

Vicki Taylor Lee

From: zekeandlaurie@windstream.net
Sent: Tuesday, March 10, 2015 9:31 PM
To: Vicki Taylor Lee
Cc: johnhbost@gmail.com
Subject: Flash foods rezoning

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dear Ms. Taylor,

As three year residents of The Estates of Brooke Park, my family greatly opposes the rezoning of the property at our entrance to accommodate a 24 hour convenience/gas station, Flash Foods. It would be detrimental to property values of the residents whose property backs up to this area, as well as their privacy. Currently, cars use the entrance to our neighborhood to make U-turns-which is very dangerous, and the gas station would greatly increase this misuse, even if there eventually is a designated left turn into the gas station. With the abundance of cars, trucks, and tractor trailers who use highway 20 daily, traffic flow would continue to become a nightmare. As cars creep up the hill behind trucks, it creates mile long traffic backups. Adding another turn lane, or stopping point to turn left, would only delay and increase traffic wait time.

We appreciate your time and consideration, John and Laurie Carroll

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Vicki Taylor Lee

From: Laura Stephens <demo13jack@bellsouth.net>
Sent: Tuesday, March 10, 2015 9:33 PM
To: Vicki Taylor Lee
Cc: johnhbost@gmail.com
Subject: 24/7 gas station at our only entrance to our subdivision Estates at Brooke Park

Please do not let this company degrade where we live by putting this business practically in our neighborhood. You could possibly allow this gas station within 100 ft of the nearest house's front door if you approve this variance. I know you all wouldn't like a gas station that close to your door.

Surely Cherokee County can get by without this additional tax revenue the gas station would bring.

Sincerely,

*Jeff Stephens
314 North Brooke Dr.
Canton, Ga 30115*

Sent from my iPad

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Vicki Taylor Lee

From: Sandra Greenman <spgreenmam@icloud.com>
Sent: Tuesday, March 10, 2015 11:31 PM
To: Vicki Taylor Lee
Subject: Flash Foods

Follow Up Flag: Flag for follow up
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My husband and I live in the Estates at Brooke Park and we are opposed to the gas station fast food place being built near our entrance. The traffic on Hwy 20 is already a mess and with the curve coming from the east and huge trucks rounding the corner it makes it even more dangerous. As it is we have to wait through several lights to make a left turn into the subdivision during high traffic periods.

Safety is an issue as well as having the extra traffic competing with our subdivision. The land where the planned place is fill dirt and hasn't been there long enough to compact and settle. Then we would also be faced with ecological problem of runoff into the Etawah River which runs through our subdivision.

We have objected to this since the beginning and we haven't changed our minds. Getting in and out of the subdivision is a problem and the gas station will complicate it and put more safety problems at issue.

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Vicki Taylor Lee

From: Albert P Bensimon <apbensimon1947@comcast.net>
Sent: Wednesday, March 11, 2015 11:19 AM
To: Vicki Taylor Lee
Cc: 'John H Bost'
Subject: 2333 Cumming Highway Rezoning - NC to GC

Dear Vicki,

I am writing to you today as a three year resident of The Estates at Brooke Park (EBP) and not in my capacity as President of the EBP Board of Directors. Moving to this beautiful community in August 2012, my wife and I knew that development would be occurring outside of our entrance across from The Canton Marketplace, and that Cumming Highway would, at some point in time, be expanded; these were, in our minds, reality which we accepted.

However, once again, for the fourth time in six years, our 140-home landlocked (one entrance/exit on Cumming Highway) community is being threatened by the development of a 24/7 gas station/convenience store at our western entrance (2333 Cumming Highway) or, potentially, any GC enterprise. A brief history...

- In 2009 the subject parcel was rezoned from R-40 to NC in negotiation with Cherokee County. This compromise was based upon:
 - A fair value to the parcel's owner;
 - Revenue generation for the County;
 - No negative impact on our community's homeowners' property values.
- In the Spring of 2013, Peach Consolidated Properties, LLC (a/k/a Summit Development) filed with the County for rezoning from NC TO GC for a Flash Foods 24/7 gas station/convenience store; this initiative was defeated by the Cherokee County Planning Commission 8 to 1 and subsequently withdrawn from BOC consideration.
- In the Fall of 2013, these same people filed with the City of Canton for annexation and NC-to-GC rezoning of this parcel. This was once again defeated at the City Planning Commission level.
- On February 3rd, 2015, Summit Development held a public meeting to follow-up their letters to community residents regarding their intent to file for a Flash Foods once again with Cherokee County.
- Cowford Holdings, LLC filed Application PL20150000067 on March 4, 2015 for a gas station/convenience store.

We are not opposed to development at our entrance but we seek responsible NC development which will compliment – not confront – our community.

The Steinberg Act, Criteria 4, addresses a zoning proposal's resulting in excessive or burdensome use of existing streets and, as you stated to the County Planning Commission in June 2013, traffic at Brooke Park Drive and Cumming Highway was bad and getting worse, especially with illegal U-turns into our neighborhood. The Applicant (Cowford Holdings, LLC et al.) maintains that their proposal is a "pass by" location and not a "destination" location, the later causing more traffic than the former. *This defies logic!* A NC professional building, for example, would have people driving in and spending an hour or so before leaving. A gas station/convenience store would have people driving in and spending 5- to 10-minuters before leaving. The "pass by" location therefore would generate substantially more car and truck traffic and local congestion, especially at peak drive periods.

GDOT will be expanding Cumming Highway from Canton to Cumming, and the section from Interstate 575 to Scott Road may be accelerated from what we've heard, but we don't expect to see much, if anything, before 2020. Schedules can change but, in any event, we'll have at least several more years of Cumming Highway as it is and then will have to contend with the construction activity itself. Traffic, present and future, is an important issue to the EBP residents.

Vicki, thank you for your time and consideration!

Best regards,

Albert & Patricia Bensimon

313 N Brooke Drive

Mobile: 714.504.6611

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Vicki Taylor Lee

From: David Rittiner <davidrittiner@yahoo.com>
Sent: Wednesday, March 11, 2015 11:32 AM
To: Vicki Taylor Lee
Cc: johnhbost@gmail.com
Subject: 2333 Cumming Highway

Cherokee County Planning Commission,

We look forward to the development of the vacant land on the north side of Hwy-20 adjacent to our neighborhood, Brooke Park. **We are however opposed to any proposal to rezone from Neighborhood Commercial (NC) to General Commercial (GC).** While we support commercial development in the county, we believe that development should be in layers – NC zoning should be used as a buffer between GC zoned property and residential zoned property. Having a 24/7 gas station operating literally at our front door would significantly diminish the quality of our neighborhood.

The land in question has been zoned NC for some time now. We think it would be unfair to reward commercial developers by rezoning at the detriment of county residence that purchased homes under the zoning assumptions embodied in the county's development plan. If Flash Foods wants to build/operate a 24/7 gas station / convenience store in the area I think the Cherokee County Planning Commission should encourage them to find a parcel of land that is currently zoned GC.

We look forward to showing our support on April 7th for the idea that Cherokee County actually follow the existing development plan.

Sincerely,

David and Vickie Rittiner
Longtime Residents of Brooke Park and Cherokee County
607 Ashford Estates Avenue
Canton, GA 30115
678-493-8562

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Vicki Taylor Lee

From: Laura Stephens <demo13jack@bellsouth.net>
Sent: Wednesday, March 11, 2015 12:54 PM
To: Vicki Taylor Lee
Cc: johnhbost@gmail.com
Subject: Proposal for gas station in front of estates at brooke park

Ms. Taylor,

I am a fairly new resident to the Estates at Brooke Park. I moved to Cherokee County to escape the commercialism and poor zoning within Cobb County. Although I continue to work in Marietta, I endure the traffic to come to my home in this community. Currently this neighborhood is beautiful, quiet (although just across the street from a mega shopping area) and spacious. I live very close to the entrance to our community and sitting on my front porch, I am able to enjoy evening views of a gorgeous sky with little external noise or business lighting interference.

I am very distressed and disappointed that the commission would consider allowing a large, heavily lit, 24-hour business to build just yards from my home. Not only will this significantly increase noise and unnatural lighting but most certainly will increase nonresidential traffic within our neighborhood, jeopardizing our safety. Please do not approve the building of this business within our front yards. My family and I request your solid voting of "no" to protect our home value, neighborhood desirability and environment.

*Respectfully , Laura Demo-Anderson
314 North Brooke Drive. Canton, GA*

Sent from my iPad

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Vicki Taylor Lee

From: Michele Pepe <pepemich@aol.com>
Sent: Wednesday, March 11, 2015 1:06 PM
To: Vicki Taylor Lee
Cc: Johnhbost@gmail.com
Subject: Flash Foods Zoning Change Request - April 7th Hearing

Follow Up Flag: Follow up
Flag Status: Flagged

Once again (for the third time) we, the residents of The Estates at Brooke Park, an exclusive community in Canton located across from the Canton Market Place, find ourselves in a re-zoning battle to preserve the integrity of our development and more importantly the value of our property and to prevent the rezoning of property for Flash Foods to construct a 24/7 Gas Station-Convenience store.

It again appears that personal gain and profit by the City of Canton or others is being put ahead of the residents and the actual tax payers of Canton.

I oppose the request to change the zoning from Neighborhood Commercial (NC) to General Commercial (GC) for the following reasons:

1. Excess traffic in and around our development entrance and adjoining cul de sacs in the front of the development
2. Community Safety issues involving flammable substances (fuel) environmental consequences (water and soil contamination) and rodent infestation from waste containers on the property.
3. Personal safety from the increase presence of non residents and/or nefarious personnel in and around the area during the day but particularly during the overnight hours.
4. Invasion of our "right of quiet" and our "personal space" due to excessive noise and 24/7 lighting for the store.

It is my hope that other members of my community will share their concerns as well. I will be in attendance at the April 7th hearing.

Michele Pepe
pepemich@aol.com

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Vicki Taylor Lee

From: Amy Poulos <amylpoulos@gmail.com>
Sent: Wednesday, March 11, 2015 4:28 PM
To: Vicki Taylor Lee
Cc: johnhbost@gmail.com
Subject: Opposition to Flash Foods at Brooke Park Sub Entrance

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Ms. Taylor - I am a resident of the Estates of Brooke Park and am writing to express my EXTREME opposition to the Flash Foods 24/7 gas station/convenience store proposed at our subdivision entrance.

The installation of this business would deface the entrance of our neighborhood, decrease the property value of homes of families surrounding the business and endanger residents, especially their children. A 24 hour business of this nature would attract unwanted traffic, garbage and rodents, undesirable people and potential environmental issues for our residents. Not to mention 24/7 lighting blaring in the windows of residents surrounding the business.

I don't understand how anyone with a conscience would repeatedly pursue placing a business that would surely affect the wellbeing of the residents of our neighborhood. Purely for the sake of money, I'm sure.

Also, it is my understanding that a Race Trac is already planned to go in on 20 less than a 1/4 mile down the road. An additional gas station that close is clearly not necessary.

Please consider maintaining the quality of our community and deny the building of the Flash Foods business.

Sincerely,

Amy Poulos
839 Waterford Estates Manor
Canton, GA 30115

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Vicki Taylor Lee

From: Richard Lester <rlester@crainsales.net>
Sent: Friday, March 13, 2015 3:29 PM
To: Vicki Taylor Lee
Cc: johnhbost@gmail.com
Subject: Flash Foods rezoning request from Cherokee County Neighborhood Commercial to General Commercial (2333 Cumming Highway)

Hello Vicki,

My name is Richard Lester and an addition to owning my home at 520 River Estates Pkwy in The Estates at Brooke Park subdivision I also commercial property in Bell Industrial Park also located in Cherokee County.

The reason for my email is quite simply to say that both myself and my wife are vehemently opposed to changing the current zoning from NC to GC and allowing a 24 hour service station and convenience store to be built at the entrance to our neighborhood. While there is certainly a need for businesses of this nature the last place they need to be is at the entrance of a neighborhood as no one wants that and especially those living closer to the entrance. On at least several occasions when purchasing fuel at the RaceTrac combination service station and convenience store right off exit 20 on 575 in the evening hours I have been approached by men asking for money to get gas so they can get home. On each occasion I have given them money as the last thing anyone wants is some sort of a confrontation with someone on drugs or intoxicated. I think it's a pretty safe bet no husband would want his wife or daughter going to these places alone after dark for obvious reasons.

As a matter of fact all one has to do is get on Goggle Earth and then take a look at where places like QT and RaceTrac are located and you rarely see one at an entrance to a neighborhood and I don't ever recall seeing one on a two lane road with limited access. It goes without saying that allowing this to happen will hurt the value of homes and some much more than others. Believe me I understand the importance of tax revenue and there is no doubt we will all be better off in attracting business that have normal operating hours as it just makes for a safer environment.

Thanks for your time and it's my hope you support my position.

Richard Lester
520 River Estates Pkwy
Canton 30115
404-314-2840

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Vicki Taylor Lee

From: Jim Welty <jimwelty44@gmail.com>
Sent: Saturday, March 14, 2015 6:46 AM
To: Vicki Taylor Lee
Cc: John Bost
Subject: 2333 Cumming Highway Rezoning NC to GC

Follow Up Flag: Flag for follow up
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Dear Ms. Taylor – Lee,

We have lived here the last 10 years as residents of The Estates at Brooke Park (EBP). We are greatly concerned regarding the request to change 2333 Cumming Highway from County NC to GC.

There are many concerns we have regarding this potential change. The greatest is the increase in traffic it will create at a single entrance/exit to our community. There are safety issues that come with such a change. There are environmental issues such as run off from gas and oil that run down to the Etowah River. There is the 24/7 of activity and lights in the backyard of our neighbors by the entrance/exit all hours of the night. That in its self will be a nuisance of not allowing them to enjoy their own property.

We know development is inescapable, but let's do it with consideration of what will be most compatible with our community as the County and EBP agreed five years ago.

We are strongly urging the Planning Commission to NOT rezone from NC to GC. Thank you for your time and consideration.

Sincerely,

Jim & Pat Welty
332 North Brooke Dr.
Canton, GA 30115

404 983 0906

Vicki Taylor Lee

From: glewallen@windstream.net
Sent: Monday, March 16, 2015 9:03 PM
To: Vicki Taylor Lee
Cc: John Bost
Subject: Flash Foods Rezoning change at 2333 Cumming Highway

Follow Up Flag: Follow up
Flag Status: Flagged

We are residents in the Estates at Brooke Park subdivision and are opposed to the zoning change from Neighborhood Commercial to General Commercial for Flash Foods.

Thanks for your support.

*R.G. and Sherry Lewallen
825 Waterford Estates Manor*

Sent from my iPad

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Vicki Taylor Lee

From: Gabriel J. Apodaca <gapodaca@nearshoretechnology.com>
Sent: Monday, March 16, 2015 11:58 AM
To: Vicki Taylor Lee
Cc: johnhbost@gmail.com; Sheri Apodaca
Subject: Rezoning change from NC to GC at the entrance of The Estates at Brooke Park

Vicki,

I was surprised to hear Flash Foods is once again attempting to have 2333 Cumming Highway rezoned to GC. This egregious approach to wellbeing of our community should not be tolerated, Flash Foods has been told no twice now and was overwhelming told NO by Cherokee Building and Planning commission. The Building and Planning Commission was very clear that the only thing that has changed since the last attempt to get this approved was the amount of traffic, which has increase substantially over the last 3 years making an entrance and exit at that point of the community a nightmare.

I strongly suggest you continue to support the local communities need for safety and the preservation of our wishes.

Best Regards,

Gabriel J. Apodaca
Chief Executive Officer & President

Office: 800-735-3710
Cell: 619-992-5269
Email: gapodaca@nearshoretechnology.com

The Answer is **Near**



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Vicki Taylor Lee

From: Jeff Fuller <j87lfuller@gmail.com>
Sent: Monday, March 16, 2015 12:07 PM
To: Vicki Taylor Lee
Cc: johnhbost@gmail.com
Subject: Flash Foods rezoning request

Vicki,

I am a resident of "The Estates at Brooke Park" neighborhood. I would like to state my opposition to the rezoning request of Flash Foods from NC to GC at our entrance (2333 Cumming Hwy). I will be attending the 7 PM April 7th, 2015 Cherokee County Planning Commission meeting to voice my opinion in person. Thanks.

Jeff Fuller
309 N. Brooke Dr
Canton, GA 30115
470-564-9355

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Vicki Taylor Lee

From: Albert P Bensimon <apbensimon1947@comcast.net>
Sent: Monday, March 16, 2015 2:30 PM
To: Vicki Taylor Lee
Cc: 'John H Bost'
Subject: 2333 Cumming Highway Rezoning- NC to GC

Dear Vicki,

Following-up my March 11th, 2015 e-mail on the same subject, this past weekend I reviewed my files from the Spring of 2013 when Flash Foods et al. submitted a rezoning application, Case Number 13-05-005, to the County. The developer then was Macon, GA-based Peach Consolidated Properties, LLC, now The Summit Group with the same principal, James L. Rollins, Jr. The property owner in 2013 was Twenty West Realty Partners, LLC, and is now Cowford Holdings, LLC; I know Cowford's principal is James C. Jones, III of Waycross, Ga-based Jones Oil Company/Flash Foods; I suspect he was also involved with Twenty West.

Two items stood out from my document review:

1. The County Engineer's report quoted GDOT's having "recorded a daily traffic volume of approximately 25,950 vehicles per day on State Route 20 near the location of this application in 2010. There is some recorded accident history on this road, including fatalities." Unlike Highway 140 to our immediate south and Riverstone Parkway to our immediate north, Cumming Highway is a major east-west thoroughfare between Interstate 575/Canton and Cumming. Vehicles on Cumming Highway at our entrance include:
 - a. Cars;
 - b. Pick-up trucks;
 - c. 18-wheel trucks of all types;
 - d. Recreational vehicles;
 - e. School busses; and
 - f. Emergency vehicles (fire, police and medical).

I don't believe this same vehicle mix and volume can be found on either Highway 140 or Riverstone Parkway. And the new Northside-Cherokee hospital, plus related buildings and potential commercial development on Northside-Cherokee Boulevard, will add further to traffic volume on Cumming Highway outside The Estates at Brooke Park.

2. "SR 20 widening from two to four lanes, from I-575 to Scott Road. The Georgia DOT is currently acquiring right-of-way for this project. This project is scheduled to receive bids for construction in June 2014."

Neighborhood safety is a paramount concern and that is why we strongly request that County NC be maintained.

Best regards,

Albert & Patricia Bensimon

313 N Brooke Drive, Canton 30115

Mobile: 714.504.6611

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Vicki Taylor Lee

From: Bill Thompson <wethompson7@comcast.net>
Sent: Monday, March 16, 2015 3:21 PM
To: Vicki Taylor Lee
Cc: johnbost@gmail.com
Subject: Cherokee County Zoning Change at Brooke Park Entrance.

I am writing to express my strong opposition to the request to rezone the property on the west side of the entrance to Brooke Park, on State Hwy 20. This is the only entrance/exit for our subdivision. The increased traffic from a convenience store/gas station will bring increased safety hazards for homeowners as we attempt to go in and out of our neighborhood.

I urge the Cherokee County Commission to once again, deny the request to change the zoning classification to General Commercial.

Thank you,

William E. Thompson
349 North Brooke DR

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Vicki Taylor Lee

From: jimkiawah@comcast.net
Sent: Wednesday, March 18, 2015 10:42 AM
To: Vicki Taylor Lee; johnbost@gmail.com
Cc: ken eggers; Peggy Davis
Subject: Flash Foods Rezoning Request

I am writing to express my continued opposition of the attempt to rezone the property located at the entrance to our neighborhood of The Estates at Brooke Park in Canton. I am sure you realize that at one time this was zoned as residential and our community did not oppose it being changed to Neighborhood Commercial. There have since been a few attempts to change it to General Commercial, which was rejected by the City of Canton and perhaps even by Cherokee County. Now new attempts to get approved by the county. The reasons to not have this changed have been stated many times by many different people, but let me summarize my thoughts. And please understand that I am all for industry and businesses succeeding, but with common sense where they are built in our community.

- The traffic problem outside our neighborhood continues to grow. With any change to commercial property and a gas station being placed there, this will only become more exasperated, especially if East bound traffic is allowed to turn into the business. I urge you to watch the existing traffic issues, especially at rush hours. It is very unsafe and I am shocked that more accidents have not occurred at the intersection. Placing a 24/7 gas station there will be a traffic nightmare.

- A Race Trac station is going in 1/3 of a mile West of the subject property and has already been approved - this is zoned commercial, unlike the property at our entrance. Furthermore the Race Trac station does not impinge on a community like Brooke Park, whose property values can be significantly effected by a gas station at it's entrance. The owners of the property prior statements that "graffiti can be easily cleaned off of their fencing " gives just a little hint of what goes on at these businesses.

- Why did the owners of subject property not develop the property as NC, knowing full well that is was zoned that way and that there are significant issues in rezoning to GC ? We welcome the property being developed as NC, which I am sure it can be. We have heard that offers have been made to buy the land and develop it as NC but the offers were turned down.

- I am presently in the process of moving to Charlotte and have my house for sale, so why should I care ? Because I love my neighborhood, I love Canton and I believe this change in zoning effects both very negatively.

Please consider the points I have made, as well as other letters I am sure you are getting, and reject this request for rezoning. The reasons are compelling and I thank you in advance for your consideration in this matter.

Sincerely,

Jim Martin
516 River Estates
Canton, GA 30115