY WITH 18" DIA. UTILITY SPECIFIED
- SANITARY CLEAN OUT
- FIRE HYDRANT
- SEWER





DEVELOPMENT STATISTICS SUMMARY CHART WITH PERCENTAGE (%) OF TOTAL SITE COVERAGE

TOTAL SITE AREA:	5.9 ACRES (257,094 SF)	
BUILDINGS:	56,000 SF (APPROXIMATE FUTURE HOMES)	21.8%
PARKING SPACES:	TO BE PROVIDED IN GARAGES	0%
IMPERVIOUS SURFACE:	91,910 SF (ROADWAY & SIDEWALKS)	35.4%
LANDSCAPING:	45,000 SF (APPROXIMATE)	17.5%
FLOOD PLAIN:	NA	0%
REMAINING LOT AREA:	64,094 SF	25.3%
TOTAL:		100.0%

THE SITE IS CURRENTLY WOODED. TREES WITHIN THE FOOTPRINT OF THE DEVELOPMENT WOULD BE REMOVED.

SYMBOLS	
	IRON PIN FOUND
	IRON PIN SET
	CONCRETE MONUMENT
	LAND LOT SYMBOL
	SIGN
	MAILBOX
	HEADWALL
	DOUBLE WING CATCH BASIN
	SINGLE WING CATCH BASIN
	CURB INLET
	DROP INLET
	PEDESTAL INLET
	UTILITY POLE
	GUY WIRE
	LIGHT POLE
	TRAFFIC SIGNAL POLE
	UTILITY MANHOLE (UTILITY SPECIFIED)
	UTILITY METER BOX (UTILITY SPECIFIED)
	UTILITY VALVE (UTILITY SPECIFIED)
	SANITARY SEWER CLEANOUT
	FIRE HYDRANT
	PLUG / CAP

LINETYPES	
	LAND LOT LINE
	PROJECT PROPERTY LINE
	ADJOINING PROPERTY LINE
	UNDISTURBED BUFFER
	SETBACK
	FENCE
	CHAINLINK FENCE
	DECORATIVE FENCE (WOOD / VINYL)
	GUARDRAIL
	CREEK CENTERLINE
	OVERHEAD TELEPHONE
	NATURAL GAS
	UNDERGROUND POWER
	OVERHEAD POWER
	SANITARY SEWER
	WATER MAIN

SITE DATA

OWNER/DEVELOPER: 4625 PTD, LLC
11 LUMPKIN STREET, SUITE 200
LAWRENCEVILLE, GA 30046
PHONE: 404-254-6216

ENGINEER/SURVEYOR: SOUTHEASTERN ENGINEERING, INC.
2470 SANDY PLAINS ROAD
MARIETTA, GA 30066
PHONE: 770-321-3930

BOUNDARY: BOUNDARY SURVEY BY SEI, DATED APRIL, 29, 2014

TAX PARCEL ID: 17-0123-110197

TOPOGRAPHY: FIELD RUN SURVEY BY SEI, DATED APRIL, 29, 2014

SITE AREA: 5.9 AC

NUMBER OF LOTS: 16

DENSITY: 16 LOTS / 5.90 ACRES = 2.71 UNITS PER ACRE

CURRENT ZONING: R1 RESIDENTIAL

PROPOSED ZONING: R4 RESIDENTIAL

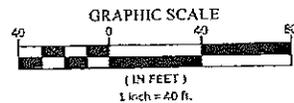
FLOOD INFO: THIS SITE NOT LOCATED WITHIN THE 100 YEAR FLOOD ZONE PER FEMA FLOOD PANELS # 13121C0142F, DATED 9-18-13.

AREA BREAKDOWN

DEVELOPMENT STANDARDS:

TOTAL SINGLE FAMILY LOT AREA: 183,985 SF (72%)
STORMWATER AREA: 13,651 SF (4%)
RIGHT OF WAY AREA: 61,358 SF (24 %)

MIN. LOT SIZE: 9,000 S.F.
MIN. LOT WIDTH AT FRONT SETBACK LINE: 70'
(CONCURRENT VARIANCE REQUESTED TO ALLOW 60' WIDTH ADJACENT TO TOWNHOME ZONING)
MIN. LOT FRONTAGE: 35'
MAX HOUSE HEIGHT: 40'
MIN. OPEN SPACE: 15%
MIN. FRONT BUILDING SETBACK: 35'
MIN. SIDE BUILDING SETBACK: 7' ADJ. TO INTERIOR LOT



STING UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR. IT IS THE OWNER/DEVELOPER'S RESPONSIBILITY TO VERIFY EXISTING UTILITY CAPACITY PRIOR TO INITIATING DESIGN. THE

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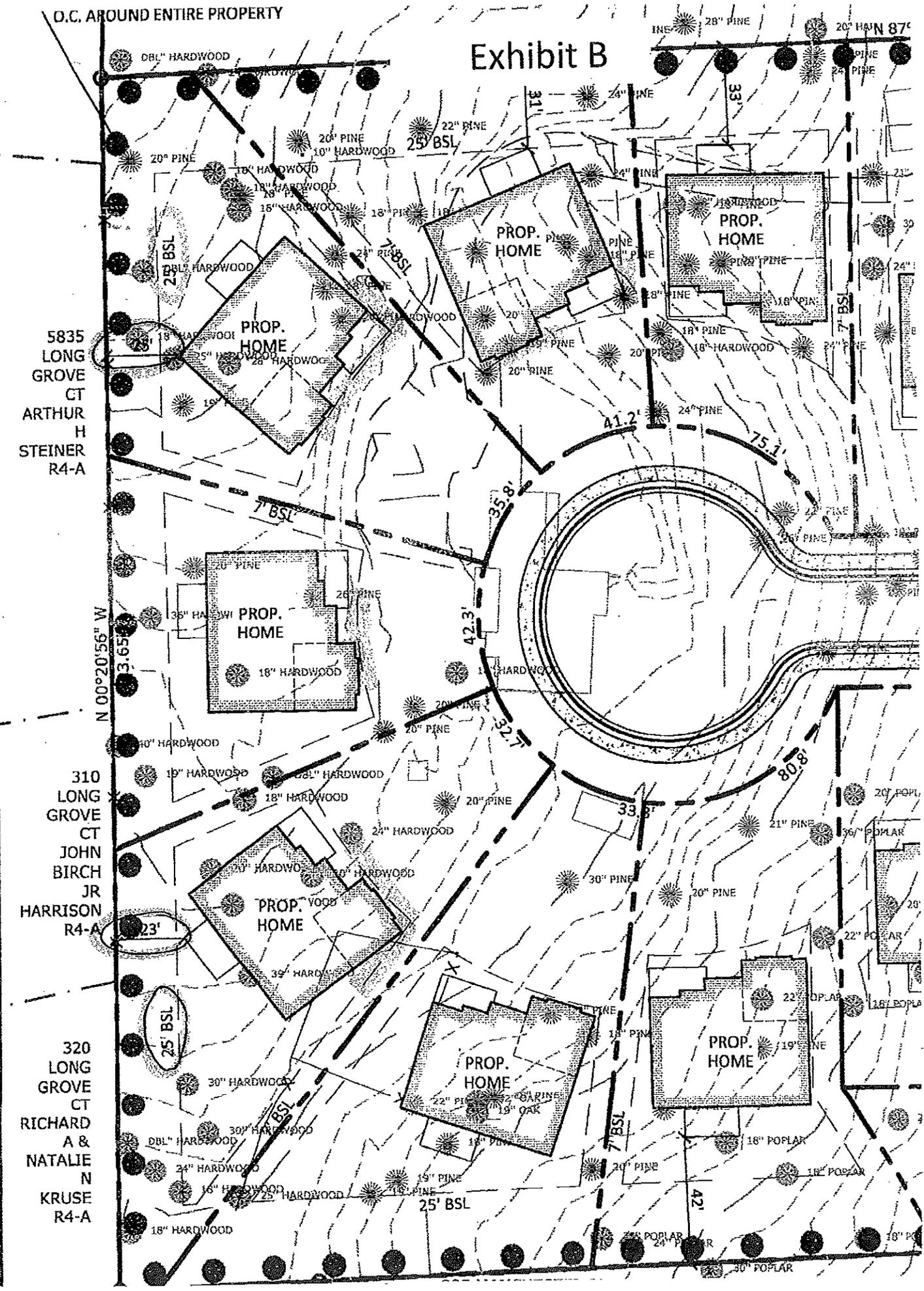
O.C. AROUND ENTIRE PROPERTY

Exhibit B

5835
LONG
GROVE
CT
ARTHUR
H
STEINER
R4-A

310
LONG
GROVE
CT
JOHN
BIRCH
JR
HARRISON
R4-A

320
LONG
GROVE
CT
RICHARD
A &
NATALIE
N
KRUSE
R4-A



Community argument on density in the Mitchell Road corridor

90% of neighborhoods in the Mitchell Road area are in the lower 50% of their Future Land Use range. If Rockhaven were to conform to this established precedent, this property should be rezoned at or below 2.5 units per acre.

Properties located within the 5-8 units per acre on the Future Land Use Plan. These communities are mostly located on high traffic, corner parcels of Hammond Road

Braemore	Townhomes	2.7 ac	13 homes	4.81 density
Surrey Place	Townhomes	5.37 ac	29 homes	5.40 density
Cameron Manor	Single family	2.53 ac	10 homes	3.95 density
St James Church	Church	2.36 ac	1 home	5.07 density, rezoned

As you see above, 2 properties are actually under the 5-8 units per acre range and the other 2 properties are at the bottom of the 5-8 Future Land Use range.

As you get further into this protected neighborhood, these communities are on the petitioner's Western and Southern boundaries. They are designated 2-3 FLU.

Manchester Place	Single family	8.2 ac	20 homes	2.44 density
Long Island Walk	Single family	10.8 ac	25 homes	2.32 density

Both of these communities are in the lower 50% of their 2-3 FLU range (*Not maxed out*).

Even though the CUP across the street does not fit this pattern, Sandy Spring planners placed Ridgemere and everything else with access on to Mitchell Road and Long Island Drive in the 2-3 unit per acre range for a reason.

When Rockhaven argues this density, we would like to remind Mayor and Council, Ridgemere was built before the city was created. Also, remember what happened to the real estate market 10 years ago when lenders and appraisers started jumping across streets and boundaries in order to justify higher sales prices. It was bad for business. We feel that it is **inappropriate** to use these properties in order to make a density jump. Everything located on the Western side of Mitchell Road is 2-3 units per acre and below 50% of their FLU range. Allowing Rockhaven to come in now and infill at maximum density would not be in harmony with the density ranges of over 90% of the neighborhoods in this area.

Our community asks Mayor and Council to focus on 2 things.

1. Stay within the harmony of our community by helping us keep any future developments near the bottom or middle of the Future Land Use range.
2. Please try to closely mirror density of the 2 bordering neighborhoods most affected Manchester (2.4) and Long Island (2.3)

We care about our community. This is why you have received so many opposition emails about this maxed out (2.95 out of 3) density request.

Please support us. Vote No on Rockhaven's 15 home, 2.95 density rezoning petition.

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Please support us. Vote No on Rockhaven's 15 home, 2.95 density rezoning petition.

Another example of Rockhaven's failure to work well with neighbors.

Get the App Tools for Government Login Sign Up

Brookhaven, GA [change]

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ISSUES ANSWERS NEIGHBORS WATCH AREAS

HOME > ISSUES > ROCKHAVEN HOMES LLC

Rockhaven Homes LLC · Archived

2744 Tallulah Drive Northeast Atlanta, Georgia · Show on Map

Issue ID: 884021
Viewed: 49 times
Neighborhood: Brookhaven
Reported: on 2014-01-09

REPORTER
Scott Rattray (Guest)

DESCRIPTION

Contractor storing a trailer on the street at a Rockhaven construction site on Tallulah Dr for a week. Jan 2nd thru the 8th so far.

This was fixed! Click to say thanks

NEARBY ISSUES

- Illegal Parking
- Pavement Problem
- kudzu overgrowing road
- Other

Main

- Photos and Videos
- Notified 4
- Flag Issue

NEARBY ISSUES

- Illegal Parking
Reported by ThomasP
- Pavement Problem
Reported by Dan Jenkins
- kudzu overgrowing road
Reported by Bill Munzer
- Other
Reported by LRT
- Road Hazards
Reported by Wll

8 COMMENTS

Post a New Comment

Julia (Guest)
It looks like there have been continuing problems with this contractor. Has anyone addressed these issues?
2014-01-09 · Flag

Belinda (Guest)
We have tried numerous times to contact Rockhaven--only sales numbers are listed. If you DO find someone, calls are not returned. This situation with the trailer is impeding traffic on our street. The trailer is there even when workers are not. We have been waiting 7 months for them to replace sod in our yard that was torn up by their trucks. I'll be glad when they are gone!
2014-01-10 · Flag

Brookhaven Department of Public Works (Verified Official)

City of Brookhaven thanks you for posting your concern. We will forward this request to the Department of Code Enforcement. An update will follow soon.

2014-01-10 · Flag



Betty (Guest)

Belinda, try Christopher Harris, president of Rockhaven, at 678-878-9098.

2014-01-10 · Flag



Belinda (Guest)

Thank you, Betty. Will do!

2014-01-10 · Flag



Kay Wolfe (Registered User)

They have been terribly disrespectful. I'm ready for them to G-O!
This trailer is but one of many instances.

2014-01-10 · Flag



Belinda (Guest)

Trailer has been removed!!!

2014-01-11 · Flag



CLOSED Brookhaven Department of Public Works (Verified Official)

Thanks for the update. Please report an other problems to the City of Brookhaven.

2014-01-13 · Flag

Comments are closed for archived issues.

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- Videos
- Events
- Webinars
- Case Studies

Get started

Abaray, Linda

From: Dicknancymaas@aol.com
Sent: Friday, October 03, 2014 2:21 PM
To: Abaray, Linda
Subject: 5950 Mitchell Rezoning

We believe the city should not approve any rezoning density that is higher than the 2.71 density originally presented. This would be 13 homes.

Nancy and Dick Maas
46 Ridgemere Trace

Abaray, Linda

From: Hal Whiteman <HWhiteman@dcplaw.com>
Sent: Friday, October 03, 2014 1:20 PM
To: Abaray, Linda
Subject: 5950 Mitchell Road rezoning application

Ms. Abaray

My wife and I live at 985 Manchester Place, the street that adjoins this property. We have a voluntary HOA but I was selected by my neighbors to represent them for this rezoning application filed by Rockhaven. In that capacity I have met with Rockhaven's development team several times including yesterday morning.

We have strong objections to the development as proposed by Rockhaven.

These are the main issues that we are concerned with:

- We strongly oppose the 15 home (2.95 density) and want density closer to Long Island Walk (2.3) and Manchester Place (2.4)
- Detention pond should be constructed underground
- Maximize retention of the existing trees on the property
- Increase setbacks to 35 feet
- Mature landscaping around the perimeter to include trees at least 18 feet high at 10 foot intervals as a real buffer that will create immediate privacy for all adjoining homeowners.

Unfortunately Rockhaven is vigorously opposed to any decrease in density. Virtually all of our concerns would be met if the density were reduced to 14 homes instead of the proposed 15 homes. This would bring the density in line with the neighboring subdivisions of Long Island Place and Manchester Place. Larger lots would result from the decreased density. This would increase the setback distances from the new homes to the homes in the surrounding subdivisions. Runoff, noise, and traffic would all be reduced. The price per home would increase raising home values.

We respectfully request that Rockhaven's 15 home (2.95 Density) rezoning petition be denied.

Hal Whiteman
Attorney at Law
404-926-3654 (direct)
404-365-0134 (fax)
3535 Piedmont Road NE
Building 14, Suite 900
Atlanta, GA 30305

Abaray, Linda

From: EDWIN C JR THOMASSON <edthomasson@bellsouth.net>
Sent: Friday, October 03, 2014 12:10 PM
To: Abaray, Linda
Cc: EdThomasson@gmail.com
Subject: Considerations for City Council = Rezoning Case 201401601 = 5950 Mitchell Road = Surrey Place Homeowner Opinions

Dear Ms. Abaray,

I would like to submit comments to the City Council re: Subject Rezoning Case as follows:

- * Homeowners in Surrey Place feel that sidewalks should NOT be installed by Rockhaven.
- * Homeowners in Surrey Place feel that the Rockhaven density should be no greater than 14 homes.
- * Homeowners in Surrey Place feel that an appropriate treeline buffer between Rockhaven's development and Surrey Place should be critiqued by a qualified individual (arborist) to guarantee that the currently proposed Rockhaven buffer would be totally sufficient within 12 - 18 months of initial planting.

Respectfully submitted,

Edwin C. Thomasson, Jr.

Homeowner, Surrey Place
5996 Mitchell Road, # 28
Sandy Springs, GA 30328

Abaray, Linda

From: Coffey, Nancy <NCoffey@care.org>
Sent: Friday, October 03, 2014 12:12 PM
To: Abaray, Linda
Subject: 5950 Mitchell Rezoning Petition - Rockhaven's 15 home (2.95 density) Plan

Ms. Labaray,

I have sent other emails to let my feelings be known that I am against Rockhaven's current 15 home (2.95 density) site plan. I still think the density is way too high and would much prefer they stay in line with our neighboring communities - Manchester Place (2.4) and Long island (2.3). I also think the 20' distance and 8' height in planting the buffer zone is insufficient. Plantings should be larger and closer together. Why should we have to wait five or more years to have a privacy screen between our properties.

I can't help but wonder why the City Council is allowing maximum density and unnecessary variances throughout Sandy Springs. I sincerely believe the city should seriously consider densities in the middle of their range instead of always allowing maximum densities. I hate to think what Sandy Springs would be like if every piece of land was maxed out!

I would support a 14-home site plan with underground retention that naturally fits on the property with a minimum 35 feet back yard setback on all sides.

Homeowners from Surrey Place met last night with Brad Hughes of Rockhaven to discuss the proposed extension by Rockhaven of sidewalks from 5950 Mitchell Road up to Hammond Drive. Surrey Place will be the most impacted by this. Due to the lack of anything definitive regarding this project, we are not in favor of having sidewalks put along our property on Mitchell Road.

As you know, we have been presented twice with site plans with errors/misrepresentations. The first was an acreage error. The second presented to Council in August showed a 25 foot backyard setback line in the cul de sac that was actually only 20 feet. Making that site plan appear to be compliant. Receiving correct information from developers is critical and the respectful way to interact with our City Planners, etc.

I respectfully ask Council to vote NO on Rockhaven's 15 home (2.95 Density) rezoning petition.

Regards,
Nancy W. Coffey
5996 Mitchell Road NW #17
Sandy Springs, GA 30328

Abaray, Linda

From: Coffey, Nancy <NCoffey@care.org>
Sent: Friday, October 03, 2014 12:12 PM
To: Abaray, Linda
Subject: 5950 Mitchell Rezoning Petition - Rockhaven's 15 home (2.95 density) Plan

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As you know, we have been presented twice with site plans with errors/misrepresentations. The first was an acreage error. The second presented to Council in August showed a 25 foot backyard setback line in the cul de sac that was actually only 20 feet. Making that site plan appear to be compliant. Receiving correct information from developers is critical and the respectful way to interact with our City Planners, etc.

I respectfully ask Council to vote NO on Rockhaven's 15 home (2.95 Density) rezoning petition.

Regards,
Nancy W. Coffey
5996 Mitchell Road NW #17
Sandy Springs, GA 30328

Abaray, Linda

From: Stan Schnitzer <stan.schnitzer@comcast.net>
Sent: Friday, October 03, 2014 11:54 AM
To: Abaray, Linda
Subject: FW: Strongly opposed to Rockhaven plan for 5950 Mitchell Road

Dear Ms. Abaray,

I had a typo in your email address when I sent the message below. The email address to Councilman Dishman, which I copied from the city's website, also was returned as an 'invalid recipient.'

Thank you for including my comments in the materials for the upcoming City Council meeting.

Stan Schnitzer
stan.schnitzer@comcast.net
38 Ridgemere Trace

From: Stan Schnitzer [<mailto:stan.schnitzer@comcast.net>]
Sent: Friday, October 03, 2014 11:34 AM
To: 'labaray@sandyspringsga.gov'; 'rpaul@sandyspringsga.gov'; 'gmcdonald@sandyspringsga.gov'; 'jgpaulson@sandyspringsga.gov'; 'kdishman@sandyspringsga.gov'; 'gsterling@sandyspringsga.gov'; 'tdejulio@sandyspringsga.gov'; 'abauman@sandyspringsga.gov'
Cc: R-Laurie Robbins (lrobbins@robbinslaw.com)
Subject: Strongly opposed to Rockhaven plan for 5950 Mitchell Road

Dear Mayor Paul, City Council Members and Ms. Abaray,

I am writing to state my unequivocal opposition to Rockhaven Homes' current site plan for 15 homes for 5950 Mitchell Road. Or, I am unequivocally opposed to what I think it is. After attending Planning Commission meetings but never having seen anything in writing from Rockhaven (more about the developer's communications later in this letter), I think they are looking for a zoning variance to accommodate a 2.95 homes-per-acre density.

Density at 2.95 is way too high. The single-family housing developments that border 5950 Mitchell Road – Manchester Place and Long Island Walk – have densities of 2.4 and 2.3 homes per acre, respectively. I would support a density more in line with those. Even if you allow Rockhaven's original density of 2.71 – at least that's what I think it was; they seem to have submitted more than one – that's still quite a bit higher. Granting the 2.95 density will result in 15 homes. I believe that's too many to fit naturally on the site.

Granting a density of 2.71 would allow for 13 homes and take care of a few other issues. It would preserve minimum-35-foot-setbacks for all backyards and likely preserve the current trees and vegetation that provide a buffer for the neighboring developments. Having 13 homes on the property would allow for an above-ground detention pond that could be moved away from the backyards of the Manchester Place properties that border the proposed development. I would support 13 homes on the 5950 Mitchell Road property. I also would support 14 homes with an underground detention system and 35-foot setbacks.

I would like to address two other concerns, one of which relates to this developer and one of which relates to the direction of development in our city.

First, Rockhaven. At the last Planning Commission meeting, their legal representative characterized area residents as characterizing Rockhaven – or its counselors – as “liars and cheats.” I would not slander anybody in this matter, but I think they have played it a little loose with some of their statements, and I have found them cavalier in their dealings with the community.

We have been presented twice with site plans with errors and/or misrepresentations. The first plan had an acreage error. The second plan presented to council in August showed a 25-foot backyard setback line in the cul-de-sac that was actually only 20 feet. Receiving correct information from developers is important. What is the City's policy on incorrect zoning applications?

Here are other ways in which they have disappointed me:

- They started communicating with the community only after being chided by the Planning Commission. I never felt they had any intention of communicating until forced to.
- They did invite the community to gathering at the property to explain their plan. We received a letter – delivered by USPS – the day before the event. We had no way to plan to attend.
- At the subsequent Planning Commission, Rockhaven presented a list of 17 items they claimed the community had agreed to. Two things: 1.) Nobody, including our HOA representatives, saw that list before it was presented to the Planning Commission, and 2.) nobody I know of was empowered to “agree” to those items.

As I understand it, Rockhaven is under no legal obligation to carry out anything they volunteer to do. Based on how I have seen them treat the community, I have no confidence at all that they will actually do anything they say they will.

Second, are you, our city government, going to allow any and all developers to push beyond middle-range densities? I am concerned about allowing maximum density and unnecessary variances throughout Sandy Springs. I request that the City seriously consider densities in middle of their range instead of always allowing maximum densities. What would Sandy Spring be like if every piece of land was maxed out?

In view of all that has transpired, I respectfully ask Council to vote NO on Rockhaven's 15-home (2.95 Density) rezoning petition.

Stan Schnitzer
stan.schnitzer@comcast.net
38 Ridgemere Trace

Abaray, Linda

From: John Sikes <mcnaught7588@att.net>
Sent: Friday, October 03, 2014 10:59 AM
To: John; Abaray, Linda
Cc: Katherine Marshall; Emily Thomasson; Ashley Garrison
Subject: Re: Fwd: Rockhaven - 5950 Mitchell Rd. Rezoning

Ms. Labaray,

I live in Surrey Place and support the efforts of Katherine Marshall and John Duke. Thank you. John Sikes

On Friday, October 3, 2014 10:17 AM, John <jduke8@bellsouth.net> wrote:

Ms. Labaray,

I wish to second Katherine Marshall regarding sidewalks and densities in our neighborhood. We have nothing of any substance from Rockhaven regarding their plans, but instead "we're not sure what might happen". This is not acceptable when considering that approximately 30 years of landscaping, beautiful trees and maintenance are involved.

Thank you

John Duke
Sent from my iPhone

Begin forwarded message:

From: "Katherine Marshall" <kmarshall4960@gmail.com>
Date: October 2, 2014 at 8:59:37 PM EDT
To: "Jack Sikes" <mcnaught7588@att.net>, "Nancy Coffey" <NCoffey@care.org>, "Ashley Garrison" <ashleygarrison@gmail.com>, "Emily Thomasson" <EmilyThomasson@bellsouth.net>, <jduke8@bellsouth.net>, <curtis@wanana.com>, <GBATL@aol.com>, "Ginny Green" <vpgreenservices@yahoo.com>, <harrissugarman@gmail.com>, <helen28@bellsouth.net>
Subject: FW: Rockhaven - 5950 Mitchell Rd. Rezoning

From: Katherine Marshall [<mailto:kmarshall4960@gmail.com>]
Sent: Thursday, October 02, 2014 8:57 PM
To: 'Labaray@SandySpringsga.gov'
Subject: FW: Rockhaven - 5950 Mitchell Rd. Rezoning

Ms. Labaray,

Homeowners from Surrey Place met this evening with Brad Hughes of Rockhaven to discuss the proposed extension by Rockhaven of sidewalks from 5950 Mitchell Rd. up to Hammond Dr. Of all the residents on Mitchell Rd., we will be the most impacted by this. Due to the lack of anything definitive regarding this project, we are not in favor of having sidewalks put in along our property on Mitchell Rd.

We also are opposed to the 15 home 2.75 density proposed by Rockhaven, and think the 20' distance and 8' height in planting the buffer zone is insufficient. Plantings should be larger and closer together. We don't want to have to wait five or more years to have a privacy screen between our properties.

Thank you for your consideration.

Katherine Flack
President
Surrey Place HOA

Abaray, Linda

From: Bethany Diamond <bethanydiamond2@gmail.com>
Sent: Friday, October 03, 2014 10:55 AM
To: Abaray, Linda
Subject: 5950 Mitchell Road

Ms. Abaray:

I am against Rockhaven's current 15 home (2.95 density) site plan.

What is the city's policy on incorrect zoning applications?

We have been presented twice with site plans with errors/misrepresentations. The first was an acreage error. The second presented to council in August showed a 25-foot backyard setback line in the cul de sac that was actually only 20 feet. This false report makes that site plan appear to be compliant. Receiving correct information from developers is so important especially in a situation such as this one. How could the zoning commission recommend approval based on incorrect information? What does this erroneous reporting say about Rockhaven?

Aside from the incorrect report submitted by the developer, the density plan for this subdivision is way too high.

I am concerned with city council allowing maximum density and unnecessary variances throughout Sandy Springs.

I respectfully request a density more in line with bordering neighbors Manchester Place (2.4) and Long island (2.3). The current site plan indicates 2.95 homes per acre -- higher than 2.71 density that was originally presented.

For these reasons, I respectfully ask Council to vote NO on Rockhaven's 15 home (2.95 Density) rezoning petition.

I support the 2.71 density originally presented of 13 homes with a minimum 35 feet back yard setback on all sides, and an above ground retention pond landscaped and moved away from Manchester Place. I would also support a 14 home site plan with a minimum 35 feet back yard setback on all sides; with underground retention that naturally fits on the property.

Thank you for your consideration.

Bethany Diamond
40 Ridgemere Trace
Sandy Springs, GA 30328
404-680-2614

Abaray, Linda

From: Steve Brown <smbrown56@icloud.com>
Sent: Friday, October 03, 2014 10:22 AM
To: Abaray, Linda
Subject: 5950 Mitchell Rd.

Linda, this bounced on me the first time I sent it, please excuse if you got the original.

Thanks!

Steve Brown
770-548-9514
smbrown56@icloud.com

Begin forwarded message:

From: Steve Brown <smbrown56@icloud.com>
Subject: 5950 Mitchell Rd.
Date: October 2, 2014 at 5:22:56 PM EDT
To: labaray@sandsyspringsga.gov
Cc: "McDonald, Graham" <gmcdonald@sandsyspringsga.gov>, rpaul@sandsyspringsga.gov

Ladies and Gentleman:

We feel that the density is way too high for the proposed 5950 development. We respectfully request a density more in line with bordering neighbors Manchester Place (2.4) and Long island (2.3). We originally thought the request for a 2.71 density for that piece of land was too high, so we really feel strongly that an increase of density to 2.95 is way too high and in addition, we are now talking about tiny lots of under 9000 sq ft. We are extremely concerned by this seeming trend by the City Council to push the densities higher and OKing unneeded variances. We think this puts way too much pressure on our neighborhood in terms of traffic, quality of life, infrastructure, etc.

So, we feel very strongly that the original density only of 2.71 be approved, which would equate to 13 homes and would solve many of the issues that the surrounding neighborhoods have with the development. Seriously, 15 homes on that piece of land is too many. We think Manchester has a valid issue with the retention pond and so we would support either a 13 home solution with 35 foot setbacks and move the pond farther away or a 14 home solution with an underground retention pond, with 35 foot setbacks. We think either solution is a reasonable compromise and should work for everyone. We do not support variances.

It is unfortunate that Rockhaven got the last word during the last official meeting and they were not able to be challenged on their obvious misrepresentation of their plan. They misrepresented the actual acreage and also the setbacks, stating they were 25 feet, when in fact they were 20 so they would "appear" to be in compliance. Our feeling is it appears Rockhaven is in the business of getting their way and the heck with the neighborhoods and the official process. Looking back on this entire matter we are asking ourselves, what has to happen for a developer to be pressed into civic responsibility? They erred or misrepresented facts time and again, provided a faulty application, gave information only when it suited them, gave partial accounts and were publicly called out by

the Planning Commission and City Council. So, we respectfully ask the Council to vote NO on Rockhaven's request for 15 homes with a 2.95 density on their zoning petition.

Thanks!

Steve Brown
President Ridgemere HOA
770-548-9514
smbrown56@icloud.com
<http://www.ridgemere.org>

Abaray, Linda

From: John <jduke8@bellsouth.net>
Sent: Friday, October 03, 2014 10:17 AM
To: Abaray, Linda
Cc: Katherine Marshall; Emily Thomasson; Jack Sikes; Ashley Garrison
Subject: Fwd: Rockhaven - 5950 Mitchell Rd. Rezoning

Ms. Labaray,

I wish to second Katherine Marshall regarding sidewalks and densities in our neighborhood. We have nothing of any substance from Rockhaven regarding their plans, but instead "we're not sure what might happen". This is not acceptable when considering that approximately 30 years of landscaping, beautiful trees and maintenance are involved.

Thank you

John Duke
Sent from my iPhone

Begin forwarded message:

From: "Katherine Marshall" <kmarshall4960@gmail.com>
Date: October 2, 2014 at 8:59:37 PM EDT
To: "Jack Sikes" <mcnaught7588@att.net>, "Nancy Coffey" <NCoffey@care.org>, "Ashley Garrison" <ashleygarrison@gmail.com>, "Emily Thomasson" <EmilyThomasson@bellsouth.net>, <jduke8@bellsouth.net>, <curtis@wanana.com>, <GBATL@aol.com>, "Ginny Green" <vpgreenservices@yahoo.com>, <harrissugarman@gmail.com>, <helen28@bellsouth.net>
Subject: FW: Rockhaven - 5950 Mitchell Rd. Rezoning

From: Katherine Marshall [<mailto:kmarshall4960@gmail.com>]
Sent: Thursday, October 02, 2014 8:57 PM
To: 'Labaray@SandySpringsga.gov'
Subject: FW: Rockhaven - 5950 Mitchell Rd. Rezoning

Ms. Labaray,

Homeowners from Surrey Place met this evening with Brad Hughes of Rockhaven to discuss the proposed extension by Rockhaven of sidewalks from 5950 Mitchell Rd. up to Hammond Dr. Of all the residents on Mitchell Rd., we will be the most impacted by this. Due to the lack of anything definitive regarding this project, we are not in favor of having sidewalks put in along our property on Mitchell Rd.

We also are opposed to the 15 home 2.75 density proposed by Rockhaven, and think the 20' distance and 8' height in planting the buffer zone is insufficient. Plantings should be larger and closer together. We don't want to have to wait five or more years to have a privacy screen between our properties.

Abaray, Linda

From: Curtis J Hertwig <curtis@wanana.com>
Sent: Friday, October 03, 2014 7:40 AM
To: Abaray, Linda
Subject: FW: Rockhaven - 5950 Mitchell Rd. Rezoning

In addition to Katherine's comment, I understand that the city has plans to put in sidewalks along Mitchell Rd in the next couple of years. I, and I believe the majority of my neighbors, support sidewalks would be less disruptive on the other side of the street.

Our community has worked hard to provide natural landscaping between us and the street. A sidewalk along there would effectively destroy our barrier.

-cjh
LCI #4078

From: Katherine Marshall [<mailto:kmarshall4960@gmail.com>]
Sent: Thursday, October 02, 2014 8:57 PM
To: 'Labaray@SandySpringsga.gov'
Subject: FW: Rockhaven - 5950 Mitchell Rd. Rezoning

Ms. Labaray,

Homeowners from Surrey Place met this evening with Brad Hughes of Rockhaven to discuss the proposed extension by Rockhaven of sidewalks from 5950 Mitchell Rd. up to Hammond Dr. Of all the residents on Mitchell Rd., we will be the most impacted by this. Due to the lack of anything definitive regarding this project, we are not in favor of having sidewalks put in along our property on Mitchell Rd.

We also are opposed to the 15 home 2.75 density proposed by Rockhaven, and think the 20' distance and 8' height in planting the buffer zone is insufficient. Plantings should be larger and closer together. We don't want to have to wait five or more years to have a privacy screen between our properties.

Thank you for your consideration.

Abaray, Linda

From: Katherine Marshall <kmarshall4960@gmail.com>
Sent: Thursday, October 02, 2014 8:57 PM
To: Abaray, Linda
Subject: FW: Rockhaven - 5950 Mitchell Rd. Rezoning

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Homeowners from Surrey Place met this evening with Brad Hughes of Rockhaven to discuss the proposed extension by Rockhaven of sidewalks from 5950 Mitchell Rd. up to Hammond Dr. Of all the residents on Mitchell Rd., we will be the most impacted by this. Due to the lack of anything definitive regarding this project, we are not in favor of having sidewalks put in along our property on Mitchell Rd.

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Thank you for your consideration.

Katherine Flack
President
Surrey Place HOA

Abaray, Linda

From: Alda Miller <asm629@me.com>
Sent: Thursday, October 02, 2014 5:29 PM
To: Abaray, Linda
Subject: Mitchell Rd. Zoning

Sent from my

1. Density is way too high. We respectfully request a density more in line with bordering neighbors Manchester Place (2.4) and Long island (2.3).
2. I believed that Rockhaven's original 2.71 density was too high and 9,000 sf lots too small. At 2.95 homes per acre this new plan is higher than originally presented.
3. I am concerned with city council allowing maxim density and unnecessary variances throughout Sandy Springs. I request that the city seriously consider densities in middle of their range instead of always allowing maximum densities. What would Sandy Spring be like if every piece of land was maxed out?
4. I believe the city should not approve any rezoning density that is higher than the 2.71 density originally presented. This would be 13 homes and would remedy many outstanding issues.
5. 15 homes does not naturally fit on this property. No hardship No variances.
6. I would support a 13 home site plan that naturally fits on this property with a minimum 35 feet back yard setback on all sides. Above ground retention pond landscaped and moved away from Manchester Place.
7. Or I would support a 14 home site plan with underground retention that naturally fits on the property with a minimum 35 feet back yard setback on all sides.
8. We have been presented twice with site plans with errors/misrepresentations. The first was an acreage error. The second presented to council in August showed a 25 foot backyard setback line in the cul de sac that was actually only 20 feet. Making that site plan appear to be compliant. Receiving correct information from developers is important. What is the city's policy on incorrect zoning applications?

I respectfully ask Council to vote NO on Rockhaven's 15 home (2.95 Density) rezoning petition.

Alda Miller
2 Braemore
Sandy Springs, Ga 30328

Abaray, Linda

From: Alda Miller <asm629@me.com>
Sent: Thursday, October 02, 2014 5:29 PM
To: Abaray, Linda
Subject: Mitchell Rd. Zoning

Sent from my

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7. Or I would support a 14 home site plan with underground retention that naturally fits on the property with a minimum 35 feet back yard setback on all sides.
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I respectfully ask Council to vote NO on Rockhaven's 15 home (2.95 Density) rezoning petition.

Alda Miller
2 Braemore
Sandy Springs, Ga 30328

Abaray, Linda

From: Laurie Robbins <lrobbins@robbinslaw.com>
Sent: Thursday, October 02, 2014 4:13 PM
To: Abaray, Linda
Cc: Graham McDonald
Subject: 5950 Mitchell Road - Rezoning

Linda,

I live just off of Mitchell Road and am opposed to the rezoning application of Rockhaven Homes at 5950 Mitchell Road.

15 houses is too dense for the 5.09 acres when compared to the immediately adjacent neighborhoods of Manchester Place and Long Island Walk. I support 13 or 14 homes on the tract of land. Also, the setbacks for all of the lots should be 35 ft.

Rockhaven Homes has presented a letter laying out their conditions of zoning. Please be clear that this is what Rockhaven is presenting and that the surrounding neighborhoods do not fully agree with the letter. These conditions were presented to the Planning Commission as having neighborhood agreement, which wasn't and isn't true. I have attended many meetings with Rockhaven as the Ridgemere Trace representative and have participated in their presentations. The neighbors have issues with the enforcement by the City of Sandy Springs of many of the items that Rockhaven has included. I was told by Rockhaven that I have to trust that they will do what they have laid out in the letter. That is not the way to make sure these items are done properly.

There should be underground detention no matter how many houses are approved for the development.

The landscaping around the underground detention isn't adequate to screen it from adjacent neighbors who are 10 feet away at some points. The underground detention should be further away from the immediate neighbors in Manchester Place.

There should be a time period beyond the "development" when the magnificent old Magnolias have to be replaced if they die. This should become the responsibility of the HOA if Rockhaven has completed their work. The height and diameter of the replacement trees should be included.

Planting a buffer of trees 20 ft. apart and only 8 ft. tall isn't adequate to provide screening. It will take many, many years for the trees to grow to a sufficient size and height to screen anything, especially when some of the current neighborhoods are located at a lower level. Rockhaven should be responsible for the maintenance of these trees and then the HOA should take over. There should be a provision that these buffer trees can't be removed by any homeowner other than to replace a dead or diseased tree. It should be an undisturbed buffer.

The neighbors still don't have a complete landscape plan for Mitchell Road. We have just seen a sketch. Until such time as a complete plan is submitted, the neighbors can't say if the plan is adequate to screen the development from Mitchell Road. The Mitchell Road residents expect a nice green landscaped and walled buffer along the roadway just as Ridgemere Trace and Grosvenor have planted. We don't want to see the side and back yards of houses.

Parking issues and equipment delivery issues are addressed, but who will enforce them? Also, the privately owned driveway at Ridgemere Trace should not be used by any vehicles for a turn around.

I have attended every meeting with Rockhaven Homes that I was invited to. I have spent countless hours meeting with my Ridgemere neighbors, my Mitchell Road neighbors, and the applicants. I am offended that the applicant told the City of Sandy Springs Planning Commission that people aren't interested and aren't showing up. To make the situation more manageable, each neighborhood selected a representative to meet with the Rockhaven Homes representatives. Those representatives have worked hard with their neighbors to work to a resolution, but sometimes the attitude of the applicant has gotten in the way.

Again, I am opposed to the density of 15 homes on the tract of land, and not in agreement with most of the conditions of zoning as stated by the applicant.

Thank you for all your work in preparing this matter again for the review and decision by the City of Sandy Springs.

Laurie Robbins

Laurie S. Robbins
Robbins & Associates, P.C.
6000 Lake Forrest Drive
Suite 315
Atlanta, Georgia 30328
404-252-8117 Telephone
404-303-8117 Fax
www.robbinslaw.com

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Abaray, Linda

From: Nancy Amato <nancyamato01@comcast.net>
Sent: Thursday, October 02, 2014 1:52 PM
To: Abaray, Linda
Cc: Paul, Rusty; Dianna
Subject: 5950 Mitchell Road Development

Please be advised that the proposed development at 5940 Mitchell Road should not exceed 14 homes based on all the information I have received. All the homes should fit naturally into the property including the retention area. Over crowding can be uninviting and wish to keep demand for cluster home types and property values high in this area. We urge you to please do what is in the best interest of the entire neighborhood surrounding the development. Let's not forget traffic and parking issues that can spill out on Mitchell Rd with the over crowding of homes. I can tell first hand about parking issues in the Grosvenor which are trying at times and can not imagine how bad the situation if even one or 2 more were squeezed in between the retention areas.

Thank you for your attention to the matter and I trust the City of Sandy Springs to do what is best for and desired by it's citizens.

Sincerely,

Nancy Amato
235 Grosvenor Pl
Sandy Springs GA 30328

Abaray, Linda

From: Lynn Lindskoog <llindskoog@yahoo.com>
Sent: Thursday, October 02, 2014 12:42 PM
To: Abaray, Linda
Cc: Paul, Rusty; McDonald, Graham
Subject: 5950 Mitchell Road Property

Dear Ms. Abaray:

I am writing to you regarding the proposed development at 5950 Mitchell Road. There is a proposal on your October 21st agenda of consideration for the developer to build 15 homes on the site, which negatively affects the density of the proposed development.

My purpose in writing to your office is to state that as a resident of the Grosvenor subdivision on Mitchell Road, our neighborhood would feel more comfortable with 14 homes. It is easy to understand why a developer would like to build 15 vs 14 homes - more profit!! This is NOT what Sandy Springs should always be about.....certainly not what Mayor Galambos envisioned when she fought long and hard to create this wonderful city.

Anyone can clearly see that 14 homes would fit more naturally on the property. There is a reason for the setback requirements. A reasonable position is "build what you can naturally fit on the property". The maximum for this site is 14 homes and that includes the construction of an underground retention area.

Please consider this community's position at your October 21st meeting. (For your records, I have been a Grosvenor resident since 1988, which is a subdivision on Mitchell Road.)

Thanks for your serious consideration of approving only 14 homes for 5950 Mitchell Road.

Lynn Lindskoog
145 Grosvenor Place
Atlanta, Georgia 30328-4852
(404) 312-4381/cell

Abaray, Linda

From: Lynn Lindskoog <llindskoog@yahoo.com>
Sent: Thursday, October 02, 2014 12:42 PM
To: Abaray, Linda
Cc: Paul, Rusty; McDonald, Graham
Subject: 5950 Mitchell Road Property

Dear Ms. Abaray:

I am writing to you regarding the proposed development at 5950 Mitchell Road. There is a proposal on your October 21st agenda of consideration for the developer to build 15 homes on the site, which negatively affects the density of the proposed development.

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Thanks for your serious consideration of approving only 14 homes for 5950 Mitchell Road.

Lynn Lindskoog
145 Grosvenor Place
Atlanta, Georgia 30328-4852
(404) 312-4381/cell

Abaray, Linda

From: HKG Innovations <info@theeyeglasslight.com>
Sent: Thursday, October 02, 2014 12:33 PM
To: Abaray, Linda
Subject: Please Vote 'No' on Rockhaven's quest to build 15 homes

Dear Councilwoman Abraray,

Please vote "No" for Rockhaven's quest to build 15 homes. It is just too many for that space. 13 would be ideal.

If you vote yes, then that would set a precedent for future builders and there would be no turning back time.

Please help keep our neighborhood a zone 3. Zone 4 is just not appropriate. They have been comparing themselves to attached town homes and that is not what they are building.

When I saw the rendering, I was aghast. Ridiculously dense and obviously, trying to squeeze as much \$\$ as they can. This would be a hit and run and I respectfully ask for you to please vote 'No' for 15 homes.

Thank you so much!

Best regards,



Helen K. Gerolemou
C.E.O./Inventor
HKG Innovations, LLC
Office-404-253-7777
Cell-770-337-2345
Skype-h.k.g.helen
www.TheEyeglassLight.com

Abaray, Linda

From: HKG Innovations <info@theeyeglasslight.com>
Sent: Thursday, October 02, 2014 12:33 PM
To: Abaray, Linda
Subject: Please Vote 'No' on Rockhaven's quest to build 15 homes

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Please vote "No" for Rockhaven's quest to build 15 homes. It is just too many for that space. 13 would be ideal.

If you vote yes, then that would set a precedent for future builders and there would be no turning back time.

Please help keep our neighborhood a zone 3. Zone 4 is just not appropriate. They have been comparing themselves to attached town homes and that is not what they are building.

When I saw the rendering, I was aghast. Ridiculously dense and obviously, trying to squeeze as much \$\$ as they can. This would be a hit and run and I respectfully ask for you to please vote 'No' for 15 homes.

Thank you so much!

Best regards,



Helen K. Gerolemou
C.E.O./Inventor
HKG Innovations, LLC
Office-404-253-7777
Cell-770-337-2345
Skype-h.k.g.helen
www.TheEyeglassLight.com

Abaray, Linda

From: Bignault, Mary B. <MBignault@onebeacontech.com>
Sent: Thursday, October 02, 2014 12:16 PM
To: Abaray, Linda
Subject: Development on Mitchell Road.

Attention Linda Abaray,

I am sending this notice to you in response to recent petitions for development along our residential street.

I am against Rockhaven's current 15 home (2.95 density) site plan for the following reasons:

1. Density is way too high. While I reside at Braemore on the corner of Mitchell and Hammond, the increasing fill in the community behind me is causing concern. We respectfully request a density more in line with bordering neighbors Manchester Place (2.4) and Long island (2.3).
2. I believed that Rockhaven's original 2.71 density was too high and 9,000 sf lots too small. At 2.95 homes per acre this new plan is higher than originally presented.
3. I am concerned with city council allowing maxim density and unnecessary variances throughout Sandy Springs. I request that the city seriously consider densities in middle of their range instead of always allowing maximum densities. What would Sandy Spring be like if every piece of land was maxed out? Consider the impact on this narrow road and entering angle at Hammond.
4. I believe the city should not approve any rezoning density that is higher than the 2.71 density originally presented. This would be 13 homes and would remedy many outstanding issues.
5. 15 homes does not naturally fit on this property. No hardship No variances.
6. I would support a 13 home site plan that naturally fits on this property with a minimum 35 feet back yard setback on all sides. Above ground retention pond landscaped and moved away from Manchester Place.
7. Or I would support a 14 home site plan with underground retention that naturally fits on the property with a minimum 35 feet back yard setback on all sides. This would be more favorable for our neighbors that back up to this property.
8. We have been presented twice with site plans with errors/misrepresentations. The first was an acreage error. The second presented to council in August showed a 25 foot backyard setback line in the cull de sac that was actually only 20 feet. Making that site plan appear to be compliant. Receiving correct information from developers is important. What is the city's policy on incorrect zoning applications?

I respectfully ask Council to vote NO on Rockhaven's 15 home (2.95 Density) rezoning petition.

Mary Bignault CIC, Vice President Southern Region,
OneBeacon Technology Insurance
mbignault@onebeacontech.com
<http://viz.me/MaryBignault/t/7>
tel: 781.332.7757 | cel: 770.310.8854 | onebeacontech.com

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Thank you.

Abaray, Linda

From: Patrick Scott <pjscott945@aol.com>
Sent: Thursday, October 02, 2014 12:09 PM
To: Abaray, Linda
Cc: Scott Di and Patrick
Subject: 5950 Mitchell Road - Rezoning

Dear Linda Abaray

Our home, 945 Manchester Place has a direct boundary with the property at 5950 Mitchell Road. I am writing to you because I am against Rockhaven's current 15 home (2.95 density) proposal for the development of 5950 Mitchell Road for the following reasons:

1. The density is way too high. We respectfully request a density more in line with bordering neighbors Manchester Place (2.4) and Long Island (2.3) to stay in keeping with the character of the neighborhood.
2. We believed that Rockhaven's original 2.71 density was too high and 9,000 sf lots too small. At 2.95 homes per acre this new plan is higher than originally presented.
3. We are concerned with City Council allowing maximum density for developments in Sandy Springs. We request that the City seriously consider densities in the middle of their range instead of usually allowing maximum densities. What would Sandy Spring be like if every piece of land was maxed out?
4. We believe the City should not approve any rezoning density that is higher than the 2.71 density originally presented. This would be 13 homes and would remedy many outstanding issues.
5. 15 homes does not naturally fit on this property. No hardship No variances.
6. We would support a 13 home site plan that naturally fits on this property with a minimum 35 feet back yard setback on all sides. Above ground retention pond landscaped and moved away from Manchester Place.
7. Or we would support a 14 home site plan with an underground retention pond that naturally fits on the property, with a minimum 35 feet back yard setback on all sides.
8. We have been presented twice with site plans with errors/misrepresentations. The first was an acreage error. The second presented to Council in August showed a 25 foot backyard setback line in the cul de sac that was actually only 20 feet. Making that site plan appear to be compliant. Receiving correct information from developers is important. What is the city's policy on incorrect zoning applications?

WE RESPECTFULLY ASK COUNCIL TO VOTE NO TO ROCKHAVEN'S 15 HOME (2.95 DENSITY) REZONING PETITION.

Yours truly

Patrick and Diana Scott
945 Manchester Place NW
Sandy Springs, GA 30328

Abaray, Linda

From: Tommy Owens <towenstnt@hotmail.com>
Sent: Thursday, October 02, 2014 11:33 AM
To: Abaray, Linda
Cc: Patsy Owens
Subject: 5950 Mitchell Rd.

We are, once again, voicing our objections to the zoning that Rockhaven Homes is requesting.

I am against Rockhaven's current 15 home (2.95 density) site plan for the following reasons:

1. Density is way too high. We respectfully request a density more in line with bordering neighbors Manchester Place (2.4) and Long island (2.3).
2. I believed that Rockhaven's original 2.71 density was too high and 9,000 sf lots too small. At 2.95 homes per acre this new plan is higher than originally presented.
3. I am concerned with city council allowing maxim density and unnecessary variances throughout Sandy Springs. I request that the city seriously consider densities in middle of their range instead of always allowing maximum densities. What would Sandy Spring be like if every piece of land was maxed out?
4. I believe the city should not approve any rezoning density that is higher than the 2.71 density originally presented. This would be 13 homes and would remedy many outstanding issues.
5. 15 homes does not naturally fit on this property. No hardship No variances.
6. I would support a 13 home site plan that naturally fits on this property with a minimum 35 feet back yard setback on all sides. Above ground retention pond landscaped and moved away from Manchester Place.
7. Or I would support a 14 home site plan with underground retention that naturally fits on the property with a minimum 35 feet back yard setback on all sides.
8. We have been presented twice with site plans with errors/misrepresentations. The first was an acreage error. The second presented to council in August showed a 25 foot backyard setback line in the cul de sac that was actually only 20 feet. Making that site plan appear to be compliant. Receiving correct information from developers is important. What is the city's policy on incorrect zoning applications?

I respectfully ask Council to vote NO on Rockhaven's 15 home (2.95 Density) rezoning petition.

Our home backs up to the property and looks at the "retention" pond, as well. This is a huge impact on our home and quiet community.

Sincerely,

Tommy and Patsy Owens

Abaray, Linda

From: Donna Filler-Wilensky <dlfw00@yahoo.com>
Sent: Friday, October 03, 2014 9:42 AM
To: Hal Whiteman
Cc: McDonald, Graham; Abaray, Linda
Subject: representation regarding Rockhaven proposed development

Please let it be know that Hal Whiteman has my full support in representing me regarding the Proposed Rockhaven development close to Manchester Place in Sandy Springs.
The proposed rezoning to accommodate 15 homes in the development that Rockhaven is planning on creating will diminish the value of all the homes in the area and add to many objectionable issues as well.
Please know that 15 homes is too many for the project being considered.
Rockhaven, in their other ongoing and past projects, have not lived up to their promises and have often decreased the values in neighboring areas.
Thank you very much,
Donna Filler- Wilensky
975 Manchester Place
Sandy Springs, GA 30328

Sent from my iPad

Abaray, Linda

From: Stan Schnitzer <stan.schnitzer@comcast.net>
Sent: Friday, October 03, 2014 11:54 AM
To: Abaray, Linda
Subject: FW: Strongly opposed to Rockhaven plan for 5950 Mitchell Road

Dear Ms. Abaray,

I had a typo in your email address when I sent the message below. The email address to Councilman Dishman, which I copied from the city's website, also was returned as an 'invalid recipient.'

Thank you for including my comments in the materials for the upcoming City Council meeting.

Stan Schnitzer
stan.schnitzer@comcast.net
38 Ridgemere Trace

From: Stan Schnitzer [<mailto:stan.schnitzer@comcast.net>]
Sent: Friday, October 03, 2014 11:34 AM
To: 'labaray@sandyspringsga.gov'; 'rpaul@sandyspringsga.gov'; 'gmcdonald@sandyspringsga.gov'; 'j paulson@sandyspringsga.gov'; 'kdishman@sandyspringsga.gov'; 'gsterling@sandyspringsga.gov'; 'tdejulio@sandyspringsga.gov'; 'abauman@sandyspringsga.gov'
Cc: R-Laurie Robbins (robbins@robbinslaw.com)
Subject: Strongly opposed to Rockhaven plan for 5950 Mitchell Road

Dear Mayor Paul, City Council Members and Ms. Abaray,

I am writing to state my unequivocal opposition to Rockhaven Homes' current site plan for 15 homes for 5950 Mitchell Road. Or, I am unequivocally opposed to what I think it is. After attending Planning Commission meetings but never having seen anything in writing from Rockhaven (more about the developer's communications later in this letter), I think they are looking for a zoning variance to accommodate a 2.95 homes-per-acre density.

Density at 2.95 is way too high. The single-family housing developments that border 5950 Mitchell Road – Manchester Place and Long Island Walk – have densities of 2.4 and 2.3 homes per acre, respectively. I would support a density more in line with those. Even if you allow Rockhaven's original density of 2.71 – at least that's what I think it was; they seem to have submitted more than one – that's still quite a bit higher. Granting the 2.95 density will result in 15 homes. I believe that's too many to fit naturally on the site.

Granting a density of 2.71 would allow for 13 homes and take care of a few other issues. It would preserve minimum-35-foot-setbacks for all backyards and likely preserve the current trees and vegetation that provide a buffer for the neighboring developments. Having 13 homes on the property would allow for an above-ground detention pond that could be moved away from the backyards of the Manchester Place properties that border the proposed development. I would support 13 homes on the 5950 Mitchell Road property. I also would support 14 homes with an underground detention system and 35-foot setbacks.

I would like to address two other concerns, one of which relates to this developer and one of which relates to the direction of development in our city.

First, Rockhaven. At the last Planning Commission meeting, their legal representative characterized area residents as characterizing Rockhaven – or its counselors – as “liars and cheats.” I would not slander anybody in this matter, but I think they have played it a little loose with some of their statements, and I have found them cavalier in their dealings with the community.

We have been presented twice with site plans with errors and/or misrepresentations. The first plan had an acreage error. The second plan presented to council in August showed a 25-foot backyard setback line in the cul-de-sac that was actually only 20 feet. Receiving correct information from developers is important. What is the City's policy on incorrect zoning applications?

Here are other ways in which they have disappointed me:

- They started communicating with the community only after being chided by the Planning Commission. I never felt they had any intention of communicating until forced to.
- They did invite the community to gathering at the property to explain their plan. We received a letter – delivered by USPS – the day before the event. We had no way to plan to attend.
- At the subsequent Planning Commission, Rockhaven presented a list of 17 items they claimed the community had agreed to. Two things: 1.) Nobody, including our HOA representatives, saw that list before it was presented to the Planning Commission, and 2.) nobody I know of was empowered to “agree” to those items.

As I understand it, Rockhaven is under no legal obligation to carry out anything they volunteer to do. Based on how I have seen them treat the community, I have no confidence at all that they will actually do anything they say they will.

Second, are you, our city government, going to allow any and all developers to push beyond middle-range densities? I am concerned about allowing maximum density and unnecessary variances throughout Sandy Springs. I request that the City seriously consider densities in middle of their range instead of always allowing maximum densities. What would Sandy Spring be like if every piece of land was maxed out?

In view of all that has transpired, I respectfully ask Council to vote NO on Rockhaven's 15-home (2.95 Density) rezoning petition.

Stan Schnitzer
stan.schnitzer@comcast.net
38 Ridgemere Trace