

Anne Thurman  
44420 Overland Dr, Roswell GA

Dear Ms Deibel (cc by regular US Mail to Bradford Townsend)

Along with my husband, I own two of the 35 existing condo units on Overland Drive, in what might be called Phase 1 of the overall property development project which the referenced Petition might help complete one day (what we locals call "Phase 2"). We all understood phase 2 would happen one day and are generally supportive, as opposed to having the partially started pavement/open areas there now stay as is any longer (and now seems to be a good time to act given local housing market conditions!) And while many of us would prefer just having two more 4-story condo buildings similar to the 2 buildings already there, we also understand that might not be the only acceptable design option -- and in fact, we do NOT want anything built next door that might not sell well or at all! Certainly no one benefits from that.

Our interests are aligned in many ways with those of the Petitioner, at least in the areas of adding financial value to our properties. However, Petitioners do not live in Phase 1 like we do. So we have some concerns we are bringing to Petitioners directly for consideration, and want to share them with City officials as the current Petition is considered. Any incremental step toward permitting other types of structures, beyond those already approved and permitted by the City, hopefully can restrict future Phase 2 plans regarding the following:

- **Our overall development needs to stay residential only.** There are too many vacant commercial & mixed use lots nearby along Atlanta Street already. This also helps ensure we end up with an overall aesthetically looking area when Phase 2 is completed, instead of potentially having two phases that just simply clash side by side.
- If buildings are to be built "down the slope" closer to the Vickery Creek than the existing buildings, **will there be erosion, waterflow, tree removal, and/or wildlife impact** concerns that could impact both the new units and the existing ones?
- While we all understood Phase 2 neighbors would arrive one day, none of us reasonably understood that their units would be "down the slope" and become part of our view from our rear balconies which now pretty much consists just of a river valley and a nature preserve. Again, if this petition is a step toward **looking at roofs instead of trees**, this changes the deal in an important way for the 35 units already in place there.
- The already approved plans for Phase 2 do not require our current, aesthetically pleasing & curving entry road to be changed. If the current Petition "paves the way" (so to speak) for this current important community design feature to be lost, we would like that to be taken into account (**does the new Phase 2 have to eliminate the current entry road and replace it with a straight entry street that gives a straight line of sight into the traffic and noise of Atlanta St?**). There are of course some easements involved with this entry way, but it is not our intent to be unreasonable (nor do we anticipate being treated unreasonably) with regard to legitimate changes to that entry and its easements. But we do care if new plans change the aesthetics of that entry.

Thank you

Anne Thurman

Brett Thurman  
4130 Overland Dr, Roswell GA

Dear Ms Deibel (cc by regular US Mail to Bradford Townsend)

Along with my wife, I own two of the 35 existing condo units on Overland Drive, in what might be called Phase 1 of the overall property development project which the referenced Petition might help complete one day (what we locals call "Phase 2"). I also am an attorney & am on the HOA Board, and as you can expect have been holding many meetings and discussions with our neighbors. It is safe to say

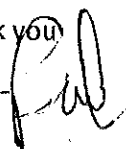
1. we all understood phase 2 would happen one day and are generally supportive, as opposed to having the partially started pavement/open areas there now stay as is any longer (and now seems to be a good time to act given local housing market conditions!)
2. while many of us would prefer just having two more 4-story condo buildings similar to the 2 buildings already there, we also understand that might not be the only acceptable design option -- and in fact, we do NOT want anything built next door that might not sell well or at all! Certainly no one benefits from that.

Our interests are aligned in many ways with those of the Petitioner, at least in the areas of adding financial value to our properties. Petitioners in fact still own about 8 of the 35 units in Phase 1 already built, with a total value of about \$1.5 million, so they will feel firsthand the impact of Phase 2 on our units just like we will. And, like Petitioners, we potentially stand to gain financially if Phase 2 is successful even though we may not own any of the new Phase 2 units, simply by having a rising tide of property values generally in the completed development.

However, Petitioners do not live in Phase 1 like we do. So we have some concerns we are bringing to Petitioners directly for consideration, and want to share them with City officials as the current Petition is considered. Any incremental step toward permitting other types of structures, beyond those already approved and permitted by the City, hopefully can restrict future Phase 2 plans regarding the following:

- **Our overall development needs to stay residential only.** There are too many vacant commercial & mixed use lots nearby along Atlanta Street already. This also helps ensure we end up with an overall aesthetically looking area when Phase 2 is completed, instead of potentially having two phases that just simply clash side by side.
- If buildings are to be built "down the slope" closer to the Vickery Creek than the existing buildings, **will there be erosion, waterflow, tree removal, and/or wildlife impact** concerns that could impact both the new units and the existing ones?
- While we all understood Phase 2 neighbors would arrive one day, none of us reasonably understood that their units would be "down the slope" and become part of our view from our rear balconies which now pretty much consists just of a river valley and a nature preserve. Again, if this petition is a step toward **looking at roofs instead of trees**, this changes the deal in an important way for the 35 units already in place there.
- The already approved plans for Phase 2 do not require our current, aesthetically pleasing & curving entry road to be changed. If the current Petition "paves the way" (so to speak) for this current important community design feature to be lost, we would like that to be taken into account (**does the new Phase 2 have to eliminate the current entry road and replace it with a straight entry street that gives a straight line of sight into the traffic and noise of Atlanta St?**). There are of course some easements involved with this entry way, but it is not our intent to be unreasonable (nor do we anticipate being treated unreasonably) with regard to legitimate changes to that entry and its easements. But we do care if new plans change the aesthetics of that entry.

Thank you

 8-28-14

TO: City of Roswell Planning Commission  
From: Terri Williams, resident Creekview Condominiums  
Date: August 28, 2014  
RE: Rezoning Proposal for Creekview Condominiums

I am a resident of Creekview Condominiums, Overland Drive in Roswell. Having purchased a home here in late 2013, I came into the midst of the discussions around expansion/build out of the adjacent property. My understanding at the time of purchase was that although the completion of the Creekview neighborhood was temporarily delayed, it would ultimately occur according to the original plan for 2 additional buildings identical to the present structures.

The plans that were presented at the August 14, 2014 Neighborhood meeting concern me greatly. I urge you to consider the following items:

1. The two new sites were originally intended to have the same number of units/resident density as the present buildings. I do not feel that the land area and surrounding infrastructure is suitable for the proposed increase in number of homes and the addition of a large commercial property.
2. I have additional concerns about management of proposed properties. The existing community has an active Homeowners Association. Because of exceptional efforts on the part of our Board, community members, and Homeside Properties, we have established and maintained high standards for property appearance and adherence to bylaws/codes. ANY additions to the property should fall under existing management in order to maintain the standards we current homeowners support and enjoy.
3. The land area and scope of the proposed build out will have substantial negative impact on the physical landscape, geological integrity, plant and animal habitats, noise and traffic levels, beauty, and view of the setting that drew most of us to live here in the first place. I urge the developer to reduce the footprint of the proposed plan by reverting to the original plan for 2 matching structures without the addition of commercial buildings. It is apparent upon driving around in the immediate area that there are numerous unoccupied commercial buildings. In my view there is not a need for yet another commercial structure that may stand empty along with so many others.

Thank you for your consideration.

Best regards,

Terri L. Williams  
4210 Overland Dr.  
Roswell, GA 30075  
423-598-1327

## Jackie Deibel

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**From:** Mike Wood <Mike.Wood@brixmor.com>  
**Sent:** Wednesday, August 27, 2014 2:01 PM  
**To:** Jackie Deibel  
**Subject:** RE: Rezoning proposal Petition RZ201402071  
**Attachments:** Creek View Condo - PLAT 2002.pdf

Ms Deibel:

I am a homeowner at Creekview. On behalf of myself and other homeowners in this complex, we have a question concerning the Plat for our property. Attached is the latest Plat on record with the County. The Plat delineates Phase I (Creekview) property and Phase II (what we believe to be the developer's property). Our questions concerning the Driveway Easement located on Phase I property that connects Phase I (existing condo buildings) to the main access road vial Ingress/Egress Easement (shown in Red on attached) are:

1. Is this easement granted to Phase I property only or is also granted to Phase II property (developer's land)?
2. Is this easement a protective Ingress/Egress easement, in perpetuity, connecting Phase I property to the main road, so as not to leave Phase I "land-locked"?
3. The developer is purposing to change the plotted entrance drive to the project and move it to the location where the easement is, and straighten the access road. Therefore, does the developer need Creekview to sign-off (agree) to this change in the Pat/Access Road/Easement? Will the City require such approval from Phase I land owners?

Are these questions you can answer, or have answered, prior to the next City meeting on RZ201402071 Rezoning?

Thank You for your time:

Mike Wood  
Cell (407) 492-6329  
4350 Overland Drove

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3250 Overland Drive  
Roswell, GA 30075

August 27, 2014

Mr. Bradford Townsend, Director of Planning & Zoning  
City of Roswell  
38 Hill Street, Suite G-30  
Roswell, GA 30075

Subject: Petition: RZ201402071  
Petitioners: Creekview Partners, LLC  
Land Lots: 417

Dear Director Townsend,

As a resident of the Creekview Condominium community I am writing to express my concerns with the petition coming before you on Sept. 16<sup>th</sup>. Three areas have a major negative impact on our well-sited, quiet neighborhood:

- The sheer density of the housing being planned for such a small area. Houses will be shoe horned in and some, we're told, will cascade down the hillside above the historic creek. The environmental impact on this unique area alone should disqualify this plan.
- The attempt to revert to "Downtown Mixed Use" designation when "Downtown Residential" was assigned after an exhaustive public process and agreed to by the Council. This issue we thought was closed and it is not only unnecessary to reopen it but could be construed as bad faith on someone's part. Business along Atlanta St. is both desired and welcome but should not migrate into a residential area.
- The rather simplistic drawings that were used this time show a significant loss of character for our community in that the curving entrance driveway is done away with as are a great number of trees. This reduces both the aesthetic and monetary value of our property and should not be permitted.

In general terms, the information we were given on August 14 seemed to be incomplete and too many questions went unanswered. The plan was different from ones previously presented to us individually months ago when some of us were asked to support the developer. Knowing what I know now and especially in light of the attempt to subvert the UDC process I abrogate my earlier letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter B. Esker", with a stylized flourish at the end.

Peter B. Esker

Phone: (470) 385-6523

Email: [pesker@att.net](mailto:pesker@att.net)

## Jackie Deibel

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**From:** Liz Novak <lizannovak@yahoo.com>  
**Sent:** Friday, August 29, 2014 2:59 PM  
**To:** Jackie Deibel  
**Subject:** Fw: Creekview town homes/petitions cu201402072&rz201402071 corrected typo version!

I am the owner of one of the Creekview condominiums and attend the City Hall Neighborhood Meeting on August 14, 2014.

I purchased my condominium in May 2013. When I purchased my condo I fully understood there would be additional development and that there had been the approval from the city for two more buildings to be developed. At the meeting held by Mr. Lober and his associates the plans presented indicated a drastic change from what had been previously approved by the city several years ago. Mr Lober development included the addition of 38 town homes and condominiums along with a commercial building and parking lot. The townhomes would not be designated as condos but as fee simple residences. Unlike condos they would be responsible for the upkeep of their property which differs drastically from our current HOA Board and Covenant. This is a major concern to us as current condo homeowners.

The projected townhomes are 3 tiered going down toward the Vickory Creek. The proposed building would essentially strip the land down to the creek. Currently there is not any buildings that exist in the Roswell area that deter from the National Forest as this. Mr Lober has never attempted to develop such an undertaking as this, that would have so much impact on the environment. His plans do not even take into account where the retaining wall would be to prevent erosion into Vickery Creek. The plans on display also show the removal of the majority of trees that were planted to meet the city's requirement when first developed.

Our property is currently zoned for residential development. Changing the zoning would completely change the look and feel of our residential condo community as present. To preserve the integrity of what we currently have and to avoid misuse of our amenities by new owners or commercial users, I urge the city and developer to consider a single unified entity to the future development that fits in with what is already present.

As I previously stated I am in support for the development of the vacant area, however I am requesting the plans be re-configured to consider our quality of life, views of the creek, loss of trees, grass space and overall property appearance. I urge the developer to reduce the plans leaving the present buffer to the creek as is and to also reconfigure the entrance road to resemble what we currently have. I would also like to recommend the developer place the commercial building and parking lot closer to Atlanta Street where it will be in line and compatible with the other commercial properties. I would like to add that at the last count there were approximately 15-20 empty storefronts from 120 to the River. Adding more commercial buildings when there are so many that are empty is not in keeping with the current "Green" trends in the revitalization of urban neighborhoods.

Thank you for listening and considering the residents of Creekview requests to this proposed development.

Liz Novak  
4250 Overland Dr.  
Roswell, GA 30075  
[lizannovak@yahoo.com](mailto:lizannovak@yahoo.com)

**Jackie Deibel**

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**From:** Dottie Pettes <dottiepettes@yahoo.com>  
**Sent:** Friday, August 29, 2014 12:51 PM  
**To:** Jackie Deibel  
**Subject:** Creekview town homes/petitions cu201402072&rz201402071

I am an owner of one of the Creekview condominiums and attended the Neighborhood meeting on August 14, 2014.

I purchased my condominium in May 2013. I understood there would be additional development and that there had been approval from the city for 2 more buildings to be developed. The plans I reviewed at the meeting indicated an addition of 38 town homes and condominiums along with a commercial building. This plan will be considerably larger than the size previously approved and greatly reduce the amount of open space between buildings.

The projected townhomes are 3 tiered going down toward the creek. I am concerned about erosion and runoff into the creek. The required retaining walls were not reflected in the plans on display which will destroy many trees and create an unsightly view down to the creek.

The plans also did not include any amenities. The current workout room and pool will not be able to adequately support the increased use. Additionally, there was question as to whether or not the townhomes would be "fee simple" and required to be members of our Home Owners Association.

Our property is currently zoned for residential development. Changing the zoning to mixed use would completely change the look and feel of our residential community.

I am in support for the development of the vacant area. I am requesting the plans be re-configured to consider our quality of life, views of the creek, loss of trees, grass space and overall property appearance.

Thank you for your time and consideration  
Dottie Pettes



## Jackie Deibel

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**From:** SUE HARMON <harmonsue@bellsouth.net>  
**Sent:** Thursday, August 28, 2014 5:22 PM  
**To:** Jackie Deibel  
**Subject:** Petitioner Creekview Partners LLC

Dear Ms. Deibel:

I live at 3430 Overland Drive. The property that the petitioner is requesting to convert to mixed use is currently the entrance to our condominiums. The petitioner is proposing to straighten the winding road and replace the mature trees with an office building and parking lot. I am opposed to this proposed change. I think the change would be detrimental to our property values and create noise issues from the traffic on highway 9 which the trees help to abate. I am also concerned about potential storm runoff down the hill into our underground garage.

Petitioner has also requested to change the zoning on the parcel of property that is next door to our condominiums from condominiums to townhomes. I don't have a problem with townhomes; however, the proposal is to cascade them down the hill toward Vickery Creek. A lot of the currently wooded area would be destroyed for this development. I am concerned about the loss of habitat and possible erosion issues that would be detrimental to Vickery Creek.

Thank you for your time.

Sue Harmon  
3430 Overland Drive  
Roswell, GA 30075

## Jackie Deibel

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**From:** JIM JENNINGS <jim@jrjenningscpa.net>  
**Sent:** Thursday, August 28, 2014 8:10 AM  
**To:** Jackie Deibel  
**Cc:** 'Erika F'  
**Subject:** Rezoning proposal / Petition: RZ201402071

RE: Rezoning proposal to be in front of Roswell Planning Commission 9/16/14:  
Petition: RZ201402071  
Petitioners: Creekview Partners, LLC  
Land Lots: 417  
Bradford Townsend, Planning and Zoning Director, City of Roswell

Dear Ms Deibel:

We are resident owners of Roswell Creekview unit 4330, since 2005. This letter is written to express our concerns over the current rezoning proposal. Specifically, our concerns are as follows:

1. There is a lack of support among the owners for a change in zoning to mixed use. We, along with others, are concerned that there are already a number of vacant business properties along Atlanta Ave (Route 9) south from Marietta St. to the Chattahoochee River. Why, therefore, should business land be expanded further? What are the current plans for the lots comprising the empty properties?
2. There is a lack of finalized plans detailing the developer's lot development. Until the plans provide more specificity, it is difficult to support a set of plans that do not enable us to fully assess the impact of this (i.e., the Obamacare syndrome).
3. There is a unanimous concern over the environmental impact of extending homes along the steep bank to Vickery Creek and adjacent to the Chattahoochee National Forest; to include erosion concerns and the impact of the natural habitat of the animals that currently occupy the area to be developed.
4. Although the plans appear to be unfinished, the perception among current owners is that there will be an excessive number of trees destroyed during construction. If that is the case, it will likely impact the view corridor from the balcony side of the existing units.
5. There is concern over the proposed straightening of the access road to Overland Drive from Atlanta Ave., and the likely loss of mature trees in addition to those likely destroyed as mentioned in #4.

Please take our concerns into consideration.

Sincerely,

Jim Jennings/Erika Jennings  
4330 Overland Dr

Roswell, GA 30075  
404-317-5709  
[jim@irjenningscpa.net](mailto:jim@irjenningscpa.net)

## Jackie Deibel

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**From:** DENNIS BOYLE <dooe@att.net>  
**Sent:** Wednesday, August 27, 2014 11:05 PM  
**To:** Jackie Deibel  
**Subject:** Rezoning proposal Petition RZ201402071

Dear Ms. Deibel,

Since attending the Roswell City Hall presentation of the initial plan concepts and learning of the rezoning petition my Wife and I have become increasingly aware of the growing opposition to the project, as a whole, amongst our fellow owners at the existing Creekview Condominiums. Also, since the opportunity of talking briefly with you at that presentation I find myself looking for answers to further questions and concerns by adding to, I must hope, the inputs the Planning Office is receiving from my neighbors.

Our community, two condominiums (35 units) rallied against the developers, Creekview Partners LLC attempt to rezone and introduce commercial businesses in close proximity. We were satisfied with the resulting "Downtown Residential" zoning while understanding that this could allow the addition of two further residential condominium buildings similar to our current property. When presented with plans that showed new construction of condominiums, offices, commercial businesses, town homes and access road changes we felt that this must surely entail the loss of considerable mature scenery and ground cover preservation. The addition of two buildings, as in the original plans, will have little or no such impact. At the recent presentation when such concerns were voiced to the presenters we were simply told that, "Oh no no no that won't happen", but not told clearly why not. Traffic flow concerns out to Rte 9 for example.

Why contemplate a Mixed Use rezoning when retailers and restaurants are going out of business in this particular area of Roswell. First concentrate on high occupancy, residential property tax income source to provide the population to support existing/re-opened/new enterprises would seem to be a more progressive plan.

Provide the "bait" for more Owner residents to move to this type location and expect the ensuing purchasing

population to move in. Closed businesses would not attract more commercialization. Prospective residence buyers would be more attracted to the two, newly constructed, similar buildings. Residence buyers would be presented with the appearance of units of similar tastes to their own in an established, planned community not a jumble of mixed types with uncertain futures and a daily pattern of commercial traffic.

Sincerely,

Hilary and Dennis Boyle  
3320 Overland Drive  
Roswell, GA, 30075  
770 845 5103

## Jackie Deibel

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**From:** Robin Rezende <robin.rezende@medipasshealthcare.com>  
**Sent:** Wednesday, August 27, 2014 1:51 PM  
**To:** Jackie Deibel  
**Cc:** Anne Thurman (aftpac@gmail.com)  
**Subject:** Rezoning proposal Petition RZ201402071

Dear Ms Deibel:

As an owner in the Roswell Creekview Condominium complex, I would like to add my concerns with those of the other owners about the plans and rezoning petition to be presented to the planning commission on 9/16/14. My concerns, like those already expressed, are predominantly centered around the greater density of homes being proposed than originally planned for in this complex; the environmental and aesthetic impact of plans to extend homes along the creek bank of historic Vickery Creek; and the environmental and aesthetic impact of straightening the road and the subsequent loss of trees.

I would like for the developer to reduce the footprint of the proposed development and leave a large buffer zone between any new development and the Creek by considering 2 exact replicas of the current condominium buildings as was originally planned when these units were developed. I also urge the developer NOT to reconfigure the entrance road. I prefer not to have any commercial buildings located in the development, but if this is necessary, any commercial buildings and parking lots should be as close as possible to Atlanta Street and adjacent to the current commercial buildings... not located within our community.

Specifically, my concerns are:

1. There is a lack of support among the owners for a change in zoning to mixed use. We are concerned that there are already a number of vacant business properties along Atlanta Ave (Route 9) south from Marietta St. to the Chattahoochee River. Why, therefore, should business land be expanded further?
2. There is a lack of finalized plans detailing the developers' lot development.
3. There is a unanimous concern over the environmental impact of extending homes along the steep bank to Vickery Creek and adjacent to the Chattahoochee National Forest; to include erosion concerns and the impact of the natural habitat of the animals that currently occupy the area to be developed.
4. There is concern over the impact on the view corridor from the balcony side of the existing units.
5. There is concern over straightening the access road to Overland Drive from Atlanta Street and the subsequent loss of mature trees.
6. The planned addition of 38 town homes & condos plus a 3000 SF commercial building exceeds the number of condos in the existing two buildings. We were led to believe the two new sites would have the same density as the existing complex.
7. The footprint of the new construction sites is 4 or 5 times the surface area occupied by the existing two buildings. This will result in a dramatic physical change of the whole site resulting in substantial reduction in open space per dwelling unit.
8. The town homes and the commercial building may not be fully incorporated in our Home Owners Association resulting in our reliance on new owners to maintain those buildings. To preserve the integrity of what we have and to

avoid misuse of our amenities by new owners or users of the commercial building, it is suggested that the developer should consider a single entity to manage the existing & new units.

9. The proposed buildings would have significant Quality-of-Life impacts on the current owners, such as aesthetics, reduction in our view corridor, loss of trees & vegetation, induced pedestrian access and potential misuse of our amenities and parking .

11. I agree with my neighbors that it is essential to incorporate a living mitigation plan to include :

- Appointment of a neighborhood monitor to observe and report on construction activities aimed at reducing construction impacts such as noise, runoff, damaged amenities, site disruption, ecological resources, etc.
- Post-project compliance monitoring to last at least for a couple of years after construction is complete.
- Landscaping and replacement of lost or damaged vegetation.
- Planting mature trees to replace lost or damaged trees.

As Mr Paul Plsek pointed out, this matter has already been considered and expressly resolved during the City's recent move to UDC zoning. The Planning Office is aware that the lot in question was originally designated "Downtown Mixed Use." However, 20+ of the 26 owners in Roswell Creekview at the time (~80%, the developer owned the remaining units) mobilized to send notarized forms and letters to the Planning Team expressing disapproval of this designation, and requesting "Downtown Residential" designation. This strong voice was acknowledged by the Planning Team, Council Members and the Mayor and resulted in a switch to the current status of "Downtown Residential," for which we are grateful.

I very much agree with Mr Plsek when he stated in his e-mail to you that we are prepared to mobilize again and bring our case against this unwanted change to our neighbourhood to the Planning Commission, Council and Mayor. I also strongly urge the Planning Commission to investigate the UDC process files regarding this property, see the unified voice of those of us in the community, and to reject the developer's current proposal.

Kindest regards,

Robin Rezende  
4340 Overland Drive  
Roswell, GA 30075

## Jackie Deibel

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**From:** Hocking, Suzy M <Suzy.Hocking@GDIT.com>  
**Sent:** Wednesday, August 27, 2014 11:15 AM  
**To:** Jackie Deibel  
**Subject:** Rezoning Petition: RZ201402071

**Importance:** High

Dear Jackie:

In regards to the proposed expansion of development on the site adjacent to the 3000 building on Overland Drive

Rezoning proposal to be in front of Roswell Planning Commission 9/16/14:

Petition: RZ201402071

Petitioners: Creekview Partners, LLC

Land Lots: 417

Bradford Townsend, Planning and Zoning Director, City of Roswell

I have some concerns with the subject rezoning petition. I bought property knowing that there would be expansion of the current housing into the vacant lot to the north and that housing, as applied for and approved, would be 2 further condominium units which does not appear to be what Creekview Partners is now requesting. My concerns are:

1. There is a lack of support among the owners for a change in zoning to mixed use. We are concerned that there are already a number of vacant business properties along Atlanta Ave (Route 9) south from Marietta St. to the Chattahoochee River. Why, therefore, should business land be expanded further?
2. There is a lack of finalized plans detailing the developers lot development—we have no real vision of what they are planning.
3. There is a unanimous concern over the environmental impact of extending homes along the steep bank to Vickery Creek and adjacent to the Chattahoochee National Forest; to include erosion concerns and the impact of the natural habitat of the animals that currently occupy the area to be developed.
4. In view of unfinished plans, the current owners voice concern over the number of trees destroyed during construction and the impact on the view corridor from the balcony side of the existing units.
5. There is concern over straightening the access road to Overland Drive from Atlanta Street and the subsequent loss of mature trees.

Thank you for your consideration

**Suzy**

Susan M. Hocking  
4140 Overland Drive  
Roswell, GA 30075  
301.660.1489



## Jackie Deibel

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**From:** Plsek Paul <paulplsek@directedcreativity.com>  
**Sent:** Tuesday, August 26, 2014 11:08 PM  
**To:** Jackie Deibel  
**Cc:** Liz Novak; Anne Thurman; Ally Thompson; bonniedykes@bellsouth.net Bonnie; David Holihan; Dennis Boyle; douglass100@yahoo.com Douglass; Eric Jansson; ErikaF; cfriggle@aol.com Frank; drjeff3@aol.com Jeff; jim@jrjenningscpa.com; Judy Riggles; karim abood; Liz Vera; Mike Wood; palmasolamolly@gmail.com Molly; nanjansson@comcast.net; pesker@att.net Pete; Rick Thompson; Robin Rezende; suzyhocking@yahoo.com; Terri Williams; Wendy Wood; Zachary Bramblett; SUE HARMON; Brett; Dottie Pettes  
**Subject:** Rezoning proposal Petition RZ201402071

Re: Rezoning proposal Petition RZ201402071, Creekview Partners, LLC, Land Lot 417

Dear Ms Deibel:

I know that you have received several messages from other owners in the Roswell Creekview Condominium complex expressing deep concerns about the plans and rezoning petition to be presented to the planning commission on 9/16/14. I would like to echo all of the concerns previously expressed, especially:

- \* The environmental and aesthetic impact of plans to extend homes along the creek bank of historic Vickery Creek
- \* The environmental and aesthetic impact of straightening the road and the subsequent loss of trees.

Importantly, this matter has already been considered and expressly resolved during the City's recent move to UDC zoning. The Planning Office is well aware that the lot in question was originally designated "Downtown Mixed Use." However, 20+ of the 26 owners in Roswell Creekview at the time (~80%, the developer owned the remaining units) mobilized to send notarized forms and letters to the Planning Team expressing disapproval of this designation, and requesting "Downtown Residential" designation. This strong voice was acknowledged by the Planning Team, Council Members and the Mayor and resulted in a switch to the current status of "Downtown Residential."

We are prepared to mobilize again and bring our case against this unwanted change to our neighborhood to the Planning Commission, Council and Mayor. But why should we have to? Why is the developer showing such disregard for the residents of the neighborhood and for the process in the City of Roswell by bringing up this closed matter once again?

I strongly urge the Planning Commission to investigate the UDC process files regarding this property, see the unified voice of those of us in the community, and to reject the developer's current proposal.

Sincerely,

Paul Plsek  
3340 Overland Drive  
Roswell, GA 30075  
404-510-1483

On Aug 26, 2014, at 10:38 AM, Liz Novak <[lizannovak@yahoo.com](mailto:lizannovak@yahoo.com)> wrote:

In attendance: Nan Jansson, Sue Harmon, Terry Williams, Suzy Hocking, Mike/Wendy Woods, Liz Novak, Dottie Pettes, Brett/Anne Thurman

In regards to the proposed expansion of development on the site adjacent to the 3000 building on Overland Drive

Rezoning proposal to be in front of Roswell Planning Commission  
9/16/14:

Petition: RZ201402071

Petitioners: Creekview Partners, LLC

Land Lots: 417

Bradford Townsend, Planning and Zoning Director, City of Roswell

The owners present compiled a list of concerns and suggest that interested Condo owners submit letters of concern to the above committee no later than 8/26/14 addressing said concerns. We must all remember that we bought property full well of the knowledge that there would be expansion of the current housing into the vacant lot to the north and that housing, as applied for, would be 2 further condominium units. These concerns are as follows.

1. There is a lack of support among the owners for a change in zoning to mixed use. We are concerned that there are already a number of vacant business properties along Atlanta Ave (Route 9) south from Marietta St. to the Chattahoochee River. Why, therefore, should business land be expanded further?
2. There is a lack of finalized plans detailing the developers lot development
3. There is a unanimous concern over the environmental impact of extending homes along the steep bank to Vickery Creek and adjacent to the Chattahoochee National Forest; to include erosion concerns and the impact of the natural habitat of the animals that currently occupy the area to be developed.

4. In view of unfinished plans the current owners voice concern over the number of trees destroyed during construction and the impact on the view corridor from the balcony side of the existing units.
5. There is concern over straightening the access road to Overland Drive from Atlanta Ave. and the subsequent loss of mature trees.

Letters in support or with concerns of the ongoing project need to be submitted by this Friday to Jackie at the Planning Commission. The meeting in September is to address the zoning change request by Creekview Partners LLC. Liz Novak has that contact information and will forward to us. If you have concerns, no action is not an option. The owners present appreciate the neighborhood we live in and stress the importance of maintaining the value of our investments.

Please call any of the individuals attending for clarification and/or the path forward.

Warmest regards,  
Anne et al

## Jackie Deibel

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**From:** Judy Riggle <judykriggle@gmail.com>  
**Sent:** Tuesday, August 26, 2014 5:05 PM  
**To:** Jackie Deibel  
**Cc:** Judy Riggle; Frank Riggle  
**Subject:** Roswell Creekview town homes/petitions cu2014022072&rz201402071

We are also Roswell Creekview owners and we agree with all of the points in the following e-mail written by Dr. Abood.

I am one of the Creekview condo owners & I attended the Neighborhood meeting of August 14 , 2014 & offer the following comments :

1. The planned addition of 38 town homes & condos plus a 3000 SF commercial building exceeds the number of condos in the existing two buildings . We were led to believe the two new sites would have the same density as the existing complex .
2. More importantly, the footprint of the new construction sites is 4 or 5 times the surface area occupied by the existing two buildings . This will result in a dramatic physical change of the whole site resulting in substantial reduction in open space per dwelling unit .
3. From what I heard , the town homes & I guess the commercial building may not be fully incorporated in our or a new Home Owners Association resulting in our reliance on new owners to maintain those buildings . To preserve the integrity of what we have & to avoid misuse of our amenities by new owners or users of the commercial building , I urge the developer to consider a single entity to manage the existing & new units .
4. In my opinion, the proposed buildings would have significant Quality-of-Life impacts such as aesthetics , reduction in our view corridor , loss of trees & vegetation , induced pedestrian access & potential misuse of our amenities & parking . More importantly , I have a concern regarding potential adverse impacts on the ecological sensitivity of Vickery Creek & its biological integrity .

While I can live with the proposed dwelling density , I urge the developer to reduce the footprint of the proposed development & leave a huge buffer zone between the town homes & the Creek beyond required/legal limits by considering two-story homes or by reconfiguring the proposed plan . I also urge the developer to

reconfigure the entrance road to resemble what we have & move the commercial building & its parking lot closer to Atlanta St. In addition I think it is essential to incorporate a living mitigation plan to include :

1. Appointment of a neighborhood monitor to observe & report on construction activities aimed at reducing construction impacts such as noise , runoff , damaged amenities, site disruption , ecological resources
2. Post-project compliance monitoring to last a couple of years .
3. Landscaping & replacement of lost or damaged vegetation
4. Planting mature trees to replace lost or damaged trees

Thanks,

Judy Riggle

A handwritten signature in black ink, appearing to read 'Judy Riggle', with a stylized, flowing script.

## Jackie Deibel

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**From:** Abood, Karim A. <Karim.Abood@hdrinc.com>  
**Sent:** Tuesday, August 26, 2014 4:18 PM  
**To:** Jackie Deibel  
**Subject:** FW: Creekview town homes/petitions cu201402072&rz201402071

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**From:** Abood, Karim A.  
**Sent:** Tuesday, August 26, 2014 4:01 PM  
**To:** [jdeibel@roswellgov.com](mailto:jdeibel@roswellgov.com)  
**Subject:** Creekview town homes/petitions cu201402072&rz201402071

I am one of the Creekview condo owners & I attended the Neighborhood meeting of August 14 , 2014 & offer the following comments :

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Karim A. Abood , PhD, PE ----- Condo 3210 , [kabood123@gmail.com](mailto:kabood123@gmail.com)

## Jackie Deibel

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**From:** Nan Jansson <nanjansson@comcast.net>  
**Sent:** Tuesday, August 26, 2014 11:19 AM  
**To:** Jackie Deibel  
**Subject:** creekview condos zoning and other issues

> Hi, Jackie,

> I am writing to express my deep concerns regarding the proposed zoning change for the property surrounding our homes on Overland Drive. The vacant businesses that front South Atlanta Street are already a detriment to the value of our beautiful property and changing the zoning to mixed use will further affect us.

>

> I also am upset that the plans for the furthering of our development seem to change from month to month, and it sometimes seems that the developer is negotiating with the City of Roswell without regard to the present homeowners' needs and desires. It is in everyone's best interest to finish out the complex as attractively as possible, with full cooperation with the city's goals and regulations, and with utmost respect for the natural habitat. The original idea to finish out the development with two more condo buildings similar to the ones we now have was the proposal to which we homeowners at Creekview agreed when we invested here. I hope that the city of Roswell will support our desire to have input in what happens next.

>

> I have postponed a trip originally scheduled for 9/8 so that I can be present and vocal at the hearing mid September.

>

> Please let me know anything else I should do to bring attention to this very disturbing issue.

>

> Thank you very much,

> Nan L. Jansson

> 3410 Overland Drive

> 30075