

MEMORANDUM



To: Honorable Mayor and City Council
Chris Lagerbloom, Acting City Manager
Planning Commission
Jeanette Marchiafava, City Clerk
Tom Wilson, Director of Community Development
Daniel Drake, PE, AICP, Director of Public Works
Mike Tuller, Deputy Director of Community Development
Abbie Jones, Transportation Planning
Mark Law, Arborist
Deb Harrell, Public Safety
Chad McGiboney, Fire
Outside Agencies

From: Robyn MacDonald, Planner, Community Development

Date: September 17, 2007

Re: Preliminary Zoning Agenda **Community Zoning Information Meeting (CZIM)**
Wednesday, September 26, 2007 - 7:00 PM at City Hall

Design Review Board (DRB)
Tuesday, October 2, 2007 – 6:00 PM at City Hall

Planning Commission
Tuesday, October 23, 2007 - 7:00 PM at City Hall

Mayor and City Council
Thursday, November 15, 2007 - 7:00 PM at City Hall

Please submit any comments you have regarding the following cases to Robyn MacDonald, 678-242-2540, by **Tuesday, October 2, 2007**.

Please be advised, the material details of the rezoning and use petitions received on or before the August 7, 2007 submittal deadline are as follows:

REZONINGS/USE PERMITS

Agenda Item/ Location/Applicant	Request
<p>RZ07-007 VC07-005 C-1(Community Business) & A (Medium Density Apartments) to C-1 (Community Business) Highway 9 & Deerfield Parkway Sembler Company, LLC Brian Snelling</p>	<p>To rezone from A (Apartments) and C-1 (Community Business) to C-1 (Community Business) to develop 141,511 square feet of retail, service and commercial uses, at a density of 8,805.43 square feet per acre. The development will include 2 out parcels. The applicant is also requesting a 3 Part Concurrent Variance: 1. To reduce portions of the east side buffer from 100' to 25'. 2. To delete the 10' landscape strip along the south property line. 3. To allow a loading area in the front yard.</p>
<p>UP07-005 Grace Church & River Lutheran Church Use Permit 13660 New Providence Road (Mill Springs Academy) Planners & Engineers Collaborative Pam Little</p>	<p>The Grace Church is requesting to use the existing Gym and Assembly Room and the "T" buildings for up to 200 members and the River Lutheran Church to use the Great Room for up to 175 members.</p>

LETTER OF INTENT

The property contains approximately 16.07 acres and is located at the southeast corner of the intersection of Deerfield Parkway and Highway 9 (the "Property"). The Property is presently zoned to the A and C-1 Classifications.

The Applicant requests a rezoning to the C-1 Classification for the development of 141,511 square feet for retail, commercial, service, office and accessory uses including fast food restaurants limited to bagel, bakery, coffee houses and ice cream parlors which shall not be free standing and also a gas station at the northwest corner of the Property at the intersection of Highway 9 and Deerfield Parkway. Due to the narrow and elongated shape and configuration of the Property, which conditions present a real and substantial hardship unique to the Property, the Applicant request a three part Concurrent Variance consisting of the following: (1) reduce the required 100' buffer and 10' improvement setback along the east Property line to a 25' buffer and 10' improvement setback pursuant to Article 4.4.3E.1.b, (2) delete the 10' landscape strip along the south Property line pursuant to Article 12G.4.8.2. in order that the Property may be developed together with the other property of the Applicant contiguous and to the south as an overall retail development and (3) allow loading area in the front yard pursuant to Article 12G.4F.6. The Comprehensive Land Use Plan Map suggests Neighborhood Live/Work development for the Property. Given the mix of residential zonings and developments in the immediate area and the intended development of the Property together with the other property of the Applicant contiguous and to the south, this zoning proposal is in conformity with the intent and of the land use plan and is entirely appropriate. The appropriateness of this Application for Rezoning and Concurrent Variances is more particularly stated and set forth on Exhibit "A" attached hereto and by reference thereto made a part hereof.

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

RZ07-007
VC07-005

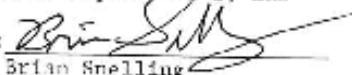
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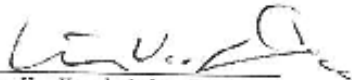
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City of Milton
Community Development

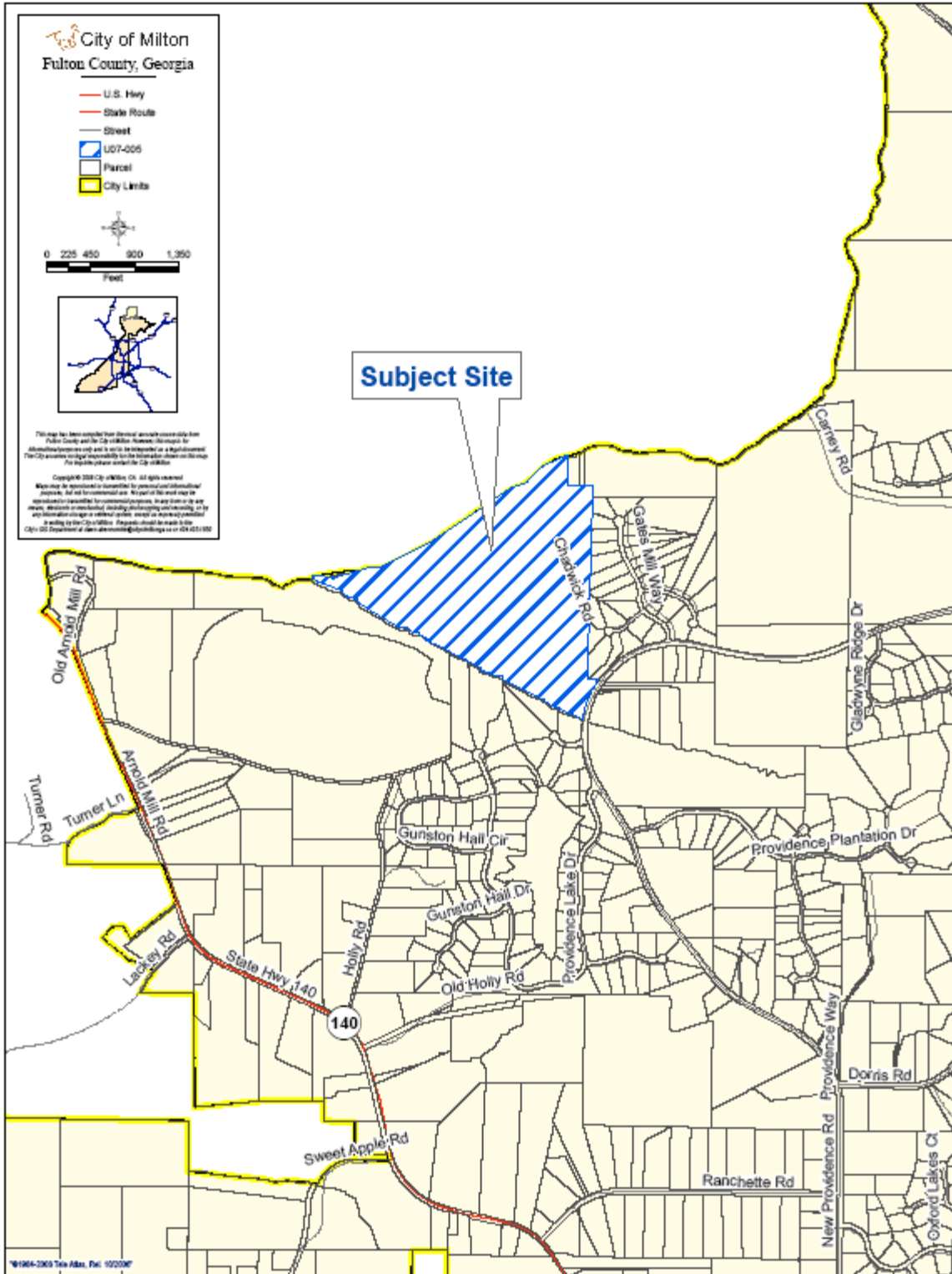
APPLICANT:

Sembler Alpharetta I, LLC

By: 
Brian Snelling
Its: Development Manager


Nathan V. Hendricks III
Attorney for the Applicant

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



LOCATION MAP – UPO7-005



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September 4, 2007

Ms. Robyn MacDonald
City of Milton
Community Development
13000 Deerfield Parkway, Suite 107
Milton, Georgia 30004

Re: Mill Springs Academy – New Providence Road Campus SUP Application Letter of Intent
Planners and Engineers Collaborative, Inc. Project Number 96153.00

Dear Ms. MacDonald:

We are hereby submitting an application for a Special Use Permit for the above-referenced project located at 13660 New Providence Road in the City of Milton, Georgia.

The property is zoned AC-1 and the use of the private school currently on the property was approved per cases 96U-064 NTC and 02V-176 NTC in previous applications to Fulton County. The current request for a Special Use Permit from the City of Milton is to allow two religious organizations to use the otherwise unoccupied school campus for services on Sundays. These organizations had been using the school campus under Fulton County's regulations prior to the property becoming a part of the City of Milton. The SUP is simply to clarify the permission to continue this use.

Both the Grace Church and the River Lutheran Church are requesting the continued use of the school buildings on Sundays. Specifically, the Grace Church is requesting permission to meet in both the Gym and Assembly Building in the Assembly Room (approx. 2,088 sf) and the "T" Buildings (where the maximum size is 4,279 sf) for Sunday School between 9:30 am – 10:30 am Sunday mornings, for worship between 10:30 am – 12:30 pm on Sundays, and between 5:30 pm – 7:00 pm for additional worship and workshops on Sunday evenings. The River Lutheran Church is requesting permission to meet in the Great Room in the Upper School between 10:30 am – 12:30 pm on Sundays. The Great Room in the Upper School is approximately 2,912 square feet in area. There are no fixed seats in any of the rooms used by the churches.

Currently the Grace Church hosts a maximum of 80 people, but looks to grow up to 200 members in the next 5 years. The River Lutheran Church hosts only 30 members currently, but projects they could grow up to 175 members in the next 5 years.

U07-005

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SEP 05 2007

City of Milton
Community Development

350 Research Court ■ Norcross, Georgia 30092 ■ tel: 770-451-2741 ■ fax: 770-451-3915
www.pecatl.com

The school currently operates with an enrollment of approximately 305 students, and the following buildings are located on the campus: Gym and Assembly Building (approx. 13,036 sf), Upper School (approx. 27,500 sf), T-Building 1 (3,441 sf), T-Building 2 (3,441 sf), T-Building 3 (3,341 sf), T-Building 4 (3,447 sf) and T-Building 5 (4,279 sf). Another building is currently under construction and is called the Pre-Upper School building and is expected to be approximately 13,363 square feet in area at completion. School is in session Monday through Friday from 8:00 am – 4:00 pm. No school activities occur on campus on Sundays.

Sincerely,
Planners and Engineers Collaborative, Inc.



Pamela Little, P.E.
for the Firm

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