

MEMORANDUM



To: Honorable Mayor and City Council
Chris Lagerbloom, City Manager
Jeanette Marchiafava, City Clerk
Tom Wilson, Interim Community Development Director
Carter Lucas, PE, Director of Public Works
Sara Leaders, Transportation Planning
Mark Law, Arborist
Melissa Henderson, Fire Marshal

From: Robyn MacDonald, Planner, Community Development

Date: November 18, 2009

Re: Preliminary Zoning Agenda **Community Zoning Information Meeting (CZIM)
Wednesday, December 2, 2009 - 7:00 PM at City Hall
(RZ09-05 and ZM09-04/VC09-04)**

**Design Review Board (DRB)
Tuesday, December 1, 2009 – 6:00 PM at City Hall
(RZ09-05 and ZM09-04/VC09-04)**

**Planning Commission
Wednesday, December 16, 2009- 7:00 PM at City Hall
(RZ09-05)**

**Mayor and City Council
Monday, December 21, 2009 - 6:00 PM at City Hall
(ZM09-04/VC09-04)**

**Mayor and City Council
Wednesday, January 20, 2010 – 6:00 PM at City Hall
(RZ09-05)**

Please submit any comments you have regarding the following cases to Robyn MacDonald, 678-242-2540, by **December 4, 2009**.

Please be advised, the material details of the rezoning and use petitions received on or before the November 3, 2009 submittal deadline are as follows:

ZONING MODIFICATION

Agenda Item/ Location/Applicant	Request
ZM09-04 /VC09-04 Northeast corner of Hwy 9 and Bethany Bend Dr. David Smith	To revise condition 2.a. from the site plan received by the Department of Environment and Community Development on November 8, 2006 to the site plan received by the City of Milton Community Development Department on November 3, 2009. The applicant is also requesting a concurrent variance to delete the 10-foot landscape strip along the newly formed north property line to allow the required parking aisle width Article (12G.4.A.2)

REZONING/CONCURRENT VARIANCE

Agenda Item/ Location/Applicant	Request
RZ09-05 12645 Birmingham Highway (SR 372) McRae and Stolz Inc.	To rezone from C-1 (Community Business) to C-1 (Community Business) to change the use from an antique store (currently used as an architecture office) to general commercial uses within the existing structure.



PETITION NUMBER(S):
ZM09-04/VC09-04

PROPERTY INFORMATION

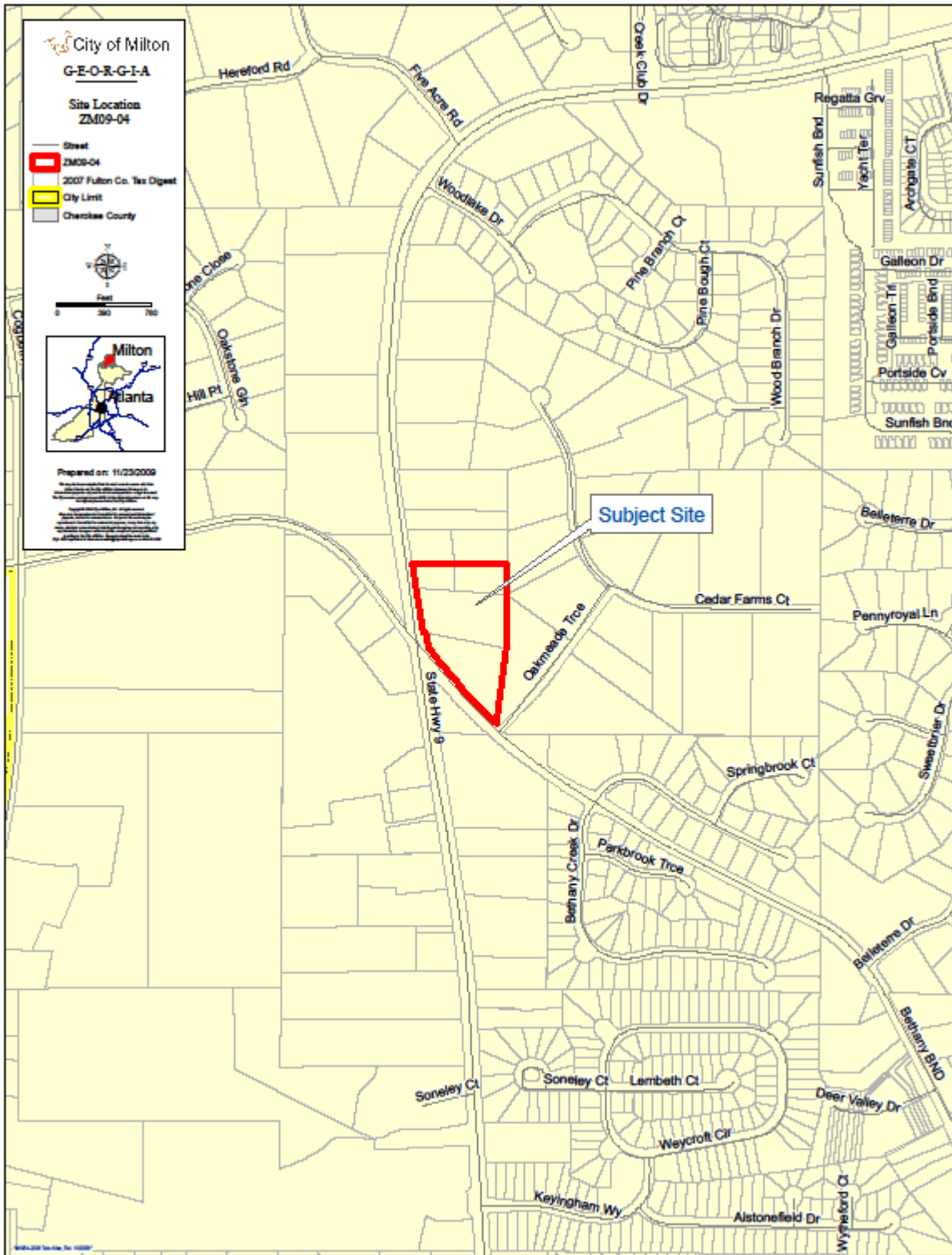
ADDRESS	Northeast corner of Hwy 9 and Bethany Bend
DISTRICT, LAND LOT	2/2, 831
OVERLAY DISTRICT	State Route 9
EXISTING ZONING	C-1 (Community Business) Z06-096/VC06-142
ACRES	6.024
EXISTING USE	CVS Drug Store and undeveloped

OWNER Eric Liu
ADDRESS PO Box 28591
Atlanta, GA 30358

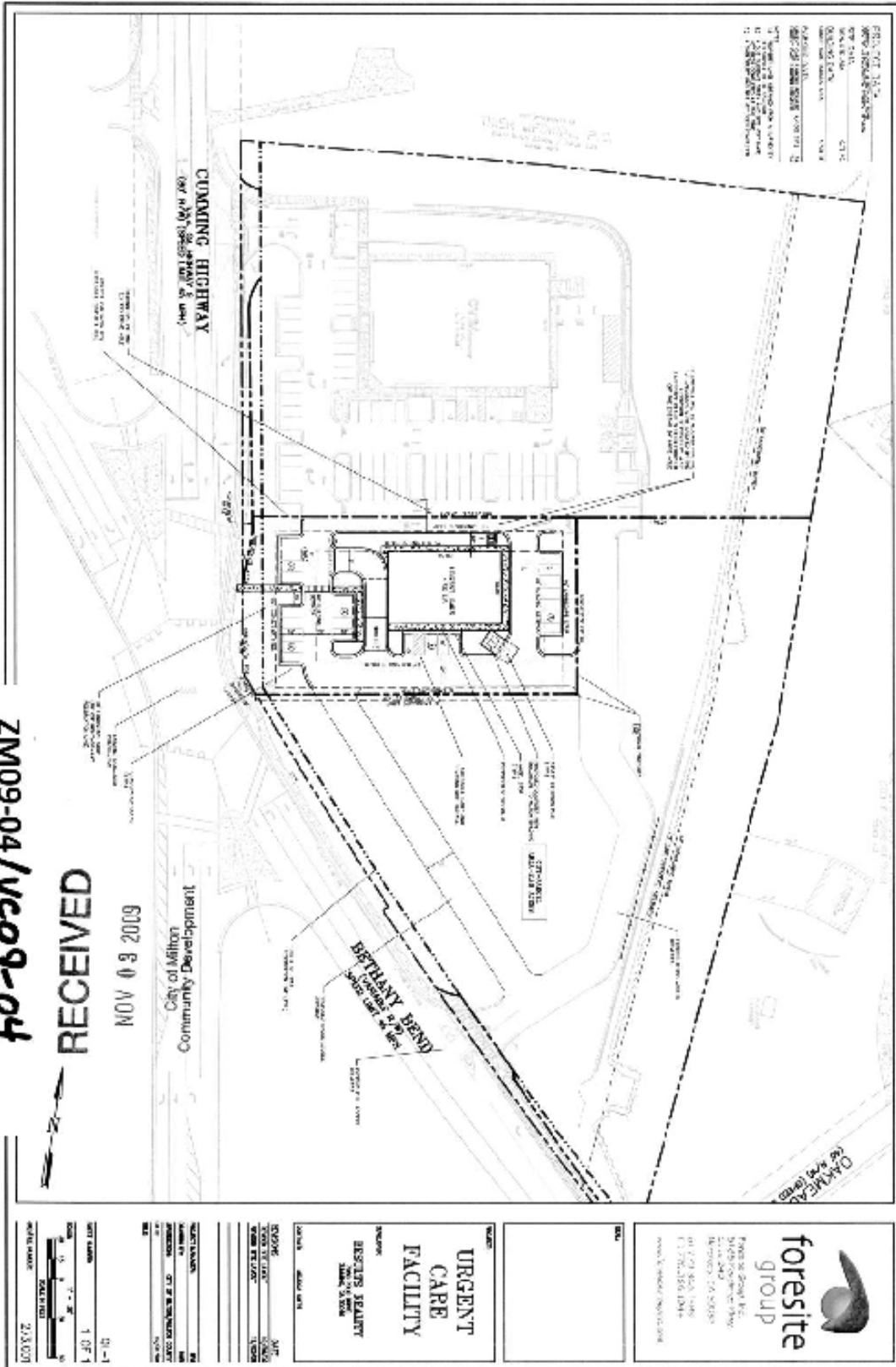
APPLICANT Dr. David Smith
ADDRESS 7060 Polo Drive
Cumming, GA 30040

INTENT

To revise condition 2.a. from the site plan received by the Department of Environment and Community Development on November 8, 2006 to the site plan received by the City of Milton Community Development Department on November 3, 2009. The applicant is also requesting a concurrent variance to delete the 10-foot landscape strip along the newly formed north property line to allow the required parking aisle width Article (12G.4.A.2). The applicant is proposing a 4,730 square foot urgent care facility.



LOCATION MAP



SITE PLAN SUBMITTED NOVEMBER 3, 2009

Bethany Bend Urgent Care P.C.
Dr. David Smith
7050 Polo Drive
Cumming Georgia 30040
404-374-3612

RECEIVED

NOV 03 2009

City of Milton
Community Development

To whom it may concern:

Our intent is to build a 3750 medical brick building to provide Urgent Medical Healthcare to the surrounding neighbors. We would construct the building to match the exterior of the adjacent CVS, using the same color of brick and architectural style. We would use the shutter's that most the buildings have and the red trim with stucco.

In addition to the request to modify the site plan, we are requesting a concurrent variance (Article 12G.4.A.2) to delete the 10-foot landscape strip along the north property line of the newly created parcel to allow the required 24 foot driveway aisle for the existing parking utilized by CVS. We will provide a 10-foot landscape strip between the driveway aisle and the building as depicted on the site plan.

Melissa Smith
David J. Smith



ZM09-04 / VC09-04



PETITION NUMBER(S):
RZ09-05

PROPERTY INFORMATION

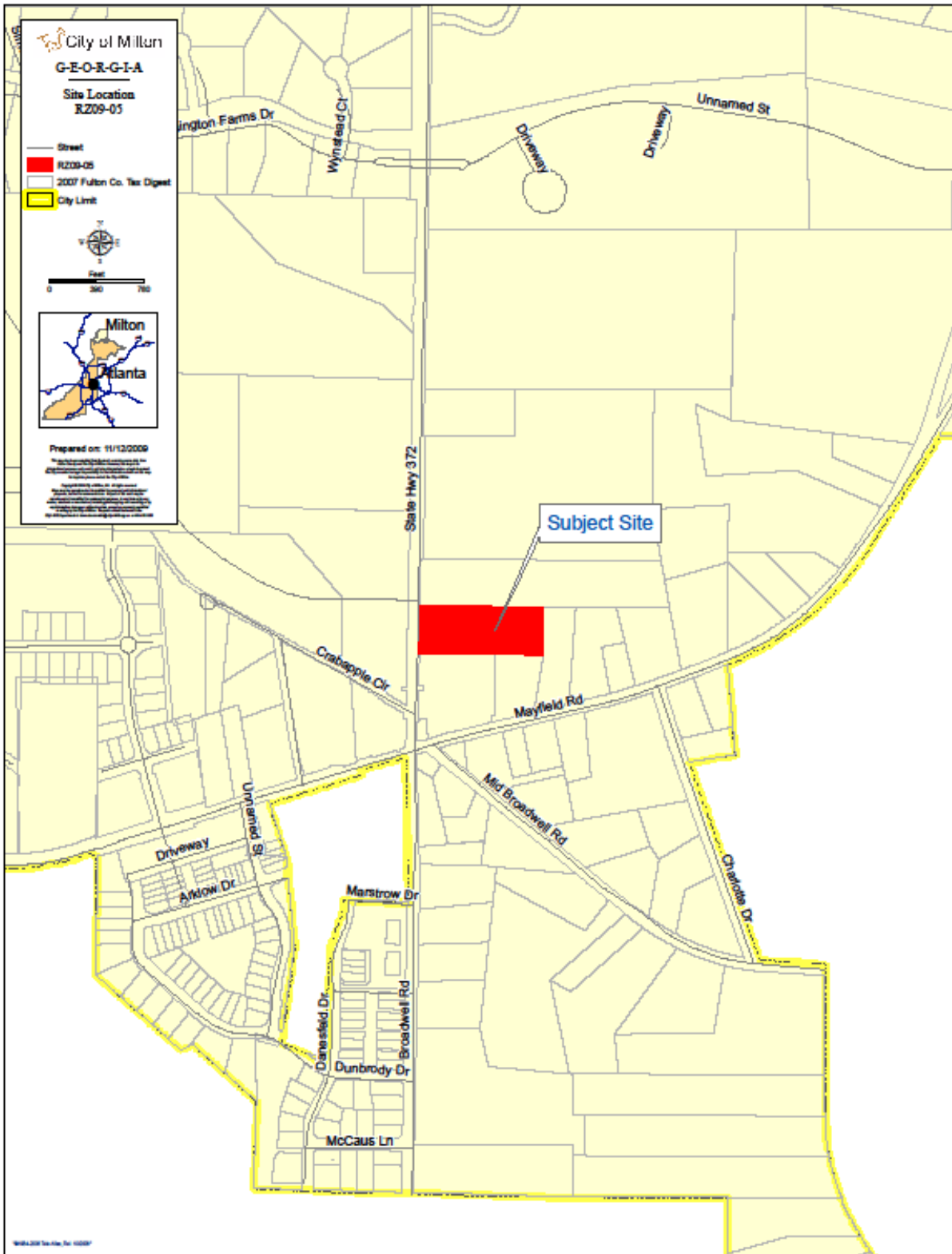
ADDRESS	12645 Birmingham Hwy (SR 372)
DISTRICT, LAND LOT	2/2, 1134
OVERLAY DISTRICT	Crabapple
EXISTING ZONING	C-1 (Community Business) Z86-283
REQUESTED ZONING	C-1 (Community Business)
ACRES	2.42
EXISTING USE	Architecture Office (approved for only antique store)
PROPOSED USE	Salon within the existing structure

OWNER/APPLICANT McRae & Stoltz Inc.

ADDRESS 7 South Main Street
Alpharetta, GA 30004

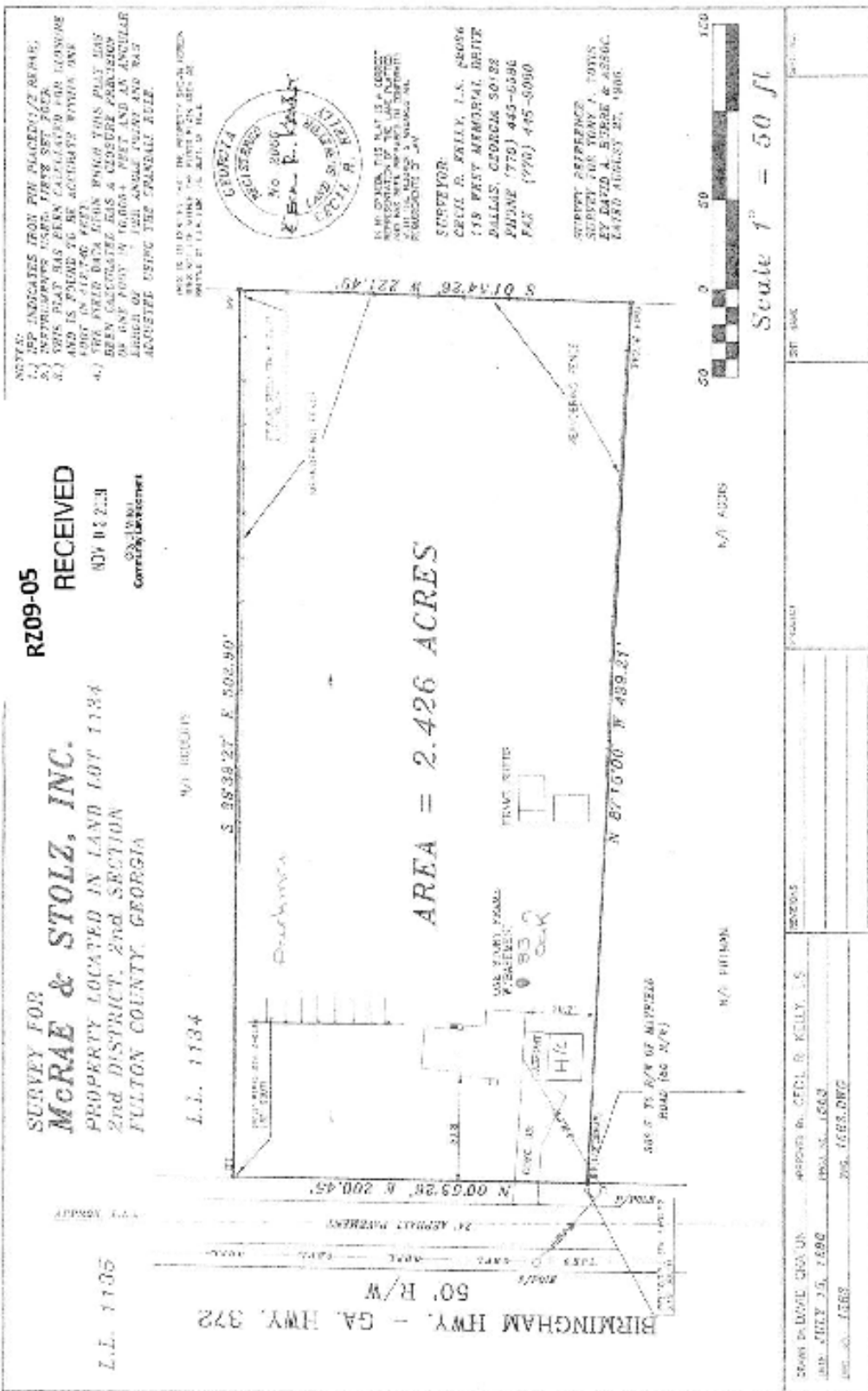
INTENT

To rezone from C-1 (Community Business) to C-1 (Community Business) to change the use from an antique store to general commercial uses (salon) within the existing structure.



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C1-0000 286-282



SITE PLAN SUBMITTED NOVEMBER 3, 2009

Letter of Intent

November 16, 2009

RE: 12645 Birmingham Highway, Milton, Georgia 30004

To Whom It May Concern:

McRae and Stolz, Inc., the owner of 12645 Birmingham Highway, has requested rezoning for this property. It is the owner's intent to rezone this property from C-1 Conditional to C-1 General Use. There will not be any change to the existing building, but some parking in the rear of the building will be installed per the requirements of the Overlay District.

A meeting will be held at the property at 5:00 p.m. on Tuesday, December 1 to discuss this matter.

Sincerely,



McRae & Stolz, Inc.

RZ09-05