

Jackie Deibel

From: Brad Townsend
Sent: Monday, August 22, 2011 1:33 PM
To: Jackie Deibel
Subject: FW: Crabapple Registry subdivision

FYI

Bradford D. Townsend, AICP

Planning & Zoning Director
770-594-6176
btownsend@roswellgov.com

From: Lisa Hines
Sent: Monday, August 22, 2011 7:32 AM
To: Alice Wakefield; Brad Townsend
Subject: FW: Crabapple Registry subdivision

FYI...I wasn't sure if you received this. Council has received several e-mails related to this rezoning.

Lisa Hines
Executive Assistant to Council
Phone: (770) 641-3757
Fax: (770) 594-6264
lhines@roswellgov.com

From: Jee Chong [<mailto:jeechong@hotmail.com>]
Sent: Sunday, August 21, 2011 10:57 PM
To: Jee Chong; Mayor Wood; Robyn Kenner; RoswellMayorandCouncil; Rich Dippolito; Becky Wynn; Betty Price; Kent Igleheart; Jerry Orlans; Nancy Diamond; Lisa Hines
Subject: Crabapple Registry subdivision

August 21, 2011

Mr. Jere Wood, Mayor
Mr. Rich Dippolito, Councilmember
Ms. Becky Wynn, Councilmember
Ms. Betty Price, Councilmember
Mr. Kent Igleheart, Councilmember
Mr. Jerry Orlans, Councilmember
Ms. Nancy Diamond, Councilmember

City of Roswell
38 Hill Street
Roswell, GA 30075

Dear Mayor Wood and Councilmembers Dippolito, Wynn, Price, Igleheart, Orlans, and Diamond:

I am a resident, property owner, and taxpayer in the City of Roswell. My home is in the Crabapple Registry subdivision which is located on Rucker Road.^{(u)(1)}

Concern:

I am writing to voice my deepest opposition to a city planning commission recommendation made at the planning commission meeting on August 16, 2011. The decision that impacts our neighborhood was part of a broader recommendation regarding an Ashton Woods Homes rezoning request for the Spruill properties located just to the east of Crabapple Registry on Rucker Road (see attached 'Ashton Woods revised plan'). The planning commission voted to recommend the construction of a connection road between the proposed Ashton Woods subdivision and Crabapple Registry. The road would be built on what is now an open area between a home and detention pond. This area is used as green space and play space for our children and the easement on this land has expired as explained below.

Impact:

The construction of this road will negatively impact our subdivision. The addition of the road will:

- Destroy an area that is used by children for play (see attached picture)
- Increase traffic on Limeridge Court
- Adversely impact the safety of the children of Crabapple Registry due to the loss of play space and the increased traffic
- Destroy green space and mature trees which may lead to increased storm water run off.

Next Steps:

The rezoning request is to be voted on at the city council meeting on Monday,

September 12, 2011. We are respectfully requesting that you approve the amended site plan proposed by Ashton Woods but eliminate the connection to Limeridge Court.

Crabapple Registry HOA has also retained legal counsel and will be exploring further legal options through the attorney regarding the connection road and the planning commission decision.

Additional Facts and Impact

We ultimately believe that the planning commission recommendation is not in the best interest of our community and is invalid due to the expiration of the time period on which the road could be constructed.

- The plat for Crabapple Registry (attached) shows on page 2, note 31 that the easement to construct any connection road has expired. The note reads "future street B to be constructed before issuance of building permit for lot 16." Lot 16 (12191 Limeridge Court) is the residence of Sreeman and Neelima Jannu, and their two children. The Jannu family has lived in this home since purchasing it in December 2005 from the builder, Pulte Homes. The Jannus' understanding and indeed all Crabapple Registry homeowners' understanding when purchasing our homes was that there was a finite window in which this road could be constructed, as documented on the subdivision plat that was filed with Fulton County in 2005.
- Construction of the road will cause a loss of privacy for the Jannu family and the Shin family (12194 Limeridge Court) whose home faces the proposed intersection of Limeridge Court and the connection road.

- Impacted homeowners, and indeed all Crabapple Registry homeowners, could realize a negative impact to their property values if the connection road is constructed and green space is lost. This is especially troubling considering the real estate market declines of the past several years.
- Finally, the destruction of the green space and addition of a connection road will be detrimental to the Crabapple Registry "community." This is a gathering space for our residents and play space for our children. We all envisioned this as a permanent green space when we made the decision to purchase our homes based on our understanding of the easement expiration contained in the plat.

For background information, we initially met with Ashton Woods on July 6, 2011 and again on August 9, 2011 to voice our opposition to their original site plan (see attached 'Ashton Woods original plan'). Their original plan provided for access to their subdivision solely via Limeridge Court (through a connection road to be built beside lot 16 on the expired easement). The original Ashton Woods plan had no direct access to Rucker Road. The original plan also had a stub road to eventually connect to the Restoration Church of God to the east of on Rucker Road. In response to our opposition and their review of the Crabapple Registry plat, Ashton Woods amended their proposal to include their own access to Rucker Road and eliminate the connection to Limeridge Court and the Restoration Church of God. We fully supported this plan and as a result agreed in principle to allow Ashton Woods to connect to the Crabapple Registry detention pond by enlarging the pond on to their property. Also, at the planning commission meeting, a resident of the North Farms subdivision (to the north of the Spruill/Ashton Woods property and Crabapple Registry) spoke on behalf of homeowners there in support of the revised plan so long as the plan did not negatively impact their subdivision from a drainage perspective. Our HOA president has since met with this resident to North Farms to show him our detention pond, how the pond is maintained, and that the collection of water in the pond does not cause a drainage impact to their subdivision.^{[2][2]} Indeed, the construction of the Ashton Woods subdivision will positively impact North Farms since the Spruill property currently does not have detention facilities and the Ashton Woods proposal would call for construction of a detention pond at the south side of the subdivision and enlargement of the Crabapple Registry detention pond onto the Spruill/Ashton Woods property.

The revised Ashton Woods plan provides space for two additional homes over their original plan. This will positively impact the City of Roswell's tax base. Further, the recommended connection road will nullify the agreement between Ashton Woods and Crabapple Registry regarding the expansion of the Crabapple Registry detention pond. This will result in the loss of at least three Ashton Woods home sites for the construction of the road and a separate detention facility. This is clearly not in the best interest of the City of Roswell. Further, the forced connection between the proposed development and Limeridge Court overall seems unnecessary as it would only connect two streets. It seems unfair to require connection to Limeridge Court and not require connectivity to the Restoration Church of God. In addition, the planning commission seemed concerned during their August 16, 2011 meeting that not requiring connectivity would be in contravention of the Atlanta Regional Commission. However, the Roswell Planning and Zoning Director commented during the meeting that ARC would view this as a local decision to require or not require connectivity. Those in attendance at the August 16, 2011 meeting also noted that this was the first meeting for several new members of the planning commission. The connection road construction impacts first and foremost the residents of Crabapple Registry. As such, it seems that our requests should be weighed primarily over any other considerations.

In fact, just last week Mayor Wood wrote an article for the Alpharetta/Roswell Revue and News titled "Big-city Roswell continues to provide small-town quality of life." The article states that Roswell is a great place to live despite the tremendous growth from 2,000 citizens at the time of the Mayor's childhood, and that the same culture and character remain. Further, Roswell has been recognized as the best place to raise a family in the United States. The construction of a connection road on current green space and play

space will certainly affect all families in Crabapple Registry and negatively impact the quality of life for all residents of Crabapple Registry for the many reasons discussed above.

The rezoning request is to be voted on at the city council meeting on Monday, September 12, 2011. We are respectfully requesting that you approve the amended site plan proposed by Ashton Woods but eliminate the connection to Limeridge Court.

Please contact me at the mailing address, phone number, or email address below with any questions regarding this correspondence. Thank you for your consideration.

Sincerely,

Jee Shin
12194 Limeridge Court
Alpharetta (Rowell city), GA 30004
678-708-3339
jeechong@hotmail.com

Cc: Robyn Kenner, Executive Assistant to Mayor Wood
Lisa Hines, Executive Assistant to City Council

Enclosures: Photos of green space and Limeridge Court
Crabapple Registry plat
Ashton Woods original site plan
Ashton Woods revised site plan

Note: to avoid excessive email attachments, the enclosures have been omitted and were sent to you by Crabapple Registry HOA President Anthony Russell

[1][1] Crabapple Registry is a small, tight-knit neighborhood of 26 homes that was built by Pulte Homes in 2005 and completed in early 2006. The development has a single, cul-de-sac street (Limeridge Court). There are over 30 children that reside in the neighborhood.

[2][2] Mr. Dan Osman from North Farms erroneously commented during the planning commission meeting that the Crabapple Registry detention pond is not properly maintained, and is full of trash. This statement was inaccurate. Crabapple Registry HOA contracts with their landscape maintenance provider (Crabapple Landscape Experts, contact Bond Morgan, 678-313-0556) for the pond to be cleared twice annually. Crabapple Registry homeowners have never witnessed the pond overflowing or otherwise even filling to the point that it spills into the storm water system.