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**CITY COUNCIL AGENDA ITEM**

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**TO:** Mayor & City Council

**DATE:** September 10, 2014

**FROM:** John McDonough, City Manager

**AGENDA ITEM:** **201402051** - 4735 Roswell Road, *Applicant: The Providence Group of Georgia, LLC*, to rezone from A-1 (Apartment Dwelling District) conditional to A-L (Apartment Limited District) for the construction of a mixed townhouse and multifamily dwelling unit development, with a use permit to exceed the maximum district height and concurrent variances

**MEETING DATE:** For Submission onto the September 16, 2014, City Council Regular Meeting Agenda

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

See attached:

Memorandum  
Rezoning Petition

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**APPROVAL BY CITY MANAGER:** BJP APPROVED

**PLACED ON AGENDA FOR:** 09/16/2014

**CITY ATTORNEY APPROVAL REQUIRED:** (  ) YES (  ) NO

**CITY ATTORNEY APPROVAL:** SM



To: John McDonough, City Manager

From: Angela Parker, Director of Community Development 

Date: September 3, 2014 for submission onto the September 16, 2014 City Council meeting

Agenda Item: **201402051 4735 Roswell Road** a request to rezone the subject property from A-1 (Apartment Dwelling District) conditional to A-L (Apartment Limited Dwelling District) to allow the development of 365 multi-family units and 173 townhomes, with concurrent variances.

**DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION**

**DEFERRAL** of a request to rezone the subject property from A-1 (Apartment Dwelling District) conditional to A-L (Apartment Limited Dwelling District) to allow the development of 365 multi-family units and 173 townhomes, with concurrent variances.

**Discussion:**

To rezone the subject property from A-1 (Apartment Dwelling District) conditional to A-L (Apartment Limited Dwelling District) to allow the development of 365 multi-family units and 173 townhomes.

Additionally, the applicant is requesting six (6) concurrent variances from the Zoning Ordinance and two (2) from the Development Regulations as follows:

1. Variance from Section 4.23.1 to eliminate the required fifty (50) foot rear buffer and ten (10) improvement setback along the east property line and require replanting to buffer standards and sidewalk as shown on the site plan dated received August 11, 2014.
2. Variance from Section 7.4.3.B to reduce the front yard setback from forty (40) feet to zero (0).
3. Variance from Section 7.4.3.C to reduce the side corner yard setback from forty (40) feet to zero (0).
4. Variance from Section 7.4.3.C to reduce the side yard setback from twenty (20) feet to ten (10).
5. Variance from Section 12.B.4 to reduce the ten (10) foot landscape strip to zero (0).
6. Variance from Section 33.26.CC.1 to allow one (1) additional sign on Roswell Road and Franklin Drive.
7. Variance from Section 103.75.b.7 to reduce the required fifty (50) foot setback for new private streets adjacent to residentially zoned property as shown on the site plan dated received August 11, 2014.
8. Variance from Section 103.75.a.1 to reduce the required fifty (50) foot right-of-way width to forty (40) feet.

**PROPERTY INFORMATION**

<b>Address, Land Lot, and District</b>	4735 Roswell Road Land Lot 94, District 17 <sup>th</sup>
<b>Council District</b>	5 (Tiberio "Tibby" DeJulio)
<b>Frontage</b>	547.10 feet of frontage along the east side of Roswell Road and 991.02 feet of frontage along the south side of Franklin Road.
<b>Area</b>	17.9 acres
<b>Existing Zoning and Use</b>	A-1 (Apartment Dwelling District) under Fulton County zoning case Z65-0091, currently developed with apartment buildings.
<b>Overlay District</b>	Suburban District

2027 Comprehensive Future Land Use Map Designation	LWN (Live Work Neighborhood) Node 2A: (Long Island Drive/Franklin Road)
Proposed Zoning	A-L (Apartment Limited Dwelling District)

**APPLICANT/PETITIONER INFORMATION**

<b>Property Owner</b> 225 Franklin Street, LLC	<b>Petitioner</b> The Providence Group	<b>Representative</b> Nathan V. Hendricks, III
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**HEARING & MEETING DATES**

<b>Community Zoning Information Meeting</b> June 24, 2014	<b>Community Developer Resolution Meeting</b> July 31, 2014	<b>Planning Commission Hearing</b> August 21, 2014	<b>Mayor and City Council Hearing</b> September 16, 2014
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**DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION**

201402051- DEFERRAL  
201402051 Use Permit - DEFERRAL  
201402051 Variance #1- #8 - DEFERRAL

**PLANNING COMMISSION RECOMMENDATION- July 17, 2014**

The petition was heard at the August 21, 2014 Planning Commission meeting. Tart moved to recommend approval seconded by Nickles. The Commission recommended deferral (5-0, Maziar, Frostbaum, Tart, Nickles and Squire for; Porter Absent and Duncan not voting) to the October 16th Planning Commission meeting and the November 18th Mayor and City Council meeting to allow the applicant time to continue working with the neighborhoods and staff. The Commission found that while the redevelopment of the property is desirable, the proposed density is too high.

**EXISTING LAND USE AND ZONING OF ABUTTING PROPERTIES**

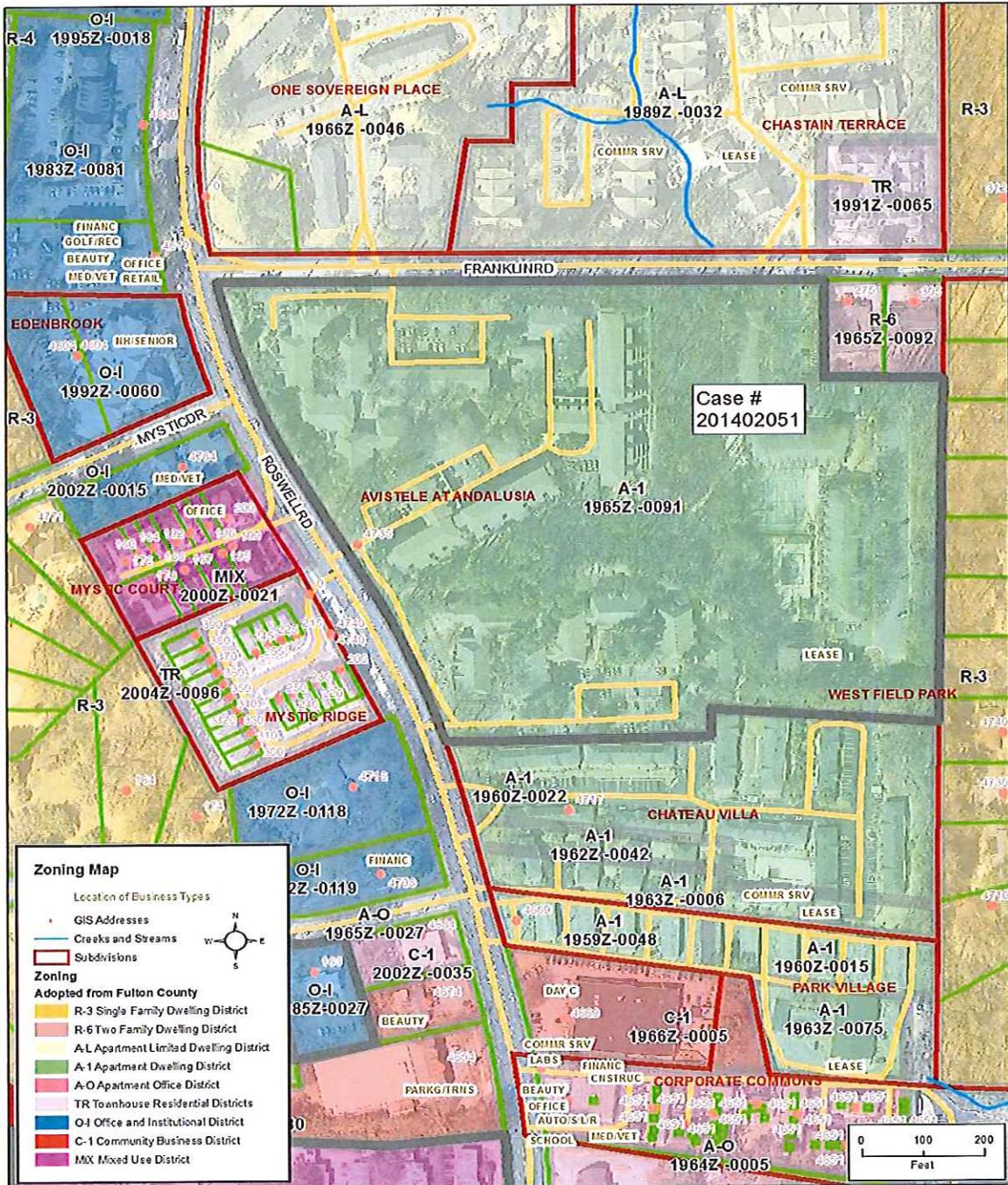
SUBJECT PETITION	Requested Zoning	Proposed Use	Land Area (Acres)	Units/Square Footage	Density (Units per Acre)
201402051	A-L	Apartments/Townhome	17.9	538	30.05 units/ac

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	A-L conditional Z66-0046	One Sovereign Place Apartments 4883 Roswell Road	±11.4	172 units	±15.09 units/ac
North	A-L conditional Z89-0032 TR conditional Z99-0065	Chastain Terraces 240 Franklin Road	±8.5	±174 units	±20.47 units/ac

East	R-6 conditional Z65-0092	275 & 305 Franklin Road	0±.7	2 units	±5.4 units/ac
East	R-3	West Field Park	±75.9	±135 units	±1.78 units/ac
South	A-1 conditional Z60-0022 Z62-0042 Z63-0006	Chateau Villa 4717 Roswell Road	±5.79	125 units	±21.59 units/ac
South	A-1 conditional Z59-0048 Z60-0015 Z63-0075	Park Villa 4689 Roswell Road	±2.85	64 units	±22.46 units/ac
West	O-I conditional Z92-0060	Edenbrook Personal Care Home 4804 Roswell Road	1.70	78 Beds	45.88 beds/ac
West	O-I conditional Z02-0015	4784 Roswell Road	0.659	3,813	5,786.04 sf/ac
West	MIX conditional Z00-0021	Mystic Court	1.45	13 units	8.97 units/ac
West	TR conditional Z04-0096	Mystic Ridge	2.24	20 units	8.39 units/ac
West	O-I conditional Z72-0118	4716 Roswell Road	1.38	2,644	1,915.94 sf/ac

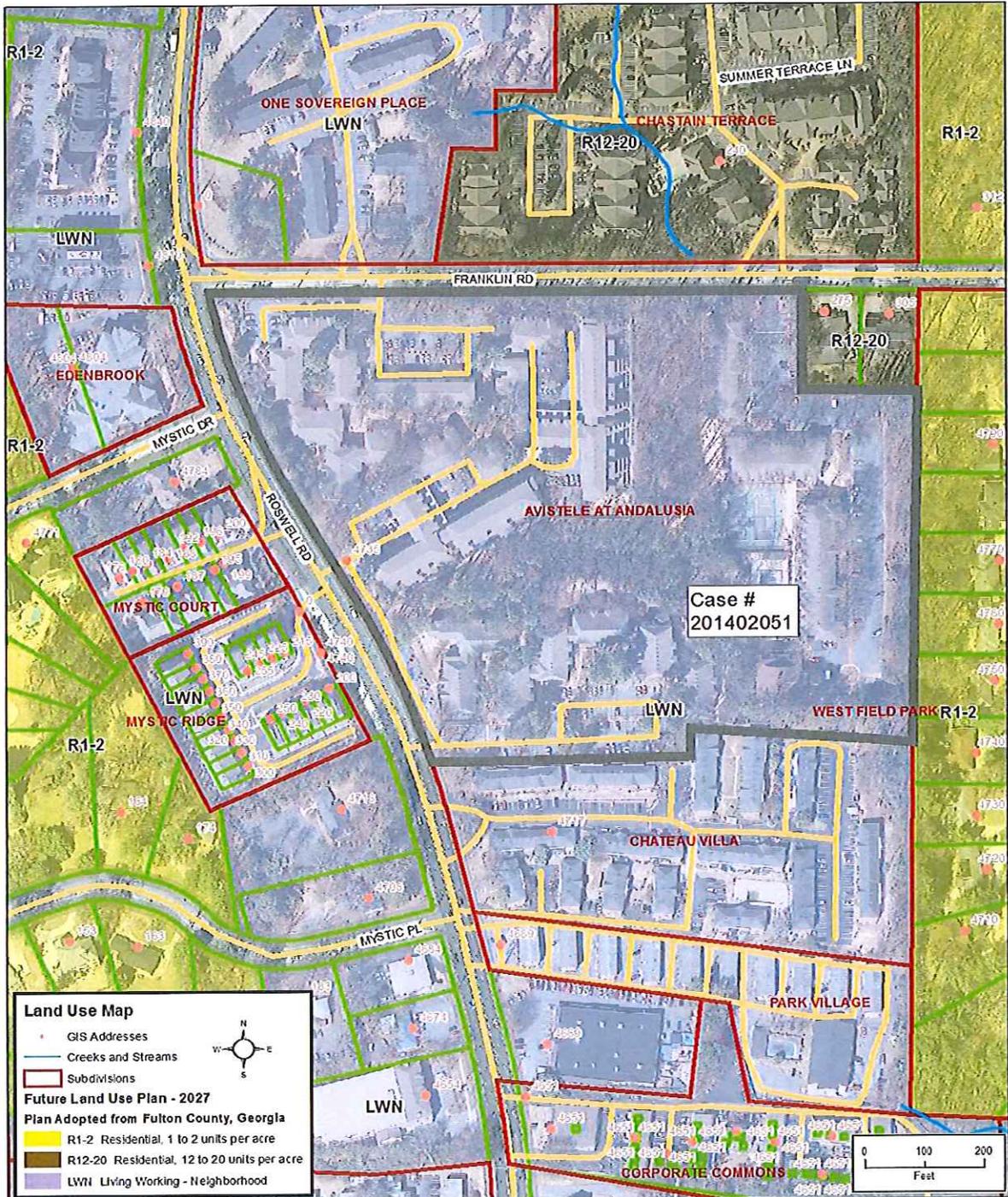
### Zoning Map

4735 Roswell Road (SR9)



### Future Land Use Map

4735 Roswell Road (SR9)



## ZONING IMPACT ANALYSIS

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 a similar uses to the north and south along Roswell Road. The area consists of A-L (Apartment Limited Dwelling District) and TR (Townhouse Residential District) to the north; R-6 (Two family Dwelling District) and R-3 (Single Family Dwelling District) to the east; A-1 (Apartment Dwelling District) to the south; and O-I (Office and Institutional District), MIX (Mixed Use District), TR (Townhouse Residential District) to the west. Additionally, the applicant is proposing the apartment portion of the development along Roswell Road and transitioning to townhomes to the east and south.

*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 could have an adverse impact on the use or usability of adjacent or nearby properties. The use is consistent with adjacent properties to the north and south. The project provides a transition to the single family R-3 (Single Family Dwelling District) properties to the east. The property is currently developed with class C apartments. However, the proposed increase in density could generate more vehicle trips than currently exist today. Staff has conditions the property to all transportation improvements recommended by GRTA (Georgia Regional Transportation Authority) and the City's Public Works Department. The proposed density is considerably higher than the Comprehensive Plan recommends and the existing development.

*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 as conditioned (not exceeding the existing density) 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. Additionally, the Georgia Regional Transportation Authority (GRTA) conditions will be carried forward from the Development of Regional Impact (DRI) approval.

*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 proposed use is consistent with the intent of the future land use plan, but the proposal is not consistent with the designation of Live Work Neighborhood (LWN), Node 2a: Long Island Drive/Franklin Road. The applicant is requesting a density of 30.05 units/acre which exceeds the Node 2a recommendations. However, the existing developed density of 16.76 units per acre also exceeds the Plan recommended density of 5 units per acre. The Comprehensive Plan includes guidelines and policies for the Long Island/Franklin Road Node that provide for density and height bonuses beyond the recommendations of the Comprehensive Plan. The Long Island/Franklin Road Node Guidelines and Policies section of the plan is incorporated in the bullets below the table. Additionally, other plan policies that staff considered in developing the recommendation for this proposal are also listed.

Existing Density	Proposed	Comprehensive Plan
Multi-family – 16.76 units/ac Height- 2 Stories	Residential 30.05 units/ac Height- 4 Stories	LWN (Node 2a) Commercial -None Residential – 5 units/ac or less Height- 2 stories

The project is consistent with the following polices set forth in the comprehensive plan:

**Node 2a: Long Island Drive/Franklin Road Node**

- Density and/or height bonuses, beyond the recommendations of the Comprehensive Plan, may be approved by the Mayor and City Council for the development or redevelopment of assembled properties comprising 5 or more acres. The approval of bonuses will be based on the merits of the project relative to whether it provides desirable attributes that meet or exceed the goals and objectives of the Comprehensive Plan. Such goals may include, but not be limited to:
  - Providing significant green space that exceeds the minimums established in Table 1.5.
  - The elimination of multiple curb cuts along Roswell Road.
  - The use of more neighborhood-scale architecture and design in accordance with new urbanism principles.
- Provide incentives and bonuses for additional density and/or height for the redevelopment of obsolete commercial areas along the Roswell Road corridor.
- Redevelopment areas in Sandy Springs should be pedestrian and transit friendly.
- During rezoning and development application review, carefully address the interface between protected neighborhoods and commercial areas, especially within the Roswell Road corridor.
- When a rezoning or use permit proposal is received in a transitional area, the proposal should carefully regulate through conditions, the building height, building placement, intensities, densities, location of parking, placement of accessory uses, buffers, tree protection, landscaping, exterior lighting, site amenities and other site planning features to be compatible with protected neighborhoods. “Compatible” means that the characteristics of different land uses or activities located near each other are in harmony and without conflict.
- A variety of housing types, including multi-family should be permitted in transit-oriented live-work areas.

- Place higher-density housing near commercial centers, transit lines and parks, to enable more walking, biking and transit.
- Urban Residential
  - Redevelopment of obsolete complexes is considered desirable, in order to improve neighborhood conditions.
- The vision also includes refurbishment and redevelopment of multi-family complexes for higher quality residences, at greater density and height than provided in existing complexes.
- Policies Regarding Housing Mix
- Rezoning for new, freestanding apartments is discouraged. This policy does not preclude the replacement of existing multi-family units.
- The redevelopment of apartment complexes to condominiums and mixtures of housing types, including detached, single-family starter homes where feasible, is encouraged.
- Encourage a variety of home styles, densities and price ranges in locations that are accessible to jobs and services to ensure housing for individuals and families of all incomes and age groups.

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*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.

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*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.

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#### **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 eight (8) concurrent variances 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 4.23.1 to eliminate the required fifty (50) foot rear buffer and ten (10) improvement setback along the east property line and require replanting to buffer standards and sidewalk as shown on the site plan dated received August 11, 2014.

**Findings:**

*Staff is of the opinion that the request to eliminate the required fifty (50) foot rear buffer and ten (10) improvement setback along the east property line and require replanting to buffer standards and sidewalk as shown on the site plan dated received August 11, 2014 is not in harmony with the intent on the Zoning Ordinance. The buffer is required to create separation between higher density and lower density properties. The buffer will be met adjacent to the R-3 (Single Family Dwelling District) properties, but not adjacent to the R-6 (Two Family Dwelling District). Therefore, based on these reasons, the staff recommends DENIAL of this variance request.*

2. Variance from Section 7.4.3.B to reduce the front yard setback from forty (40) feet to zero (0).

**Findings:**

*Staff is of the opinion that the request to reduce the front yard setback from forty (40) feet to zero (0) is not in harmony with the intent on the Zoning Ordinance. The right-of-way along Roswell Road is large enough to accommodate the building setback. However, pulling the building to the edge of the right-of-way line would make it difficult to construct future right-of-way improvements. Additionally, the site does display some topographical challenges, but none which would support the setback reduction. The Ordinance requires the building setback to be taken from the right-of-way line not the back of curb. Therefore, based on these reasons, the staff recommends DENIAL of this variance request.*

3. Variance from Section 7.4.3.C to reduce the side corner yard setback from forty (40) feet to zero (0).

**Findings:**

*Staff is of the opinion that the request to reduce the front yard setback from forty (40) feet to zero (0) is not in harmony with the intent on the Zoning Ordinance. The right-of-way along Roswell Road is large enough to accommodate the building setback. However, pulling the building to the edge of the right-of-way line would make it difficult to construct future right-of-way improvements. Additionally, the site does display some topographical challenges, but none which would support the setback reduction. The Ordinance requires the building setback to be taken from right-of-way line not the back of curb. Therefore, based on these reasons, the staff recommends DENIAL of this variance request.*

4. Variance from Section 7.4.3.C to reduce the side yard setback from twenty (20) feet to ten (10).

**Findings:**

*Staff is of the opinion that the request to reduce the side yard setback from twenty (20) feet to ten (10) is not in harmony with the intent on the Zoning Ordinance. Additionally, site does display some topographical challenges, but none which would support the setback reduction. Therefore, based on these reasons, the staff recommends DENIAL of this variance request.*

5. Variance from Section 12.B.4 to reduce the ten (10) foot landscape strip to zero (0).

**Findings:**

*Staff is of the opinion that the request to reduce the ten (10) foot landscape strip to zero (0) is not in harmony with the intent on the Zoning Ordinance. The right-of-way is large along the Roswell Road frontage and would accommodate the landscape area. However, landscaping is not permitted in the right-of-way and therefore doesn't meet the intent of the Ordinance. Therefore, based on these reasons, the staff recommends DENIAL of this variance request.*

- 6. Variance from Section 33.26.CC.1 to allow one (1) additional sign on Roswell Road and Franklin Drive.

**Findings:**

*Staff is of the opinion that the request to allow one (1) additional sign on Roswell Road and Franklin Drive is not in harmony with the intent on the Zoning Ordinance. The Sign Ordinance specifies that there are only two (2) criteria to issue a sign variance, either topography or natural features of the lot. The site does have some topographical challenges however, not along the right-of-way where the proposed signs will be located. The site does not have any natural features which would impair the visibility of the signs. Therefore, based on these reasons, the staff recommends DENIAL of this variance request.*

- 7. Variance from Section 103.75.b.7 to reduce the required fifty (50) foot setback for new private streets adjacent to residentially zoned property as shown on the site plan dated received August 11, 2014.

**Findings:**

*Staff is of the opinion that the request to reduce the required fifty (50) foot setback for new private streets adjacent to residentially zoned property as shown on the site plan dated received August 11, 2014 is not in harmony with the intent on the Zoning Ordinance. Additionally, the radius for the eastern most access on Franklin Road extends beyond the property line, which is prohibited by the ordinance. Therefore, based on these reasons, the staff recommends DENIAL of this variance request.*

- 8. Variance from Section 103.75.a.1 to reduce the required fifty (50) foot right-of-way width to forty (40) feet.

**Findings:**

*Staff is of the opinion that the reduction from the required fifty (50) foot right-of-way width to forty (40) feet is not in harmony with the intent of the Zoning Ordinance. The request presents a problem because without required setbacks from the right-of-way line for proposed streets, it would permit construction 8 feet from the back of curb (assuming 10-foot lane and 2-foot curb/gutter section). Eight (8) feet from back of curb is a very short drive. Requiring the fifty (50) feet would allow construction to be thirteen (13) feet from the back of the curb providing a sufficient drive. Therefore, based on these reasons, the staff recommends DENIAL 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 July 9, 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).

<b>Transportation Planner</b>	Background Conditions: Roswell Road/SR 9 – Classified a Principal Arterial, 35 mph
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Daily traffic volumes: 33,070 (2008) north of site; 32,440 (2010) south of site  
 Franklin Road – Classified Minor Street, 25 mph; daily traffic volume 2,880 (2008)  
 Frontages of Roswell Road and Franklin Road are subject to the Suburban Overlay  
 District streetscape requirements.

**Planning Studies:**

Identified needs and recommendations from the Roswell Road Corridor Livable  
 Centers Initiative (LCI) Study include:

- Identification of appropriate parallel routes and connections to reduce local trip loading on Roswell Road and improve pedestrian and bicycling access and access to transit.
- Implementation of access management strategies to minimize conflict points, provide adequate driveway spacing, and promote inter-parcel connectivity.
- Project to provide neighborhood street enhancement along Franklin Road including sidewalks, bikeable shoulders, and staggered traffic calming measures such as speed humps, bulb outs, and landscaped medians (Project ID# T-7).
- Project to provide a mixed-use path parallel to Roswell Road (Project ID# T-8).

Identified needs and recommendations from the Transportation Master Plan include:

- Project to establish interparcel connectivity along Roswell Road and other commercial corridors (Project ID# A9).
- Policy to provide a grid system of streets within downtown and elsewhere to disperse traffic over several roads.

**Development of Regional Impact (DRI) 2419**

- Comments and conditions from the DRI review are pending.

**Recommended Conditions:**

- Provide for future street connection of eastern driveway from Franklin Road to the south property line to provide interparcel connectivity.
- The shared access streets throughout the development shall be designed and constructed to public street standards.

**Development Ordinance Compliance**

Roswell Road/SR 9 access and frontage improvements subject to review and permitting by the Georgia Department of Transportation (GDOT). In addition, the proposed signal at Franklin Road requires GDOT approval.

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:

**Sec. 103-70: General**

- All streets (public or private) shall be designed and constructed to public street standards.
- Frontages along Roswell Road and Franklin Road requires Suburban Overlay District streetscape application.

**Section 103-72: Access**

- Gated entries shall meet design, setback and turnaround requirements.

**Sec. 103-73: Driveways intersections and access improvements**

- Street intersections shall be at no less than 80 degrees.
  - All internal intersections shall meet sight distance requirements of Section 103-77.
  - Warrants are met for auxiliary lanes on Roswell Road.
  - Minimum street spacing for 25 mph is 200 feet.
  - Driveways shall be aligned with those across the street (existing access on Franklin Road are not shown. Proposed access on Roswell Road is offset from access on opposite side of street).
  - Traffic impact study is required (met by DRI).
- Sec. 103-74: General layout requirements
- Dead-end streets greater than 150 feet shall provide turnaround.
  - Dead-end streets without turnarounds should provide turning pockets to permit two-way ingress-egress (i.e., vehicles from private driveways should have adequate clear distance to back up and exit driveway).
  - Note existing MARTA bus stops along Roswell Road frontage, bus shelters may be required.
- Sec. 103-75: Minimum right-of-way and street improvements
- The minimum right of way requirements are as follows:
    - Roswell Road: 55 feet from centerline or 11 feet from back of curb or 1 foot behind sidewalk, whichever is greater
    - Franklin Road: 25 feet from centerline or 11 feet from back of curb or 1 foot behind sidewalk, whichever is greater
    - Proposed new streets: 50 feet minimum right-of-way
    - 20-foot right-of-way miters are required at intersections on Roswell Road and 10 foot miters are required at intersections on Franklin Road.
  - All travel lanes on proposed streets shall meet minimum pavement width of 10 feet.
  - The right-of-way for new public streets or the easement/common area for new private streets must be located a minimum of 50 feet from any peripheral property line adjoining residentially zoned property unless interparcel access is required.
- Sec. 103-76: Roadway design
- All proposed streets shall meet grade, horizontal curve, and vertical curve requirements.
  - Minimum tangent length for local streets is 50 feet
- Sec. 103-77: Street intersections
- All proposed street intersections and driveways shall meet sight distance requirements
- Sec. 103-79: Curb and gutter
- Curb and gutter is required on all street frontages existing and proposed
  - GDOT standards shall apply to Roswell Road frontage
  - Fulton County standards shall apply to Franklin Road and proposed street frontages
- Sec. 103-80: Sidewalks and multiuse trails
- A five-foot sidewalk with two-foot landscape strip shall be provided on all proposed street frontages
  - For Roswell Road and Franklin Road, the Suburban Overlay District streetscape is required.
  - All proposed streets shall have ADA-compliant sidewalks connecting to street frontage sidewalks
- Sec. 103-82: Traffic control devices
- All signing and marking shall meet MUTCD, latest edition.

	<p>•Proposed private streets shall have blue field with white letters.                  Sec. 103-83: Street lights                  Street lighting on Roswell Road and Franklin Road shall meet Suburban Overlay District streetscape requirements.</p> <ul style="list-style-type: none"> <li>• The minimum lane width for a 2-way roadway is 10 feet/lane with a 2-foot curb/gutter section. 18 feet to face of curb is narrow and implies only 7.5 foot travel lanes. The ordinance does not permit alleyways except by permission of the PW Director. Alleyways traditionally are used as parallel access route to housing units fronting a major street but getting access from the rear. This is not what is suggested by the proposed site plan.</li> <li>• The proposed gate on the eastern access from Franklin Road most likely does not meet setback requirements for stacking, based on the number of units served.</li> </ul>
<p><b>Fire</b></p>	<p>The radiuses do not appear to support the fire apparatus.                   A fire department turn-around is required at all roads with a dead end of 150' or more.</p>

**PUBLIC INVOLVEMENT**

*Public Comments*

- Very urban/ Midtown looking building
- Building Height is too tall
- Traffic concerns on Franklin Road
- Franklin and Roswell Road is already a bad intersection
- Doesn't like both uses on the same property
- Will the on street parking have oil/gas separators
- Would like to see a rendering of the apartment building from Roswell Road
- Liked the townhomes
- Take a look at traffic through the neighborhoods
- Potential light at Franklin Road and the HAWK crossing are to close in distance
- More curb cuts on Franklin than Roswell will add more traffic onto Franklin

**CONCLUSION TO FINDINGS**

The Comprehensive Plan clearly supports a variety of housing types and uses. The Plan notes that the designation of areas in the Living Working Category was done to encourage redevelopment. It is the opinion of the staff that the proposal is not in conformity with the intent of the Comprehensive Plan Policies. The proposed density is outside the ranges suggested by the Future Land Use Map. However, Planning Commission recommended deferral to all the applicant time to work with staff and the neighbors. Therefore, based on these reasons, the staff recommends **DEFERRAL** of the rezoning petition and the associated concurrent variances.

<b>STAFF RECOMMENDED CONDITIONS</b>
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Should the Mayor and City Council decide to rezone the subject property from A-1 (Apartment Dwelling District) to A-L (Apartment Limited 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 density of 16.76 units per acre or 300 units, whichever is less.
2. To the owners agreement to abide by the following:
  - a. To the Rezoning Site Plan submitted to the Department of Community Development dated received August 11, 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. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of a Certificate of Occupancy.
  - b. To the rendering received by the Department of Community Development dated August 12, 2014. Said rendering is conceptual only and must meet or exceed the requirements of the Zoning Ordinance and these conditions prior to the approval of a Building Permit. The applicant shall be required to complete the concept review procedure prior to application for a Building 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. All project improvements required by Georgia Regional Transportation Authority (GRTA) and outlined in the Notice of Decision for DRI #2419, shall be completed prior to the issuance of the first apartment unit certificate of occupancy.
  - b. Interior ceiling heights should be a minimum of nine (9) feet.
  - c. All units shall be individually metered and/or submetered.
  - d. No more than two (2) curb cuts on Franklin Road. Said curb cut location and design shall be subject to the approval of the Public Works Department at time of LDP.
  - e. Intra-parcel access shall be provided along the south property line location shall be subject to the approval of the Public Works Department at time of LDP.
  - f. Not less than 20% of the site shall be maintained as Open Space of which 15% shall be Green Space.
  - g. Variance from Section 4.23.1 to eliminate the required fifty (50) foot rear buffer and ten (10) improvement setback along the east property line and require replanting to buffer standards adjacent to the R-3 (Single Family Dwelling District) zoned properties as shown on the site plan dated received August 11, 2014. (201402051 #1)
  - h. Variance from Section 7.4.3.C to reduce the side yard setback from twenty (20) feet to ten (10).

- i. Variance from Section 33.26.CC.1 to allow one (1) additional sign on Franklin Drive (201402051 #6).

#### **Attachments**

- Deferral Request dated received August 15, 2014
- First Amendment to the application dated received August 8, 2014
- Letter of Intent dated received June 3, 2014
- Site Plan dated received August 11, 2014
- Townhome examples photographs dated received August 13, 2014
- Townhome elevations dated received August 13, 2014
- Apartment rendering dated received August 1, 2014
- Apartment Elevations dated received August 1, 2014
- Streetscape plans dated August 13, 2014
- Traffic Photos dated August 19, 2014
- Additional comments from the City of Atlanta and Fulton County Schools.
- Letter of Opposition (65)

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

August 15, 2014

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

Ms. Angela Parker  
Community Development Director  
7840 Roswell Road, Building 500  
Sandy Springs, Georgia 30350

**Received**

AUG 15 2014

Re: 201402051

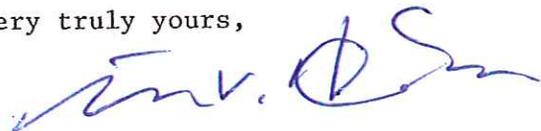
*City of Sandy Springs  
Community Development  
Department*

Dear Angela:

The Applicant and I had a meeting last evening with representatives from the Community Neighborhoods most interested in the above referenced Application for Rezoning as well as Susan Yeosock representing the Sandy Springs Council of Neighborhoods. Based upon last evening's discussion, the Applicant requests that this Application be recommended for deferral by the Planning Commission at their Hearing on August 21, 2014 and that the Mayor and City Council defer this matter at their Hearing on September 16, 2014 which would result in this Application coming before the Planning Commission on October 16, 2014 and the Mayor and City Council on November 18, 2014. The length of this requested deferral should provide adequate time for the Applicant and Community Representatives to work on resolving this issues discussed last evening.

Please call me if you have any questions and I would appreciate your providing a copy of this letter to the Chairman of the Planning Commission and its Members as well as to the Mayor and the Members of City Council. Thank you.

Very truly yours,



Nathan V. Hendricks III  
Attorney for the Applicant

NVH:sks

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

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

VIA HAND DELIVERY

August 18, 2004

Ms. Angela Parker  
Community Development Director  
City of Sandy Springs  
7840 Roswell Road, Building 500  
Sandy Springs, GA 30350

*Re: Rezoning Petition No. 201402051  
Park 225 Apartments Redevelopment  
The Providence Group, Petitioner*

Dear Angela:

As you are aware, I represent The Providence Group, the Petitioner in above-referenced Rezoning case. This Rezoning Petition represents a timely, and unique, opportunity to redevelop a 1960's era apartment community specifically identified in the Roswell Road Corridor LCI Study as a tear-down opportunity to a mix of townhomes and apartments. This site is unique, this development plan is unique, and to underscore the whole proposition: the total capital my client and its development partner will invest to create this new housing and improve both Roswell Road and Franklin Road will be in excess of \$100 million. Again, this is a timely, and unique, opportunity for the City.

I am taking the time to write you because I wanted you to specifically know that the Park 225 redevelopment plan was conceived by my client with direct input from me based on my experience in rezoning the Providence North Apartments (*Rezoning Petition No. 201300662*) and The Chastain Apartments (*Rezoning Petition No. 201201766*). **In both cases, the apartment redevelopment plan was ultimately approved at a density of  $\pm 30$  units per acre.** However, unlike those two rezonings, where apartment buildings were allowed to be developed immediately adjacent to a Protected Neighborhood, **the Park 225 redevelopment plan creates a  $\pm 14$ -acre transition buffer of townhomes wrapping a  $\pm 4$ -acre apartment community.** Because of this unique and creative buffering approach, I, and my client, firmly believe this Rezoning Petition has strong merit.

Any rezoning that is adjacent to a Protected Neighborhood is, understandably, sensitive and, for the surrounding neighborhood, emotional. In this case, I personally was surprised at the very limited engagement my client received at either the Community Information Meeting or the Community Developer Resolution Meeting, or as a result of the many informal meetings and conversations my client has had with Sandy Springs staff, local neighborhood leadership, and the adjacent property owners. Be that as it may, it is clear that sometime after the July 31<sup>st</sup> Community Developer Resolution Meeting, the neighborhoods has become engaged in opposition to the Rezoning Petition.

This is unfortunate because we feel that we have not had an adequate opportunity to meet with the neighborhood to explain the redevelopment and hear directly their concerns. Stated differently, the rezoning process in Sandy Springs should not be one where, as it was here, the first written communications the applicant sees from the neighborhood is a batch of emails attached to Staff's official

Report to Planning Commission. That is unfair to everyone involved in the rezoning process. In this case, we note that the result is particularly unfair given the amount of misinformation about the redevelopment plan that has been circulated via email, a fact of which Planning Staff is aware.

We are requesting a deferral of this Rezoning Petition in order to give the Applicant, at a minimum, two months to engage with the neighborhood in a process designed to achieve a project which, hopefully, will have the support of both parties. We would ask the City's Planning Staff to assist the neighborhood in identifying a working group of individuals to begin that process. We were able to have two meetings with neighborhood groups last week (one organized by Westfield Park; the second organized by the Council of Neighborhoods), and we are optimistic that this effort will be successful because some – certainly not all – individuals in attendance noted the aesthetic improvement the redevelopment plan represented, acknowledged the merits of certain aspects of the redevelopment plan, raised specific concerns regarding aspects of the redevelopment plan, and sought specific resolutions to those concerns. This, we believe, is a framework for a successful rezoning process.

As importantly, this deferral period will allow us the opportunity to engage the City's Planning Staff regarding the guidance which the City's past vision statements give as to the merits of this Rezoning Petition.

*While we acknowledge and strongly appreciate the dialogue, collaborate meetings, and individual work that undergirds Staff's conclusion that the Park 225 redevelopment plan meets or exceeds the Comprehensive Plan's guidance for density and height bonuses in this Node (see Staff Report, pages 7-8), we believe that Staff's recommendation that redevelopment be conditioned to 16.76 units per acre – in other words, no more than the current density of the existing 1960's era apartment community and half the density approved for the Providence North and The Chastain redevelopments – is not in keeping with the City's stated guidance or practical vision for the redevelopment of older apartment complexes located within the Roswell Road Corridor.*

At no time during our interactions with Staff were we told that they believed the density should be limited to the current density. There are a number of responsible responses to this position which we would have raised, ranging from the practicality of such a decision as applied to the economics of the current apartment community (i.e., you must increase density to give economic "credit" to the cash flow currently being generated by the apartment community) to limiting the analysis to density based on usable acreage (the redevelopment plan will put into production more land than the existing apartment community by eliminating dangerous grade changes, closing curb cuts on Roswell Road, employing New Urbanism planning principles and employing comprehensive storm water management). But, equally importantly, we were not afforded the opportunity to have dialogue with the Staff regarding the City's past vision statements in this regard. The remainder of this letter is dedicated to beginning that process.

- *The Vision for this Redevelopment Began with the City's Own Leadership.*

It is well established that the City has sought to improve the Roswell Road Corridor through the redevelopment of older, poorly-maintained apartment communities – wherever they occur. This is noted in specific vision statements (addressed more fully below), and, as importantly, it has been reinforced repeatedly through communications to the development community from past

Mayor's offices, the City's Community Development Staff, as well as the City's Economic Development officers. The City's Comprehensive Plan clearly articulates a positive policy encouraging redevelopment of older apartment communities in its Land Use Policies, and it is clear that this redevelopment plan meets all of the criteria for the incentives available to encourage redevelopment (*see Comprehensive Plan, pages 137 – 138*).

- *The Park 225 Apartments are Specifically Identified as a Redevelopment Opportunity in the Roswell Road Corridor LCI Study.*

In addition to broadly establishing policies and incentives for the redevelopment of older apartment communities in Sandy Springs, the Park 225 Apartments are specifically identified in the Roswell Road Corridor LCI Study, which highlights the intersection of Roswell Road and Franklin Road as 1 of 3 areas of "Aging Apartments" which are "ready to be redeveloped (*see LCI Study, page 43*).

- *The Park 225 Apartments are Specifically Identified as a Redevelopment Opportunity in the City's Economic Development Plan.*

The City's Economic Development Plan identifies the Park 225 Apartments as "Class C" apartments where "[c]rime rates are typically higher", "residents tend to be lifelong renters", and the communities comprise "low to moderate income renters" (*See EDP, pages 11-12*). Notably, the City's Economic Development Plan notes that "Class A" apartments are characterized by "higher density", "luxury-style features" and tenants who are "renters by choice". According to the Economic Development Plan, there are 4,256 Class A units in Sandy Springs and roughly 16,000 Class B and Class C units. The Park 225 redevelopment plan would move existing apartment rental stock from the Class C category to the Class A category while creating a 14 acre buffer of townhomes between those units and the High Point Protected Neighborhood, a transition zone which is encouraged under the Comprehensive Plan but which does not currently exist.

- *The Park 225 Redevelopment Plan is Consistent with the City's Own Guidance for the Redevelopment of Older Apartments Communities Within the Roswell Road Corridor*

As mentioned above, the rezonings which were approved for the redevelopment of Providence North and The Chastain both settled upon a development density of 30 units per acre and 4- to 5-level buildings. It is important to note that, in both instances, there was no guidance – either for or against – this density metric. Rather, this density was arrived at through a negotiated process with Planning Staff and the neighborhoods, a process which balanced the economic realities of tearing down income-producing Class C apartments against the desires of Protected Neighborhoods impacted by the redevelopment. My guidance to my client with respect to Park 225 was to only place the property under contract if the property could successfully be redeveloped at 30 units per acre given my experience in those two rezonings. The ultimate redevelopment plan succeeded on this point while achieving clear policy objectives which were not obtained in the prior two cases (e.g., notably, the closing of curb cuts on Roswell Road and the creation of a 14-acre "ownership" buffer of 2- and 3-story townhomes to be built by one of Sandy Springs most noted home builders). It is important to note that leadership at both the City

Ms. Angela Parker  
August 18, 2014  
Page 4

and in the community was approached to vet this redevelopment plan, and the response was overwhelmingly positive.

- *The Park 225 Redevelopment Plan is a Responsible Approach to Redeveloping an Older Apartment Community within the Long Island Drive/Franklin Road Node.*

The Park 225 Apartments are located within the Long Island Drive/Franklin Road Node, which the Comprehensive Plan designates a Live Work Neighborhood. Retail development is prohibited in this node, but the location is unique in that it is within walking distance of two mixed-use activity nodes, Belle Isle to the North and Windsor to the South (see LCI Study, page 38). Given the retail prohibition and the unique “pedestrian-friendly” location, the redevelopment plan consciously used a mix of housing only to economically “unlock” the development potential. Doing so created, as noted above, a “fee ownership” buffer with the High Point Protected Neighborhood while at the same time allowing for the complete redevelopment of Roswell Road street scape to take advantage of the location’s unique orientation. This was accomplished while satisfying almost every stated development objective contained in the Comprehensive Plan for density and height bonuses as well as every policy goal for the redevelopment of Roswell Road Corridor – all while adhering to the City’s 30 units per acre guidance for apartment redevelopment.

- *The Park 225 Redevelopment Will Not Adversely Affect Surrounding Traffic Infrastructure.*

Based on a reading of emails included in the Staff’s Report for the Rezoning Petition, the neighborhood’s chief – and, in many instances, sole – concern is the impact the development will have on traffic. On this point, it is important to note that the redevelopment plan underwent a rigorous DRI review by the Georgia Regional Transportation Authority, the Atlanta Regional Commission, MARTA, the Georgia Department of Transportation, and the City of Sandy Springs Traffic & Transportation staff. The DRI Recommendations, which will be issued tomorrow, conclude that the redevelopment plan will not adversely affect existing traffic infrastructure. If nothing else, the DRI process underscores the disconnect between the neighborhood’s opposition to the redevelopment plan and the professional opinion of the DRI stakeholders regarding whether that opposition is warranted. For example, it is interesting to note that the DRI process revealed that a traffic signal was probably not warranted at the intersection of Franklin Road and Roswell Road. It is interesting to note that the installation of this traffic signal is a chief point of opposition for the neighborhood – and it has already been determined that the traffic signal will not be installed as a result of this redevelopment.

As I stated above, we are committed to engaging in honest, meaningful dialogue with the neighborhood regarding this Rezoning Petition, and we request that the City’s Staff support our request for a deferral at this time.

Very truly yours,



Nathan V. Hendricks III

RECEIVED

AUG 08 2014

FIRST AMENDMENT TO APPLICATION FOR  
REZONING, USE PERMIT AND CONCURRENT VARIANCES

City of Sandy Springs  
Community Development

IN RE: )

The Providence Group of Georgia, LLC ) Application Number: 201402051  
APPLICANT )

PROPERTY: )

17.97 Acres Located at the Southeast  
Corner of Roswell Road and Franklin )  
Road

Comes now The Providence Group of Georgia, LLC (the "Applicant" hereunder) who does hereby modify and amend the above referenced Application for Rezoning, Use Permit and Concurrent Variances and associated Letter of Intent as follows:

1.

The Site Plan originally filed with the Application is hereby deleted and there is substituted and placed in lieu thereof the Site Plan filed simultaneously herewith.

2.

The Use Permit Request originally filed as a part of the Application is hereby withdrawn.

3.

The number of "For Rent" multifamily residential units requested is hereby reduced from 368 to 365.

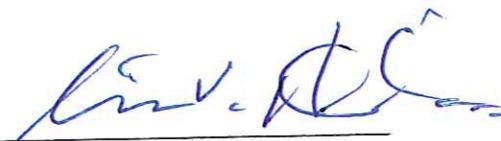
4.

Section III of the Application applicable to Concurrent Variances is hereby modified and amended as follows:

Concurrent Variance 4 is hereby modified and amended to read as follows: "Pursuant to Article 4.23.1., eliminate the 50 foot buffer and 10 foot improvement setback along the east Property line and require in lieu thereof landscape strips planted to buffer standards and sidewalks as shown on the Site Plan."

- The following two (2) Concurrent Variances are hereby additionally requested:
- 7. Pursuant to Article 103.75.b.7., reduce the required 50 foot setback for new private streets adjacent to residentially zoned property as shown on the Site Plan.
- 8. Pursuant to Article 103.75.a.1., reduce the required 50 foot right-of-way width to 40 feet.

Now, therefore, the Applicant requests that this Application for Rezoning, Use Permit and Concurrent Variances as submitted and modified and amended hereunder be approved in order that the Applicant be able 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

20140205

RECEIVED

JUN 03 2014

City of Sandy Springs  
Community Development

LETTER OF INTENT

The property contains approximately 17.97 acera and is located at the southwest corner of the intersection of Franlin Road and Roswell Road (the "Properyt"). The Property is presently zoned to the A-1 Classification.

The Applicant requests a rezoning to the A-L (Apartment/Limited) Classification for the development of a residential community consisting of 173 "For Sale" townhomes and 368 "For Rent" multifamily residential units. The Property presently consists of a 312 "For Rent" residential units the majority of which are large units. The Property is within the Live/Work Neighborhood designation of the Sandy Springs Comprehensive Land Use Plan as well as under the Surburban Overlay District. While the development's proposed density of 30.10 per acre does not comply with the density suggested under the Live/Work Neighborhood designation, it does comply with the Vision Statements of (1) consolidation of smaller lots should be encoraged to accommodate a more consistant character in terms of architecture and uses and provide for an elimination or reduction of curb cuts along Roawell Road and (2) developments should be designed to protect existing single and multifamily neighborhoods along the east and west boundaries of the Node. The development also complies with the Guidelines and Policies for Density and Height Bonus of (1) providing significant green space that exceeds the minimums established in Table 1.5 as the green space proposed will meet the standards of the Live/Work Regional designation, (2) the elimination of multiple curb cuts along Roswell Road and (3) the use of more neighborhood-scale architecture and design in accordance with new urbansim principals. The development also complies with the Land Use Policies for Multifamily Assemblages for the redevelopment of absolete and deteriorating multifamily properties being encouraged as necessary to maintaining a reliable and safe affordable housing stock within the City. Increased densities and streamlined processes should be considered to encourage these developments. It is to be noted that the multifamily units will be individually metered with interior ceiling heights of 10 feet with stainless steel kitchen appliances and granite or comparable grade counter tops. As referenced above, the existing multifamily complex contains 312 units with a total of 539 bedrooms which would be replaced with 368 multifamily units with a total of 464 bedrooms giving a reduction of 75 bedrooms from that which presently exists.

In order to be able to develop the Property as proposed with an urban and pedestrian engaging environment incorporating a mix of 158 alley loaded townhomes and 15 front loaded townhomes, it is necessary to overcome the real and substantial hardship of having to strictly comply with certain of the development standards applicable to the proposed development, the Applicant requests a six (6) part Concurrent Variance as more particularly stated and set forth on Exhibit "A" attached hereto and by reference thereto made a part hereof. The approval of these Concurrent Variances will not cause harm to the health, safety and welfare of the general public and will conversely enable the Applicant to develop the Property that with the inclusion of the townhome community will add to the ownership stock of the City of Sandy Springs. Further, the Applicant requests a Use Permit pursuant to Article 19.4.5., to allow the height of in certain areas of the multifamily buildings to be 75 feet and not the 40 feet otherwise required. In view of the compliance of the proposed development with the numerous policies and guidelines above referenced, this Application for Rezoning, Use Permit and Concurrent Variances is entirely appropriate and the appropriateness of this Application for Rezoning, Use Permit and Concurrent Variances and the constitutional assertions of the Applicant are more particularly stated and set forth on Exhibit "B" attached hereto and by reference thereto made a part hereof.

Now, therefore, the Applicant requests that this Application for Rezoning, Use Permit and Concurrent Variances be approved as submitted in order that the Applicant be able to proceed with the lawful use, enjoyment and development of the Property.

APPLICANT:

The Providence Group of Georgia, LLC

By: Warren S. Jolly

Warren S. Jolly

Its: President

Nathan V. Hendricks III  
Attorney for the Applicant

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

Exhibit "A"

CONCURRENT VARIANCE:

1. Pursuant to Article 7.4.3.B., reduce the front yard setback from 40 feet to 0 feet.
2. Pursuant to Article 7.4.3.B., reduce the side corner yard setback from 40 feet to 0 feet.
3. Pursuant to Article 12.B.4., reduce the 10 foot landscape strip to 0 feet for streetscape.
4. Pursuant to Article 4.23.1., reduce the buffer along the east Property line as shown on the Site Plan submitted simultaneously herewith.
5. Pursuant to Article 7.4.3.D., encroach in the 20 foot side yard along the South Property line as shown on the Site Plan submitted simultaneously herewith.
6. Pursuant to Article 33.26.C.1., allow one (1) additional monument sign along each Property road frontage.

( Exhibit "B" )

APPROPRIATENESS OF APPLICATION  
AND  
CONSTITUTIONAL ASSERTIONS

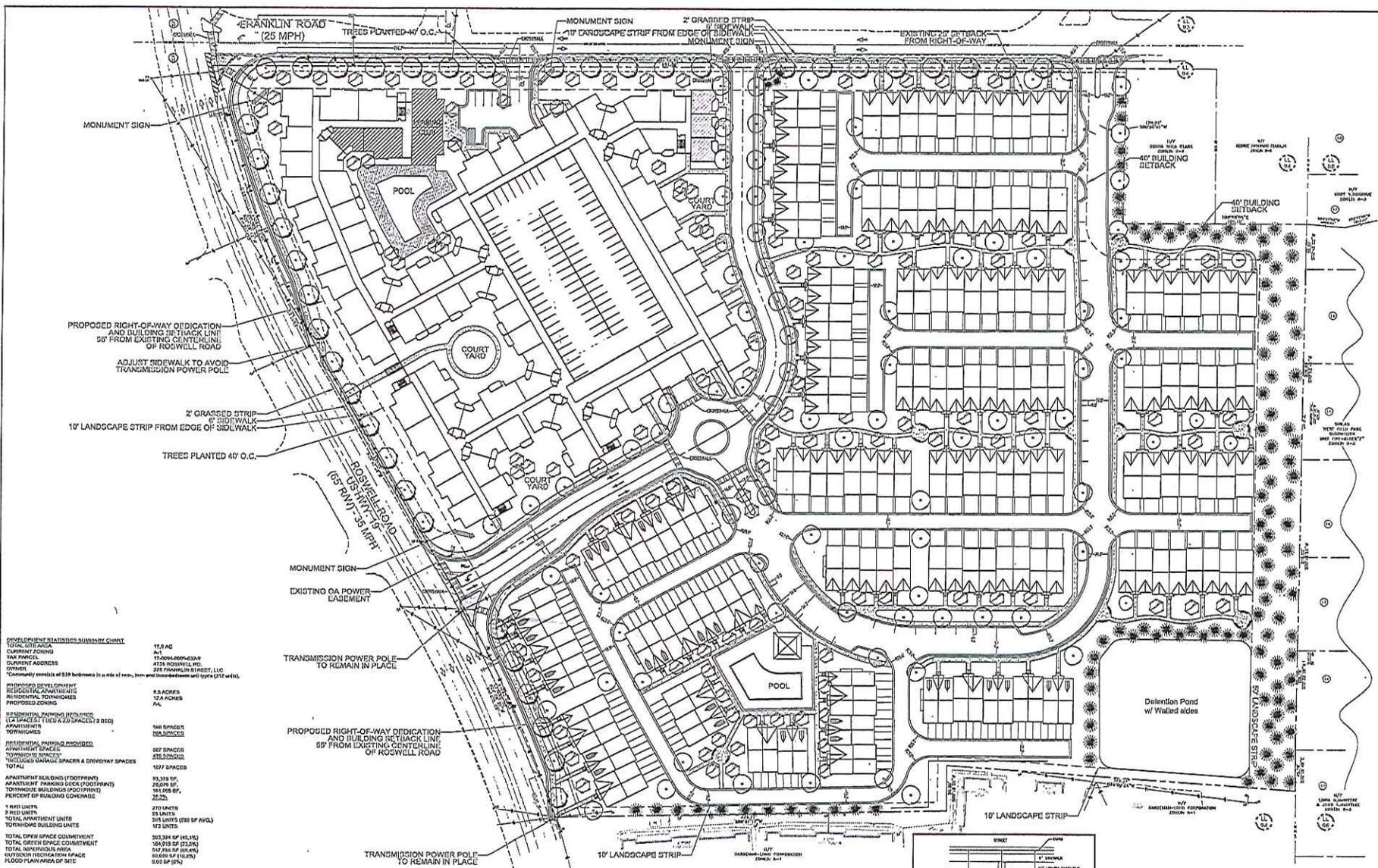
The portions of the Zoning Resolution of the City of Sandy Springs as applied to the subject Property which classify or may classify the Property so as to prohibit its development as proposed by the Applicant are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the Zoning Resolution of the City of Sandy Springs to the Property which restricts its use to any classification other than that proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983 and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would constitute an arbitrary and capricious act by the Sandy Springs City Council without any rational basis therefore constituting an abuse of discretion in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal by the Sandy Springs City Council to rezone the Property as proposed by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any rezoning of the subject Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting the Applicant's utilization of the subject Property would also constitute an arbitrary, capricious and discriminatory act in zoning the Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

Any rezoning of the Property without the simultaneous approval of the Use Permit and Concurrent Variances requested would also constitute an arbitrary, capricious and discriminatory act and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.



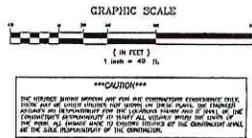
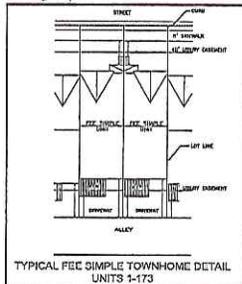
**DEVELOPMENT STATISTICS SUMMARY SHEET**

TOTAL SITE AREA	11.9 AC
CURRENT ZONING	RT-10
248 PARCELS	4730 ROOSEVELT RD.
CURRENT ADDRESS	4730 ROOSEVELT RD.
OWNER	THE PROVICENCES GROUP OF GEORGIA, L.L.C.
*Commonly owned by 539 beddome in a mix of row, town and detached units (212 units).	
PROPOSED DEVELOPMENT	84 ACRE
RESIDENTIAL TOWNHOMES	124 ACRE
PROPOSED ZONING	N/A
RESIDENTIAL PARKING PROVIDED (LA SPACES) (TWO A 2.0 SPACES/2 BED)	146 SPACES
APARTMENT BUILDINGS	146 SPACES
TOWNHOMES	146 SPACES
APARTMENT BUILDINGS PROVIDED	96 SPACES
APARTMENT SPACES	146 SPACES
TOWNHOMES SPACES	146 SPACES
TOTAL	192 SPACES
APARTMENT BUILDINGS (FOOTPRINT)	15,318 SF
APARTMENT PARKING DECK (FOOTPRINT)	25,076 SF
TOWNHOMES BUILDING (FOOTPRINT)	11,105 SF
PERCENT OF BUILDING COVERAGE	35.2%
TOTAL UNITS	270 UNITS
2 BED UNITS	23 UNITS
TOTAL APARTMENT UNITS	304 UNITS (88 SF AVG)
TOWNHOMES BUILDING UNITS	124 UNITS
TOTAL OPEN SPACE COMMITMENT	262,338 SF (65.1%)
TOTAL GREEN SPACE COMMITMENT	184,918 SF (45.2%)
TOTAL BIOPOROUS MEDIA	21,578 SF (5.4%)
OUTDOOR RECREATION SPACES	83,000 SF (21.2%)
FLOOD PLANNING OF SITE	500 SF (0.1%)

**RECEIVED**

AUG 11 2014

City of Sandy Springs  
Community Development



The Waiting Companies  
of Georgia, L.L.C.  
5525 PEACHTREE ROAD, SUITE 400  
ATLANTA, GA 30328  
770-522-5773

The Provinces Group  
of Georgia, L.L.C.  
11830 LAKEHOLM DRIVE  
ATLANTA, GA 30328  
404-252-1200  
FAX: (404) 472-1135

Project No.	14-22
Design By	OK
Drawn By	OK
Checked By	OK
Engineer	OK
Scale	1" = 40'
Date	7/12
Revision	Schedule

ZONING SITE PLAN  
THE HEIGHTS AT SANDY SPRINGS  
LAW LOT #1 - 17th DISTRICT  
CITY OF SANDY SPRINGS  
FULTON COUNTY, GEORGIA

Drawing No.  
1 OF 1













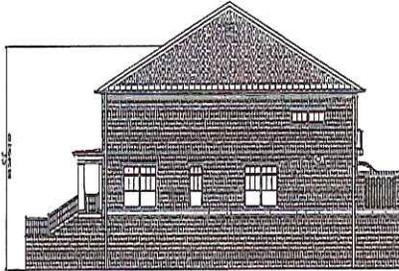




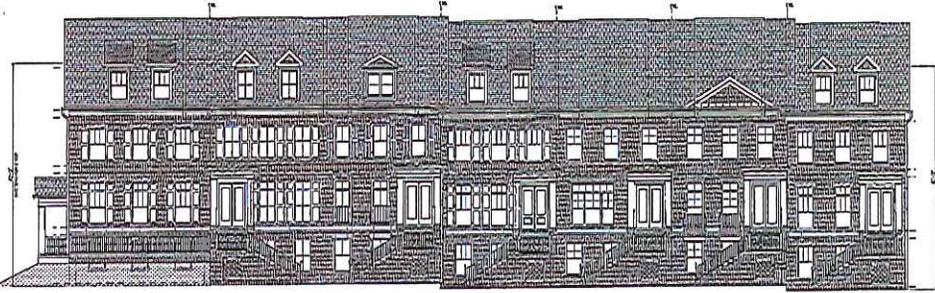
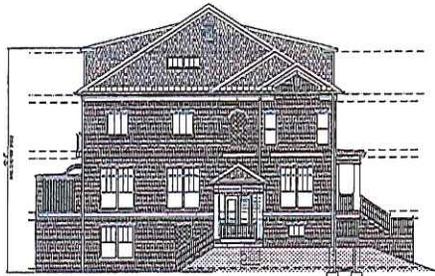
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AUG 12 2014

City of Sandy Springs  
Community Development



② SECOND FLOOR  
14'-0" x 106'



① SECOND FLOOR  
14'-0" x 106'

NOT TO BE USED FOR ANY OTHER PROJECTS WITHOUT THE WRITTEN PERMISSION OF BENCHMARK DESIGN INTERNATIONAL, INC. ALL RIGHTS RESERVED.

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NO.	DATE	DESCRIPTION
1	01/15/13	ISSUED FOR PERMITS
2	05/13/13	ISSUED FOR PERMITS
3	05/13/13	ISSUED FOR PERMITS
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48	05/13/13	ISSUED FOR PERMITS
49	05/13/13	ISSUED FOR PERMITS
50	05/13/13	ISSUED FOR PERMITS

APPROVED BY: Jolly Development



BENCHMARK DESIGN INTERNATIONAL, INC. ARCHITECTS  
11111 ALDERWOOD ON ABERNATHY, SUITE 100, SANDY SPRINGS, GA 30076  
ALDERWOOD ON ABERNATHY  
SANDY SPRINGS, GEORGIA

3100 ABBOTT'S BRIDGE ROAD, SUITE 100, SANDY SPRINGS, GA 30076  
01/20/06 09/13/00  
A-21.3 FRONT ELEVATION SIDE ELEVATIONS - UNITS 112-118

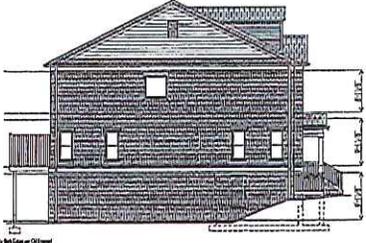




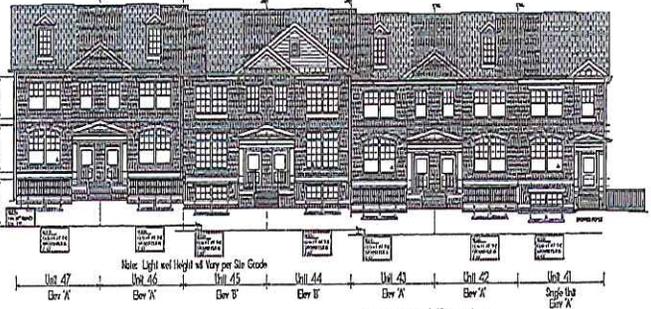




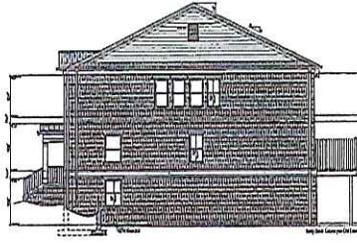
3 Rear Elevation



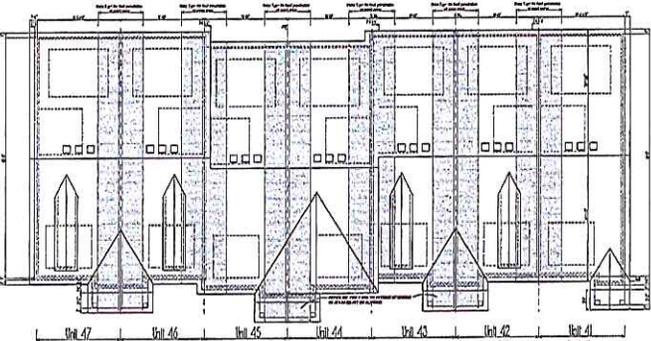
5 Left Elevation



2 Front Elevation



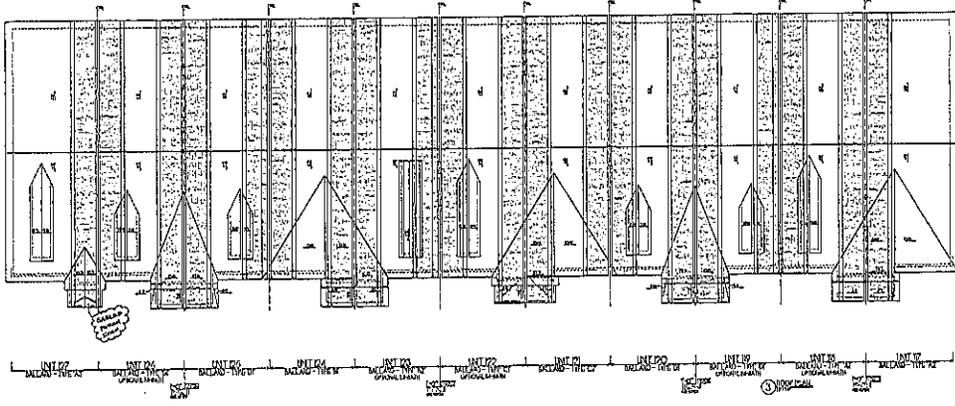
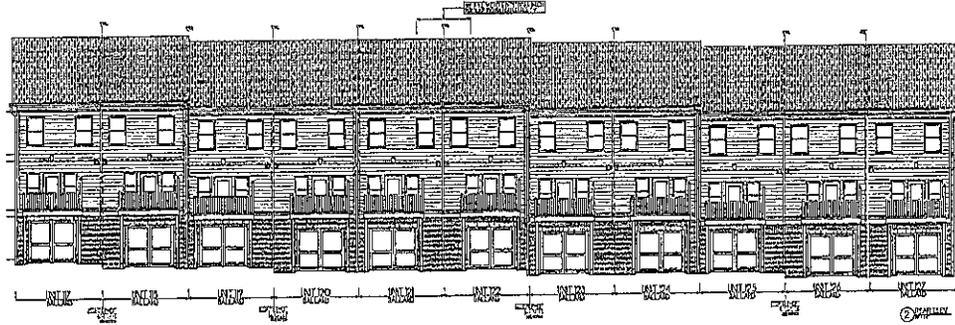
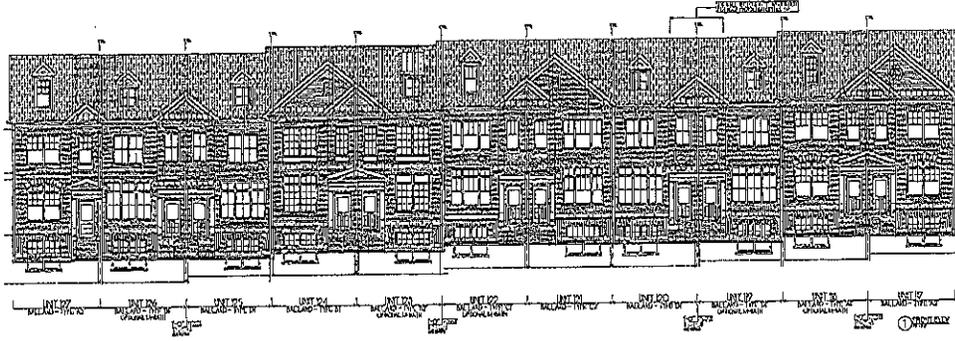
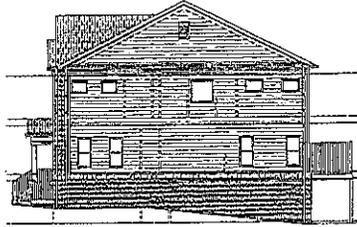
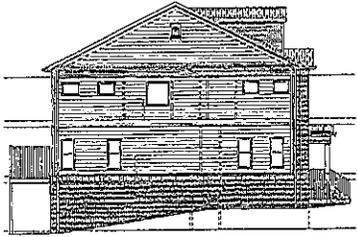
4 Right Elevation



1 Roof Plans

PARTITION SCHEDULE	
1	2" x 4" Stud
2	1/2" Gypsum Board
3	1/2" Gypsum Board
4	1/2" Gypsum Board
5	1/2" Gypsum Board
6	1/2" Gypsum Board
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99	1/2" Gypsum Board
100	1/2" Gypsum Board

07/18/2013 11:54  
 25 117  
 B. Beard - Roof Plan, Front, Rear & Side Elevations 41-47  
 City of Sandy Springs, Georgia  
 Highlands Sandy Springs  
 B. B. ARCHITECTS, INC.  
 4315 ABBOTT BRIDGE ROAD, SUITE 113  
 SANDY SPRING, GA 30077  
 TEL: 478.431.1133 FAX: 478.431.1131  
 www.bbarchitects.com  
 012124282000



DEBB ABBOTTS BRIDGE ROAD  
 4044 1/2  
 072806 650840  
 A 18.2  
 BUILDING 11747  
 A-18.2 ELEVATIONS & ROOF PLAN  
 (SEE LIST OF SHEETS)

BENCHMARK DESIGN INTERNATIONAL, INC. ARCHITECTS  
 1000 W. BERRY ST. SUITE 101  
 JOHNESBURG, GEORGIA 30657

BRISTOL  
 AT BRIARCLIFF  
 BALLARD  
 LEWIS COUNTY  
 GEORGIA

SEAL  
 REGISTERED PROFESSIONAL ARCHITECT  
 STATE OF GEORGIA

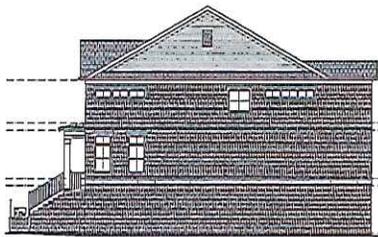
SEAL  
 REGISTERED PROFESSIONAL ARCHITECT  
 STATE OF GEORGIA

Jolly  
 Development  
 DEVELOPER

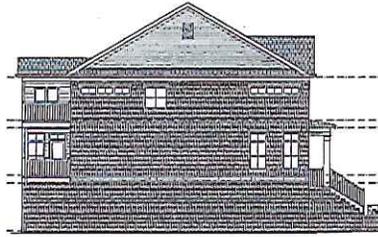
DATE: 07/28/06  
 DRAWN BY: J. W. WILSON  
 CHECKED BY: J. W. WILSON  
 PROJECT NO.: 072806  
 SHEET NO.: A-18.2  
 TOTAL SHEETS: 18



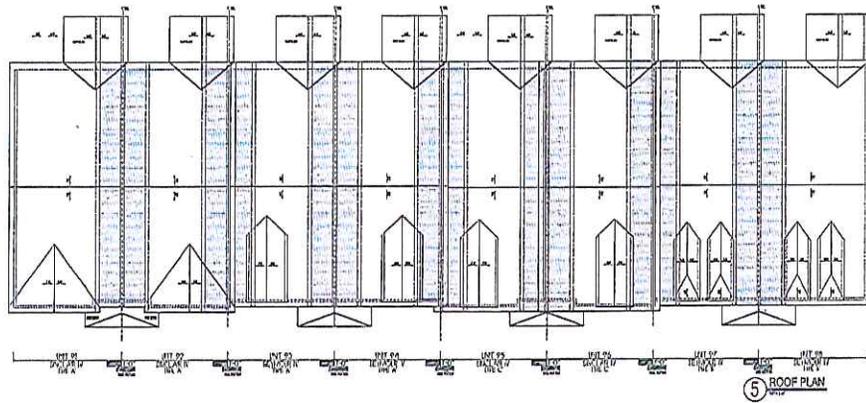




4 RIGHT ELEV



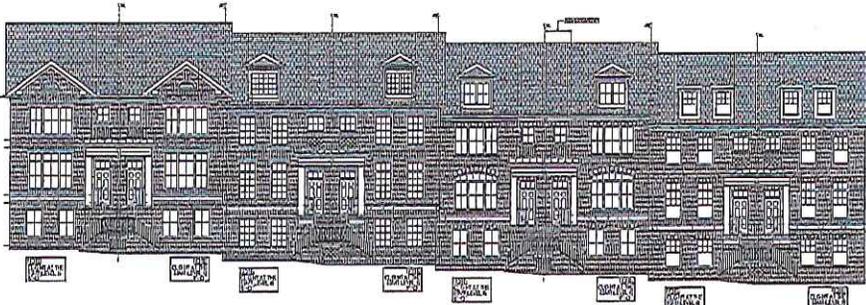
2 LEFT ELEV



5 ROOF PLAN



3 FRONT ELEV



1 FRONT ELEV

PARTITION SCHEDULE	
[Symbol]	2-HOUR CONCRETE WALL
[Symbol]	1-HOUR WALL
[Symbol]	BRICK VENEER
[Symbol]	FOAMATED POLYURETHANE WALL
[Symbol]	EXTERIOR INSULATED STUD WALL

**NOTES:**

- ALL PARTITIONS SHALL BE CONSTRUCTED ACCORDING TO THE 2015 INTERNATIONAL BUILDING CODE.
- ALL PARTITIONS SHALL BE CONSTRUCTED TO RESIST THE DESIGN PRESSURES SHOWN ON THE PARTITION SCHEDULE.
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- ALL PARTITIONS SHALL BE CONSTRUCTED TO RESIST THE DESIGN PRESSURES SHOWN ON THE PARTITION SCHEDULE.

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMITS	01/20/20
2	REVISION	
3	REVISION	
4	REVISION	
5	REVISION	
6	REVISION	
7	REVISION	
8	REVISION	
9	REVISION	
10	REVISION	

APPLY IDEAS (C) 2019  
 Jolly Development



**BRISTOL AT BRIARCLIFF**  
 SEYMOUR & SINCLAIR  
 ESCAL COUNTY, GEORGIA

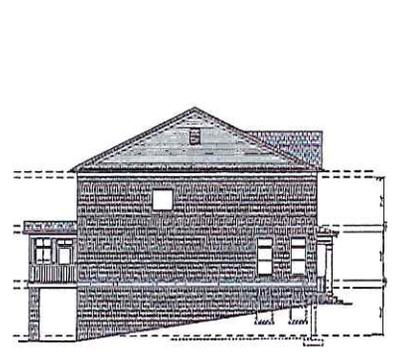
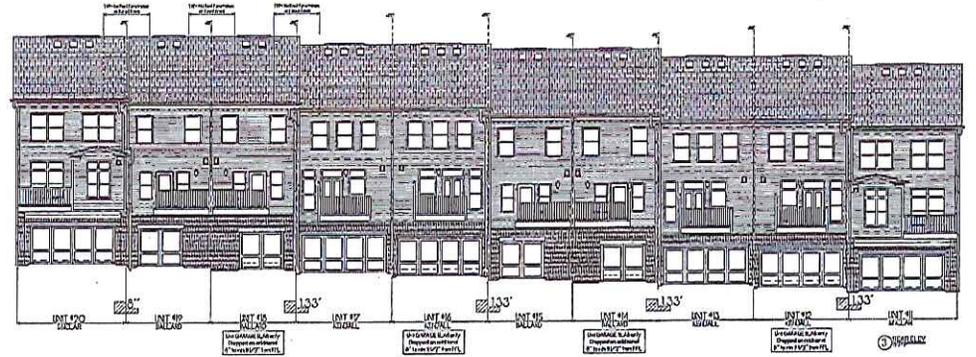
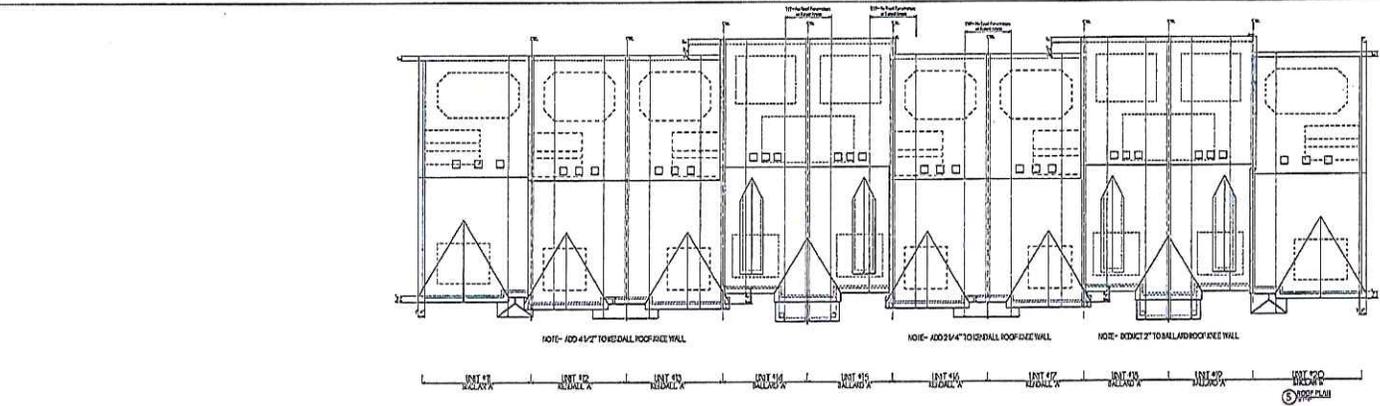
BRISTOL AT BRIARCLIFF ARCHITECTS, INC., ARCHITECTS  
 2228 ABBOTTS BRIDGE ROAD, SUITE 101, ATLANTA, GEORGIA 30329  
 TEL: 404.525.1111 FAX: 404.525.1112

02/28/20 09:03:00 JLS TJK  
 UNITS 14, 15, 16, 17, 18, 19, 20  
 A-4.2 SIDE ELEVATIONS & ROOF PLAN  
 \$5.00 PER CONSTRUCTION

REFER TO PLANS FOR ALL ELEVATION AND ROOF INFORMATION. ALL DIMENSIONS ARE IN FEET AND INCHES. UNLESS OTHERWISE NOTED, ALL DIMENSIONS ARE TO FACE. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

VERTICAL CURVES SHALL BE CONSTRUCTED ACCORDING TO THE 2015 INTERNATIONAL BUILDING CODE. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.





210 ABBOTTS BRIDGE ROAD • SUITE 110 • BUCKINGHAM, GEORGIA 30606 • TEL. 770.433.2244 • FAX. 770.433.2244  
**BEN CHEWARK DESIGN INTERNATIONAL, INC. ARCHITECTS**  
 1155 LA VISTA ROAD NE  
 CITY OF ATLANTA, GEORGIA  
**Lavista Walk**  
 1155 La Vista Road NE  
 City of Atlanta, Georgia  
 07/15/10 10011.00  
 A-62  
 ESTD FOR DWGTS. 07/08







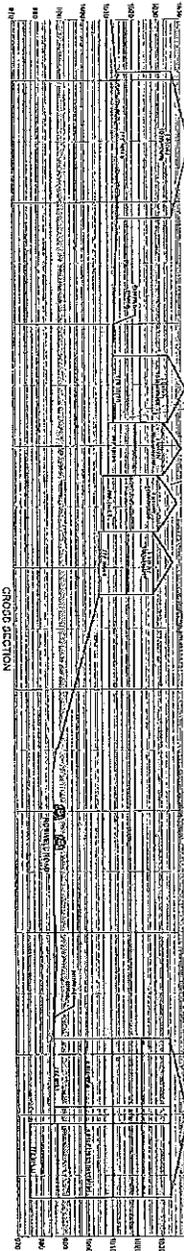
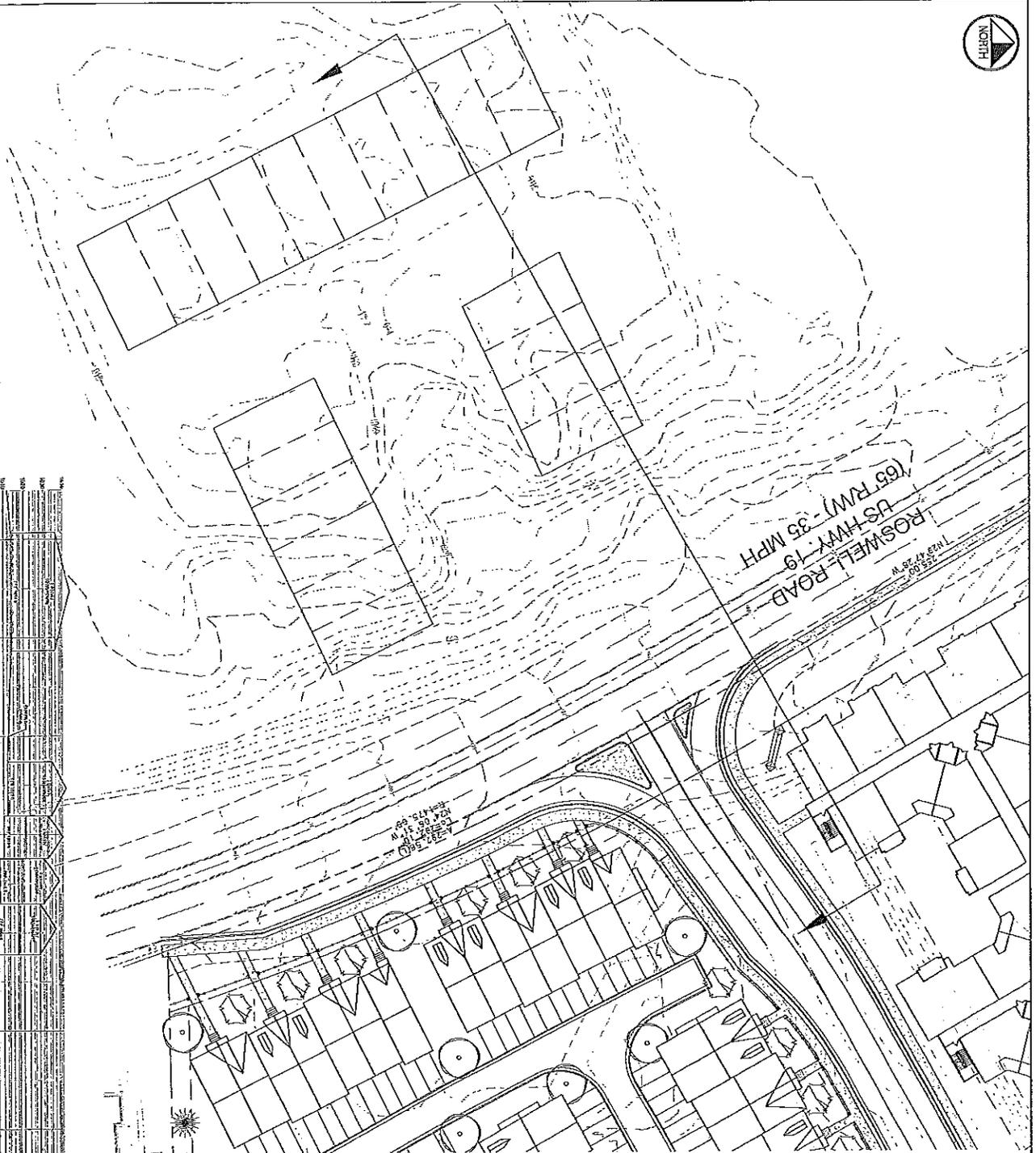
CONCEPTUAL ELEVATION  
 ROSWELL ROAD



Parker Associates  
 2202 E. 49th Street South  
 Suite 200  
 Tulsa, OK 74106  
 (918)-742-2400

**THE WORTHING COMPANIES**

8909 PEACHTREE DUNWOODY  
 SUITE 400  
 ATLANTA, GEORGIA 30328  
 770-522-9775



AS SHOWN  
DATE 11/15/07  
BY [Signature]

ROSWELL ROAD  
US HWY 19  
(65 FPM) - 35 MPH

**COSS SECTION EXHIBIT**  
**THE HEIGHTS AT SANDY SPRINGS**  
LAND LOT 64 - 17A DISTRICT  
CITY OF SANDY SPRINGS  
FULTON COUNTY, GEORGIA

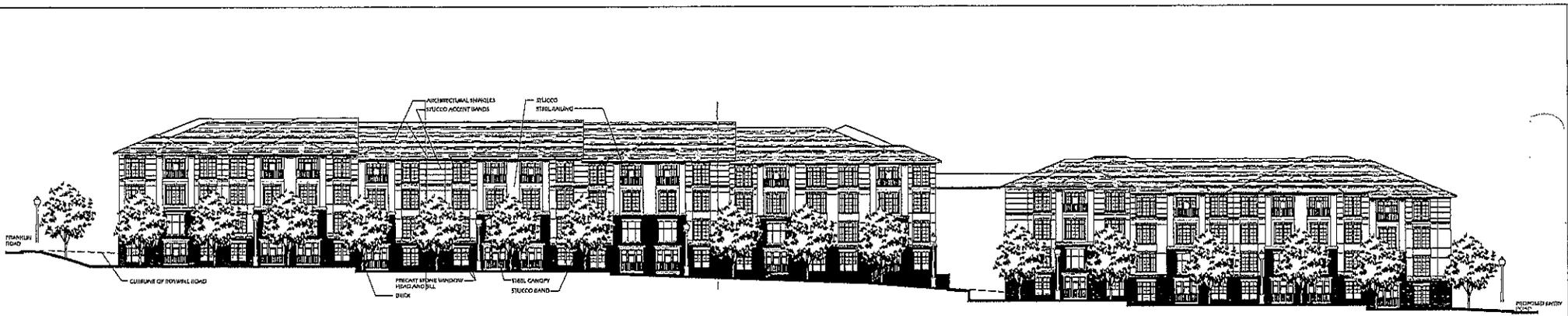
Project No.	No.	Revision Schedule	Date
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2007-001	003		
2007-001	004		
2007-001	005		
2007-001	006		
2007-001	007		
2007-001	008		
2007-001	009		
2007-001	010		
2007-001	011		
2007-001	012		
2007-001	013		
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2007-001	016		
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2007-001	099		
2007-001	100		

The Providence Group  
of Georgia, L.L.C.  
Warren Joly  
11330 Lakeside Drive  
Building 11, Suite 200  
Johns Creek, Georgia 30097  
Tel: (770) 475-1600

The Working Companies  
5900 PEACHTREE DUNWOODY RD.,  
SUITE 400  
ATLANTA, GA 30328  
770-522-5115

**summit**  
Engineering Consultants, Inc.  
100 South West Square  
Richardson, TX 75081  
Tel: (972) 232-4555

**ES**  
ESSENTIAL ENVIRONMENTAL  
SERVICES  
2000 Peachtree Parkway, Suite 100  
Atlanta, Georgia 30329



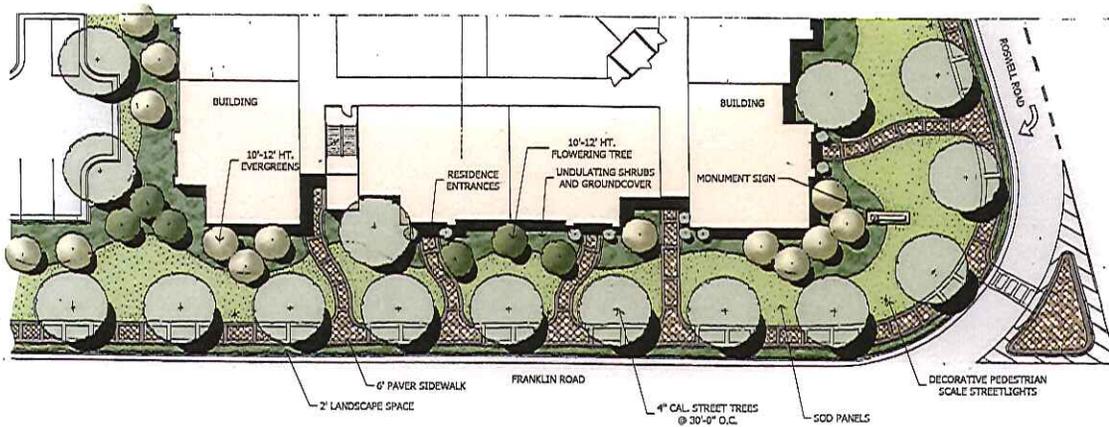
**CONCEPTUAL ELEVATION**  
SCALE 3/32"=1'-0" ROSWELL ROAD

**CONCEPTUAL ELEVATION**  
SCALE 3/32"=1'-0" FRANKLIN ROAD

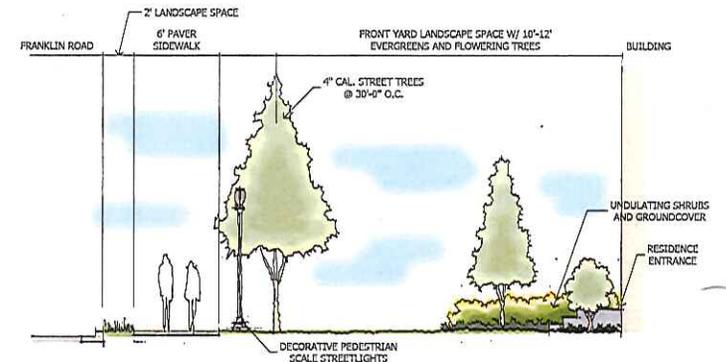
**THE WORTHING COMPANIES**

0009 PEACHTREE DUNWOODY  
SUITE 400  
ATLANTA, GEORGIA 30326  
770-622-6776

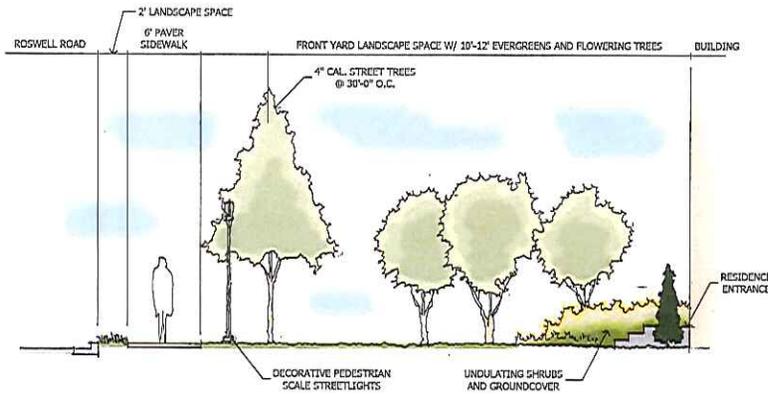




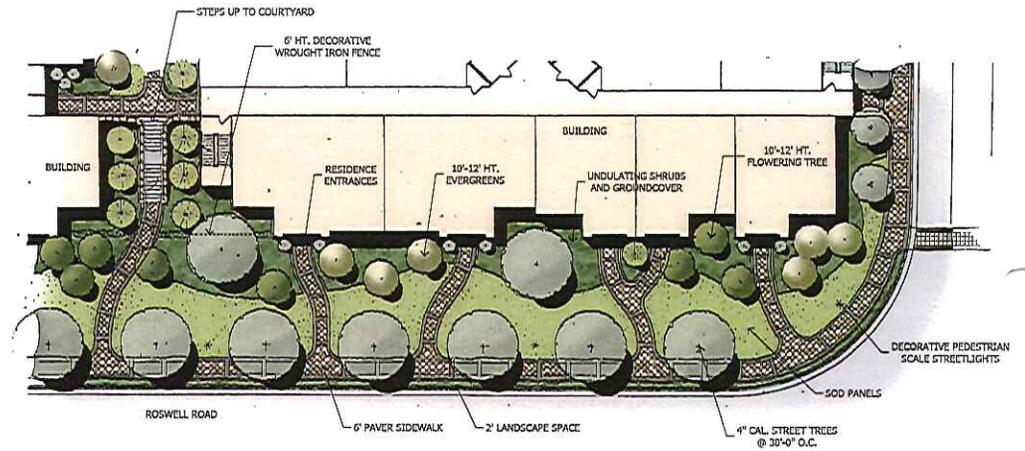
FRANKLIN ROAD STREETSCAPE



FRANKLIN ROAD STREETSCAPE SECTION



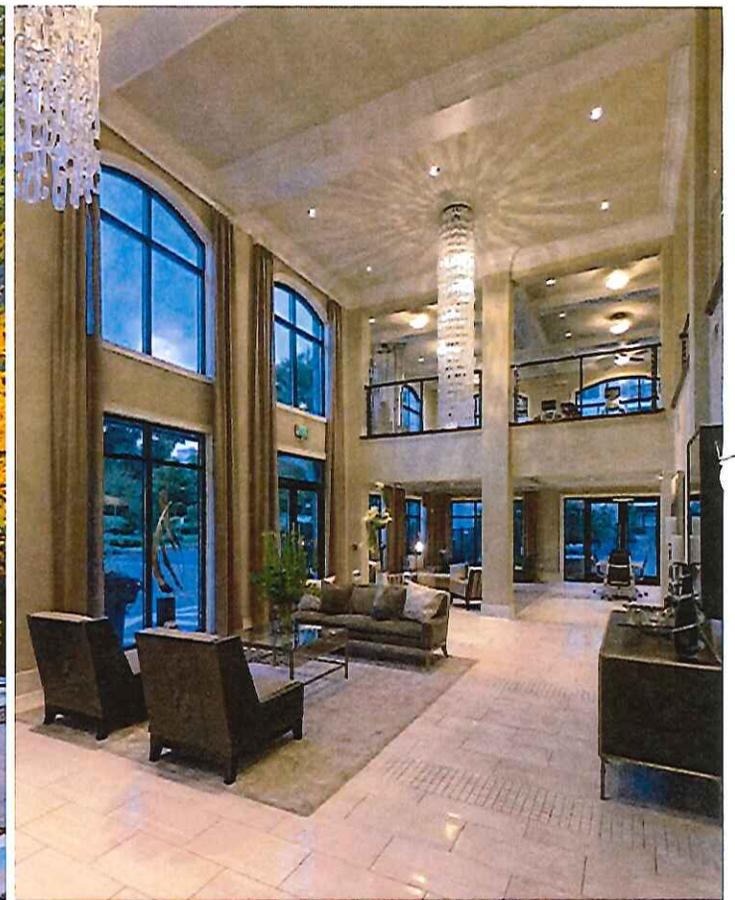
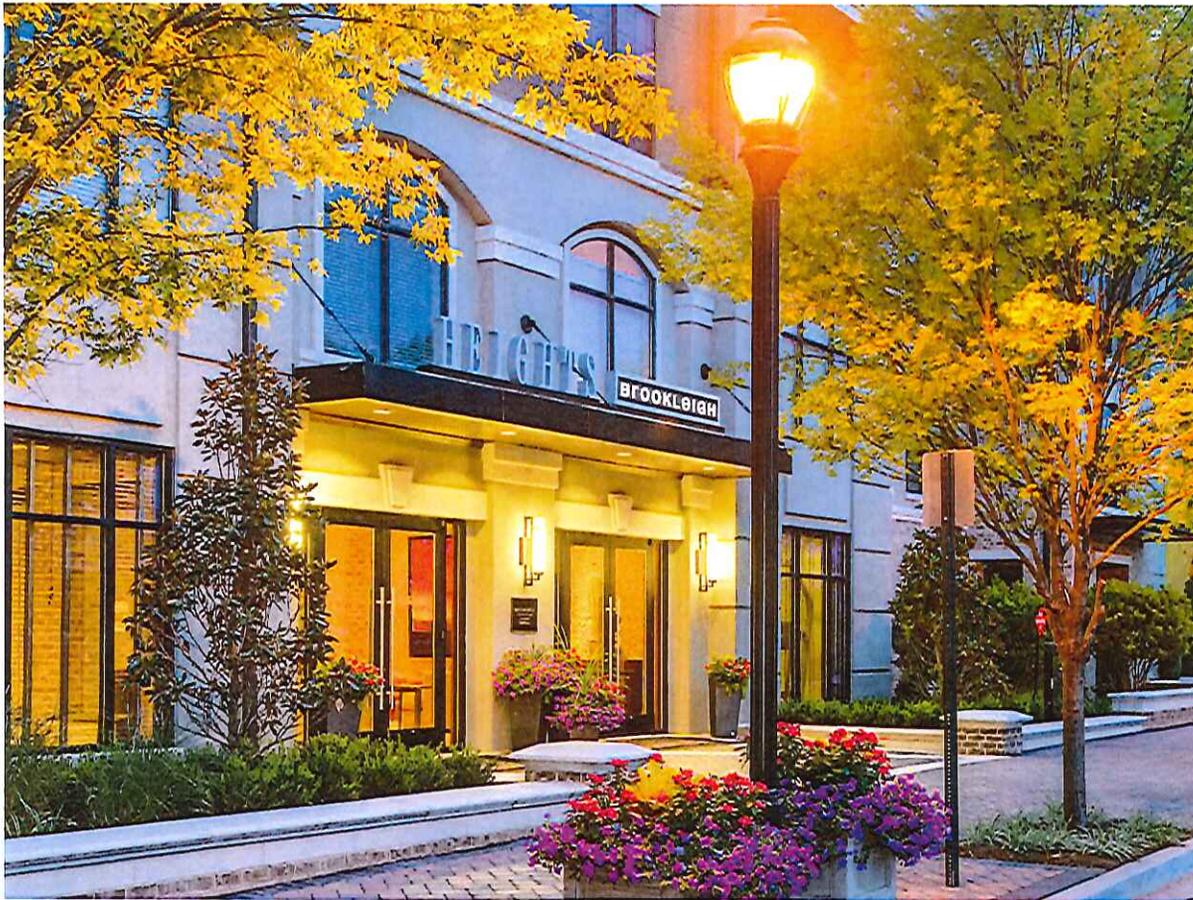
ROSWELL ROAD STREETSCAPE SECTION



ROSWELL ROAD STREETSCAPE

# The Heights at Park 225

Sandy Springs, Georgia



# The Worthing Companies

August 19, 2014

Park 225

Traffic Photographs

Monday, August 18, 2014  
4:35pm – 6:00pm  
Franklin Road





4:55pm



5:00pm



5:05pm



5:10pm







Tuesday, August 19, 2014  
7:30am – 9:00am  
Franklin Road



7:30am



7:35am



7:40am



7:45am









8:50am



8:55am



9:00am



Kasim Reed  
MAYOR

## CITY OF ATLANTA

55 TRINITY AVENUE SW, SUITE 5400, SOUTH BLDG.  
ATLANTA, GEORGIA 30303-3544  
OFFICE 404-330-6081  
FAX 404-658-7194

DEPARTMENT OF  
WATERSHED MANAGEMENT  
Jo Ann J. Macrina, P.E.  
Commissioner

June 18, 2014

Linda Abaray ( Senior Planner )  
City of Sandy Springs  
7840 Roswell Road, Bldg. 500

**Subject: Water Availability at # 4735 Roswell Road, Sandy Springs, Georgia**

Dear Linda

Our records indicate that there is an existing 12 inch water main along the west side of Roswell Road and continued passing Long Island Drive. This water main is located 7 feet into the street. This water main is owned and maintained by the City of Atlanta.

To integrate into Atlanta Water System or rearrange water facilities, the developer must submit the following to the City of Atlanta-Bureau of Engineering Services:

1. A set of stamped engineering drawings showing their developmental objectives for review and approval.
2. The enclosed basis of design form to include all applicable information, with a copy of a City of Atlanta fire hydrant flow test. Contact the Bureau of Engineering Services office of Meter Application at 404-330-6091 for payment and scheduling for the flow test.
3. A two thousand dollar deposit (\$2000.00). Check must be payable to City of Atlanta.

Once the plans have been approved, the developer will then receive additional instructions regarding the process and procedures from the Bureau of Engineering Services.

Should additional information be needed, please contact me at 404-546-3268

Sincerely,

Michael Nduka  
Bureau of Engineering  
City of Atlanta

**Fulton County Schools - Rezoning Impact Statement**

6/17/2014

**PETITION:** 201402051

*Proposed Residential Units*

**JURISDICTION:** Sandy Springs

<u>Single-family detached</u>	<u>Townhouses</u>	<u>Apartments</u>	<u>Condominiums</u>
0	173	368	0

HOME SCHOOL	PROJECTED BASELINE ENROLLMENT <sup>A</sup>	GADOE CAPACITY	ESTIMATED # NEW STUDENTS GENERATED	PROJECTED UNDER/OVER CAPACITY <sup>B</sup>			
				WITHOUT DEV		WITH DEV	
High Point ES	903 to 959	850	1 to 287	53 to 109	54 to 396		
Ridgeview MS	1,161 to 1,233	1200	0 to 68	-39 to 33	-39 to 101		
Riverwood HS	1,553 to 1,649	1325	<u>15</u> to <u>95</u>	228 to 324	243 to 419		
<b>TOTAL</b>			16 to 450				

**HS REGION:** Riverwood HS

AVERAGE - 1 STD. DEV.

AVERAGE + 1 STD. DEV.

<i>One single-family detached unit generates:</i>	0.013091	to	0.208131	<i>elementary school students</i>
	0.000000	to	0.056933	<i>middle school students</i>
	0.000000	to	0.162666	<i>high school students</i>
<hr/>				
<i>One townhouse unit generates:</i>	0.007704	to	0.089494	<i>elementary school students</i>
	0.000000	to	0.039527	<i>middle school students</i>
	0.007502	to	0.107628	<i>high school students</i>
<hr/>				
<i>One apartment unit generates:</i>	0.000000	to	0.737742	<i>elementary school students</i>
	0.000000	to	0.167478	<i>middle school students</i>
	0.036368	to	0.207204	<i>high school students</i>
<hr/>				
<i>One condominium unit generates:</i>	0.000000	to	0.288299	<i>elementary school students</i>
	0.000000	to	0.053888	<i>middle school students</i>
	0.004129	to	0.100313	<i>high school students</i>

*(Note: Empty/null values indicate insufficient historic data)*

**AVERAGE OPERATIONAL COST PER STUDENT (FY14):**

TOTAL COST: \$12,286      PORTION LOCAL REVENUE SOURCES: \$8,209      PORTION STATE AND OTHER REVENUE SOURCES: \$4,077

<sup>A</sup> Projected enrollment for the 2014-15 school year based on forecasted enrollment.

<sup>B</sup> Positive values indicate numbers of students a facility is over state capacity / negative values indicate number of students a facility is under state capacity.

\* State capacity indicates space. However due to the number of special programs, portable classrooms or other measures may be needed to accommodate the instructional needs of the school.

\*\* Student yields are calculated annually based on geocode of enrolled FCS students in built-out developments within the high school zone in which the proposed development is located.

## **Abaray, Linda**

---

**From:** Cory, Janine (CDC/ONDIEH/NCCDPHP) <jyc5@cdc.gov>  
**Sent:** Thursday, August 07, 2014 4:40 PM  
**To:** Abaray, Linda  
**Cc:** 'westfieldpark1958@gmail.com'  
**Subject:** Concerns over development at Franklin/Huntley/Roswell Road

Dear Ms. Abaray,

As a homeowner on Brinkley Lane, I have significant concerns over the potential overdevelopment at the Franklin/Roswell road intersection.

While I understand the need for progress and development evolves over time, it appears that the project under consideration does not accurately reflect traffic concerns and greatly increases the population density without concern to green space, traffic flow, or safety for the surrounding areas.

I urge you to enforce safety and zoning issues for the developers and create a solution that doesn't focus merely on 'packing in' as many people as possible; true value in the community is not merely about building for profit.

Sincerely,  
Janine Cory  
404-273-6979

**Janine Cory, MPH**  
Associate Director  
Office of Communication  
Division of Cancer Prevention and Control

(770) 488-0967  
[JCory@cdc.gov](mailto:JCory@cdc.gov)

## Abaray, Linda

---

**From:** Susan Graham <susanograham@bellsouth.net>  
**Sent:** Thursday, August 07, 2014 6:09 PM  
**To:** Abaray, Linda  
**Cc:** DeJulio, Tibby; Paul, Rusty; Paulson, John; Dishman, Ken; McDonald, Graham; Sterling, Gabriel; Bauman, Andy; info@sandyspringscouncil.org; info@highpointcivic.com; pamword@aol.com  
**Subject:** Rezoning Petition No. 20102051

August 7, 2014

Ms. Linda Abaray  
Senior Planner  
City of Sandy Springs

Re: Rezoning Petition No. 20102051 - Redevelopment of current Park 225 Apartment property

Dear Ms. Abaray,

Eighteen years ago my husband, Bart, and I joyfully purchased our first home together in the Westfield Park neighborhood. At the time we intended to stay for about 5 years and move on. We chose to stay because of wonderful neighbors, the location inside of the perimeter yet close to our family activities, and the protected neighborhood. We have seen Westfield Park become a most desired location for young families since our arrival and our property value has increased commensurately. Did you know that we are one of the few areas to survive the real estate crash without a substantial devaluation of our homes?

I am writing to express our concerns regarding the proposed redevelopment of the Park 225 property on Franklin Road. This development threatens the peaceful protected neighborhood we love and most certainly our property values. Why? Permit me to explain:

1. The proposal provides for a 79% increase in units, translating to more traffic on both Franklin and Roswell Roads. We live on Lansbury Drive - a frequent "cut through" street for those seeking to bypass Franklin's speed bumps and Windsor Parkway traffic. We do not need more traffic in our neighborhood!
2. We are a residential neighborhood, comprised largely of ranch homes. The proposal calls for buildings higher than current code.
3. An additional traffic light at Roswell and Franklin Roads will further bottleneck traffic flow on Roswell Road and Windsor Parkway. As it is, most nights between 5:30 - 6:30, the traffic waiting to turn left at Windsor/Roswell stretches all the way to Westfield. If traffic continues not to move on Roswell Road and with the addition of traffic that will be created by the Gateway project, total gridlock will take place.
5. Reduced set back on Roswell Rd to 0 is unacceptable. This is a neighborhood for so many!
6. Reduced set back on Franklin Rd 0 ft. is also unacceptable.
7. While a retention pond controls storm water runoff and is good, we'd like to see it accomplished without a reduced buffer to Huntley Drive.
8. Franklin Rd already has a fair amount of traffic from Roswell to High Point. The current speed bumps do little to control speed and Franklin is not monitored by SSPD for speed. There are also no sidewalks on

## Abaray, Linda

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**From:** Kim Russell <kim@kim-russell.com>  
**Sent:** Thursday, August 07, 2014 6:49 PM  
**To:** Abaray, Linda; Andy Bauman; Coffey, Dan; Sterling, Gabriel; McDonald, Graham; Paulson, John; Dishman, Ken; Paul, Rusty; DeJulio, Tibby  
**Cc:** pamword@aol.com; info@highpointcivic.com  
**Subject:** Petition No 2014251 concerns on redevelopment of 225 Park Apartments  
**Attachments:** zoning letter concerns 872014-signed.pdf

Dear Ms. Abaray,  
Please find my letter attached with concerns regarding this petition 201402051.  
Please let me know if you have any issues opening the letter.

I appreciate your work on this petition and look forward to a new development with some compromise.  
Sincerely,

Kim Russell  
4865 Lansbury Drive, 30342  
Westfield Park Neighborhood  
404-272-8891

Kim Russell | Coldwell Banker | 404-272-8891 | Top 25 Agents Atlanta | International Diamond Society | Life Member  
Multi Million Dollar Sales

## Abaray, Linda

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**From:** David Houghtlin <doughtlin@gmail.com>  
**Sent:** Thursday, August 07, 2014 8:10 PM  
**To:** Abaray, Linda  
**Cc:** 'David Houghtlin'  
**Subject:** Comments regarding Park 225 Development- Rezoning Petition # 201402051 - Apartments/Townhomes -Roswell and Franklin road

Dear Ms. Albaray:

I am a new resident of Sandy Springs, having just purchased my home at 410 Franklin Road and my Westfield Park neighbors just made me aware of the proposed rezoning of the land adjoining Roswell Road and Franklin Road. I would like to express my thoughts and feelings regarding the potential impact on my neighborhood.

I am happy to see that there are proposals to improve the quality of housing, but have serious concerns about how some of the proposed changes will greatly increase traffic on Franklin Road and adversely affect the quality of life in my neighborhood. If you combine the increase in the number of proposed bedrooms and then provide what looks like a substantially greater access to Franklin Road by adding a traffic light at the intersection, you are providing an unnecessarily attractive alternative the new residents and to those who use Windsor Parkway. That part of the proposal may be attractive to the developers and others, but not to the Westfield Park residents. I think that you can have sensible development as well as maintain the integrity of the surrounding neighborhoods.....you don't have to sacrifice one for the other.

I am adamantly opposed to the installation of a traffic light at the intersection as well as any increase in the speed limit from the present 25MPH. If this part of the project does move forward, however, as it appears that it will, I would like the following to be considered.....with the highest priority listed first:

1. 1. Provide a dead end to Franklin Road where the multi family project begins as was done on Highbrook Drive and Vernon Woods Drive. While this will result in an inconvenience to me and to my neighbors, it would be worth it and resolve all other issues.
2. 2. Retain the 25 MPH speed limit and Increase the traffic calming on Franklin Road as well as installing calming on the other side streets to discourage cut-through traffic.
3. 3. It is now my understanding that there are to be a total of three access points from the development instead of what I thought were only two. If the entrances to Franklin Road are retained, take meaningful steps to prohibit turns. The current "No Left Turn" signage at another complex on Franklin Road is consistently ignored and little benefit. Installing a berm or curbing at the entrances that curve towards Roswell Road and the installation of flexible poles along the center of the road would definitely help.

Please don't destroy my new neighborhood and convert it to a commuter thoroughfare!

I appreciate your time and consideration.

Dave Houghtlin  
410 Franklin Road  
doughtlin@gmail.com

## Abaray, Linda

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**From:** Mary Stratton <marymstratton@gmail.com>  
**Sent:** Thursday, August 07, 2014 8:37 PM  
**To:** Abaray, Linda; DeJulio, Tibby; Paul, Rusty; Paulson, John; McDonald, Graham; Dishman, Ken; Sterling, Gabriel; Bauman, Andy; info@sandyspringscouncil.org; pamword@aol.com; info@highpointcivic.com  
**Subject:** Reject Zoning Request 201402051 at 4735 Roswell Road

Dear Ms. Abaray –

My name is Mary Stratton and I have lived at 4875 Lansbury Drive in the Westfield Park Neighborhood (located east of Roswell Road and between Windsor Parkway and Franklin Road) for the last 7.5 years. I have a husband and three young children and we love our quiet and safe neighborhood. I have serious concerns about the proposed re-zoning / re-development of the Park 225 property located at the corner of Roswell and Franklin. My major concerns are as follows:

- The possible approval of lifting existing buffer restrictions and height requirements in order to maximize occupancy on the property
- The lack of a new street light to enter the complex off of Roswell Road – forcing traffic into the soon-to-be overcrowded complex on Franklin Road (a residential roadway that is used for walking, running, biking by my neighbors) and increasing cut-through traffic on Westfield Park streets
- The potential of a developer to remove a majority of the existing tree canopy that gives this part of Sandy Springs (and Westfield Park) a suburban feel

I hope you will take these concerns seriously and consider alternatives to the re-zoning that is currently being proposed. I am for responsible development of this property but I am against doing so at the expense of my neighborhood.

Thank you in advance for your consideration,

Mary Stratton

## Abaray, Linda

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**From:** BILL & ANN SCHUH <twoschuhs@bellsouth.net>  
**Sent:** Thursday, August 07, 2014 8:51 PM  
**To:** Abaray, Linda; DeJulio, Tibby; Paul, Rusty; Paulson, John; Dishman, Ken; McDonald, Graham; Sterling, Gabriel; Bauman, Andy; pamword@aol.com; info@sandyspringscouncil.org; info@highpointcivic.com; kim@kim-russell.com; Bill Schuh  
**Subject:** Regarding Rezoning Petition #20102051

Dear City Planners and Council Persons,

We are writing to you as concerned residents of Westfield Park, who have owned property about 100 yards away from the proposed development for about 10 years. The proposal seems more appropriate for a Buckhead location rather than a Sandy Springs location. We are extremely concerned that this development would change the character, property values and lifestyle of the neighborhood in a detrimental way.

First, with regards to the zero foot setbacks: our family went through a very lengthy process in 2007 to have the setbacks changed by a mere few feet and were denied. It seems unfair that a mere 100 yds away a large corporation has the luxury to reduce the setbacks not only by a few feet, but to zero. This will not only affect the neighborhood character but will also affect future abilities to widen roads and make traffic changes.

Second, we are also concerned about the height variance. These buildings would be the tallest structures for miles around and would potentially invade the privacy of every resident nearby.

Third, the detention ponds are an enormous concern because pest control particularly mosquitoes are already a difficult problem to manage in this area. We have no assurances that the builders will over the long term be able to be responsible for maintaining the cleanliness and health aspect of the retention ponds.

Fourth, and perhaps most significantly, traffic congestion brought about by such an increase in population cannot be handled by the current roadways. No provisions have been stated to address this need to our knowledge.

In conclusion, while perhaps a new development on this property could be a positive step for this area, this particular proposal would for the above reasons, would destroy the quality of life in our neighborhood. Without more thorough planning, a development of this size would destroy the character, property values, and transportation patterns in this southern part of Sandy Springs.

Sincerely,  
Bill and Ann Schuh (4810 Huntley Drive 30342)-Sandy Springs District 5

## Abaray, Linda

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**From:** Rob Chambers <robcha@bellsouth.net>  
**Sent:** Thursday, August 07, 2014 9:14 PM  
**To:** Abaray, Linda; DeJulio, Tibby; Paul, Rusty; Paulson, John; Dishman, Ken; McDonald, Graham; Sterling, Gabriel; Bauman, Andy; info@sandyspringscouncil.org; info@highpointcivic.com; pamword@aol.com  
**Subject:** Help Us Re Park 225

Dear Sandy Springs Decision Makers,

Our home at 335 Franklin Road and our entire neighborhood, Westfield Park, are apparently being besieged by real estate developers whose rezoning and development proposals threaten to damage our neighborhood's property values and quality of life. For instance,

- The proposed 0 feet setback on Roswell Rd. and 10 feet on Franklin plus the six story buildings, our neighborhood's first skyscrapers, would afflict the neighborhood with an ugly, crowded, and unnecessary (except in places like Manhattan) aesthetic nightmare. Lax zoning and developers' land-eating lust for density is currently everywhere besieging the City of Atlanta, making it less livable and more claustrophobic with each new setback destroying development.
- Apparently green space per se is also a major casualty of this 18 acre proposal.
- And traffic hell, it seems, would be another result. Already Windsor Parkway at Roswell Road is a total bottleneck stretching back nearly a mile and more at busy times of the day. Supposedly, Park 225 wants a traffic light at Roswell and Franklin (and of course there's already that strange and seemingly expensive pedestrian-friendly light nearby). Further, the development would add a large number of new bodies to our neighborhood (along with a proposal for an additional entrance on Franklin Road). The consequence of all this would further inhibit the crawling rush hour flow of traffic on Roswell and turn Franklin into a traffic trap.
- I could go on listing fears and objections, but I'm praying that you, our elected and appointed caretakers in Sandy Springs, will protect our neighborhood's interests because, historically, that's the last thing on developers' minds. Thank you.

Rob and Michele Chambers

## Abaray, Linda

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**From:** Allison Bittel <allison.bittel@gmail.com>  
**Sent:** Thursday, August 07, 2014 9:14 PM  
**To:** Abaray, Linda; DeJulio, Tibby; Paul, Rusty; Paulson, John; Dishman, Ken; McDonald, Graham; Sterling, Gabriel; Bauman, Andy; info@sandyspringscouncil.org; info@highpointcivic.com; pamword@aol.com  
**Cc:** Phil ICE 1; pamshiple@aol.com; shipsav@aol.com; kim@kim-russell.com  
**Subject:** Rezoning Petition No. 20102051

To Whom It May Concern:

We are writing in regards to the proposed rezoning of the Park 225 Apartments at the Southeast corner of Roswell Road and Franklin Road, in Sandy Springs. We are residents of the Westfield Park neighborhood, which will be significantly impacted by the proposed rezoning of this property. While we are not against an alternate use for the property, we are greatly against the density of the zoning that has been proposed. We chose our neighborhood because of its location and the proximity to other young families. We are currently faced with higher than normal traffic resulting from cars that use our street (Huntley Drive) as a cut through between Franklin Road and Windsor Parkway. The high rates of speed are unsafe and cause concern for our children that like to play in the front yards of our homes.

We have great concern over the increased traffic, which will be heightened by the proposed traffic signal, inviting more drivers to cut down Franklin Road to access thoroughfares on the west side of Roswell Road.

As tax paying homeowners, we are opposed to the current development plan and would ask that alternatives be considered.

Kind regards, Allison and Phil Bittel

--

Allison Griffin Bittel  
[allison.bittel@gmail.com](mailto:allison.bittel@gmail.com)  
404.431.7354 - mobile  
404.853.5308 - office

## Abaray, Linda

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**From:** Andrew Teegarden <awt11@hotmail.com>  
**Sent:** Thursday, August 07, 2014 9:29 PM  
**To:** Abaray, Linda  
**Cc:** DeJulio, Tibby; Kimbrell Teegarden  
**Subject:** Fwd: Rezoning of 225 Park Apartments

Linda- We are residents of Huntley drive and are concerned with aspects of the proposed Park 225 redevelopment.

Our primary concerns are increased traffic within the neighborhood and increased usage of Huntley, Brinkley, and franklin as cut-through streets.

Please do not allow the proposed variance for the higher density, the building height increase over the current code, or the reduced buffer to Huntley. The related increased population density will negatively impact the traffic for the neighborhood and negatively impact the Huntley neighborhood with a further reduced buffer.

Please also seriously consider creating a dead end of franklin rd at the final driveway to the apartments. This strategy worked very well for high brook drive at belle isle a number of years ago and would protect Westfield park while encouraging roswell rd redevelopment.

I am a life long resident of the high point area and plan to raise my children in this neighborhood, but substantially increased traffic and irresponsible development will negatively impact the safety of our children and the future potential of our neighborhood.

Thank you for your consideration.

Andrew and Kimbrell Teegarden  
4650 Huntley Dr

Rezoning Petition No. 20102051

<http://www.sandyspringsga.gov/SandySprings/media/Agendas/PC/2014/0619/62414/Focus-201402051.pdf>

## Abaray, Linda

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**From:** fbpayne63@gmail.com  
**Sent:** Thursday, August 07, 2014 11:02 PM  
**To:** Abaray, Linda  
**Cc:** info@sandyspringscouncil.org; Paul, Rusty; DeJulio, Tibby; Paulson, John; Dishman, Ken; McDonald, Graham; Sterling, Gabriel; Bauman, Andy; info@highpointcivic.com  
**Subject:** Re zoning 201402051

Ms Abaray,

I'm writing to let you know that I oppose the re zoning petition referenced above that pertains to 225 Park apartments.

I am especially concerned about the higher density the redevelopment brings, taller buildings/structures, increased traffic on Franklin and residential streets, reduced set backs on Franklin and Roswell Rds, lack of green space and the reduced buffer on Huntley Dr.

Our neighborhoods here are an oasis amidst the hustle and bustle of Atlanta. We are classified as a protected neighborhood. The zoning in place is here to protect us- pls don't disregard this.

Sincerely,

Fran Payne  
Westfield Park homeowner

Sent from my iPad

## Abaray, Linda

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**From:** Nathan Wood <wood.nathan1@gmail.com>  
**Sent:** Thursday, August 07, 2014 11:48 PM  
**To:** Abaray, Linda; DeJulio, Tibby; Paul, Rusty; Paulson, John; Dishman, Ken; McDonald, Graham; Sterling, Gabriel; Bauman, Andy; info@sandyspringscouncil.org; info@highpointcivic.com  
**Cc:** westfieldpark1958@gmail.com; pamword@aol.com  
**Subject:** Opposition to Rezoning Petition No. 201402051

All:

My name is Nathan Wood, and my wife, Kimberly, and I live at 4820 Kendall Court in the Westfield Park neighborhood. One of the chief reasons we moved to Westfield Park was the peaceful, quiet, and family-friendly character of the neighborhood. That character, however, will be severely and irreparably impacted if at least some changes are not made to the planned development at 4735 Roswell Road contemplated in Rezoning Petition No. 20142051.

Our property is located at the corner of Franklin Road and Kendall Court, and our lot parallels Franklin Road. We regularly walk down Franklin Road from our home toward Roswell Road and through many of the side-streets along the way. While the current level of traffic on Franklin Road poses some safety risk for pedestrians due to a lack of sidewalks, we are deeply concerned that the anticipated traffic increase from the proposed development will prevent us from safely walking through our neighborhood at all.

We also regularly find a significant amount of litter (including empty alcohol bottles) in our yard along Franklin Road, and we expect to see much more if traffic increases.

Given the negative impact that the development and rezoning will inevitably cause to Westfield Park, the rezoning is clearly and entirely contrary to at least three of the core purposes of the 2005 Zoning Ordinance of Sandy Springs. Those stated purposes are: (1) "lessening congestion on the roads and streets," (2) "providing adequate light and air," and (3) "promoting the health and general welfare" of Sandy Springs' citizens. 2005 Zoning Ordinance of Sandy Springs, Art. II, § 1.

While we are not opposed to the development and rezoning at issue in principal, we vehemently oppose anything that would increase traffic or raise the speed limit on Franklin Road or its side-streets.

## Abaray, Linda

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**From:** Cannon Reynolds <cannon.reynolds@gmail.com>  
**Sent:** Friday, August 08, 2014 1:37 AM  
**To:** Abaray, Linda  
**Subject:** 225 Franklin Rd Parcel

Hi Linda,

I am a resident just off Franklin Road on Kendall Court. We will have been in our house 10 years in Nov...

I am an Architect and Land Planner... A quick look at the zoning application gave me a few questions...

First off, it will be great to replace the aging and obsolete apartments... Clearly there are a number of complexes along Roswell road that are ripe for demolition. I would love to see some tree save areas... It will be a shame to lose all of that mature cover in a mass grading of the site.

Can you please point me to a link so that I can review the DRI?

Based on some of the emails I've seen, there are a number of neighbors that are freaking out about this proposal.

I think if we can back off on bldg ht and density, this should be no problem.

The land plan smacks of trying to jam in too many units... Very tight with no "significant" or usable green space. The Town House product looks very monotonous and is a far cry from the "new urbanist" approach mentioned in the application. The ally lay-outs are far to tight to be workable... It's going to look dreadful. There's no room for a back deck on these units, no room to park out side the garage (below the deck) and no place to put the condenser units... There's no usable green space for passive use or to exercise dogs... The front doors of the townhouse units will be accessible only down a long path? It's really not a good plan.

The six story apartment bldg is a joke... The courtyards are ridiculously narrow and lifeless. The building does not address the street... The "wrap" building product is an urban typology... This is a bizarre design.

All the pools are in shade...

In looking at it, I think it's a sham plan submitted as a negotiating ploy... Six stories? Get serious... They can't build six stories in wood frame... They cannot afford to do an "epicore" or similar non-combustible structural system to achieve this height. My guess is that they are hoping to do Type III construction at five stories... Hoping that if they agree to reduce the bldg ht to 5 stories the neighborhood will believe that they have extracted a real compromise.

The plan is a really awkward hybrid of suburban and urban approaches.

My concern at this point is that the planning looks bad and I want to know that the neighborhood is going to have the ability to review and condition the architecture that eventually will be proposed. Colors, material, elevations, etc...

I know enough developers to know where these folks are coming from... This feels like trying to jam 5 lbs of stuff in a 3 lb bag...

Reducing the rear yard setback is a non-starter... where is the hardship? If they will come back with a good urban plan, they should be given the front and side yard setbacks for Roswell and Franklin... But they need to provide the landscape

## Abaray, Linda

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**From:** John Albanese <jalbanese@harrisondesign.com>  
**Sent:** Friday, August 08, 2014 8:13 AM  
**To:** Abaray, Linda  
**Subject:** Rezoning Petition No. 20102051

Linda,

I am writing to you in reference to the rezoning on the corner Franklin Rd. and Roswell Rd. My concern is the overdevelopment of the property and the lack of greenspace.

What has not been presented is the hardship that is perpetuating all the variances. I do not understand why the property needs to have the density that is being proposed and why they can't reduce the number of units to satisfy the 10% greenspace criteria and setbacks that comply to the building code. Reducing the number of units will satisfy both of these concerns as well as the increased traffic issue. I think the development can be a nice addition to the area as long as it is not overpowering and hope a decision can be reached based on build code compliance and the fact that there really is no hardship that would explain the over massing of the property.

Thanks for your time,  
-John

**John Albanese, AIA, NCARB | Principal**

Please note my new email address and update contact information accordingly.

Harrison Design Associates

3198 Cains Hill Place NW | Atlanta, GA 30305

o 404 365 7760 | f 404 365 7769

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Rezoning Petition No. 20102051

<http://www.sandyspringsga.gov/SandySprings/media/Agendas/PC/2014/0619/62414/Focus-201402051.pdf>

Mixed use community of rental apartments and owned 3 story town home units.

Comments to the Senior Planner Linda Abaray are due by Friday August

8th. [Labaray@sandyspringsga.gov](mailto:Labaray@sandyspringsga.gov) or 770-206-1577

This project directly affects Westfield Park as well as the rest of High Point.

## Abaray, Linda

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**From:** Pam Shipley <pamword@aol.com>  
**Sent:** Friday, August 08, 2014 9:08 AM  
**To:** Abaray, Linda; DeJulio, Tibby; Paul, Rusty; Paulson, John; Dishman, Ken; McDonald, Graham; Sterling, Gabriel; Bauman, Andy; info@sandyspringscouncil.org; info@highpointcivic.com  
**Subject:** Comments Regarding Rezoning Petition No. 201402051, The Heights, 4735 Roswell Road, For Planning Commission Meeting

I live at 365 Franklin Road in Sandy Springs. I have attended both previous public meetings for this rezoning request.

The Rezoning Petition is so wrong in so many ways. I am opposed to the following, which are inconsistent with the Comprehensive Plan:

1. Rezoning from A-1 to A-L from 5 units per acre to 30.10 units per acre
2. Use permit to exceed the district height from 2 stories to up to 6 stories
3. Variance of Section 4.23.1 rear buffer reduction from 50' to 10'
4. Variance of Section 7.4.3.B front yard setback from 40' to 0'
5. Variance of Section 7.4.3.C side corner yard setback from 40' to 0'
6. Variance of Section 7.4.3.C side yard setback from 20' to 10'
7. Variance of Section 12.B.4 landscape strip reduction from 10' to 0'
8. Variance of Section 33.26.CC.1 requesting an additional sign

All of these requests are excessive for this property in this location.

I am also opposed to the following:

- 3 entrances on Franklin Road. The current apartments are ideal in our neighborhood because they have only two entrances on Franklin Road. One is for a limited number of apartment units. The other is for access to one building and is also a gated One-Way-In-Only entrance to the majority of the units, where residents may enter from Franklin Road but must exit onto Roswell Road. Neither of these entrances produces much traffic on Franklin Road. The proposed plan appears to minimize the Roswell Road entrance and funnel all traffic onto Franklin Road, in turn creating more cut-through traffic on that road and on the other neighborhood streets of Huntley, Brinkley, Cherrywood, Westfield and Lansbury.
- Traffic light at Roswell and Franklin Roads. At the Community Developer Resolution Meeting, I questioned why the light couldn't be placed at the new development's entrance on Roswell Road. Linda Abaray stated that the new road wouldn't align with the road across the street and would not be conducive to a traffic light. My questions are: With this new development, aren't the developers able to put the road anywhere on their 17.97 acre property they wish? Why can't they put their road where it aligns with the opposite roadway, so that a logical entrance will be made to a community of 541 units on a main thoroughfare with a traffic light, and not funneled through an established residential community? Ideally, there would be no entrances on Franklin Road. In this case, I would support the side-yard setback reduction. If an entrance is approved for Franklin Road, I hope that it would be made one-way-in or one-way-out only.
- Northbound Right Turn Lane from Roswell Road onto Franklin Road. No!
- Lack of green space. 10% is required, 20-30% is ideal.

All of these proposed plans will create a private nuisance regarding the quiet enjoyment of our homes in a residential neighborhood on a family-oriented, pedestrian street by creating excessive hazardous traffic in our neighborhood.

Of course, with the Comprehensive Plan calling for higher density on Roswell Road throughout our area, closure of Franklin Road at the multi-family communities would avoid future opposition to development due to traffic issues within our neighborhood.

This project should be scaled back below the qualifications of a Development of Regional Impact, to avoid GRTA requiring traffic lights and dedicated lanes into our neighborhood.

## **Abaray, Linda**

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**From:** Theresa Goriczynski <tgoriczy@gmail.com>  
**Sent:** Friday, August 08, 2014 9:56 AM  
**To:** Abaray, Linda; DeJulio, Tibby; Paul, Rusty; Paulson, John; Dishman, Ken; McDonald, Graham; Sterling, Gabriel; Bauman, Andy; info@sandyspringscouncil.org; info@highpointcivic.com  
**Cc:** Curt Tucker; pamword@aol.com; Steve Shipley  
**Subject:** Comments Regarding Rezoning Petition No. 201402051, The Heights, 4735 Roswell Road, For Planning Commission Meeting

I live at 4755 Huntley Drive in Sandy Springs. I have attended one of the previous public meetings for this rezoning request.

The Rezoning Petition is so wrong in so many ways. I am opposed to the following, which are inconsistent with the Comprehensive Plan:

1. Rezoning from A-1 to A-L from 5 units per acre to 30.10 units per acre
2. Use permit to exceed the district height from 2 stories to up to 6 stories
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6. Variance of Section 7.4.3.C side yard setback from 20' to 10'
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- Traffic light at Roswell and Franklin Roads. At the Community Developer Resolution Meeting, I questioned why the light couldn't be placed at the new development's entrance on Roswell Road. Linda Abaray stated that the new road wouldn't align with the road across the street and would not be conducive to a traffic light. My questions are: With this new development, aren't the developers able to put the road anywhere on their 17.97 acre property they wish? Why can't they put their road where it aligns with the opposite roadway, so that a logical entrance will be made to a community of 541 units on a main thoroughfare with a traffic light, and not funneled through an established residential community? Ideally, there would be no entrances on Franklin Road. In this case, I would support the side-yard setback reduction. If an entrance is approved for Franklin Road, I hope that it would be made one-way-in or one-way-out only.
- Northbound Right Turn Lane from Roswell Road onto Franklin Road. No!
- Lack of green space. 10% is required, 20-30% is ideal.

All of these proposed plans will create a private nuisance regarding the quiet enjoyment of our homes in a residential neighborhood on a family-oriented, pedestrian street by creating excessive hazardous traffic in our neighborhood.

Of course, with the Comprehensive Plan calling for higher density on Roswell Road throughout our area, closure of Franklin Road at the multi-family communities would avoid future opposition to development due to traffic issues within our neighborhood.

## **Abaray, Linda**

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**From:** Sarah Beatty <beattyps@gmail.com>  
**Sent:** Friday, August 08, 2014 10:56 AM  
**To:** Abaray, Linda  
**Cc:** DeJulio, Tibby; Paul, Rusty; Paulson, John; McDonald, Graham; Dishman, Ken; Sterling, Gabriel; Bauman, Andy; info@sandyspringscouncil.org  
**Subject:** GRTA Staff Report and Recommendations - The Heights at Sandy Springs (DRI #2419)

Linda,

I have many concerns about the redevelopment at the end of Franklin and Roswell Road, but my greatest concern is the traffic, safety, and quality of life issues. I live on Westfield Drive and my parents have just purchased a house on Franklin, a very short walk from my home. It is a dream come true for me to have my children be able to walk to their grandparent's house. Unfortunately, putting a traffic light at Roswell and Franklin will eliminate that ability for my children to be able to safely do so.

As it stands right now, there are mornings where it takes several minutes for me to be able to merge into traffic on Windsor Parkway. The idea that my street could be flanked by two high traffic roads will greatly impact my quality of life and everyone else that lives here. There is no doubt that by putting a traffic light on Roswell Road, Franklin will become the alternative Windsor Parkway. Franklin is a very narrow and very hilly street. It is not able to safely accommodate the huge influx of traffic that will come. It's not even the residents of the apartments that will be using this road, but all commuters who are traveling from Roswell Rd and looking for a quick route home.

All of our neighbors are very concerned about safety and quality of life. We all want to be able to take walks and not worry about our kids or our elders being hit by a car that is cutting through our otherwise quiet streets. Many of us feel that putting a dead end to Franklin near Huntley will be the safest and most cost effective way of controlling this problem. It will only be a matter of time before the apartment complex on the other side of Franklin is up for redevelopment and will exacerbate this issue. I know that if Franklin is shut down, we will not have to fight the remaining redevelopment that needs to take place up and down Roswell Rd.

In short, we are counting on Sandy Springs to take a hard look at the safety and quality of life issues that this redevelopment will cause. We all want redevelopment of these eyesores, just not at the cost of destroying the surrounding areas.

Thank you,

Sarah Beatty  
4780 Westfield Dr

## Abaray, Linda

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**From:** Mimi Gabriel <meems0755@gmail.com>  
**Sent:** Friday, August 08, 2014 11:14 AM  
**To:** Abaray, Linda  
**Subject:** Development at 225 Park

Ms. Abaray,

I am deeply concerned and opposed to the development at 225 Park as it stands. I live on Huntley Drive. The traffic is terrible on Franklin Rd already. I am frequently stuck on Franklin due to backups of people waiting to get thru the gates.

The new crosswalk on Roswell Rd has caused enough problems due to its location just south of Long Island.

It is nearly impossible to get from Windsor parkway to Roswell Road during peak hours as the line is very long and only a few cars can get through at a time.

Many people live in this neighborhood due to it's convenient location and traffic that isn't totally gridlock, and we pay a relatively large tax on our homes for this convenience.

Over the last 8 years the apartments on Roswell rd ( 2 directly behind me, plus 225 Park), have become more and more problematic. They have bands and or disc jockeys that play music so loud I am unable to watch tv or talk on the phone in my own home. Sometime it starts at 2pm on Sunday and goes until 11pm.

Almost every weekend I have to clean up my yard where beer bottles, trash, and more are hurled over the fence. My home has been robbed. My property has been vandalized. Just recently my chain link fence was cut open, in an area that I could not see, much like a door, to be used as a cut through for kids to run up and down the street. The man that cuts my grass discovered this when he came and there were 6 kids sitting around my outdoor table making themselves at home. He asked them to leave, but they did not do so initially. The wooden fences behind me has broken pickets and I have actually seen kids breaking the wood off the fence pickets, I told them they should not be doing this and they said they were using for fort and none of my business. I have come home on several occasions myself and found numerous kids in my yard, and they are often in an area I am unable to see unless I walk to the back, and I must tell you it is a very uneasy feeling.

I would like to see all the apartments upgraded or completely replaced. However, I ask that you please not add more apartments or more entrances on Franklin Road. I would like to maintain our neighborhood as a great place to live. If this development passes, I guess I will be forced to put my home on the market as soon as possible. Our quality of life will be impacted negatively by this development, and our property values will definitely plummet.

Thank you,  
Mimi Gabriel  
Huntley drive  
Westfield park

Sent from my iPad

## Abaray, Linda

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**From:** DaHushPup@aol.com  
**Sent:** Friday, August 08, 2014 11:18 AM  
**To:** COSS Planning and Zoning; COSS Planning and Zoning  
**Subject:** Oppose Rezoning Petition No. 201402051, The Heights, 4735 Roswell Road

To Planning Commission and Mayor and CC,

My Mother lives at 4690 Huntly so we are affected directly by this application.

I do not support any move to close Franklin Rd.

My neighbor wrote a great synopsis addressing the points in the application so I am not going to reinvent the wheel and have attached her points.

The Rezoning Petition is so wrong in so many ways. I am opposed to the following, which are inconsistent with the Comprehensive Plan:

1. Rezoning from A-1 to A-L from 5 units per acre to 30.10 units per acre
2. Use permit to exceed the district height from 2 stories to up to 6 stories
3. Variance of Section 4.23.1 rear buffer reduction from 50' to 10'
4. Variance of Section 7.4.3.B front yard setback from 40' to 0'
5. Variance of Section 7.4.3.C side corner yard setback from 40' to 0'
6. Variance of Section 7.4.3.C side yard setback from 20' to 10'
7. Variance of Section 12.B.4 landscape strip reduction from 10' to 0'
8. Variance of Section 33.26.CC.1 requesting an additional sign

All of these requests are excessive for this property in this location.

I am also opposed to the following:

- 3 entrances on Franklin Road. The current apartments are ideal in our neighborhood because they have only two entrances on Franklin Road. One is for a limited number of apartment units. The other is for access to one building and is also a gated One-Way-In-Only entrance to the majority of the units, where residents may enter from Franklin Road but must exit onto Roswell Road. Neither of these entrances produces much traffic on Franklin Road. The proposed plan appears to minimize the Roswell Road entrance and funnel all traffic onto Franklin Road, in turn creating more cut-through traffic on that road and on the other neighborhood streets of Huntley, Brinkley, Cherrywood, Westfield and Lansbury.
- Traffic light at Roswell and Franklin Roads. At the Community Developer Resolution Meeting, I questioned why the light couldn't be placed at the new development's entrance on Roswell Road. Linda Abaray stated that the new road wouldn't align with the road across the street and would not be conducive to a traffic light. My questions are: With this new development, aren't the developers able to put the road anywhere on their 17.97 acre property they wish? Why can't they put their road where it aligns with the opposite roadway, so that a logical entrance will be made to a community of 541 units on a main thoroughfare with a traffic light, and not funneled through an established residential community? Ideally, there would be no entrances on Franklin Road. In this case, I would support the side-yard setback reduction. If an entrance is approved for Franklin Road, I hope that it would be made one-way-in or one-way-out only.
- Northbound Right Turn Lane from Roswell Road onto Franklin Road. Not
- Lack of green space. 10% is required, 20-30% is ideal.

All of these proposed plans will create a private nuisance regarding the quiet enjoyment of our homes in a residential neighborhood on a family-oriented, pedestrian street by creating excessive hazardous traffic in our neighborhood.

I believe this project should be either an apartment with a 25% density bonus OR a townhouse that means current density but not both. This is just greed to the detriment of all.

## Abaray, Linda

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**From:** John Hackney <jwhackney@gmail.com>  
**Sent:** Friday, August 08, 2014 11:42 AM  
**To:** Abaray, Linda; DeJulio, Tibby  
**Cc:** Welby Hackney; pamword@aol.com  
**Subject:** omments Regarding Rezoning Petition No. 201402051, The Heights, 4735 Roswell Road, For Planning Commission Meeting

Ms. Abaray and Mr. DeJulio:

I am writing to ask the Applicants for the Rezoning Petition No. 201402051 to please respect the zoning in place when they purchased their property instead of increasing the density in this area by over 70% over current zoning requirements. The applicant purchased the property with full knowledge of its existing zoning. I request that the Applicant respect the well-reasoned judgment of the City of Sandy Springs and Fulton County when they established the rules governing the property in question. Because I will be unable to attend the planning meeting on August 21, I wanted to write to express my concerns. I currently live at 4850 Lansbury and would be greatly disappointed if this petition is passed.

I wish I could attend to express my frustration about Rezoning Petition No. 201402051. The applicant seeks to massively increase the density and ignore the setbacks solely for their monetary gain, disregarding the many families that will be affected. Sandy Springs adopted its zoning ordinance during 2005, well before 225 Franklin Road, LLC purchased the property during 2013. That zoning ordinance reflects the wisdom of our elected representatives who sought to balance the rights of property owners with the community at large. With the addition of the gateway project right across Roswell road from this area of concern, I believe there should be much careful concern about even entertaining this petition.

The applicant seeks to change the zoning to increase the density of an already heavily trafficked area, and then ignore the set backs required under the new zoning requirements. The traffic in this area will increase with the development occurring on the west side of Roswell Road between Windsor Parkway and Mystic Place. This change in zoning seeks to compound that problem by increasing the density more than 70% and ignoring setbacks meant to protect the quality of life of the neighborhood and safety of the people. Moreover, the Applicant seeks to add a second entrance to Franklin Road, a heavily trafficked neighborhood street with minimal protection for pedestrians. As you are undoubtedly aware, Franklin Road already contains speed humps to slow the traffic but does not have sidewalks down this heavily traveled corridor to protect runners, walkers, and families. The applicant seeks to make this problem worse by adding more volume to this road through increased density and a second entrance.

In summary, I respectfully ask the Applicant to follow the zoning in place when they purchased the property and build accordingly. Please contact me if you have any questions.

## **Abaray, Linda**

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**From:** Michael Snyder <snyder1030@bellsouth.net>  
**Sent:** Friday, August 08, 2014 11:49 AM  
**To:** Abaray, Linda; DeJulio, Tibby; Paul, Rusty; Paulson, John; Dishman, Ken; McDonald, Graham; Sterling, Gabriel; Bauman, Andy; info@sandyspringscouncil.org; info@highpointcivic.com; pamword@aol.com; Kim Russell  
**Cc:** Stephanie Snyder; Mike Snyder  
**Subject:** Concerns with Rezoning Petition No. 201402051

Hello All,

I would like to make Sandy Springs aware of my concerns and my willingness to work together in the development of the apartments at 4735 Roswell Road (at Franklin Road), currently the Park225, formerly the Avistele Apartments.

The goal for everyone involved should be to minimize the harmful effects to Westfield Park and High Point neighborhoods along with updating and developing our community.

Here are some of my concerns:

- Higher Density current 312 units vs. 368 apartments and 173 townhomes, 73% increase. This represents an unacceptably large increase in bedrooms, residents, cars, and traffic on Franklin Road.
- Possibility of new traffic light at Roswell Rd and Franklin Rd. Franklin will become transformed as the new Windsor Parkway and used as a major cut through street. Franklin Rd already has a steady stream of traffic from Roswell to High Point and SSPD has trouble controlling speed. Please, take a walk down Franklin Road today and let me know if you don't fear for your life as cars fly by exceeding the existing speed limit.
- Changing the access to Roswell and Franklin. Only 1 entrance on Roswell Rd vs. 2 currently and 3 drives on Franklin Rd vs. current 2, with no restriction on to Franklin Rd. If you decrease the Roswell entrances and increase the Franklin entrances, then again the traffic increases on Franklin. Westfield Park will be sandwiched between to "highways." This will negatively impact safety and property values.
- Taller buildings: Apartments up to 6 stories tall and 5 story parking deck, 3 story townhomes. We are back to the density issue AND the tall building will tower over Westfield Park. The look and feel of this area will change. I live in the "city" but love the fact that have the feeling of the suburbs. Please don't change the best of both world I fell in love with.
- Reduced set back on Roswell Rd to 0 vs current 40 ft. and reduced set back on Franklin Rd to 10ft vs. 20ft. Again, changing the feel of our community by shrinking the boundaries.
- Lack of Green space will change what makes our community lovely. Out of town visitors are floored that we can live so close to concrete and high rises but our neighborhood is a green oasis, that looks like we live in a park. Please don't change that.

## Abaray, Linda

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**From:** David Perez <david.jose.perez@gmail.com>  
**Sent:** Friday, August 08, 2014 11:55 AM  
**To:** Abaray, Linda; Andy Bauman; Coffey, Dan; Sterling, Gabriel; McDonald, Graham; Paulson, John; Dishman, Ken; Paul, Rusty  
**Cc:** DeJulio, Tibby  
**Subject:** Petition No 2014251 - Adverse Impact Concerns Regarding Cut-Through Traffic

I know you have been receiving a good bit of communications from neighbors on Franklin Road regarding the redevelopment of Park 225 and its impact on Franklin Road traffic.

I live on Forest Hills Dr. Together with Forest Valley and Montevallo, Forest Hills is the only other cut-through street between Roswell and Highpoint, and already receives a significant amount of through traffic. In fact back in April, I petitioned Public Works for a traffic calming reassessment citing significant traffic volume concerns and dangerous drivers.

My neighbors and I have concerns that should Franklin Rd. traffic be altered in a significant way, whether it be increased volume and wait times or a dead end street, there will be tremendous adverse impact to our streets with many more drivers using Forest Hills as an alternative. I would submit that under the Revised Traffic Calming Policy 11-15-13 Final, we might be considered under the area of impact.

As local streets are generally a city-centric endeavor governed by Public Works, we wanted to bring these concerns to light as thoughts are being formulated on the Park 225 project so as to allow an appropriate vetting of traffic concerns from all potentially impacted neighborhoods.

On a separate note, I would like to also express concerns with regard to the lack of green space usage/ tree destruction in the plan. With such emphasis being employed with regard to watershed and water runoff management, I cannot figure out why the DRI did not mention the large expansion of concrete and runoff potential, even with the retention pond.

Best,

David Perez

**Abaray, Linda**

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**From:** Donahue, MaryLou <MaryLou.Donahue@harrynorman.com>  
**Sent:** Friday, August 08, 2014 12:35 PM  
**To:** Abaray, Linda; Paul, Rusty; Dishman, Ken; McDonald, Graham  
**Subject:** Rezoning Petition: 20102051

Rezoning Petition-20102051

My Husband, Eugene Donahue and I, Mary S. Donahue have lived at 4800 Huntley Drive since 1964. We have seen several changes in the property since our home backs up to it. We have great issues with the plans for the redevelopment of the property located behind our home.

However if it is true, we do not want a retention pond next to our property. For several reasons. Being in the real estate business for over 29 years, I do not want a retention pond which will reduce the value of our property. We all so do not want a 5 story parking deck and 6 story apartment building plus the decrease buffer area.

We concur with so many of the neighbor for denying this project as it is planned. A retention pond cause a mosquito problem that we not want to back up to our property. The traffic problem is another consider.

Thanks for your consideration,

Mary Lou and Gene Donahue

Mr. & Mrs. Eugene Donahue  
4800 Huntley Drive  
Atlanta, GA 30342

**MARY LOU DONAHUE**  
REALTOR

Harry Norman, REALTORS® Buckhead Office  
532 E. Paces Ferry Road N.E. | Suite 200 | Atlanta, GA 30305  
[MaryLouDonahue.Harrynorman.com](http://MaryLouDonahue.Harrynorman.com)  
C: 404-229-0994

## Abaray, Linda

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**From:** Donahue, MaryLou <MaryLou.Donahue@harrynorman.com>  
**Sent:** Friday, August 08, 2014 12:35 PM  
**To:** Abaray, Linda; Paul, Rusty; Dishman, Ken; McDonald, Graham  
**Subject:** Rezoning Petition: 20102051

Rezoning Petition-20102051

My Husband, Eugene Donahue and I, Mary S. Donahue have lived at 4800 Huntley Drive since 1964. We have seen several changes in the property since our home backs up to it. We have great issues with the plans for the redevelopment of the property located behind our home.

However if it is true, we do not want a retention pond next to our property. For several reasons. Being in the real estate business for over 29 years, I do not want a retention pond which will reduce the value of our property. We all so do not want a 5 story parking deck and 6 story apartment building plus the decrease buffer area.

We concur with so many of the neighbor for denying this project as it is planned. A retention pond cause a mosquito problem that we not want to back up to our property. The traffic problem is another consider.

Thanks for your consideration,

Mary Lou and Gene Donahue

Mr. & Mrs. Eugene Donahue  
4800 Huntley Drive  
Atlanta, GA 30342

**MARY LOU DONAHUE**  
REALTOR

Harry Norman, REALTORS® Buckhead Office  
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[MaryLouDonahue.Harrynorman.com](http://MaryLouDonahue.Harrynorman.com)  
C: 404-229-0994

**Abaray, Linda**

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**From:** Martha Wilson <marthaf\_wilson@bellsouth.net>  
**Sent:** Friday, August 08, 2014 12:40 PM  
**To:** Abaray, Linda  
**Subject:** Rezoning petition

I reside at 4750 Huntley Dr. and I am greatly concerned about the proposals regarding the property behind my home.

The heights of the buildings and proposed density are major issues. Our neighborhood will also see increased traffic on Franklin Road and Huntley Dr will become an easy cut through to Windsor Parkway.

The detention pond is a major issue on its own!

I ask that each council member vote as if they lived on Huntley Drive!

Sent from my iPhone

06/04/2014

Alejandro Ferrell  
Code Enforcement Manager  
City of Sandy Springs,

Mr. Ferrell thank you for taking the time to speak with me about our recent inspection. Per our conversation I am sending my responses directly to you and you will share with the Fire Marshall. The necessary repairs are not entirely complete but I wanted to keep you up to date on our progress. We have made the life safety issues our immediate priority.

- We have had the chimneys and dryer vents cleaned by Mad Hatter.
- Please see the attached invoice for the repair for hydrant #23.
- Please see the attached invoice for the repair for all strobe lights.
- FDC signs have been ordered and will be posted upon arrival.
- Missing light covers have been repaired or replaced as necessary.
- Ceiling in storage unit 1514 has been repaired.
- Stairwell railing in building 9 has been repaired by the contractors working on the six buildings budgeted to be repaired this year.
- We will paint the breezeway ceilings and repair or replace the shutters on the six buildings that will have all the necessary wood repairs completed this year.
- All buildings will be green tagged as soon as possible; we estimate that these repairs will take 45 days to complete.
- The residents have been issued lease violation letters for any items not permitted on patios.
- The tree issues mentioned within the inspection will be addressed by 06/20/2014.
- We have had the drainage ditches behind buildings 2, 10 and 11 cleared of debris.
- We are in the process of obtaining bids for the gutter repairs.
- We have identified all electrical service disconnects on all buildings.
- The onsite maintenance team has started to paint patio and stairwell railings, this will be an ongoing process that we hope to complete by 09/30/14.
- We have ordered all emergency lighting and it should be installed by 06/14/14.

Thanks again for your willingness to work with us on the timeline for these repairs. I will do my best to keep you informed of our progress. Please feel free to contact me with any questions or concerns you may have. Have a wonderful evening!

Thank you,

Kelly Khatib  
Community Manager  
Residences at Morgan Falls  
7785 Roswell Road  
Atlanta, GA 30350

## **Abaray, Linda**

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**From:** Karen Meinzen McEnery <kmeinzen@aol.com>  
**Sent:** Friday, August 08, 2014 1:32 PM  
**To:** Abaray, Linda  
**Cc:** ric.mayfield@suntrust.com; luis1.natal@gmail.com; john\_stoj@yahoo.com; rwmeinzen@bellsouth.net  
**Subject:** The Heights at Sandy Springs DRI # 2419; Providence Group, S/E corner of Franklin Road and Roswell Road

On behalf of the **Cherokee Park Civic Association** whose 4 officers are copied on this email, we object to the Heights Development as currently submitted for the following reasons and reserve our rights to comment further in the future. We ask that our comments be included in the Planning Commission Zoning Package for their meeting on August 21, 2014. Please confirm receipt that these comments were received timely for that inclusion.

1. Height as proposed 5 stories on Roswell Road ; Since the Comp plan indicates no more than 2 stories in Live Work neighborhood but in consideration of the major roadway that Roswell Road provides, we can support no more than 3 stories;
2. the maximum heights to be measured from the existing grade (or below) before land disturbance and not increased during construction grading;
3. All units constructed with interior upgrades for future condominium conversion including individual utility metering and other amenities like granite countertops and 9 foot ceilings;
4. Exterior materials for the apartments to be commensurate with first class future condominium grade levels including stone and brick ;
5. Parking decks to be enclosed within the apartment development and service accesses limited to Franklin Road (not Huntley Drive) and contain and 2 parking spaces per unit;
6. transition to adjacent single family residences should include the maximum set backs under current requirements with no variances;
7. All infrastructure improvements (like stormwater retention and sewer lines) be constructed outside the buffer set back areas to enhance transition to and protect adjacent single family uses;
8. All Landscape buffers be heavily landscaped with trees, including canopy hardwoods, and shrubs
9. All four faces of the Townhouses abutting the single family neighborhoods be constructed with brick or stone to blend in with the adjacent single family neighborhood to the east;
10. All townhouse parking include 2 parking spaces per unit and for every 25 units guest parking for 4 spaces.

Thank you.

**Karen Meinzen McEnery**  
Board Member , Cherokee Park Civic Association  
4604 Meadow Valley Drive  
Sandy Springs, Georgia 30342-2515

cell 404-358-0068  
[kmeinzen@aol.com](mailto:kmeinzen@aol.com)

## Abaray, Linda

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**From:** Jane Kelley <janekelley@mindspring.com>  
**Sent:** Friday, August 08, 2014 3:03 PM  
**To:** Abaray, Linda; Paul, Rusty; DeJulio, Tibby; Bauman, Andy; Paulson, John; Dishman, Ken; McDonald, Graham; Sterling, Gabriel; Dickerson, Patrice  
**Cc:** Highpoint Civic Association; pamword@aol.com; Norris Broyles; Thome, Julian; Bill Leffler  
**Subject:** Petition 201402051 - Providence Group

Dear Mayor, City Council, Planning Commission, Zoning and Planning Staff, etc,

Residents on Windsor Park Place are very concerned about the proposed redevelopment plans for the apartment property on Roswell Rd at Franklin Rd, close to our neighborhood.

Here are our issues:

**1) Number of units:**

The developers are proposing 542 units where only 312 exist now. That's not far from doubling the density in a congested area. (approx.175% of existing)

**2) Building Heights:**

The Comp Plan designates that area as Live Work Neighborhood; Node 2A, with a maximum height of two stories. Even the Live Work Community designation only allows four stories. So we have a real problem with the proposed plan of five stories at Roswell Road -- and six stories in one area.

The Gateway project -- which is closer to commercial property -- is maintaining two stories at Roswell Rd. We request keeping the building heights on Roswell Rd at 2 stories and not granting any use permit for buildings taller than 3 stories. A use permit for up to 6 stories will create both an eyesore and additional traffic problems.

**3) Buffers:**

Every zoning requests seems to ask for variances on buffers. The neighborhoods fought extremely hard to get these buffers in the first place. So please do not grant variances on them without true hardship, which we do not see here. Please require following our regulations, granting maximum setback and buffers and please also require heavy buffer landscaping with evergreen trees and shrubs and hardwood trees.

**4) Traffic Light:**

GRTA is requiring installation of a traffic light at Franklin Rd and Roswell for approval of this application. We are concerned that the intersection is incredibly close to the HAWK pedestrian light. That will leave very little stacking room at the HAWK headed north on Roswell. Please consider and explain to us how this can work. We already have issues with backups at Long Island Drive because of the HAWK.

We kindly request that the following be considered as well:

5) Units be constructed to condo standards with 9 ft ceilings, premium exterior materials (brick, stone) and individual metering to allow future conversion to condominiums and to blend with the single family homes nearby.

6) Parking decks be enclosed within the apartment buildings and give 2+ spaces per unit plus additional guest parking.

Thank you for your service and your consideration.

We all moved to Sandy Springs for the lifestyle it afforded and to get away from poor zoning decisions made by the City of Atlanta and Fulton County. Please protect our neighborhoods!

--Jane

Jane Kelley  
President, Windsor Park Community Association  
4590 Windsor Park Place  
Sandy Springs, GA 30342

**Abaray, Linda**

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**From:** Todd Eichhorn <todd.eichhorn@visionairepartners.com>  
**Sent:** Friday, August 08, 2014 3:08 PM  
**To:** Abaray, Linda  
**Subject:** Park 225

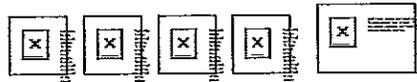
Hello Linda - My name is Todd Eichhorn and I have lived off of Lansbury Drive / Franklin Road for 16 years. I am against both an increase in density and an increase in setback and an increase in building height on the Park 225 project. I respect the land owners right to develop the property in accordance with the current regulations only. We have over 20 kids on our street and this change will really affect our neighborhood in terms of traffic patters and volumes. Thanks for your consideration of my opinion and the opinion of my neighbors.

Thank you,



**Todd Eichhorn, Account Manager**  
1117 Perimeter Center West | Suite N311 | Atlanta | Georgia | 30338  
Office 404-303-6247 | Mobile 404-218-0647  
[todd.eichhorn@visionairepartners.com](mailto:todd.eichhorn@visionairepartners.com)

**Account Coordinator | Stephanie Holtzapfel**  
Office 404-856-0647  
[stephanie.holtzapfel@visionairepartners.com](mailto:stephanie.holtzapfel@visionairepartners.com)



## Abaray, Linda

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**From:** Steve Shipley <shipsav@aol.com>  
**Sent:** Friday, August 08, 2014 3:46 PM  
**To:** Abaray, Linda; DeJulio, Tibby; Paul, Rusty; Paulson, John; Dishman, Ken; McDonald, Graham; Sterling, Gabriel; Bauman, Andy; info@sandyspringscouncil.org; info@highpointcivic.com; pamword@aol.com  
**Cc:** 'Phil ICE 1'; kim@kim-russell.com  
**Subject:** RE: Rezoning Petition No. 201402051

To the elected officials of Sandy Springs,

I live at 365 Franklin Road and I would like to voice my thoughts and opinions about Rezoning Petition #201402051.

The Rezoning Petition is so wrong as to be ludicrous. I am vehemently opposed to the following, which are completely inconsistent with the Comprehensive Plan:

1. Rezoning from A-1 to A-L from 5 units per acre to 30.10 units per acre
2. Use permit to exceed the district height from 2 stories to up to 6 stories
3. Variance of Section 4.23.1 rear buffer reduction from 50' to 10'
4. Variance of Section 7.4.3.B front yard setback from 40' to 0'
5. Variance of Section 7.4.3.C side corner yard setback from 40' to 0'
6. Variance of Section 7.4.3.C side yard setback from 20' to 10'
7. Variance of Section 12.B.4 landscape strip reduction from 10' to 0'
8. Variance of Section 33.26.CC.1 requesting an additional sign

All of these requests are excessive for this property in this location.

I am also completely opposed to the following:

- 3 entrances on Franklin Road. The current apartments are ideal in our neighborhood because they have only two entrances on Franklin Road. One is for a limited number of apartment units. The other is for access to one building and is also a gated One-Way-In-Only entrance to the majority of the units, where residents may enter from Franklin Road but must exit onto Roswell Road. Neither of these entrances produces much traffic on Franklin Road. The proposed plan appears to minimize the Roswell Road entrance and funnel all traffic onto Franklin Road, in turn creating more cut-through traffic on that road and on the other neighborhood streets of Huntley, Brinkley, Cherrywood, Westfield and Lansbury.
- Traffic light at Roswell and Franklin Roads. At the Community Developer Resolution Meeting, my wife questioned why the light couldn't be placed at the new development's entrance on Roswell Road. Linda Abaray stated that the new road wouldn't align with the road across the street and would not be conducive to a traffic light. My questions are: With this new development, aren't the developers able to put the road anywhere on their 17.97 acre property they wish? Why can't they put their road where it aligns with the opposite roadway, so that a logical entrance will be made to a community of 541 units on a main thoroughfare with a traffic light, and not funneled through an established residential community?

Any change in the 25 MPH speed limit on Franklin Road

- Northbound Right Turn Lane from Roswell Road onto Franklin Road. No!
- Lack of green space. 10% is required and the developer does not include any!!

**Of course, with the Comprehensive Plan calling for higher density on Roswell Road throughout our area, closure of Franklin Road at the multi-family communities would avoid future opposition to development due to traffic issues within our neighborhood.**

## Abaray, Linda

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**From:** rodmur@bellsouth.net  
**Sent:** Friday, August 08, 2014 4:54 PM  
**To:** Abaray, Linda  
**Cc:** DeJulio, Tibby  
**Subject:** Development on Franklin Rd

Hello Linda

I am a resident that lives on Franklin Rd. I do not have a problem with the redevelopment but I agree with many of my neighbors about the additional traffic on Franklin Rd and the other issues that have been stated (density, traffic light, etc). I would just like to put on the table the idea of putting a gate entrance on Franklin Rd for all the residents that live in the Westfield Park community. This would really cut down the traffic on Franklin Rd while also adding great recognition of an old well established Sandy Springs neighborhood. Please add this to the options that will be discussed. Thanks for your consideration.

Sent from my BlackBerry 10 smartphone.

## Abaray, Linda

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**From:** Shaun Weinstock <sweinstock@weinstockrd.com>  
**Sent:** Tuesday, August 05, 2014 11:22 AM  
**To:** Abaray, Linda  
**Cc:** pamshiple@aol.com; shipsav@aol.com  
**Subject:** Rezoning Petition No. 201402051 - Rezoning of 17 acre plot located at intersection of Roswell Road & Franklin Rd, Sandy Springs

Linda

I hope this email finds you well.

Please accept this letter as one of the many concerned neighbors (I live at 490 Franklin Rd) for the potential rezoning of significantly increased density at the 17 acre parcel located at Roswell Road and Sandy Springs. While the redevelopment of the existing older developed apartments would be both an aesthetic and use improvement that would better the community, schools, and area, the requested high density of the project (30 units per acre vs. currently 5 per acre – 6 times amount????) would adversely impact the surrounding residential neighborhoods and traffic both on Franklin, Roswell Road, and all of the surrounding streets that provide access back to Highpoint and Windsor Parkway. Prior to approving, please visit the intersection (currently a stop sign) of Franklin Road and Roswell Road during morning traffic or anytime between 4:30 and 7 pm and try to make a left onto Roswell; due to the oncoming traffic of people heading North & South on Roswell Road, and even more impeding, travelers in the turning lane to make a left onto Franklin Road, it take several minutes at times, and sometimes, we are better served making a right onto Roswell Road heading North and then turning around to head South on Roswell Road. This is a result of not only the amount of home residences in the area, the existing apartments at Roswell/Franklin at the current zoning level, but the cut through ability of Franklin to High Point. A variance, as proposed, would greatly increase the number of residences, and thus make this left hand turn from Franklin Road to Roswell Rod nearly unfathomable. It would appear the underwriting on this project is clearly economically driven in the best interests of the developer or developers (assume they will carve out Town Homes), when they could likely revise their model to a more acceptable density and still make the numbers work. In addition, should the approval be granted, it would clearly be in the best interest of the surrounding residences and streets, if all ingress/egress was directed out onto Roswell Road, with no car access onto Franklin. It is bad enough that Franklin is used as a “cut through” street, to Highpoint, Windsor, Glenridge, but by approving the aforementioned variance, would turn all of the streets in this community into cut through streets, thus not only increasing traffic counts and speedy drivers, but would negatively impact the ability to let our children and community members comfortably walk freely on these side streets. We take great pride in our community and our neighborhood, and adhering to such a significant variance, dooms us to a cut through community and strips us of what made this neighborhood appealing in the first place.

I for one am in great favor of the redevelopment of these older and outdated projects lining Roswell Road (Sandy Springs Gateway, Halpern project at Mt Paran/Roswell Road, Dewberry Project at Bell Isle, and so forth) as I believe the lasting impact is a betterment to the community, however, the high density nature of this project and others, requesting significant variances, will destroy what makes Sandy Springs already great; the developers need to sharpen their pencils and make the existing zoning work or a less greedy variance request work, to appease not their checkbook, but the communities in which they impact.

Lastly, the lack of proposed green space is concerning. Atlanta is a city built amongst a forest, and that is the beauty of this great city. Rather than allowing car access onto Franklin, can we request a dedicated green space/park that would not only be a asset to the proposed development, but also the neighborhood they have impacted. Should the community of which they make their profits and who accommodate their construction and project, not reap any benefits?

Thank you for your consideration

Regards,

Shaun Weinstock  
Weinstock Realty & Development, LLC  
Principal  
267 West Wieuca Road / Suite 203

Atlanta, Georgia 30342  
404.591.6387 (O)  
404.683.3333 (C)  
[sweinstock@weinstockrd.com](mailto:sweinstock@weinstockrd.com)  
[www.weinstockrd.com](http://www.weinstockrd.com)

## Abaray, Linda

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**From:** john@andrewsstembridge.com  
**Sent:** Friday, August 08, 2014 5:08 PM  
**To:** Abaray, Linda  
**Cc:** DeJulio, Tibby; Paul, Rusty; Paulson, John; McDonald, Graham; Dishman, Ken; Sterling, Gabriel; Bauman, Andy; info@sandyspringscouncil.org; 'pamword' (pamword@aol.com)  
**Subject:** Comments Re. Rezoning Petition no. 201402051. (The Heights At Sandy Springs)

Linda,

I am writing regarding the rezoning request for 4735 Roswell Road. My wife, and I (with our daughters aged 8 and 10) have been residents of 4725 Huntley Drive for 11 years (since August 2003). For a multitude of reasons we love our neighborhood (for example, kids riding bicycles, neighbors walking/running and walking dogs, the tree canopy right inside the city). Therefore, while I am a proponent of new developments in the area, I am deeply concerned about the information I have received about the rezoning petition for 4735 Roswell Road ("The Heights").

First off, given the numerous and unreasonable requests contained in the petition I was dismayed that the developer did not approach the neighborhood in advance to discuss the planned development and the rezoning request. My concerns with the petition are listed below:

### 1. Access/Egress to The Heights:

- a. The current development ("Park 225") has 2 drives accessible to Franklin Road. However, the top drive (closest to Roswell Road) which services residents living on the top half of the property is an entrance only and the gate is designed so that it does not open to allow vehicles to exit the development into Franklin Road. Residents living on the top half of the property must exit into Roswell Road. The lower half of the property (which makes up less than half of the units) has the only access to the drive which allows traffic to exit into Franklin Road (the top half of Park 225 has no access to the lower drive). Therefore, less than half of the units at Park 225 can exit into Franklin Road.

The petition for The Heights requests 3 drives (accessible by all residents of The Heights), all with egress into Franklin Road. This will undoubtedly increase traffic on Franklin Road. The number of drives should remain at 2, and those drives should aggressively restrict traffic from turning west-bound onto Franklin, or Franklin should be made into a dead-end at the beginning of the single-family housing.

- b. the current development has 2 entrances/exits on Roswell Road. The Heights proposes a single entrance/exit on Roswell Road (apparently to meet the city's comprehensive plan to "eliminate unnecessary curb cuts" along Roswell Road – however, the plans are not reducing overall curb cuts as they eliminate a single curb cut on Roswell Road by proposing 2 additional exits into Franklin for a total of 3 exits into Franklin Road). Again, having only a single entrance/exit on Roswell Road will funnel more traffic from The Heights to Franklin Road (where there are 3 proposed exits). In addition, this elimination in curb cuts is not entirely consistent with the city's comprehensive plan to "reduce unnecessary curb cuts (see picture at page 55). The 2 existing entrances/exits on Roswell Road should not be reduced to one.
- c. The Roswell Road entrance to The Heights is not aligned with Mystic Drive (on the western side of Roswell Road), which would be a logical location for a traffic light if one is needed to allow residents of The Heights to turn South onto Roswell Road. A traffic light at Mystic Drive would also allow residents of the Cherokee Park neighborhood to turn North onto Roswell Road.

- d. The Heights' petition requests a dedicated right-hand turn lane from Roswell Road onto Franklin. There is a proposed entrance/exit for The Heights onto Roswell Road, so a dedicated right-hand turn lane onto Franklin Road is not necessary and will only funnel more traffic onto Franklin Road. There is no need for this lane and this proposal should be rejected.

**My concern:** Franklin Road is a narrow, residential street with no sidewalks, lots of daily pedestrian traffic, and a 25 MPH posted speed limit. In addition, there are limited lines of sight on this road due to the extreme hills and street side landscaping. The Heights proposes a 73% increase in the number of units on the property, which will result in an increase in the number of trips to/from that property. By allowing all residents unrestricted access to Franklin Road from 3 drives, along with a proposed dedicated right-hand turn lane from Roswell Road onto Franklin Road, Franklin Road will undoubtedly experience a drastic increase in traffic and is destined to more closely resemble Windsor Parkway (which borders our neighborhood to the South) than the residential street that we enjoy today. Also, vehicles on Franklin Road can access Windsor Parkway by many of our residential streets (Huntley/Brinkley, Cherrywood, an Westfield). We already experience cut-through traffic on these roads, which will only increase under the current proposal.

## 2. Height/Density:

- a. The Heights proposes 6-story apartment buildings with a 5-story parking deck (request for height of up to 75 feet). Drive down Roswell Road from Glenridge to Piedmont – the tallest multi-family development has 4 stories, and most are 2-3 stories (the View @ Chastain is 9 stories but in a different type of community).
- b. The Heights proposes an increase in apartments from 312 to 368, along with the addition of 173 townhomes, for a 73% increase in the number of units. The Heights has stated that many of the apartments will be 1-bedroom, but then concedes that these 1-bedroom units will contain a “study” that could be used as a second bedroom. Therefore, The Heights' statement that the apartments will have 75 less bedrooms than the existing units is contradicted by their concession that the “study” could be used as a second bedroom.

**My concern:** Due to the topography of this land parcel, a 75-foot building and/or parking deck would tower over our neighborhood and is not consistent with the city's comprehensive plan (see below). There Gateway Project is almost across the street from 4735 Roswell Road. The Gateway Project will add almost 200 new apartments (with mid- to high-level earners driving vehicles) and will add multiple commercial buildings. We do not know what impact the Gateway Project will have on this area of Sandy Springs. Allowing 2 developments this close together with direct regional impact is simply not smart growth. While I welcome new development, the new development at 4735 Roswell Road should exactly replace, but modernize what is already there. An apartment complex with a 25% increase in density, or a town-home development, is what the comprehensive plan allows for this property – not a development with a 73% increase in the number of units.

## 3. Setback/Buffer Reductions: These requests are apparently necessary so the developer of The Heights can squeeze as much density as possible into the property.

- a. The setbacks from 40 feet to 0 feet for the side yard is not reasonable. This property line has an extreme downhill (from Roswell) drop and the setback is necessary to ensure the neighborhood feel as you enter Westfield Park from Franklin Road. Likewise, reducing the setback on the front yard (Roswell Road) is not reasonable. Neither of these requests are necessary with a decrease in density.

- b. The request for a reduction in the buffer between The Heights and the single-family houses on the west-side of Huntley should not be granted. This existing buffer should remain so that any new development (once approved) does not encroach on the single-family housing along Huntley Drive and the existing trees/shrubs are allowed to remain. In addition, the retention pond, if approved, should be screened to R-2 properties.
  - c. I am concerned with how set-back reductions work considering the landscape requirements in the city's comprehensive plan.
  - d. It appears that the requested encroachment on the 20-foot side yard along with South property line is for the construction of units and a large parking lot/garage. This should not be allowed as it could create flooding issues for the single-family properties along Huntley Drive that are significantly lower than the area where the encroachment is requested.
4. **Green Space:** I took one look at the attached site plan and was shocked. Where is the green space? While I welcome new development, the current apartments blend in well with the Westfield Park neighborhood and provide appropriate transition to the neighborhood. As I stated above, according to the city's comprehensive plan, the new development should exactly replace, but modernize, the existing development. By reducing the density of the development (which would include a reduction in height and keeping the existing buffers/setbacks), the development will be able to meet the city's comprehensive plan regarding green space.

### Conclusion

4735 Roswell Road sits in the area labeled in the city's comprehensive plan as Node 2a: Long Island Drive/Franklin Road Node. In addition, the Westfield Park neighborhood is designated as a "Protected Neighborhood" and "developments should be designed to protect existing single . . . family neighborhoods along the east and west boundaries of the Node." According to the comprehensive plan "developments [in this Node] should be consistent with the standards that apply to the Live-Work Neighborhood land use classification (see Table 1.5 of the comprehensive plan).

- The plan's guidelines and policies state that "residential density should be 5 units per acre or less" (The Heights is proposing more than 30 units per acre).
- "Maximum building height should be 2 stories" (The Heights is proposing 6-story buildings and a 2-story parking deck).
- "At least 10% of the site shall be green open/space" (this does not appear to be met in the existing plan).
- "Projects should incorporate appropriate transitions to existing neighborhoods through reductions in height, . . . and the incorporation of open and green space" (see above – requirements are not met with the current proposal).

It is evident that the petition does not meet the city's requirements based on the neighborhood of Westfield Park's designation as a Protected Neighborhood. I am aware that height/density bonuses may be approved by the Mayor and City Council, but the current plan fails to provide significant green space that exceeds the minimum and eliminates a single curb-cut on Roswell Road by increasing the access to an east-west residential road (which is certainly not in the spirit of the comprehensive plan).

These issues, along with the fact that we do not yet know what impact we will see from The Gateway project, warrant denial of the The Heights' petition. Again, I welcome new development. Therefore, the fact that I (and my neighbors) have these concerns should raise lots of eyebrows at city hall. Again, the developer did not reach out to our community to discuss plans prior to the first zoning meeting (as I understand JBL did with the community prior to the zoning meetings for The Gateway project).

I request that the Mayor and the City Council think about whether we are promoting smart growth by allowing developers to almost double the density of the existing development, triple the height of the existing buildings, and

create major traffic concerns for a quiet residential street. Please think about this, along with the yet unknown impact from The Gateway project, when considering this petition.

Thank you,

John T. Stemberge  
4725 Huntley Drive  
Sandy Springs, GA 30342  
[John@AndrewsStemberge.com](mailto:John@AndrewsStemberge.com)  
Cell: (678) 362-6567

105 Franklin Place, NE  
Sandy Springs, GA 30342  
August 5, 2014

Sandy Springs Planning and Zoning Board of Appeals  
7840 Roswell Road, Building 500  
Sandy Springs, GA 30350

Re: Rezoning Petition No. 201402051

Dear Members of the Board of Appeals,

I am writing to urge you to reject the request for rezoning and all six concurrent variances requested in Rezoning Petition No. 201402051.

I have had the opportunity both to review the rezoning petition and to meet with the developers of the proposed apartment and townhouse developments at 4735 Roswell Road at the July 31, 2014, community meeting held at the Sandy Springs City Hall. With the exception of the requested variances, I am supportive of the development and believe it is largely in keeping with the redevelopment goals for this area of Sandy Springs.

The proposed development is very dense. I trust that the density will be limited to the current level allowed by applicable zoning ordinances, including any density bonuses that may apply. However, no variances that enable further development of the property should be permitted. Zoning ordinances for the subject parcel were designed to attract redevelopment and generously permit density that results in commercially attractive opportunities for developers. Further latitude through the requested variances would be excessive.

At the community meeting we were told that presently there are approximately 312 apartments on the subject property with approximately 520 bedrooms. The proposed development seeks to expand to between 365 and 368 apartments plus 177 townhomes for a total of 542-545 units with 1,261-1,267 bedrooms – more than a 130% increase.

The current apartment complex located on this site, presently called Park 225, serves a comparatively lower income clientele than the proposed development. According to the Park 225 website, apartments rent for between \$700 and \$1007/month each. Based on my observations of the apartment complex over the past thirteen years, residents often walk, take Marta buses, or occasionally taxi cabs for transportation, in addition to personal autos.

The developer of the proposed apartments stated that rent for the new units will be in the \$1600-\$1900/month range – more than double current lease rates. The townhome developer shared that he expects the majority of the townhomes to sell in the mid four hundred thousand dollar range, with a few units selling for \$380,000-400,000 and a small portion selling for over \$500,000. Clearly the proposed developments seek to attract a different demographic segment with considerably higher income as compared to the current apartment complex. Further, as stated by the developers, it is “fantasy” to entertain the possibility that future occupants will use any form of mass transit on a regular basis.

Given the aforementioned facts and estimates that were provided at the community meeting, one can only conclude that the proposed development will result in a substantial increase in the number of automobiles that will be domiciled on the subject property. There are multitude of ways to estimate the increases, but I will propose the following ranges which seem reasonable.

Development	@ 1 car/unit	@2 cars/unit
Current apartment complex	312	624
Proposed apartments	365	730
Proposed townhomes	177	354
<i>Total new development</i>	<i>542</i>	<i>1,084</i>

Clearly the actual count of autos on the property could vary from these ranges, but the increase will be significant based on the most conservative estimates. This will represent a considerable increase in vehicular traffic in the area.

The present apartment complex has two entrances located on Roswell Road and two entrances located on Franklin Road. The proposed development changes this to three entrances on Franklin Road and one on Roswell Road. I will further note that one of the entrances from Franklin Road leads almost directly into the planned parking deck for the proposed apartment complex. As such, it is clear that vehicular traffic would be funneled more onto Franklin Road than today.

Franklin Road is a two lane road leading to the established neighborhoods of Franklin Place, Westfield Park, and other neighborhoods in the Highpoint area. Dwellings in this area are all single family homes and most range in price from \$450,000 to over \$1 million in value. The quiet, family oriented nature of this neighborhood simply must be preserved. Funneling hundreds of additional cars through the area multiple times per day is inconsistent with the preservation of these established neighborhoods and community safety – especially the safety of neighborhood children.

The Roswell Road Corridor Livable Centers Initiative, which was adopted by the City of Sandy Springs and outlined in the Five Year Update 2013 presented to the Mayor and City Council in January 2013, provides a vision and guidelines for developments in the area. Specifically, for

Node 2a (Long Island Drive/Franklin Road Node), the plan states (pages 30-31 of the Jan. 2013 initiative update):

#### **Node 2a: Long Island Drive/Franklin Road Node**

##### Boundaries

- From approximately Long Island Drive on the north to Hedden Street on the south on both sides of Roswell Road following the parcel boundaries shown on the Future Land Use Map.

##### Vision

1. Area is currently characterized by lots fronting Roswell Road that abut predominantly single-family neighborhoods and a few multifamily developments on the east side of Roswell Road between Franklin Road and Highbrook Drive.
2. Consolidation of smaller lots should be encouraged to accommodate a more consistent character in terms of architecture and uses, and provide for an elimination or reduction of curb cuts along Roswell Road.
3. Developments should be designed to protect existing single and multifamily neighborhoods along the east and west boundaries of the Node.

##### Guidelines and Policies

1. Developments should be consistent with the standards that apply to the Live-Work Neighborhood land use classification (see Table 1.5), which includes:
  - a. Residential density should be 5 units per acre or less;
  - b. Commercial and office densities should be 10,000 square feet per acre or less;
  - c. Total square feet per tenant should be 30,000 square feet or less;
  - d. Maximum building height should be 2 stories; and
  - e. At least 10% of the site shall be green/open space, with 5% of the site reserved as green space and remaining 5% as open or green space.
2. Retail uses are not permitted in this Node.
3. Projects should incorporate appropriate transitions to existing neighborhoods through reductions in height, the incorporation of less intense uses, the use of compatible architecture, the utilization of traditional or natural materials, and the incorporation of open and green space.
4. Automobile oriented uses shall be discouraged.
5. Density and/or height bonuses, beyond the recommendations of the Comprehensive Plan, may be approved by the Mayor and City Council for the development or redevelopment of assembled properties comprising 5 or more acres. The approval of bonuses will be based on the merits of the project relative to whether it provides desirable attributes that meet or exceed the goals and objectives of the Comprehensive Plan. Such goals may include, but not be limited to:
  - a. Providing significant green space that exceeds the minimums established in Table 1.5.
  - b. The elimination of multiple curb cuts along Roswell Road.
  - c. The use of more neighborhood-scale architecture and design in accordance with new urbanism principles.

The proposed plan fails to protect existing neighborhoods as outlined above. Any suggestion to the contrary simply isn't grounded in facts. I would ask that you carefully evaluate whether there are any other inconsistencies between the proposed development plan and the guidelines.

The guidelines applicable for considering the requested variances are clear. Approval is not warranted.

12A.3.6. EXCEPTIONS. When, by reason of unusual circumstances, the strict application of any provision of this Article would result in the exceptional practical difficulty or undue hardship due to the circumstances unique to the particular property in question, the Board of Appeals, in passing upon applications, shall consider and issue exceptions to said provisions so as to relieve such difficulty or hardship provided such exceptions shall remain in harmony with the general purpose and intent of said provisions, so that the integrity or character of the property, shall be conserved and substantial justice done. A hardship shall not qualify as an undue hardship if it is of a person's own making

No claim of unusual circumstances, undue hardship, or difficulty can be claimed in this instance. No changes to zoning ordinances were made since the subject property was purchased by the developer. All zoning restrictions, including easements and setbacks, were known at the time of purchase and cannot be claimed as subsequent hardships or difficulty. If the developer didn't like the property with these restrictions they shouldn't have bought it in the first place.

In summary, I support development within Sandy Springs per the current, approved zoning ordinances. In this case, existing ordinances should serve to limit the planned development of this property and none of the requested variances should be approved. Granting of the variances would serve to degrade the character and safety of the adjacent residential neighborhoods as a result of increased density (beyond the high density already allowed) and associated vehicular traffic that would result.

Sincerely,



Edwin J. Buckley, Jr.

## Abaray, Linda

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**From:** Amy <amyrob28@hotmail.com>  
**Sent:** Tuesday, August 05, 2014 10:23 PM  
**To:** Abaray, Linda  
**Subject:** OPPOSE the Rezoning, Variances, and traffic light at Franklin Rd.

Linda,

I am writing to convey my concern over the proposed redevelopment at Franklin Rd. and Roswell Rd. I live in the neighborhood, Westfield Park, and want to protect our entire neighborhood and community from what could be detrimental. We live in a very special, unique, close knit community that is bordered by Franklin Rd. Franklin is very narrow, and the homes sit very close to the street and neighbors and children walk and play all around the street (which currently has much needed speed bumps and is a TWENTY FIVE mph street) daily. With a project of this size, we simply cannot have that traffic clogging up our residential streets. Franklin is a NEIGHBORHOOD STREET....not to be a main thoroughfare. When reviewing this plan, PLEASE shut down Franklin where the multifamily developments begin. This is simply the only way the tax paying citizens will be protected. If you all do that, it will solve a lot of the issues that the developments would cause with the increased density.

**NO to through traffic on Franklin Rd.**  
**NO to increased speed limit.**  
**NO to high density.**

**YES to protecting communities and neighborhoods.**  
**YES to WISE redevelopment that is fair to the people who built this great community.**  
**YES to SAFETY.**

Thank you for your consideration.

Amy French (mother of 3 young children AND real estate agent with Harry.Norman, REALTORS)  
4755 Westfield Dr.  
(404)326-0063

## **Abaray, Linda**

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**From:** Curt Tucker <curt.tucker@gmail.com>  
**Sent:** Tuesday, August 05, 2014 11:47 PM  
**To:** Westfield Park  
**Cc:** pamword@aol.com; Abaray, Linda; DeJulio, Tibby; Paul, Rusty; Paulson, John; Dishman, Ken; McDonald, Graham; Sterling, Gabriel; Bauman, Andy; info@sandyspringscouncil.org; info@highpointcivic.com  
**Subject:** Last Day for Comments - Friday Aug 8 - Increasing apt. density, increasing traffic on Franklin Road, Huntley, Brinkley, Cherrywood, Westfield, et al

The large apartment complex on the SE corner of Roswell and Franklin Roads, formerly Avistele Apartments (backing up to homes on Huntley Drive), has been purchased and the plan is to rebuild it with townhouse condos and apartments.

This represents an unacceptably large increase in bedrooms, residents, cars, and traffic on Franklin Road --- especially adjoining residential streets used as cut-throughs (Huntley, Brinkley, Cherrywood, Westfield, et al) between Franklin and Windsor Parkway.

At the first informational meeting in June, the developers and new owner of the the property at 4735 Roswell Road, at the intersection of Franklin and Roswell Roads, , pointed out that the current buildings are in bad repair and too expensive to rehab effectively. The proposed new buildings would certainly be prettier and command higher rents, but their total square footage would be less per unit, and the total number of residents would be much greater.

For many more details about the project, see the email from our neighbor Pam below.

My bottom line is that this development would  
--appear to add an additional driveway on Franklin Road, while reducing the number of entrances on Roswell Road to one, increasing traffic on Franklin  
--increase the amount of cut-through traffic on Huntley and Brinkley, Cherrywood, Westfield. Even one of the owners/developers admitted in the meeting that he routinely uses Huntley as a cut-through to Windsor Parkway, as do many others, daily.  
--significantly increase the total number of bedrooms and, and therefore cars, in this congested area. This area will become more congested as a result of the Gateway Project, almost across the street.

I am not absolutely in favor of dead-ending Franklin, but I'm open to discussion. I would support developer-funded, very aggressive speed humps on Huntley and Brinkley, and other streets if the residents desire, to reduce traffic and speed. This is a quiet neighborhood with many children, people walking dogs, and older folks taking leisurely strolls. It should NOT become a throughway.

I am not completely against this redevelopment, but I agree with the main point in the email below that the density and traffic issues are paramount. The proposed higher density is unacceptable.

Please contact or forward your comments to the appropriate officials and council members

Thank you,

Curt Tucker  
Huntley Drive

## Abaray, Linda

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**From:** Aldo Lopez <alopez.tt@gmail.com>  
**Sent:** Tuesday, August 05, 2014 8:21 PM  
**To:** Abaray, Linda; DeJulio, Tibby; Paul, Rusty; info@sandyspringscouncil.org;  
info@highpointcivic.com  
**Subject:** Fwd: Rezoning 225 Park Apartments to Higher Density (Franklin and Roswell RD)

### Rezoning 225 Park Apartments to Higher Density (Franklin and Roswell RD)

Through community discussions, the following concerns related to this rezoning petition have been noted :

Major Concerns are:

1. Higher Density current 312 units, vs. 368 apartments and 173 townhomes
2. Taller buildings than current code allows (Apartments up to 6 stories tall and 5 story parking deck, 3 story townhomes)
3. Traffic impact on Franklin Road
4. Possibility of NEW traffic light at Roswell Rd and Franklin Rd. vs. Installing traffic light Farther south. (we have the pedestrian light and light at Belle Isle, this seems to be already problematic with Long Island backups)
5. Reduced set back on Roswell Rd to 0 vs. current 40 ft.
6. Reduced set back on Franklin Rd to 10ft vs. 20ft.
7. Reduced Buffer to HUNTLEY DRIVE properties to allow for detention pond. Detention ponds control storm water run off and slowly release water vs. running uncontrolled off property. The control of water is good, decreased buffers are not.
8. INCREASED traffic on to Franklin Rd. Plan calls for 2 entrances on Franklin (currently 2 for existing apts.) As townhomes will be at rear of property.  
Franklin Rd already has a fair amount of traffic from Roswell to High Point and SSPD is not controlling speed.

This project may have serious impact on our neighborhood, particularly safety issues arising out of increased traffic volume and speed for an area not designed for it.

Further consideration is required.

Thank you,

Aldo Lopez.

## Abaray, Linda

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**From:** Penny Dumas <pennydumas@gmail.com>  
**Sent:** Tuesday, August 05, 2014 11:49 AM  
**To:** Abaray, Linda  
**Cc:** pamword@aol.com; DeJulio, Tibby  
**Subject:** Rezoning at Roswell And Franklin Roads

Dear Ms. Abaray:

I am contacting you as a concerned resident of Sandy Springs, Highpoint and Westfield Park neighborhoods. I live at 4760 Huntley Dr., so that my property literally backs up to the proposed development, with a detention pond as my proposed backyard neighbor.

I realize there's little I can do to change the reality of the development in general, but I hope with your help and that of other Sandy Springs leaders, I can influence some of the details. I strongly oppose the proposed density of the development and the traffic it will bring, the massive clear cutting of trees and the requests for increased setbacks (one of which cuts into my backyard buffer).

Along with the development at the Windsor, Roswell intersection, the likelihood of increased cut through traffic on Huntley is significant. With the increased traffic and proposed traffic light at Franklin Road, delays in being able to exit the neighborhood will be significant.

Thank you in advance for anything you can do to represent our concerns and protect the quality of life we currently enjoy.

Sincerely,  
Penny Dumas

Sent from my iPad

## Abaray, Linda

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**From:** Susan Bennett <susan@susancbennett.com>  
**Sent:** Tuesday, August 05, 2014 6:31 PM  
**To:** Abaray, Linda  
**Subject:** Westfield Park Re-Zoning

Hello!

As a resident of the Westfield Park area for eight years, I'd like to voice not only my concern, but my basic horror at the idea of so many new apartments being built, not only near Franklin Rd., but Windsor Parkway as well. It's already nearly impossible to get down Roswell Rd. at any given time of day. Traffic will become completely untenable. Also, the pedestrian light that was constructed last year is superfluous. It's rarely used by pedestrians, and the island that was constructed along with it merely serves to create a traffic jam of cars trying to turn left at Long Island.

I understand the desire, even need for renovation, but please let us be reasonable about the density that's being proposed, and try to be a little wiser in planning our city.

Thanks for your consideration!

Susan Bennett  
4805 Brinkley Lane  
Atlanta, GA 30342

## Abaray, Linda

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**From:** Barbara O'Connor <bocatl@bellsouth.net>  
**Sent:** Tuesday, August 05, 2014 6:18 PM  
**To:** Abaray, Linda  
**Cc:** tdejulio@sandysprings.gov; rpaul@sandysprings.gov; jpaulson@sandysprings.gov; kdishman@sandysprings.gov; gmcdonald@sandysprings.gov; gsterling@sandysprings.gov; abauman@sandysprings.gov; info@sandyspringscouncil.gov; info@ighpointcivi.gov  
**Subject:** Rezoning Petition No. 20102051

Linda,

I have reviewed the petition for the property on the South EAST corner of Roswell and Franklin Roads, and have strong concerns regarding the development and additional apartment / town home entrances and exits onto Franklin Road.

I am all for upgrading the community with better housing, and given the development going in at Windsor and Roswell understand that Roswell is going to become an area for growth. However, the amount of traffic on Franklin Road has already increased with commuters using Franklin as an alternative to Roswell Road north from Windsor Parkway via High Point, Huntley/Brinkley and Cherrywood. With the new pedestrian walkway on Roswell, cars are regularly backed up to block the Roswell/Franklin intersection- particularly when school is in session with the school bus stopping at the apartments across from Kroger. Left turns from Franklin Road to Roswell Road South are becoming increasingly difficult, particularly when the light at the pedestrian crosswalk is engaged.

I urge you to consider carefully the impact of additional vehicles on Franklin Road with the higher density of the development and seek an alternative for this development which would use Roswell Road as a main points of entry for the residents. Additionally, should the entrances be designed on Franklin Road, consider the impact of a stoplight at Franklin and Roswell and the impact on the newly created pedestrian crosswalk.

With concern for the increase in the pedestrian community with these types of developments, I believe setbacks should not be reduced. It will impact pedestrians as well as reduce the opportunity to beautify our community with the lush landscaping that is becoming more rare.

Thank you for your consideration

Barbara O'Connor  
130 Franklin Place  
Sandy Springs 30342

Sent from my iPad

## Abaray, Linda

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**From:** Julia@mahoodstudio.com <juliamahood@gmail.com>  
**Sent:** Wednesday, August 06, 2014 8:33 PM  
**To:** Abaray, Linda; DeJulio, Tibby; Paul, Rusty; Paulson, John; Dishman, Ken; McDonald, Graham; Sterling, Gabriel; Bauman, Andy; info@sandyspringscouncil.org; info@highpointcivic.com; Rex P. Macey  
**Subject:** Rezoning petition 20102051

My husband Rex Macey and I have owned a home on Huntley Drive for 17 years. We love the neighborhood and are deeply concerned about the proposed zoning changes for apartment complex behind us.

There is no way we would support reducing the setbacks that border our property. This strip of forested land provides privacy, noise reduction and natural green space that we value greatly. The prospect of increased traffic that would come from the proposed complex is also daunting. We are wondering how the traffic increase from the now under construction "Sprouts" etc shopping center on Roswell Road is going to impact us. Can Sandy Springs slow down a bit and consider what these massive changes in zoning will do to it's residents, before granting more variances?

The traffic light at Windsor Pkwy and Roswell Road has become a nightmare over the last two years. I am very concerned that access to our neighborhood will become compromised further when these projects are completed.

Thank you for reading this.

Regards,  
Julia Mahood  
4790 Huntley Dr

Sent from my iPhone

## Abaray, Linda

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**From:** John V <johnv8770@gmail.com>  
**Sent:** Wednesday, August 06, 2014 9:04 PM  
**To:** Abaray, Linda  
**Subject:** Proposed zoning change - corner of Roswell Road and Hanover Park

Dear Ms. Abaray:

I recently purchased a townhouse in Heatherly Townhomes on Hanover Place in Sandy Springs, GA and as a new homeowner would like to register my **objection** to the proposed zoning change for the Roswell Road and Hanover Park intersection currently zoned Office and Institutional (O&I) to Commercial. My understanding is that the request for this change to accommodate a Quik Trip gas station at this location. This change would appear to contravene the "Living Working Community" in that the citizens south of Hanover Park and Roswell Road (including the expected new senior citizen center at the current "Pine Straw" location would be forced to either transverse several busy driveways leading in and out of the Quik Trip (as evidenced by the current QT locations, one of which is less than a mile away) in order to reach the crossover light at Roswell and Hanover so they may access local shopping (Public, restaurants, etc.)

The current traffic turning into Hanover Park would certainly be negatively impacted by the location of a Quik Trip gas station. I certainly would not object to the development of a facility within the parameters of the current Q&I zoning, but fail to see how a large gas station would fit within the "pedestrian oriented" environment as currently exhibited north of Roswell and Hanover Park.

I certainly appreciate your time and consideration in recording my objection and if I may provide any additional information, please feel free to contact me.

Respectfully,

John P Vitale  
2 Forest Ridge Court  
Sandy Springs, GA 30350  
770-375-1115

## Abaray, Linda

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**From:** Chad French <chadfrench\_rs@yahoo.com>  
**Sent:** Wednesday, August 06, 2014 11:52 PM  
**To:** Abaray, Linda; DeJulio, Tibby; Paul, Rusty; Paulson, John; McDonald, Graham; Dishman, Ken; Sterling, Gabriel; Bauman, Andy; info@sandyspringscouncil.org  
**Cc:** Westfield Park; pamword@aol.com; info@highpointcivic.com  
**Subject:** Reject Zoning Request 201402051 at 4735 Roswell Road  
**Attachments:** WP July 4.jpg

Dear Sandy Springs Leaders,

I am writing to express my deep concern regarding the rezoning request for 4735 Roswell Road. My wife, 3 young children and I have been residents of 4755 Westfield Drive since 2007 and are proud to call this neighborhood and the City of Sandy Springs our home. During our 7 years living at the corner of Westfield and Lansbury Drive, we have welcomed over a half dozen new babies to our streets (we have 21 children under the age of 16 on our two cornering streets), graduated a handful of community conscience young men and women, and said sad final farewells to at least 2 too many of the original home owners on our streets. This area is a little sliver of Americana that is very difficult to find anywhere else, especially within the metro Atlanta area.

While my family and I welcome smart growth to our area and are not opposed to the development of this property, we believe that what is being proposed at 4735 Roswell Road is unreasonable and detrimental to this neighborhood and the surrounding High Point community. Cut through traffic and speeding have ALWAYS been an issue on Westfield/Lansbury, Cherrywood, Huntley/Brinkley, Franklin and obviously Windsor Parkway. This has been my biggest concern over the past 7 years and I have witnessed several close calls with our children, our pets and the senior residents that enjoy their daily strolls for exercise and a little bit of fraternizing with their neighbors. This proposed development, if granted the rezoning they have asked for will greatly increase cut through traffic, speeding and increased traffic problems on Roswell, Franklin and Windsor.

The increase in the total number of apartments from 312 to 368 AND the addition of 173 new townhomes on that property site is unacceptable. When I reviewed the original plans of the site (the current property) and what is being proposed, I was shocked by the greedily increased density of the proposed property, not to mention the developers want to go even HIGHER with the proposed units on top of covering the entire 17+ acres with concrete. I can't imagine under any circumstance that this project aligns with the desired goals and long-term plans for the City of Sandy Springs and the much welcomed, but carefully planned redevelopment of Roswell Road. If the city does not set a precedent by turning down this rezoning request (on every count) then we are opening the door to future developments that will surely bury this thriving High Point Community in the years to come. We already see the domino effect moving north from the new Windsor development and surely will continue well north of I-285 in the months and years to come.

I ask that you please reject all rezoning requests for this project, specifically:

- There should not be a retention pond moved closer to the property line encroaching on many of the backyards of our neighbors on Huntley. Any buffer between the property and Huntley should not be reduced. This can increase run off water, insects, rodents, and other undesired geological impacts to our residential neighborhood.
- There should not be building or parking lot height changes that allow taller buildings or multi-story parking garages. When we look up we like to see trees and not tall buildings or ugly concrete parking lots in the back ground.
- There should not be any density changes that allow a net increase in number of bedrooms in this new development, as it correlates to more people and more cars using their exit on Franklin Road and cutting through our streets on Cherrywood, Huntley/Brinkley, Westfield/Lansfield

## Abaray, Linda

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**From:** Anne Payne <aep317@gmail.com>  
**Sent:** Thursday, August 07, 2014 12:16 AM  
**To:** Abaray, Linda  
**Subject:** Re zoning petition No.20102051

Ms Abaray,

I am writing to express my opposition to the above mentioned re zoning petition. As a homeowner in Westfield Park the variances being requested are unacceptable. I am speaking specifically of the following:

1. Higher density
2. Taller buildings/structures
3. Traffic impact on Franklin and the surrounding residential streets
4. Reduced set backs on both Franklin and Roswell Rds
5. Reduced buffer to Huntley Dr

As I understand it, our residential community is a "protected neighborhood" with 1-2 units per acre. We want to keep it this way. I am not anti-development or anti-progress. However, the re zoning request under discussion differs significantly from the original comprehensive plan: apartments 6 stories vs 2 stories, town homes 3 stories vs 2 stories, parking deck 5 stories vs 2 stories and on it goes.

If you look at the density on a per unit basis alone it will increase by approx 73% (312 units vs 541). As I am sure you are aware traffic in the Windsor/Roswell/Franklin area is a nightmare -- especially during peak times where it turns into a parking lot. No amount of rearranging the roads, adding traffic lights, adjusting entrances will accommodate this. It is "volume of people/automobiles" pure and simple. For this reason alone, the density of this project should be limited. And by that I mean reduced from the proposed number of 368 apts and 173 town homes. It is humorous that in the letter of intent the developer states that there will be "75 fewer bedrooms than exist now" regarding the apartments. What about the 173 town homes and their occupants?

The reduced set backs and absolute lack of green space is also of great concern.

The neighborhoods in the West Field Park and High Point areas are made up of lovely residential streets. People of all ages live here - single professionals, young families, up thru and including senior citizens. We have active civic and garden clubs - we know each other. Please don't disregard zoning that protects us and was put into place for good reason. Overbuilding is a disease and over zealous developers need to be kept in check. Again - this is why we have zoning to begin with.

Thank you for your time,

Anne Payne-Schutte

Sent from my iPad



## Abaray, Linda

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**From:** Wanda Riggs <wanda.riggs@gmail.com>  
**Sent:** Thursday, August 07, 2014 8:07 AM  
**To:** Curt Tucker  
**Cc:** Dishman, Ken; Paulson, John; Paul, Rusty; Sterling, Gabriel; DeJulio, Tibby; Abaray, Linda; Bauman, Andy; Westfield Park; McDonald, Graham; Pam Shipley; info@highpointcivic.com; info@sandyspringscouncil.org; Will Mack; Steve Tart; Wanda Riggs Mack  
**Subject:** Re: Last Day for Comments - Friday Aug 8 - Increasing apt. density, increasing traffic on Franklin Road, Huntley, Brinkley, Cherrywood, Westfield, et al

I agree with Curt's comments below, and am also open to discussing the options WITHOUT much compromise on either the character of our neighborhood or the traffic issues any development would bring to our neighborhood.

Since financing this type of project is my business, I understand the probable reason for the density requested (economics), but I am hopeful that we could find a way to bring a new (much needed, nicer) development to the perimeter of our neighborhood (while still maintaining the character of the neighborhood), with minimal traffic impact.

Wanda Riggs Mack  
404-277-0072  
355 Franklin Road

On Aug 5, 2014 11:46 PM, "Curt Tucker" <[curt.tucker@gmail.com](mailto:curt.tucker@gmail.com)> wrote:  
The large apartment complex on the SE corner of Roswell and Franklin Roads, formerly Avistele Apartments (backing up to homes on Huntley Drive), has been purchased and the plan is to rebuild it with townhouse condos and apartments.

This represents an unacceptably large increase in bedrooms, residents, cars, and traffic on Franklin Road --- especially adjoining residential streets used as cut-throughs (Huntley, Brinkley, Cherrywood, Westfield, et al) between Franklin and Windsor Parkway.

At the first informational meeting in June, the developers and new owner of the the property at 4735 Roswell Road, at the intersection of Franklin and Roswell Roads, , pointed out that the current buildings are in bad repair and too expensive to rehab effectively. The proposed new buildings would certainly be prettier and command higher rents, but their total square footage would be less per unit, and the total number of residents would be much greater.

For many more details about the project, see the email from our neighbor Pam below.

My bottom line is that this development would

- appear to add an additional driveway on Franklin Road, while reducing the number of entrances on Roswell Road to one, increasing traffic on Franklin
- increase the amount of cut-through traffic on Huntley and Brinkley, Cherrywood, Westfield. Even one of the owners/developers admitted in the meeting that he routinely uses Huntley as a cut-through to Windsor Parkway, as do many others, daily.
- significantly increase the total number of bedrooms and, and therefore cars, in this congested area. This area will become more congested as a result of the Gateway Project, almost across the street.

I am not absolutely in favor of dead-ending Franklin, but I'm open to discussion. I would support developer-funded, very aggressive speed humps on Huntley and Brinkley, and other streets if the residents desire, to reduce traffic and speed. This is a quiet neighborhood with many children, people walking dogs, and older folks taking leisurely strolls. It should NOT become a throughway.

I am not completely against this redevelopment, but I agree with the main point in the email below that the density and traffic issues are paramount. The proposed higher density is unacceptable.

Please contact or forward your comments to the appropriate officials and council members

Thank you,

Curt Tucker  
Huntley Drive

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On Thursday, June 26, 2014 1:13 PM, Pam Shipley <[pamword@aol.com](mailto:pamword@aol.com)> wrote:

Hello. I live at 365 Franklin Road in Sandy Springs. My daughter and I went to the Sandy Springs Community Zoning Information Meeting on June 24, 2014, interested in the rezoning of the property at 4735 Roswell Road, which is at the intersection of Franklin and Roswell Roads, the previous Avistele Apartments.

There was one other neighbor in attendance, a gentleman who lives on Huntley Drive. I was disappointed to see that no one from the Highpoint Civic Association was there to inquire or represent the interests of affected neighbors.

This project is a Development of Regional Impact ("large-scale developments that are likely to have regional effects"), which could greatly affect our neighborhood quality of life with additional traffic.

The Rezoning Petition No. 201402051 can be found online here: <http://www.sandyspringsga.gov/SandySprings/media/Agendas/PC/2014/0619/62414/Focus-201402051.pdf>

The rezoning request is because the density and height of the project do not comply with the current zoning and land use of the property. Also, the developers are asking for 6 zoning variances for the property.

The plan calls for replacing 312 "For Rent" apartment units (539 bedrooms) with 368 new apartment units (464 bedrooms) plus 173 "For Sale" townhomes (519 or more bedrooms), for a total of 541 new units, a 57.6% increase in total units, and a total of 983 bedrooms, a 54.8% increase in total bedrooms. The developers were boasting that they were reducing the number of bedrooms in multi-family units by 75. When pressed, they said that did not include the additional 173 3-bedroom owner-occupied townhomes that would actually add at least 519 more bedrooms, maybe more, netting an addition of 444 or more bedrooms. If bedrooms = car trips and if units = car trips, we can expect a huge increase in traffic on our street and side streets.

The plans call for a reduced street setback on Roswell Road from 40 feet to 0 feet. When I asked about the need for the reduced setback on Roswell Road, they said that they will lose 10 feet of frontage (to the DOT, Fulton County, Sandy Springs, I'm not sure) for future road widening, with no compensation for the loss of property. So they will place the units with street entrances as close to Roswell Road as possible. The plans call

for a reduced side yard setback on Franklin Road from 20 feet to 10 feet. When asked if that was because of losing frontage for future road widening, they said the road was wide enough, so they wouldn't lose any street frontage. Yet, they're still asking for a variance to reduce the setback.

They also want to reduce the buffer between their units and homes on Huntley Drive and place their detention pond adjacent to Huntley drive properties.

The proposal calls for a traffic signal at Roswell Road and Franklin Road, making it even easier for cut-through traffic turning left from Roswell Road onto Franklin Road (avoiding the light at Windsor Parkway) and by aiding them turning left from Franklin Road onto Roswell Road (which is now almost impossible). I suggested that the new traffic light could be placed at their entrance to the proposed new community on Roswell Road, but, no, that will be a private road. They don't want traffic funneled through their development. I stated that we would fight against a traffic light at our street.

The plans show that Franklin Road has a 35-mph speed limit. The street is posted at 25 mph, even though most drivers reach high speeds on the hilly road. We struggled for almost 3 years with Fulton County for traffic calming. The only option offered was speed humps. There are far too few speed humps, spaced ineffectually far apart, not steep enough to force slow-down, and do little to impede speeding and cut-through traffic on the other streets in our neighborhood. It is obvious that our speed humps have added traffic to other neighborhood streets, with drivers cutting through them to avoid speed humps, although the traffic on Franklin Road seems to increase daily.

They will install sidewalks on Roswell Road and Franklin Road on their property lines only.

I said a couple of times that the best thing for our neighborhood would be to dead-end Franklin Road where the multi-family units begin. This was done on Highbrook Drive when a new apartment community was developed near Roswell Road, where there was a traffic light. That was the catalyst that brought all the cut-through traffic to Franklin Road. Street closure was also done when the Dorothy C. Benson Center Multipurpose Complex was developed north on Roswell Road. At the time of our dealings with Fulton County, we were told that dead-ending our street was not an option.

Although I realize this will be nearly impossible, we must do something to reduce or slow traffic on our neighborhood streets.

There is now another Development of Regional Impact being developed on Roswell Road which will require re-aligning Windsor Parkway and moving the traffic light north on Roswell Road. That project was endorsed by the Highpoint Civic Association, with no concessions to our neighborhood. The road work and that new project will be under construction for several years. Initially, if not indefinitely, it will add more traffic to our neighborhood.

And it is inevitable that the apartments on the northeast corner of Franklin and Roswell Roads will be redeveloped with higher density in the future.

Although progress and renewal of older properties is good for Sandy Springs, we still must protect the neighborhoods and the people who make them great. We need to start now with demanding concessions from these mega-developers and the City of Sandy Springs to maintain or even improve our quality of life. We need to start a conversation with the developers and the city before the next Community Developer Resolution Meeting on July 31, 2014.

If one of the goals of the Highpoint Civic Association, The Sandy Spring Council of Neighborhoods, and the City of Sandy Springs is to protect neighborhoods, now is the time for action. Protect our neighborhoods. Don't just go for the money and tax dollars.

I will be communicating this information with our neighbors.

I can be reached at [pamword@aol.com](mailto:pamword@aol.com) or my cell phone [678-358-8435](tel:678-358-8435). I look forward to hearing from you.

Pam Shipley  
365 Franklin Road NE  
Sandy Springs, GA 30342

On Tue, Aug 5, 2014 at 5:43 PM, Westfield Park <[westfieldpark1958@gmail.com](mailto:westfieldpark1958@gmail.com)> wrote:  
PLEASE READ!!

Rezoning Petition No. 20102051

<http://www.sandyspringsga.gov/SandySprings/media/Agendas/PC/2014/0619/62414/Focus-201402051.pdf>

Mixed use community of rental apartments and owned 3 story town home units.

Comments to the Senior Planner Linda Abaray are due by Friday August 8th. [Labaray@sandyspringsga.gov](mailto:Labaray@sandyspringsga.gov) or [770-206-1577](tel:770-206-1577)

This project directly affects Westfield Park as well as the rest of High Point.

Major Concerns are:

1. Higher Density current 312 units, vs. 368 apartments and 173 townhomes
2. Taller buildings than current code allows (Apartments up to 6 stories tall and 5 story parking deck, 3 story townhomes)
3. Traffic impact on Franklin Road
4. Possibility of NEW traffic light at Roswell Rd and Franklin Rd. vs. Installing traffic light Farther south. (we have the pedestrian light and light at Belle Isle, this seems to be already problematic with Long Island backups)
5. Reduced set back on Roswell Rd to 0 vs current 40 ft.

6. Reduced set back on Franklin Rd to 10ft vs. 20ft.

7. Reduced Buffer to HUNTLEY DRIVE properties to allow for detention pond. Detention ponds control storm water runoff and slowly release water vs. running uncontrolled off property. The control of water is good, decreased buffers are not.

8. INCREASED traffic on to Franklin Rd. Plan calls for 2 entrances on Franklin (currently 2 for existing apts) As townhomes will be at rear of property.

Franklin Rd already has a fair amount of traffic from Roswell to High Point and SSPD is not controlling speed.

This project may have serious impact on our "protected neighborhood".

Please use the link above to see the project in its entirety and make your voice be heard.

Please don't email me your comments, that does not help us work with the developer to make changes necessary to have a quality redevelopment.

Comments must be received by City. Please contact:

[Labaray@sandyspringsga.gov](mailto:Labaray@sandyspringsga.gov)

[Tdejulio@sandyspringsga.gov](mailto:Tdejulio@sandyspringsga.gov)

[rpaul@sandyspringsga.gov](mailto:rpaul@sandyspringsga.gov)

[jpaulson@sandyspringsga.gov](mailto:jpaulson@sandyspringsga.gov),

[kdishman@sandyspringsga.gov](mailto:kdishman@sandyspringsga.gov),

[gmcdonald@sandyspringsga.gov](mailto:gmcdonald@sandyspringsga.gov),

[gsterling@sandyspringsga.gov](mailto:gsterling@sandyspringsga.gov),

[abauman@sandyspringsga.gov](mailto:abauman@sandyspringsga.gov)

[info@sandyspringscouncil.org](mailto:info@sandyspringscouncil.org)

[info@highpointcivic.com](mailto:info@highpointcivic.com)

Thank You!

Kim Russell

Feel free to pass this along to anyone you think would benefit from this information

## **Abaray, Linda**

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**From:** rankin.langley@nm.com  
**Sent:** Thursday, August 07, 2014 11:05 AM  
**To:** Abaray, Linda  
**Cc:** travislangley1@gmail.com  
**Subject:** Rezoning Petition No. 20102051

Ms. Abaray – I have reviewed Rezoning Petition No. 20102051

My major concerns are as follows:

1. Higher Density: current 312 units, vs. 368 apartments and 173 townhomes
2. Taller buildings than current code allows (Apartments up to 6 stories tall and 5 story parking deck, 3 story townhomes)
3. Traffic impact on Franklin Road: INCREASED traffic on to Franklin Rd. The proposed plan calls for 2 entrances on Franklin (currently 2 for existing apts.) As townhomes will be at rear of property. Franklin Rd already has a fair amount of traffic from Roswell to High Point and SSPD is not controlling speed.
4. Possibility of NEW traffic light at Roswell Rd and Franklin Rd. vs. Installing traffic light Farther south. (we have the pedestrian light and light at Belle Isle, this seems to be already problematic with Long Island backups)
5. Reduced set back on Roswell Rd to 0 vs. current 40 ft.
6. Reduced set back on Franklin Rd to 10ft vs. 20ft.
7. Reduced Buffer to HUNTLEY DRIVE properties to allow for detention pond. Detention ponds control storm water runoff and slowly release water vs. running uncontrolled off property. The control of water is good, decreased buffers are not.

I believe this project will have a serious NEGATIVE impact on our neighborhood and should be revised with input from the surrounding residents.

Sincerely, Rankin Langley

565 Forestdale Dr, Atlanta GA 30342

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Rankin M. Langley  
Associate Financial Representative with C. Walker Sullivan, III  
400 Interstate N Pkwy SE, Ste 600, Atlanta, GA 30339  
Phone: 770-612-4693, Fax: 770-953-2578  
[rankin.langley@nm.com](mailto:rankin.langley@nm.com)

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Northwestern Mutual  
720 East Wisconsin Avenue  
Milwaukee, Wisconsin 53202-4797.

## Abaray, Linda

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**From:** Dele Sessions <adelesessions@gmail.com>  
**Sent:** Thursday, August 07, 2014 12:10 PM  
**To:** Abaray, Linda  
**Subject:** Fwd: URGENT: PLEASE READ

I live on Cherrywood Lane and would like to express my concerns with the new development being built on Roswell and Franklin. This development will impact the safety of our children and neighbors as this is going to increase traffic and the number of speeding cars that already cut through our neighborhood.

While I understand this development cannot be stopped, PLEASE help us!

There have been a number of emails discussing options to block off Franklin to create a dead-end road.

I'd like to understand better why more green space is not incorporated into the development and why the current codes are not being enforced- the height of the proposed plans are too tall (5-6 stories?!) and the number of units would nearly double the number of people living in that space. I'm happy to see new buildings and opportunities to improve or neighborhood, but I am tired of greedy developers overstepping and over developing the land around us. Please help us keep Sandy Springs and Roswell/Windsor parkway area a nice, safe place to live.

Thank you,

Adele Sessions  
4710 Cherrywood Lane

Begin forwarded message:

**From:** Westfield Park <[westfieldpark1958@gmail.com](mailto:westfieldpark1958@gmail.com)>  
**Date:** August 7, 2014 at 11:55:42 AM EDT  
**To:** Alan Graham <[alangrahambox@gmail.com](mailto:alangrahambox@gmail.com)>, Alayna Weinstock <[Alaynagrand@gmail.com](mailto:Alaynagrand@gmail.com)>, Aldo Lopez <[alopez@loansouth.com](mailto:alopez@loansouth.com)>, Alessandra Eichhorn <[agorriti@yahoo.com](mailto:agorriti@yahoo.com)>, Alison Phelts <[aphelts@mindspring.com](mailto:aphelts@mindspring.com)>, Allison Bittel <[allison.bittel@gmail.com](mailto:allison.bittel@gmail.com)>, Amy French <[amy.french@harrynorman.com](mailto:amy.french@harrynorman.com)>, Amy French <[amyrob28@hotmail.com](mailto:amyrob28@hotmail.com)>, Andrew and Gregg McMorran <[mcmorran@bellsouth.net](mailto:mcmorran@bellsouth.net)>, Andrew Teegarden <[Awt11@hotmail.com](mailto:Awt11@hotmail.com)>, Ann Hicks <[ath2663@aol.com](mailto:ath2663@aol.com)>, Ann Schuh <[twoschuhs@bellsouth.net](mailto:twoschuhs@bellsouth.net)>, Anna Hirsh <[annah4690@bellsouth.net](mailto:annah4690@bellsouth.net)>, Anne Payne <[aep317@gmail.com](mailto:aep317@gmail.com)>, Art Przybyl <[aprzybyl@gmail.com](mailto:aprzybyl@gmail.com)>, Ashley Irvine <[Ashley.m.irvine@gmail.com](mailto:Ashley.m.irvine@gmail.com)>, Autumn Murray <[autumnleaves@bellsouth.net](mailto:autumnleaves@bellsouth.net)>, Barbara Oconnor <[bocatl@bellsouth.net](mailto:bocatl@bellsouth.net)>, Barbara Wait <[bwait@me.com](mailto:bwait@me.com)>, Bart Gobeil <[bartgobeil@hotmail.com](mailto:bartgobeil@hotmail.com)>, Bill Schuh <[bschuh99@yahoo.com](mailto:bschuh99@yahoo.com)>, Brad Bourne <[b\\_bourne5@bellsouth.net](mailto:b_bourne5@bellsouth.net)>, Brenda McAleer <[brendamcaleer@yahoo.com](mailto:brendamcaleer@yahoo.com)>, Casey Richter <[richter.casey@gmail.com](mailto:richter.casey@gmail.com)>, Celeste Alexander <[calexander@cobbpediatric.com](mailto:calexander@cobbpediatric.com)>, Chad French <[chadfrench\\_rs@yahoo.com](mailto:chadfrench_rs@yahoo.com)>, Chantal Duggan <[chantalduggan@bellsouth.net](mailto:chantalduggan@bellsouth.net)>, Chris Richter <[Christopher\\_b\\_richter@homedepot.com](mailto:Christopher_b_richter@homedepot.com)>, Christie Hunt <[christie.hunt@gmail.com](mailto:christie.hunt@gmail.com)>, Claire Blackwell <[dclaireblackwell@bellsouth.net](mailto:dclaireblackwell@bellsouth.net)>, Connie Austin <[connie.austin@verizon.net](mailto:connie.austin@verizon.net)>,

<[rondarespess@comcast.net](mailto:rondarespess@comcast.net)>, Ryan Irvine <[ryan.irvine@cbre.com](mailto:ryan.irvine@cbre.com)>, Sarah Beatty <[beattyps@gmail.com](mailto:beattyps@gmail.com)>, Sarah Rich <[sarahdodgerich@gmail.com](mailto:sarahdodgerich@gmail.com)>, Shaun Weinstock <[Sweinstock@weinstockrld.com](mailto:Sweinstock@weinstockrld.com)>, Stan Sanders <[ssanders64@yahoo.com](mailto:ssanders64@yahoo.com)>, "Stephanie & Mike Snyder" <[snyder1030@bellsouth.net](mailto:snyder1030@bellsouth.net)>, Stephen Alexander <[salexander@mindspring.com](mailto:salexander@mindspring.com)>, Susan Bennett <[susan@susancbennett.com](mailto:susan@susancbennett.com)>, Susan Caiaccio <[susanhc12@yahoo.com](mailto:susanhc12@yahoo.com)>, Susan Graham <[susanograham@bellsouth.net](mailto:susanograham@bellsouth.net)>, Theresa Goriczy <[tgoriczy@gmail.com](mailto:tgoriczy@gmail.com)>, Tim Varner <[timvarner@gmail.com](mailto:timvarner@gmail.com)>, Todd Eichhorn <[toddeichhorn1@gmail.com](mailto:toddeichhorn1@gmail.com)>, Traci Gingold <[tig54@comcast.net](mailto:tig54@comcast.net)>, Walter Addison <[walter.addison@g2sales.com](mailto:walter.addison@g2sales.com)>, Wanda Riggs <[wanda.riggs@gmail.com](mailto:wanda.riggs@gmail.com)>, Wayne Parker <[wparker@atlantamaritaltherapy.com](mailto:wparker@atlantamaritaltherapy.com)>  
**Subject: URGENT: PLEASE READ**

All,

Your input on the Park 225 redevelopment is needed now more than ever. Please take a few minutes to email Linda Abaray at [LAbaray@SandySpringsga.gov](mailto:LAbaray@SandySpringsga.gov) with your concerns **TODAY**.

GRTA has approved (1) the 3 access drives to Franklin; and (2) the traffic light at Franklin and Roswell (with a new dedicated right hand turn lane on Franklin). They are not recommending a light coming out of the new development onto Roswell Road. They are meeting today at 3 pm to discuss the report.

**WE MUST HAVE YOUR SUPPORT IN PROTECTING OUR NEIGHBORHOOD!!**

## Abaray, Linda

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**From:** remyjohnson@bellsouth.net  
**Sent:** Thursday, August 07, 2014 12:17 PM  
**To:** Abaray, Linda  
**Subject:** Franklin Road concerns

Dear Ms. Abaray,

I am writing with concerns about the new development proposal, which will effect Franklin Road and neighbors. I believe that the current traffic proposals favor the new development, to the point of detracting from current residents. I am very concerned that the current plans will make the side roads between Franklin and Windsor unsafe for people walking with small children and dogs, and will create large back-ups on Franklin, especially as the light proposed is for Franklin Road, not the new development. Please take these issues into consideration as you change the traffic patterns.

Sincerely,  
Elisabeth Johnson  
570 Windsor Pkwy

Sent from my LG G2, an AT&T 4G LTE smartphone

## Abaray, Linda

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**From:** Kent Watkins <kent.watkins@gmail.com>  
**Sent:** Thursday, August 07, 2014 12:18 PM  
**To:** Abaray, Linda  
**Subject:** Problems with Park 225

I have serious concerns with the proposed project.

1. The higher density is not needed in our residential neighborhood and devalues the area.
2. The access drives onto Franklin will turn this road into a major road instead of the quiet neighborhood road it is intended. The new traffic needs to be limited to Roswell Road that can carry the load. It has already been proven with the last new apartments that restricted turn instructions don't work. They are just ignored.

Regards,  
Kent

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Kent Watkins  
4825 Lansbury Drive  
Sandy Springs, GA 30342  
404-805-0079

## Abaray, Linda

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**From:** Marc Stratton <MStratton@summitmidstream.com>  
**Sent:** Thursday, August 07, 2014 12:18 PM  
**To:** Abaray, Linda  
**Subject:** Reject Zoning Request 201402051 at 4735 Roswell Road

Dear Ms. Abaray –

My name is Marc Stratton and I have lived at 4875 Lansbury Drive in the Westfield Park Neighborhood (located east of Roswell Road and between Windsor Parkway and Franklin Road) for the last 7.5 years. I have a wife and three young children and we love our quiet and safe neighborhood. I have serious concerns about the proposed re-zoning / re-development of the Park 225 property located at the corner of Roswell and Franklin. My major concerns are as follows:

- The possible approval of lifting existing buffer restrictions and height requirements in order to maximize occupancy on the property
- The lack of a new street light to enter the complex off of Roswell Road – forcing traffic into the soon-to-be overcrowded complex on Franklin Road (a residential roadway that is used for walking, running, biking by my neighbors) and increasing cut-through traffic on Westfield Park streets
- The potential of a developer to remove a majority of the existing tree canopy that gives this part of Sandy Springs (and Westfield Park) a suburban feel

I hope you will take these concerns seriously and consider alternatives to the re-zoning that is currently being proposed. I am for responsible development of this property but I am against doing so at the expense of my neighborhood.

Thank you in advance for your consideration.

Regards,

**Marc Stratton**  
VP, Treasurer  
Summit Midstream Partners

[mstratton@summitmidstream.com](mailto:mstratton@summitmidstream.com)  
(o) 214-242-1966  
(c) 404-668-0870

**Abaray, Linda**

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**From:** Elaine LaCour <eblacour@me.com>  
**Sent:** Thursday, August 07, 2014 12:18 PM  
**To:** Abaray, Linda  
**Cc:** Westfield Park  
**Subject:** Franklin/Roswell Rd development

Ms. Abaray,

As a homeowner on Franklin Rd. I would ask that you careful consider the traffic implications of the development proposals on Franklin and Roswell Rd. The entire neighborhood will be impacted.

The government of Sandy Springs has been proactive to community interests in the past. We all hope you will fight against rampant overdevelopment in our neighborhoods. Increases in housing density will decrease quality of life. We don't have public transportation options--everyone uses their cars.

We have been informed that you will meet today at 3:00 to discuss this proposal:

**GRTA has approved (1) the 3 access drives to Franklin; and (2) the traffic light at Franklin and Roswell (with a new dedicated right hand turn lane on Franklin). They are not recommending a light coming out of the new development onto Roswell Road.**

Respectfully,

Al and Elaine LaCour

Sent from my iPhone

## Abaray, Linda

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**From:** Helen Horton <helenhorton@mindspring.com>  
**Sent:** Thursday, August 07, 2014 12:28 PM  
**To:** Abaray, Linda  
**Cc:** Westfield Park  
**Subject:** Park 225 Redevelopment

Ms. Abaray,

As a homeowner on Westfield Drive, I am very concerned about the plans for the development of the apartments at Roswell Rd and Franklin Rd. I am opposed to several of the proposed changes:

1. Traffic light at Franklin Rd
2. Driveways on Franklin Rd
3. Decreased setbacks on Roswell and Franklin
4. Proposed height of new buildings
5. Decreased buffer with Huntley Rd properties
6. Increased traffic through my neighborhood
7. Increased speed limit on Franklin

Please consider the negative impact this will have on our neighborhood. I am hoping that compromises can be made between the developer, the city, and our neighborhood.

Best regards,  
Helen Horton  
4770 Westfield Drive

Sent from my iPhone

## Appendix

## Abaray, Linda

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**From:** Trey Hollingsworth <trey\_hollingsworth@genpt.com>  
**Sent:** Thursday, August 07, 2014 12:33 PM  
**To:** Abaray, Linda  
**Cc:** Trey Hollingsworth  
**Subject:** Concern for Rezoning Petition No. 201402051 Rowell Rd. at Franklin

Ms. Abaray -

My name is Trey Hollingsworth and I live at 4735 Brinkley Lane, 30342.

I would like to express my support and concerns for Rezoning Petition No. 201402051. The petitioners wish to rezone 17.9 acres of the apartments at 4735 Roswell Road (at Franklin Road), currently the Park225. My neighborhood is adjacent to the property in the petition.

I can support higher density in exchange for redevelopment that adds value to the neighborhood and city. However respect for the quality of life and investment of current neighborhood families must be respected in exchange for that concession.

- **Current setbacks on Franklin and along the property's eastern border (Adjacent to Huntley) must be maintained or improved.**
- **The new development must not encourage or increase cut through traffic in our neighborhoods.**

It seems there are logical ways to do this.

- I support adding a traffic light at the entrance of the new development – not at Franklin. Doing this will discourage additional traffic on Franklin and the neighborhoods to the east of Roswell, while giving new residents safe access to Roswell Rd. both north and south. If through traffic is a concern to the developer, make the complex gated.
- A traffic light at Franklin will only add to cut through traffic for our neighborhoods.
- Eliminating the new community's Franklin Rd. access will also foster better traffic flow.
- **I do not want speed bumps along Brinkley & Huntley.**

I welcome the development Sandy Springs is fostering in the southern gateway area along Roswell and Windsor Parkway. My neighborhood is bound by Roswell Rd, Windsor Parkway, Franklin Rd, & GA 400, so these developments have a direct impact on me & my family, my daily quality of life & my investment in Sandy Springs. Thank you for your consideration and support.

Thank you –

Trey Hollingsworth  
(w) 770.859.2537

## Abaray, Linda

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**From:** Lynette <bigmoma500@gmail.com>  
**Sent:** Thursday, August 07, 2014 12:46 PM  
**To:** Abaray, Linda  
**Subject:** Franklin road

I live in 500 franlin and am very dissappointed that so much development has been alloed to occur in our once quiet neighborhood. That being said . It is crucial to have a light on franklin and Roswell road. There have been many accidents there including members of my family. The exit onto Roswell road is preceeded by a blind bend. People come around very fast, not in time sometimes to accelerate enough to get away. It is treacherous to say the least . Also the turn from Roswell to franlin is equally bad. Since all the entries and exits on franlin have been approved. The least one can expect is a light.

Lynette Joel

Sent from my iPhone

## Abaray, Linda

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**From:** john@andrewsstembridge.com  
**Sent:** Thursday, August 07, 2014 12:48 PM  
**To:** Abaray, Linda  
**Cc:** DeJulio, Tibby; Paul, Rusty; Paulson, John; McDonald, Graham; Dishman, Ken; Sterling, Gabriel; Bauman, Andy; info@sandyspringscouncil.org  
**Subject:** GRTA Staff Report and Recommendations - The Heights at Sandy Springs (DRI #2419)  
**Attachments:** 2419\_Heights at SS\_SR\_NonExp\_20140804.pdf

Linda,

I have reviewed the Sandy Springs Comprehensive Plan and am drafting a separate email to you and the other leaders of Sandy Springs with my concerns. However, I wanted to send you this email with my comments on the GRTA Staff Report and Recommendations as the report indicates the GRTA is meeting today at 3 pm. My main concern, which also appears to be the main concern of my neighbors, is that the current plans for this new development have the very real potential to bring increased traffic to Franklin Road. Franklin Road does not resemble Windsor Parkway, Highpoint Road, or Roswell Road, which are the other 3 roads that border our small neighborhood.

Franklin Road is a narrow 2-lane road, with no sidewalks, and little buffer between Franklin Road and the homes on Franklin Road. In short, Franklin Road is very much a narrow residential street that gets a tremendous amount of foot traffic (again, with no sidewalk, and in my opinion no room to add a sidewalk). The GRTA plan recommends the addition of a traffic light at the intersection of Roswell Road and Franklin Road when warranted and also recommends a dedicated right-hand turn lane from the northbound lane of Roswell Road onto Franklin Road (which will definitely increase traffic on Franklin Road). I would like to know: (1) what will warrant the construction of a traffic light at the intersection of Roswell Road and Franklin Road; and (2) why is there need for a dedicated right-hand turn lane from a state highway (Roswell Road) onto a narrow residential street (with no sidewalks)?

I frequently run and walk on Franklin Road and have to step off the road many times due to the speed of the vehicles and the size of this narrow road. Under the current plans and recommendations, Franklin Road will likely transition to resemble Windsor Parkway which would negatively impact our ability to walk/bike around our neighborhood. I hope the city takes this into consideration when considering GRTA's recommendations (particularly the traffic light and the dedicated right-hand turn lane). I will address the development plans (including the excessive planned egress onto Franklin Road) in a separate email to you and the other leaders of Sandy Springs.

Thank you for taking the time to consider our neighborhood's concerns.

John T. Stembridge  
4725 Huntley Drive  
Sandy Springs, GA 30342  
(678) 362-6567

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**From:** Abaray, Linda [<mailto:L.Abaray@SandySpringsga.gov>]  
**Sent:** Thursday, August 7, 2014 11:06 AM  
**To:** [Kim@kim-russell.com](mailto:Kim@kim-russell.com)  
**Subject:** GRTA Staff Report and Recommendations

Kim,

Please find attached a copy of the GRTA staff report and recommendations.



**STATE OF GEORGIA  
DEPARTMENT OF REVENUE  
SALES TAX CERTIFICATE OF EXEMPTION  
GEORGIA PURCHASER OR DEALER**

**EFFECTIVE OCTOBER 1, 2011**

To: \_\_\_\_\_ (SUPPLIER) \_\_\_\_\_ (DATE)

\_\_\_\_\_ (SUPPLIER'S ADDRESS) \_\_\_\_\_ (CITY) \_\_\_\_\_ (STATE) \_\_\_\_\_ (ZIP CODE)

**THE UNDERSIGNED DOES HEREBY CERTIFIES** that all tangible personal property purchased or leased after this date will be for the purpose indicated below and that this certificate shall remain in effect until revoked in writing. Any tangible personal property obtained under this certificate of exemption is subject to the sales and use tax if it is used or consumed by the purchaser in any manner other than that indicated on this certificate (Check appropriate box.)

- 1. Purchases or leases of tangible personal property or services for resale. O.C.G.A. § 48-8-30.
- 2. For use by the Federal Government, Georgia State Government, any county, municipality, qualifying authority or public school system of this state. Payment must be made by warrant on appropriated Government funds. A Georgia sales and use tax number is not required for this exemption. O.C.G.A. § 48-8-3(1).
- 3. Purchases or leases of tangible personal property or services for **RESALE ONLY** by a church, qualifying nonprofit child caring institution, nonprofit parent teacher organization or association, nonprofit private school (grades K-12), nonprofit entity raising funds for a public library, member councils of the Boy Scouts of the U.S.A. or Girl Scouts of the U.S.A. **THIS EXEMPTION DOES NOT EXTEND TO ANY PURCHASE TO BE USED BY OR DONATED BY THE PURCHASING ENTITY.** A Georgia sales and use tax number is not required for this exemption. O.C.G.A. § 48-8-3(15),(39),(41),(56),(59),and(71).
- 4. Non-returnable materials used to package tangible personal property for shipment or sale. These items shall be used solely for packaging and shall not be purchased for reuse. O.C.G.A. § 48-8-3(35).
- 5. Aircraft, watercraft, motor vehicles, and other transportation equipment manufactured or assembled in this state sold by the manufacturer or assembler for use exclusively outside of this state when possession is taken by the purchaser within this state for the sole purpose of removing the property from this state under its own power due to the fact that the equipment does not lend itself more reasonably to removal by other means. A Georgia sales and use tax number is not required for this exemption. O.C.G.A. § 48-8-3(32).
- 6. The sale of aircraft, watercraft, railroad locomotives and rolling stock, motor vehicles, and major components and replacement/repair parts of each, which will be used principally to cross the borders of this state in the service of transporting passengers or cargo by common carriers in interstate or foreign commerce under authority granted by the United States government. Private and contract carriers are not exempt. O.C.G.A. § 48-8-3(33)(A).

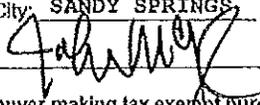
**CITY GOVERNMENT**

**PURCHASER'S BUSINESS ACTIVITY**

Under penalties of perjury I declare that this certificate has been examined by me and to the best of my knowledge and belief is true and correct, made in good faith, pursuant to the sales and use tax laws of the State of Georgia.

Name of Purchaser: CITY OF SANDY SPRINGS Sales Tax Number: 20-3767748

Purchaser's Address: 7840 ROSWELL RD BLDG 500 City: SANDY SPRINGS State: GA ZIP Code: 30350

Name: JOHN MCDONOUGH Signature:  Title: CITY MANAGER

A dealer must secure one completed certificate from each buyer making tax exempt purchases. The dealer must maintain a copy of the certificate presented for audit purposes. Certificates must be obtained within 90 days of the exempt sale being completed or within 120 days of the Department's request. Certificates obtained within 120 days of the Department's request must meet the good faith standard as defined in O.C.G.A. § 48-8-38. Exempt sales cannot be made to Taxpayers holding a "214" prefix sales and use tax number.

## Abaray, Linda

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**From:** SCARBOROUGH, JEANNE <JS8226@att.com>  
**Sent:** Thursday, August 07, 2014 12:58 PM  
**To:** Abaray, Linda  
**Subject:** New Development on Franklin Road

I live on Brinkley Lane and am opposed to the above development. If constructed, our neighborhood would be ruined. Property values would drop as traffic and noise increase. As property values drop, the integrity of the area would be compromised. Most of the current residents would choose to move rather than having to put up with traffic. Is this what the Commissioners who work for us want? The tax basis would also drop as property values drop. The residents of the new "luxury" apartments will be paying no taxes at all.

PLEASE DON'T RUIN OUR NEIGHBORHOOD.

Jeanne Scarborough  
4790 Brinkley Lane  
Atlanta, GA 30342  
404-580-1203

## Abaray, Linda

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**From:** Diann Gillenson <agillenson@bellsouth.net>  
**Sent:** Thursday, August 07, 2014 1:05 PM  
**To:** Abaray, Linda  
**Subject:** New Development, Roswell & Frankin

Please excuse my "straight to the point" email. I'm on a quick break for lunch, and you will met before I get home from work today. PLEASE help save our neighborhood! We live on Cherrywood & are already a "cut through" street. We have babies, children, older adults, ....we are a neighborhood! Please put a light on Roswell to route traffic into the development, not through Franklin Please save Franklin and our neighborhood and make changes that will help us maintain our property value and our close knit community! Thank you!!!!

Sent from my iPad

## Abaray, Linda

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**From:** Barbara Wait <bwait@me.com>  
**Sent:** Thursday, August 07, 2014 1:55 PM  
**To:** Abaray, Linda  
**Subject:** Changes at Franklin Rd and Roswell Rd

Hello,

I am writing to request that you please not make changes that will make Franklin Road NE an even more convenient cut-through from High Point Road to Roswell Road. Windsor Parkway is one block away and is where traffic from High Point Road should travel. This means I am requesting that you please not approve the traffic light at Franklin and Roswell.

My husband and I live on Cherrywood Lane. It is a one-block street between Windsor Parkway and Franklin Rd. If traffic on Franklin increases we will be stuck between two high traffic streets.

Please also do not block Franklin Road to through traffic as some neighbors are requesting. Cherrywood Lane is the last straight street before the location of the requested blockage. This means that traffic from the neighborhood and from High Point Road will cut through to Windsor Parkway on Cherrywood.

Thank you for your consideration,  
Barbara and Douglas Wait  
4745 Cherrywood Lane

## Abaray, Linda

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**From:** Barbara Wait <bwait@me.com>  
**Sent:** Thursday, August 07, 2014 2:09 PM  
**To:** Abaray, Linda; DeJulio, Tibby; Paul, Rusty  
**Subject:** Rezoning Petition No. 20102051

Hello,

I am writing to request that you do not approve the above petition for rezoning of the Park 225 Apartments.

I am not in favor of even higher density housing going up at that location. I do not have a problem with new apartments and town homes, but I do not wish to impact the area with more people. We already have the increased density at Windsor Parkway and Roswell Road under construction.

Please do not allow an increase in the number of units, reduction of setbacks, and reduction of buffers to the established homes on Huntley Drive.

Please also stop changes that might increase the traffic on Franklin Road, or that might make it an even more convenient cut-through from High Point Road and Roswell Road. This traffic should travel on Windsor Parkway, not Franklin Road. A new traffic light at Franklin Rd and Roswell Rd may likely make this a very convenient cut-through.

Thank you for your consideration,  
Barbara and Douglas Wait  
4745 Cherrywood Lane

**Abaray, Linda**

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**From:** Karen DeZearn <kdgirl515@gmail.com>  
**Sent:** Thursday, August 07, 2014 4:12 PM  
**To:** Abaray, Linda  
**Subject:** please don't destroy our great neighborhood

Please don't allow the rezoning to add 368 apartments and 173 townhomes @ Franklin/Roswell Rd! That decision would impact the great neighborhood and destroy what we have here. Allowing taller buildings that looks over into our neighborhood isn't ok. The traffic increases will be horrible on Franklin Road. And you know the traffic on Roswell Road is simply crazy already. The requested reduced set back are not acceptable.

Please don't sacrifice our neighborhood for sake of change. We will lose the good people who moved here specifically for this quiet, established neighborhood with historic presence. I for one will consider moving from this great area if Sandy Springs allows us to be disadvantaged in all ways.

Dr. Karen DeZearn  
Brinkley Lane

## Abaray, Linda

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**From:** Irvine, Ryan @ Atlanta Peachtree <Ryan.Irvine@cbre.com>  
**Sent:** Friday, August 08, 2014 9:51 PM  
**To:** Abaray, Linda; DeJulio, Tibby; Paul, Rusty; Paulson, John; Dishman, Ken; McDonald, Graham; Sterling, Gabriel; Bauman, Andy; info@sandyspringscouncil.org; info@highpointcivic.com; pamword@aol.com  
**Subject:** Park 225 Redevelopment Concerns  
**Importance:** High  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good evening,

Let me first of all thank you for your service to our great city and for taking the time to read and understand my family's concerns. As a homeowner in Westfield Park, a father of two little girls (3 years and 6 months old) and a neighborhood full of young children, I'm writing this to express my concerns over the proposed redevelopment of the Park 225 apartment complex at the southeast corner of Roswell Road and Franklin Road.

I make a living in the commercial real estate business, and I am a strong proponent for redevelopment and the corresponding value it brings across many spectrums (not the least of which is an increased tax basis).

However, I firmly believe for a development to be a success it's incumbent upon us in the industry as well as our elected officials to consider the impact beyond the pure economics of a deal. In this case, while I have concerns over the significant increase in the density of the site and the near removal of the setbacks on Roswell & Franklin (which both should be vetted out), of far greater concern at this moment is the impact this development will have on the safety of our children and neighbors as result of the increased traffic on Franklin Road.

In particular, the added curb cuts directly onto Franklin from the development as well as the proposed light at the intersection of Franklin and Roswell will without a doubt give more commuters the opportunity to use Franklin and the side streets off Franklin as a cut-through to High Point and Windsor. Traffic today isn't great on our street as it is and I can only imagine what it would be like if turning left off Roswell onto Franklin became a breeze.

I know it's not easy, but I hope you will take these concerns very seriously and not accept the light or the proposed curb cuts onto Franklin and thereby preserve the integrity and safety of our neighborhood.

Thank you again for your service.

Best, Ryan

Ryan & Ashley Irvine

4750 Brinkley Lane  
678-469-3856

## Abaray, Linda

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**From:** Kelly Gilstrap <kellyg04@live.com>  
**Sent:** Friday, August 01, 2014 2:38 PM  
**To:** Bob Feher  
**Cc:** J Pataki; bmccarty@peachtree.org; sam@shomari.com; johnaenglish@gmail.com; nancybesq@yahoo.com; stevenchang@bellsouth.net; chase@tiedown.com; Abaray, Linda  
**Subject:** Re: Public Meeting Providence Development on Roswell Rd 07.31.14

Thanks, Jeff, for attending and sharing the information. Not sure if it was mentioned, but a continuous sidewalk on both sides of Roswell Rd to the shopping / eating areas would be great for the community as well. I know that Sandy Springs has expected Marta to fund that project, but it doesn't appear to be on list of priorities. Any mention of that?

Kelly

On Aug 1, 2014, at 2:31 PM, "Bob Feher" <[bobfeher@gmail.com](mailto:bobfeher@gmail.com)> wrote:

Jeff - thank you for attending the meeting and your comments. I am in agreement with your concerns. Also I concur with Jeff comments, improving this property is a good thing in an intelligent manner.

I look forward to seeing how this transpires.

Bob Feher  
310 Mystic Ridge Lane  
ATL, GA 30342

On Fri, Aug 1, 2014 at 2:20 PM, J Pataki <[jpataky@msn.com](mailto:jpataky@msn.com)> wrote:

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**From:** [jpataky@msn.com](mailto:jpataky@msn.com)  
**To:** [labary@sandyspringsga.gov](mailto:labary@sandyspringsga.gov); [bobfeher@gmail.com](mailto:bobfeher@gmail.com); [bmccarty@peachtree.org](mailto:bmccarty@peachtree.org); [kellyg04@live.com](mailto:kellyg04@live.com); [sam@shomari.com](mailto:sam@shomari.com); [johnaenglish@gmail.com](mailto:johnaenglish@gmail.com); [nancybesq@yahoo.com](mailto:nancybesq@yahoo.com); [stevenchang@bellsouth.net](mailto:stevenchang@bellsouth.net); [chase@tiedown.com](mailto:chase@tiedown.com)  
**Subject:** Public Meeting Providence Development on Roswell Rd 07.31.14  
**Date:** Fri, 1 Aug 2014 14:15:29 -0400

Linda,

I attended the meeting last night regarding the redevelopment of the apartment complex along Roswell road just across from 4740 Roswell Road. Generally speaking I am in favor of improving an existing property in an intelligent manner. If the price points for the town home community that were mentioned during the meeting can be maintained this can only be good for both the residents in the area and the tax base.

I am concerned about two points relative to this new project and urge the permitting authority to consider carefully as the project moves forward.

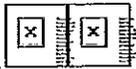
1. The density of the property will increase significantly from mid 500s to mid 800s in terms of bedroom numbers. Traffic on Roswell road is already strained so please review this carefully to ensure the developer is required to make appropriate improvements to manage the traffic flow and that this does not become a problem for the town and tax payers to manage in the future.
2. Please consider carefully the height of the apartment complex at six stories, and proximity to Roswell Road at 65 feet, as this will be a very imposing structure. Many people live in this area for the aesthetic appearance of the community and surrounding area and this type of structure will become a significant presence to the residents across Roswell road.

I am a home owner across the street from this new development project on Mystic Ridge Lane so this is a concern to me. Again I am very much in favor of improving the property in an intelligent manner, however I urge the town to hold the developer to a very high standard both in terms of the quality of the development project and the effect that it will have on the surrounding community.

Thank you for your time,

Jeff Pataky

561-339-6881



## Abaray, Linda

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**From:** ath2663@aol.com  
**Sent:** Wednesday, August 06, 2014 1:50 PM  
**To:** Abaray, Linda; Paul, Rusty; DeJulio, Tibby; Paulson, John; Dishman, Ken; gmcdonal@sandyspringsga.gov; Bauman, Andy; Sterling, Gabriel; info@highpointcivic.com; info@SandySpringsCivic.org  
**Subject:** proposed development at Franklin Rd and Roswell Rd

To all,

I am writing to express my concerns over the proposed development for the apartment complex at the corner of Franklin Rd and Roswell Rd. I have been a resident of Franklin Place, off of Franklin Rd for 12 years, and in that time I have seen a marked increase in traffic on Franklin Rd, Windsor Parkway and the side streets that connect to both Roswell and Windsor. This a lovely residential neighborhood area that is filled with residents walking, running and biking. I walk on these streets twice daily, as do many residents with dogs, children and friends. There is a large population of families that walk to temple on High Point and use these streets to access High Point.

Franklin Rd seems to be used increasingly as a cut through, with cars and trucks passing through at high speeds, despite the speed bumps. There are no sidewalks on Franklin and it is becoming more hazardous to walk on our street. There is construction on and near Franklin Rd which is leading to an increase in large trucks passing though.

I am concerned with the scale and density of development of the proposed project. Not only are the apartments going to be considerably taller than what exists now, there is much greater density and a lessening of green space. This will increase traffic tremendously, both on Franklin and the side streets.

There is already the Gateway project going on in our area, which is going to create a huge increase in traffic and a nightmare for those trying to turn off of Windsor Parkway, as well as the new pedestrian walkway on Roswell near Franklin that causes traffic to back up and creates a hazard for those trying to take a left hand turn onto Long Island. I am really concerned about the direction that the city of Sandy Springs is taking in allowing development to take precedent over quality of life. It feels as though our neighborhoods are expendable in the name of "progress". We all want an improvement over the existing aging apartment complexes on Roswell Rd, but there seems to be no consideration taken into what the increase in density does to existing neighborhoods. I am disappointed in the lack of concern in creating more buildings and parking lots, lessening green space and creating more run off water issues, but most particularly the lack of concern about what increased density to will contribute to traffic, which is already an enormous problem.

I urge you to drive the roads of this neighborhood at various times of day, especially peak times, to gauge the current situation and to understand what our concerns will be with increased density. I urge you to walk the streets of the neighborhood to understand what I am referring to. I chose this neighborhood 12 years ago because of its quiet and attractive streets but with the convenience of being close to many services. Please think carefully about changing the quality of existing neighborhoods for more transient housing-despite being of higher value than is what is currently there. Residents who own homes here take great care and pride in living here and that should be a focus in valuing the strength and safety of neighborhoods.

Respectfully,  
Anne Hicks

## Abaray, Linda

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**From:** Zalenski, Erik <ezalenski@croft-bender.com>  
**Sent:** Wednesday, August 06, 2014 3:18 PM  
**To:** Abaray, Linda  
**Subject:** Forest Hills Dr and Franklin Rd

Linda,

I am sure you have received a vast amount of emails regarding the proposed development at Franklin and Roswell Rd. One issue I wanted to make sure to bring to your attention is at cut through traffic on Forest Hills Dr just north on Roswell especially if Franklin Rd is going to be considered for a dead end. I know a lot of people on Franklin and honestly think it would be beneficial for both Forest Hills and Franklin to be cut off from Roswell via a dead end. Both neighborhoods have turned and all full of young kids. I live at 345 Forest Hills Dr and the speed at which people come down our street is scary especially since I have 3 young kids.

Thank you for your time

Erik Zalenski  
Director  
Croft & Bender LLC  
4200 Northside Parkway N.W.  
Building One, Suite 100  
Atlanta, GA 30327  
Tel: (404) 841-9826  
Fax: (404) 841-3135  
[ezalenski@croft-bender.com](mailto:ezalenski@croft-bender.com)

## Abaray, Linda

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**From:** David King <d.king@alexanderhaas.com>  
**Sent:** Wednesday, August 06, 2014 9:33 AM  
**To:** Abaray, Linda  
**Subject:** 4735 Roswell Road

Ms. Abaray,

I am writing to express my opposition to the current proposed redevelopment of 4735 Roswell Road. While I agree with the developer that this property is in disrepair and needs a new beginning, I think the increased density that is being proposed is problematic for the area. That stretch of Roswell Road, from Windsor Parkway to Long Island Drive, is already extremely congested with traffic and is so dangerous to pedestrians that special crosswalk islands had to be installed. It is not at all uncommon for Roswell Road southbound to back up from the traffic light at Windsor Parkway all the way to Franklin Road. The current redevelopment proposes to increase the number of bedrooms on that property by more than 50%. Since public transportation in that location is limited to busses and the developer is proposing a more expensive, high end housing option, I think we can safely assume that the increase in bedrooms will bring a proportionate increase in car traffic. This increase will be in addition to the already approved redevelopment that is under way just 100 yards south at Roswell Road and Windsor Parkway, which has already been deemed to have such a significant impact on traffic that it necessitates spending millions of dollars to reroute Windsor Parkway to intersect with Roswell Road further north – which will bring Windsor closer to this proposed development at Franklin and put two traffic lights on Roswell Rd very close together, further slowing the flow of traffic on Roswell Rd. While congestion on Roswell is not good for businesses or for Sandy Springs residents trying to commute between the north and south ends of the City, it creates an addition problem for City residents. The more congested Roswell Rd becomes the more traffic diverts from Roswell and onto our neighborhood streets. We find that these drivers, often frustrated from the traffic, drive very fast through the neighborhoods. I've seen cars, literally, "catch air" jumping the speed humps on Franklin. Anything that forces more traffic onto the neighborhood streets that sit between Roswell, Franklin and Highpoint Roads is bad for those communities and creates a dangerous situation for children and pets who live in the homes lining those streets.

I hope that the City Planning Office and Zoning Review Board will ask this developer to scale back the number of units in this development to be more in line with the current density. This could be accomplished by simply enforcing the current setback and height limitations and not granting the requested variances. While I recognize and applaud the efforts to "clean up" the properties that front Roswell Road inside 285, I do not believe that we should do so in a way that damages the quality of life in the neighborhoods that lie behind and are the basis of the community.

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## **Abaray, Linda**

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**From:** Holly DeLoach <hollygrush@hotmail.com>  
**Sent:** Wednesday, August 06, 2014 9:56 AM  
**To:** Abaray, Linda  
**Cc:** DeJulio, Tibby; Paul, Rusty; info@sandyspringscouncil.org; info@highpointcivic.com  
**Subject:** Rezoning ov 225 apartments

Linda, et al,

I disagree with the rezoning being requested on the Park 225 Apartments. I live on Franklin road and this development represents an unacceptably large increase in bedrooms, residents, cars, and traffic on Franklin Road --- especially adjoining residential streets used as cut-throughs (Huntley, Brinkley, Cherrywood, Westfield, et al) between Franklin and Windsor Parkway. The traffic increase in the area will be very high due to the increase in people and cars on Roswell as well. A traffic study must be completed. I know there is discussion about a traffic light and dead ending Franklin. A study needs to be completed to determine the best approach. The HAWK light was just installed for a lot of money and more thought needs to go into the massive increase in population and traffic.

I am all for redevelopment but not at the risk of lowering home values due to an overpopulated area and intense traffic. Please reconsider the over building of apartments on Roswell road. Get rid of the trashy apartments but don't over build.

Best regards,

Holly DeLoach  
340 Franklin Road