

~~200~~
1,500 (5 acres rezoning)
500 (use permit)
350 (concurrent variance)
200 (2 additional concurrent variance)

Total = \$2658

RZ 24-02, U24-01
VC 24-01

Pre-application Review for Rezoning,
Use Permit(s), and Concurrent Variance(s)

PRE-APPLICATION REVIEW FOR REZONING, USE PERMIT(S) AND
CONCURRENT VARIANCE(S)

~~2,550~~ 2,550 + Sign 102.00

Check all that apply:

Rezoning ☒ Use Permit(s) ☒

Concurrent Variance(s) ☒

Property Address: 3499 & 3501 Bethany Bend
Milton, GA 30004

Tax PIN(s):

21 547009720158

21 547009720240

Existing Zoning: TR (Townhouse Res) & Senior Living
Existing Petition(s): RZ 08-08 / U08-04 / VC 08-04
Existing Use: 2 abandoned single family homes

Use Permit

Proposed Zoning: O-I (Office-Institution)

Proposed Use Permit(s):

Private School (Art 8.4.1.G)

Comprehensive Plan Land Use Map:

Multi-Family Residential

Overlay District: State Route 9

Land Lot(s): 971, 972
District: Dist 2 | Section 1
Total Acreage: 5.021

Frontage: Bethany Bend
Frontage:
Frontage:

Side: west
Side:
Side:

Distance: 740'
Distance:
Distance:

Applicant: Milton Montessori School
3505 Bethany Bend, Milton, GA
30004

Phone: 404-232-5227

Email: mms@themiltonmontessorischoolga

Owner: Sapient Minds LLC
Same as above

Phone: Same as above
Email:

Representative:

Phone:
Email:

Applicant's Intent: To request a rezoning from TR to O-I and a Use Permit to develop a private school within 13,000 sq. ft with a total of 160 students and associated activity (outside) areas.

CONCURRENT VARIANCE(S):

Article: 5.1.4.B.
along the south property line.

Request: To ~~request~~ delete the 20' side setback

Article: 6.2.3.B.
along the south property line.

Request: To delete the 10' landscape strip

RECEIVED

MAY 03 2024

City of Milton
Community Development

Article: 6.2.6.A. Request: To reduce the sidewalk width along Bethany Bend from six to five feet (within the City Right-of-Way)

Article: _____ Request: _____

Sign Posting	<u>yes</u>	Sewer /Septic	<u>yes</u>	DRI Review	<u>No</u>
Public Participation	<u>yes</u>	Cemetery	<u>No</u>	Traffic Study	<u>yes</u>
Stream Protection	<u>yes</u>	Environmental Impact Report	<u>No</u>	Noise Study	<u>No</u>

NON-RESIDENTIAL:	RESIDENTIAL:
Building Height: <u>30 feet</u>	No. of Units: _____ Density: _____
Gross Square Footage: <u>24</u> <u>4,780</u>	Minimum Heated Floor Area: _____
Density: <u>4,780 sq. ft./acre</u>	Minimum Lot Area: _____

ATTENDANCE IS REQUIRED AT THE FOLLOWING MEETINGS:

2PM 4/29/24
Community Zoning Information Meeting - Tuesday, May 28, 2024 @ 6PM
7/29/24
Design Review Board Tuesday, June 4, 2024 @ 6PM
City Hall
June 25
Public Participation Mtg - no later than June 18 July 20
Planning Commission Meeting Wednesday, June 26, 2024 @ 6pm
July 24
Mayor and City Council Monday, August 5, 2024 @ 6pm
Sept 9

Applicant's Signature: To the best of my knowledge, this Pre-application review is correct and complete. If additional variances are determined to be necessary, I understand that I am responsible for filing an appeal as specified by Article 12.4 of the City of Milton Unified Development Code.

Applicant: [Signature] Date: 04/11/2024

Planner: Edyn H Macdonald Date: April 11, 2024



REZONING, USE PERMIT & CONCURRENT VARIANCE

Submit completed forms to:

City of Milton, Attn: Community Development, 2006 Heritage Walk, Milton, GA 30004. Call 678-242-2500 with questions.

APPLICATION FOR REZONING OR USE PERMIT AND CONCURRENT VARIANCE

DATE: 4/30/2024 TAX PARCEL ID. NO. 21 547009720158 & 21 547009720240

SECTION I: REZONING REQUEST

Office use only

Zoning Case #: _____ Road Frontage: _____

Property Address (if available) 3501 & 3499 Bethany Bend, Milton, GA 30004

Existing Zoning TR (Townhouse Residential) Proposed Zoning O-I (Office-Institutional)

SECTION II: USE PERMIT REQUEST

Office use only

Use Permit Case #: _____ Road Frontage: _____

Under the provisions of Article XIV of the City of Milton Zoning Ordinance, application is hereby made to obtain a Use Permit as follows:

Current Zoning TR (Townhouse Residential)

Use Permit Request Private School Sec: 8.4.1.G

SECTION III: CONCURRENT VARIANCE REQUEST(S)

Office use only

Variance Case #: _____

Request 1) To delete the 20' side setback along the south property line

Ref. Article 5.1.4.B

Section _____

Request 2) To delete the 10' landscape strip along the south property line

Ref. Article 6.2.3B

Section _____

Request 3) To reduce the sidewalk width along Bethany Bend from 6ft. to 5ft.

Ref. Article 6.2.6.A

Section _____

SECTION IV: OWNER/PETITIONER

NOTICE: Part 1 and/or Part 2 below must be signed and notarized when the petition is submitted. Please complete Section IV as follows:

- a) If you are the sole owner of the property and not the petitioner complete Part 1.
- b) If you are the petitioner and not the sole owner of the property complete Part 2.
- c) If you are the sole owner and petitioner complete Part 1.
- d) If there are multiple owners each must complete a separate Part 1 and include it in the application.

Part 1. Owner states under oath that he/she is the owner of the property described in the attached legal description, which is made part of this application. If the owner is a corporation, limited liability company, limited partnership, limited liability partnership, or other entity recognized by the State of Georgia other than an individual, than the individual signing the petition states under oath that he/she has been authorized by the owner pursuant to the necessary formalities to sign on its behalf.*

Sapient Minds LLC / Biju Eappen

TYPE OR PRINT OWNER'S NAME

3505 Bethany Bend

ADDRESS

Milton & GA

CITY & STATE

30004

ZIP CODE

404-232-5227

PHONE NUMBER

[Signature]
OWNER'S SIGNATURE

Sworn to and subscribed before me this the

Day of May 3rd 2021

[Signature]
NOTARY PUBLIC

July 16, 2027
MY COMMISSION EXPIRES



Part 2. Petitioner states under oath that: (1) he/she is the executor or Attorney-in-fact under a Power-of-Attorney for the owner (attach a copy of the Power-of-Attorney letter and type name above as "Owner"); (2) he/she has an option to purchase said property (attach a copy of the contract and type name of owner above as "Owner"); or (3) he/she has an estate for years which permits the petitioner to apply (attach a copy of lease and type name of owner above as "Owner"). If the petitioner is a corporation, limited liability company, limited partnership, limited liability partnership, or other entity recognized by the State of Georgia other than an individual, than the individual signing the petition states under oath that he/she has been authorized by the petitioner pursuant to the necessary formalities to sign on its behalf.*

TYPE OR PRINT OWNER'S NAME

ADDRESS

CITY & STATE

ZIP CODE

PHONE NUMBER

PETITIONER'S SIGNATURE

Sworn to and subscribed before me this the

Day of _____ 20 _____

NOTARY PUBLIC

MY COMMISSION EXPIRES

*Pursuant to O.C.G.A. 16-10-20, "A person who knowingly and willfully ...makes a false, fictitious, or fraudulent statement or representation...in any matter within the jurisdiction of any department or agency of state government or of the government of any county, city, or other political subdivision of this state, shall upon conviction thereof, be punished by a fine of not more than \$1,000.00 or by imprisonment for not less than one or more than five years, or both."

SECTION V: ATTORNEY / AGENT

If this application is signed by an attorney or agent on behalf of another, the undersigned attorney/agent states under oath that they have been given express permission to execute and submit this application on their behalf.

Check One: ☐ Attorney ☐ Agent

TYPE OR PRINT ATTORNEY / AGENT NAME

SIGNATURE OF ATTORNEY / AGENT

ADDRESS

CITY & STATE

ZIP CODE

PHONE NUMBER

PETITIONER'S SIGNATURE

*Pursuant to O.C.G.A. 16-10-20, "A person who knowingly and willfully ...makes a false, fictitious, or fraudulent statement or representation...in any matter within the jurisdiction of any department or agency of state government or of the government of any county, city, or other political subdivision of this state, shall upon conviction thereof, be punished by a fine of not more than \$1,000.00 or by imprisonment for not less than one or more than five years, or both."

SURVEY LEGAL DESCRIPTION

TRACT 1

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 972, DISTRICT 2, SECTION 1, CITY OF MILTON, FULTON COUNTY, GEORGIA; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE AT A 1" SQUARE ROD FOUND AT THE INTERSECTION OF THE SOUTH LINE OF LAND LOT 971 WITH THE WESTERLY RIGHT OF WAY OF BETHANY BEND (60' R/W); THENCE TRAVELING ALONG THE WESTERLY RIGHT OF WAY OF BETHANY BEND NORTH 09 DEGREES 20 MINUTES 27 SECONDS WEST FOR A DISTANCE OF 181.13 FEET TO A POINT; THENCE CONTINUING ALONG SAID RIGHT OF WAY NORTH 09 DEGREES 15 MINUTES 51 SECONDS WEST FOR A DISTANCE OF 210.72 FEET TO AN IRON PIN SET, SAID POINT BEING THE POINT OF BEGINNING;

THENCE LEAVING SAID RIGHT OF WAY SOUTH 85 DEGREES 58 MINUTES 30 SECONDS WEST FOR A DISTANCE OF 206.39 FEET TO A 1" ROD FOUND; THENCE NORTH 11 DEGREES 16 MINUTES 10 SECONDS WEST FOR A DISTANCE OF 210.83 FEET TO A 1/2" OPEN-TOP PIPE FOUND; THENCE NORTH 27 DEGREES 57 MINUTES 10 SECONDS WEST FOR A DISTANCE OF 162.00 FEET TO A POINT; THENCE NORTH 46 DEGREES 07 MINUTES 50 SECONDS EAST FOR A DISTANCE OF 249.74 FEET TO A 2" PIPE DISTURBED FOUND ON THE WESTERLY RIGHT OF WAY OF BETHANY BEND; THENCE TRAVELING ALONG SAID RIGHT OF WAY THE FOLLOWING TWO (2) COURSES AND DISTANCES: ALONG A CURVE TO THE RIGHT WITH AN ARC LENGTH OF 369.28 FEET AND A RADIUS OF 1,200.38 FEET, BEING SUBTENDED BY A CHORD OF SOUTH 18 DEGREES 23 MINUTES 40 SECONDS EAST A DISTANCE OF 367.82 FEET TO A POINT; THENCE SOUTH 09 DEGREES 34 MINUTES 44 SECONDS EAST FOR A DISTANCE OF 161.68 FEET TO THE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINS 2.253 ACRES AND IS DEPICTED AS TRACT 1 ON THAT CERTAIN ALTA/NSPS PLAT OF SURVEY PREPARED BY LANDPRO SURVEYING AND MAPPING, INC., SEALED AND CERTIFIED BY JAMES H. RADER, GRLS NO. 3033, DATED DECEMBER 13, 2023.

TRACT 2

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 971 AND 972, DISTRICT 2, SECTION 1, CITY OF MILTON, FULTON COUNTY, GEORGIA; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE AT A 1" SQUARE ROD FOUND AT THE INTERSECTION OF THE SOUTH LINE OF LAND LOT 971 WITH THE WESTERLY RIGHT OF WAY OF BETHANY BEND (60' R/W); THENCE TRAVELING ALONG THE WESTERLY RIGHT OF WAY OF

BETHANY BEND NORTH 09 DEGREES 20 MINUTES 27 SECONDS WEST FOR A DISTANCE OF 181.13 FEET TO AN IRON PIN SET, SAID POINT BEING THE POINT OF BEGINNING;

THENCE LEAVING SAID RIGHT OF WAY SOUTH 85 DEGREES 55 MINUTES 41 SECONDS WEST FOR A DISTANCE OF 502.52 FEET TO A POINT ON THE CENTERLINE OF A CREEK; THENCE TRAVELING ALONG THE CENTERLINE OF SAID CREEK THE FOLLOWING 8 COURSES AND DISTANCES: NORTH 42 DEGREES 52 MINUTES 37 SECONDS WEST FOR A DISTANCE OF 25.62 FEET TO A POINT; THENCE NORTH 23 DEGREES 26 MINUTES 58 SECONDS WEST FOR A DISTANCE OF 36.47 FEET TO A POINT; THENCE NORTH 46 DEGREES 43 MINUTES 59 SECONDS WEST FOR A DISTANCE OF 50.91 FEET TO A POINT; THENCE NORTH 81 DEGREES 38 MINUTES 12 SECONDS WEST FOR A DISTANCE OF 28.09 FEET TO A POINT; THENCE SOUTH 89 DEGREES 00 MINUTES 21 SECONDS WEST FOR A DISTANCE OF 19.75 FEET TO A POINT; THENCE NORTH 27 DEGREES 30 MINUTES 40 SECONDS WEST FOR A DISTANCE OF 31.05 FEET TO A POINT; THENCE NORTH 24 DEGREES 34 MINUTES 03 SECONDS WEST FOR A DISTANCE OF 31.27 FEET TO A POINT; THENCE NORTH 46 DEGREES 27 MINUTES 19 SECONDS WEST FOR A DISTANCE OF 62.96 FEET TO A POINT; THENCE LEAVING SAID CREEK NORTH 85 DEGREES 03 MINUTES 47 SECONDS EAST FOR A DISTANCE OF 452.65 FEET TO A 1" ROD FOUND; THENCE NORTH 85 DEGREES 58 MINUTES 30 SECONDS EAST FOR A DISTANCE OF 206.39 FEET TO AN IRON PIN SET ON THE WESTERLY RIGHT OF WAY OF BETHANY BEND; THENCE TRAVELING ALONG SAID RIGHT OF WAY SOUTH 09 DEGREES 15 MINUTES 51 SECONDS EAST FOR A DISTANCE OF 210.72 FEET TO THE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINS 2.768 ACRES AND IS DEPICTED AS TRACT 2 ON THAT CERTAIN ALTA/NSPS PLAT OF SURVEY PREPARED BY LANDPRO SURVEYING AND MAPPING, INC., SEALED AND CERTIFIED BY JAMES H. RADER, GRLS NO. 3033, DATED DECEMBER 13, 2023.

City of Milton, GA

RE: Letter of Intent

To: Robyn MacDonald
Zoning Manager
City of Milton

This letter of intent is accompanied by an application to the subject site from TR (Townhouse Residential) to O-I (Office-Institutional), Use Permit for Private School and three concurrent variances. This 5+ acres property is located at 3501 & 3499 Bethany Bend, Milton GA 30004. The current zoning for TR was approved by the City of Milton in 2007 for Senior Housing at a density of 20 units per acre. This proposed zoning to O-I and Use Permit for a Private School would greatly decrease the density for this site.

Background

Wisdarium LLC dba Milton Montessori School is located on the south side of this property. Milton Montessori school opened its doors in January of 2008. We have organically grown (through multiple small expansions) over the past 16 years. Our school enrollment has grown primarily through word of mouth by the families that enrolled their children at the school. We take pride in being a shining example for a small minority business owner, operated by a team of highly skilled teachers and support staff.

School History -3505 Bethany Bend

Our first building was a small home renovated to be a school and was licensed for 23 kids. This was based on the original rezoning permitted in Fulton County pursuant to Z03-152. With a lot of hard work, determination and lessons learnt we soon had a waiting list for our programs. Our goal is to be considered as the best private school in the city of Milton.

We purchased the adjacent property (3503 Bethany Bend) and requested to rezone and Use Permit in 2015 pursuant to RZ15-14/U15-04/VC15-03 which permitted a maximum of 150 students within the existing structure (house) and the newly constructed 6000 sq ft building and opened in 2017.

After 3 years, we were full and running out of space so in 2018, we came back to the city and requested additional square footage and students to expand upstairs in the new building. Pursuant to RZ18-06/U18-01/VC18-01 the city approved a total of 9,500 square feet (including the original building).

- d. Public safety, health and welfare are secured, and justice is done:
All are secured and the use is more appropriate for the specific area.
2. Article 6.2.3.B To delete the 10 ft landscape strip along the south property (Wisdarium LLC) which is owned by the same owner:
- a. Spirit or Intent of Zoning Ordinance:
To have easy access from existing property to new property (both are owned by same owner)
 - b. Extraordinary conditions where literal/strict application of ordinance create unnecessary hardship:
This landscape buffer is not necessary because both are same school and staff and children will be walking between buildings, having this landscape will prevent easy access to buildings.
 - c. Relief would not cause detriment to public good and surrounding properties:
Removing this landscape would not cause any detriment to the public or school staff.
 - d. Public safety, health and welfare are secured, and justice is done:
All are secured and the use is more appropriate for the specific area.
3. Article 6.2.6.A To reduce the sidewalk width along Bethany Bend from six to five feet. (Currently no customers walk to school)
- a. Spirit or Intent of Zoning Ordinance:
A 5 feet sidewalk would be adequate for a length of about 800 feet.
 - b. Extraordinary conditions where literal/strict application of ordinance create unnecessary hardship:
Already making about 800 ft of 5 ft sidewalk is hardship, making 5 ft to 6 ft sidewalk will make it even harder for the owner, which can be used for other part of the project.
 - c. Relief would not cause detriment to public good and surrounding properties:
Making the sidewalk 5 ft wide would not cause detriment to the public and surrounding properties. Across the road, the sidewalk is only 3 ft wide.
 - d. Public safety, health and welfare are secured, and justice is done:
5 ft sidewalk will be secured and should not be affected by making 6 to 5 feet. Currently none of my customers walk to the school.

Closing

This expansion will offer an attractive option for high quality private education for new residents in the city. Milton Montessori School will also benefit the local community by offering employment for experienced teachers and several part-time employment opportunities for residents. The school will operate from 6:30am to 7:30pm Monday to Friday.

We look forward to growing with the city and serve the needs of the community by educating and shaping the minds of the future generation.

If you have any question about the project, please contact me at 404-232-5227

Thank you for your consideration,

Respectfully,

Biju Eappen

ENVIRONMENTAL SITE ANALYSIS – FORM A

Provide a complete Environmental Site Analysis document fully addressing all items as required in sections 1 through 3 below. Attach this Form A to the front of the completed Environmental Site Analysis document (and any subsequent revisions) prior to submission.

ESA Revision Number: _____

Applicant: Sapient Minds LLC

Phone Number: 404-232-5227

- 1. CONFORMANCE WITH THE COMPREHENSIVE PLAN.** Describe the proposed project and the existing environmental conditions on the site. Describe adjacent properties. Include a site plan that depicts the proposed project.

Describe how the project conforms to the Comprehensive Land Use Plan. Include the portion of the Comprehensive Plan Land Use Map which supports the project's conformity to the Plan. Evaluate the proposed project with respect to the land use suggestion of the Comprehensive Plan as well as any pertinent Plan policies.

- 2. ENVIRONMENTAL IMPACTS OF THE PROPOSED PROJECT.** For each environmental site feature listed below, indicate the presence or absence of that feature on the property. Describe how the proposed project may encroach or adversely affect an environmental site feature. Information on environmental site features may be obtained from the indicated source(s).

a. Wetlands

- U. S. Fish and Wildlife Service, National Wetlands Inventory (<http://www.fws.gov/wetlands/Data/Mapper.html>)
- Georgia Geologic Survey (404-656-3214)
- Field observation and subsequent wetlands delineation/survey if applicable

b. Floodplain

- Federal Emergency Management Agency (<http://www.fema.org>)
- Field observation and verification

c. Streams/stream buffers

- Field observation and verification

d. Slopes exceeding 25 percent over a 10-foot rise in elevation

- United States Geologic Survey Topographic Quadrangle Map
- Field observation and verification

e. Vegetation

- United States Department of Agriculture, Nature Resource Conservation Service
- Field observation

f. Wildlife Species (including fish)

- United States Fish and Wildlife Service
- Georgia Department of Natural Services, Wildlife Resources Division, Natural Heritage Program
- Field observation

g. Archeological/Historical Sites

- Historic Resources Survey
- Georgia Department of Natural Resources, Historic Preservation Division
- Field observation and verification

h. Specimen trees

- Identify all specimen trees as defined by the City of Milton Tree Preservation Ordinance

- 3. PROJECT IMPLEMENTATION MEASURES.** Describe how the project implements each of the measures listed below as applicable. Indicate specific implementation measures required to protect environmental site feature(s) that may be impacted.
- a. Protection of environmentally sensitive areas,** i.e., floodplain, slopes exceeding 25 percent, river corridors.
 - b. Protection of water quality**
 - c. Minimization of negative impacts on existing infrastructure**
 - d. Minimization on archeological/historically significant areas**
 - e. Minimization of negative impacts on environmentally stressed communities** where environmentally stressed communities are defined as communities exposed to a minimum of two environmentally adverse conditions resulting from public and private municipal (e.g., solid waste and wastewater treatment facilities, utilities, airports, and railroads) and industrial (e.g., landfills, quarries and manufacturing facilities) uses.
 - f. Creation and preservation of green space and open space**
 - g. Protection of citizens from the negative impacts of noise and lighting**
 - h. Protection of parks and recreational green space**
 - i. Minimization of impacts to wildlife habitats**

Environmental Site Analysis

1. Conformance with the Comprehensive Plan

This property is owned by the same owner who owns adjacent property which is zoned O-I. The Comprehensive plan designates this Multi-Family Residential (MFR) on the 2040 plans map. The proposed zoning of O-I will reduce the density of the site. Accordingly, because this property is going to be the same as adjacent property, which is designated as Office, it is aligned with the policy of Comprehensive Plan. Private schools are permitted use within the office-Institutional zoning district.

2. Environmental Impacts of the Proposed Project

With respect to the environmental impacts of the existing development the applicant offers the following:

- a. Wetlands – The property contains wetlands. No development is located or within any buffer of the wetland. The wetland is located on the west side of the property.
- b. Floodplains – Wetland areas are considered flood zones. The flood zones are located westside of the property and there is no encroachment to flood zones.
- c. Streams – There is a stream that traverses at the west edge of the property. No development is located near or within any buffer of the stream.
- d. Slopes – The property generally does not contain severe slopes. However, there are areas with some slopes which will be taken care of during grading and erosion will be controlled by proper drainage system.
- e. Vegetation and Specimen Trees – The site is going to be landscaped as per the request from the city. Some of the trees must be removed for development but the majority of the property is not disturbed.
- f. Wildlife Species – The site may contain the wildlife common to the area. No habitats or ecosystems will be removed or otherwise altered.
- g. Archeological/Historical Sites – No observable archeological or historical sites.

3. Project Implementation Measures.

- a. Protection of environmentally sensitive areas – All the rainwater will be collected in a stormwater facility and released accordingly.
- b. Protection of water quality - All the rainwater will be collected in a stormwater facility and released accordingly.
- c. Minimization of negative impacts on existing infrastructure - All the rainwater will be collected in a stormwater facility and released accordingly.
- d. Minimization on archeological/historically significant areas - No observable archeological or historical sites.
- e. Minimization of negative impacts on environmentally stressed communities - There are no known impacts on environmentally stressed communities.

- f. Creation and presentation of green space and open space – Majority of the property is not getting developed.
- g. Protection of citizens from the negative impacts of noise and lighting – This property is going to be a school which is operating from 7am to 7 pm. There won't be any impact of heavy noise and lighting.
- h. Protection of parks and recreational green space - This development will not impact any parks and recreational green space.
- h. Minimization of impacts to wildlife habitats - No habitats or ecosystems will be removed or otherwise altered.

IMPACT ANALYSIS – FORM B (NOT REQUIRED FOR USE PERMITS)

Analyze the impact of the proposed rezoning and answer the following questions:

1. Does the zoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby property? Yes ☒ No ☐
The private school use on the property is suitable with the use and development of adjacent and nearby property
2. Does the zoning proposal adversely affect the existing use or usability of adjacent or nearby property? Yes ☐ No ☒
Adjacent and nearby property will not be adversely affected by rezoning request on this property. Adjacent property is owned by same owner and it is zoned O-I.
3. Does the property to be rezoned have a reasonable economic use as currently zoned? Yes ☒ No ☐
Yes, the property has a reasonable economic use with TR.
4. Will the zoning proposal result in a use that could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools? Yes ☐ No ☒
5. Is the zoning proposal in conformity with the policies and intent of the land use plan? Yes ☒ No ☐
This property is owned by the same owner who owns adjacent property which is zoned O-I. The proposed zoning of O-I will reduce the density of the site. Accordingly, because this property is going to be the same as adjacent property, it is aligned with the policy of CP.
6. Are there existing or changing conditions that affect the use and development of the property which support either approval or denial of the zoning proposal? Yes ☒ No ☐
No use for existing zoning. The current school is O-I and expanded and will be less intensive use.
7. Does the zoning proposal permit a use that can be considered environmentally adverse to the natural resources, environment, or citizens of the City of Milton? Yes ☐ No ☒
The proposed zoning will not be environmentally adverse to the natural resources, environment or citizens of the city of Milton. There is a large amount of wet land and green space on the property.

DISCLOSURE REPORT - FORM C**Office use only**

Petition #: _____ Mayor and Council Hearing Date: _____

Within the (2) years immediately preceding the filing of this zoning petition have you, as the applicant or opponent for the rezoning petition, or an attorney or agent of the applicant or opponent for the rezoning petition, made any campaign contributions aggregating \$250 or more or made gifts having an aggregate value of \$250 to the Mayor or any member of City Council.

If the answer is YES, proceed to sections 1 through 4.

If the answer is NO, complete only section 4.

1. **CHECK ONE:** ☐ Party to Petition ☐ In Opposition to Petition

If party to petition, complete sections 2, 3 and 4 below.

If in opposition, proceed to sections 3 and 4 below.

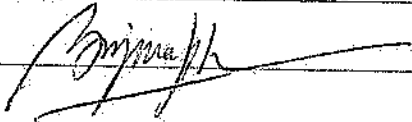
2. List all individuals or business entities which have an ownership interest in the property which is the subject of this rezoning petition

3. CAMPAIGN CONTRIBUTIONS:

Name of Government Official	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift at \$250 or more

4. The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia, Section 36-67A-1 et. seq. Conflict of interest in zoning actions, and that the information set forth herein is true to the undersigned's best knowledge, information and belief.

Name (print): SAPIENT MINDS LLC, Biju EAPPEN

Signature:  Date: _____

PUBLIC PARTICIPATION PROGRAM

The Public Participation Program consists of a two-part process designed to enhance dialogue between applicants and communities which may be impacted by a proposed development.

Part 1 of the process is the Public Participation Plan (Form D) which is required with all rezoning and/or use permit applications. The plan must be filed simultaneously with the application. The minimum standards for the plan are as follows:

- Identification of all property owners within a quarter mile of the site and area homeowners' associations, environmentally stressed communities, political jurisdictions, and any other public agencies or organizations which may be affected by an application as determined by the applicant and the current planner at the time of the pre-application review.
- Explanation of how interested parties will be informed of rezoning/use permit applications.
- Methods for providing opportunities for discussion with interested parties before public hearings are held. Applicants are required to schedule at least one meeting at a convenient location and time and notify all interested parties, as identified above of the purpose, place and time of the meeting.
- Applicant's schedule for completion of the Public Participation Plan.

Part 2 of the Public Participation Program is the Public Participation Report (Form E) is due no later than seven (7) business days prior to the scheduled Planning Commission meeting and the applicant(s) must turn in a revised copy of the Public Participation Report no later than seven (7) business days prior to the Mayor and City Council hearing. The minimum standards for the report are as follows:

- Provide a list of all parties that were contacted, the methods of notification that were used, and copies of all notification letters.
- Provide dates and locations of all community and/or other meetings that were attended by the applicant to discuss an application. (attach meeting notices, letters, etc.)
- Provide the number of people who participated in meetings held to discuss an application. (attach sign-in sheets)
- A summary of concerns and issues expressed by interested parties.
- A summary of the applicant's response to concerns and issues.

PUBLIC PARTICIPATION PLAN - FORM D

Petition #: _____

Applicant: Sapient Minds LLC Date _____

1. The following individuals (property owners within a quarter mile of the property), homeowners associations, political jurisdictions, other public agencies, etc., will be notified in accordance with the requirements of Sec. 64-2132 of the Zoning Ordinance;

Attached

2. The individuals and others listed in 1. above will be notified of the requested rezoning/use permit using the following method(s): (e.g., letters, meeting notices, telephone calls, e-mails, etc.)

Attached and using USPS mail

3. Individuals and others listed in 1. above will be allowed to participate in the following manner: (At least one meeting at a convenient time and location is required)

Meeting will be on July 11th 2024 at
3505 Bethany Bend, Milton, GA 30004

Attach additional sheets as needed.



Biju Eappen

bieappen@gmail.com

Dear Neighbors,

To foster community accord, Sapient Minds LLC (the Applicant) would like to inform property owners that a zoning application has been filed with the City of Milton Department of Community Development.

The Applicant is seeking to rezone the property from TR (Townhome Residential) to OI (Office-Institutional) for a propose of extending Milton Montessori School with 24,000 sq ft building for the ages of 5 to 12 year children on approximately 5+- acres located on Fulton County Tax Parcels: 21 547009720158; 21 547009720240 commonly known as 3499 and 3501 Bethany Bend, Milton, GA 30004

Specifically, the Applicant requests the following:

- a. Rezone the subject property from TR (Townhome Residential) to O-I (Office-Institutional)**

Enclosed is a copy of the proposed site plan depicting the subject property.

A public participation meeting will be held on July 11th, 2024, at 6pm at 3505 Bethany Bend, Milton, GA 30004. This meeting is not a public hearing. Its purpose is to provide neighbors and interested parties the opportunity to meet with the Applicant, ask questions and voice concerns regarding this application.

The Applicant is committed in its effort to keep the public informed during this process and we encourage interested parties to contact with questions or concerns.

Sincerely

A handwritten signature in black ink, appearing to read "Biju Eappen", is written over a horizontal line.

Biju Eappen

ParcelID	Owner
21 547009720158	BAJUN AMERICAN PROPERTIES L P
21 547009720240	BAJUN AMERICAN PROPERTIES LP
21 547009720463	BUICE RONALD L & GLORIA SUE
21 547009720497	BUICE RONALD L & GLORIA S
21 547009720547	BUICE RONALD L & GLORIA S
21 547009722923	ADEBOWALE ADETOLA M & OLUYEMI OLABIYI T
21 547009722931	ABIGAIL MARGARET ELLIS
21 547009722949	BHAT HRISHIKESH S & MORE APURVA
21 547009722956	ISHAKON PROPERTIES LLC
21 547009722964	SHI JOSEPH ZHOU
21 547009722972	CHAPMAN CRAIG ALEXIS
21 547009722980	BASAVA VASU
21 547009722998	SHAIK ZAHEER & SHAIK MAHABOOB SULTHANA
21 547009723004	PAI HUI LING
21 547009723012	HARRIS STEPHEN
21 547009723020	BEST HOMES REALTY INC
21 547009723038	GHAHRAMANI MEHRDAD C
21 547009723046	FOROOZANDEH RAD FAMILY TRUST THE
21 547009723053	KOREN BARUCH & KOREN SIGALIT
21 547009723061	YASTREBENETSKY PETER
21 547009723079	DOOLEN MICHELE L
21 547009723087	MATINO RUTH
21 547009723095	DIAZ OVIEDO ROSALBA & FELIPE
21 547009723103	EDWARDS LINDA H
21 547009723111	HALFON ASHER
21 547009723228	PEEPLS KATINA
21 547009723236	GONDHALEKAR SANDIP & APARNA
21 547009723244	SPRING VALLEY TOWNHOMES HOMEOWNERS ASSOC INC
21 547009723251	KRISHNACHANDRAN FNU & DEVI ARYA GOWRI GEETHA
21 547009723269	210 AZALEA INVESTMENT LLC
21 547009723277	TAWARE RANGANATH NAGESH & TAWARE ARCHANA RANGANATH
21 547009723285	ALEJOS HECTOR JAVIER BELTRAN
21 547009723293	HICKS HERBERT
21 547009723301	AVALAKKI SAYALI
21 547009723327	CHUNDURI NARESH BABU & ADIGOPULA SANTHI
21 547009723335	SANCHEZ JOSE & RINCON ANGELICA
21 547009723343	RACHARLA HARSHA VARDHAN
21 547009723350	TERRY KATHLEEN MARY
21 547009723368	ERTEM GOKHAN & ERTEM EZGI TATAR
21 547009723376	DESAI KARTIK & DESAI KALPANA HITESH
21 547009723400	FERNANDEZ PATRICIA M & PROPER JEREMY
21 547009723418	GOYAL NITIN
21 547009723426	SAEED ANWER

21 547009723434 MONTGOMERY GINA KELLY
21 547009723442 SHAMAPANDE NYOTWA
21 547009723459 EDENTON ENTERPRISES LLC
21 547009723467 NAZEMZADEH MARK SHAPUR & NAZEMZADEH KAREN LYNN
21 547009723475 ESPINALL MANUELA & ESPINAL MANUEL HUBERTO
21 547009723764 SALIM NISHAD
21 547009723772 BHADRA MANIDEEPA & DUTTA BIDYUT
21 547009723780 XIONG QIAN
21 547009723798 BAO LING LING & JIN XIAOTAO
21 547009723806 KVASAY MILOS & ANGELA
21 547009723814 FINK ALLYSON M & BRIAN T
21 547009723830 DUTTA BIDYUT & BHADRA MANIDEEPA
21 547009723848 KWON OH KI KWON KYUNGUK
21 547009723855 RAD FOROOZANDEH
21 547009723863 THAKAR UTKARSH & JHANVI
21 547009723871 WONG ALFRED H & LEE LAN FONG
21 547009723889 VENKATARAMAN SANTHANAKRISHNAN & SANTHANAKRISHNAN ABARNA
21 547009723897 GOLOVIN NADIA
21 547009723905 FOROOZANDEH RAD FAMILY TRUST
21 547009723913 GRAY CHARLESTON & CASSELLS GRAY JULIAN
21 547009723921 MACHLEIT LISA
21 547009723939 SAWYERR OLUYEMISI
21 547009723947 EDMONSON MONIQUE
21 547009723954 JUNG TONY
21 547009723962 OLADIPO OLUGBOYEGA & OLUWATOYIN
21 547009723970 WU JUN
21 547009723988 BRADLEY GEORGE J III
21 547009723996 SELVARAJU JAYAKUMAR & GOPALAN MAHESWARI
21 547009724002 ESCALERA FRANCISCO ALBERTO & CORTEZ ROCIO VICTORIA
21 547009724010 BALLANTYNE ANGELA MASELLI & MASELLI JOHN
21 547009724028 BHADRA MANIDEEPA & DUTTA BIDYUT
21 547009724036 YALAMATI RAVI SHANKAR & HARITHA
21 547009724044 SANDHU SUKHWINDER & SUKHWANT
21 547009724077 HODGES LAWRENCE EDWARD & DEBORAH HUGHES
21 547009724085 PISE RAHUL & PISE VIBHA R
21 547009724093 ALEMAN CHRISTIAN ANDRES
21 547009724101 MANDALA VIMALA
21 547009724119 YANG KAI
21 547009724127 KURNIAWAN FRITS & PHANGESTU CHRISTINA
21 547009724135 FRANCIS BARRETT & ZHUANG MING
21 547009724143 GARGA KAPIL & SINGHAL TARU
21 547009724150 CHANDRASHEKAR HARSHALA
21 547009724176 GILDER ALLISON
21 547009724184 UPPALAPATI NITHIN & VADLAMUDI VENKATA BHANUSREE

21 547009724192 KIM DONGSUN
21 547009724200 ALAGAPPAN DURAIRAJ & PILLAY SEEMA
21 547009724218 ARABMOHAMMED ANWAR & SULTANA RUHINA
21 547009724226 YOUNG GARY L & YOUNG TANYA E
21 547009724234 RICHINS PETERS AYANA D & PETERS SHEM D
21 547009724242 SHEN YU ET AL
21 547009724259 XIONG QIAN
21 547009724267 PARKASH MANJIT K & PARKASH OM
21 547009724275 KOTHAKAPU VIPIN REDDY & MAINI SALONI
21 547009724283 YANG JIDONG JAMES & DAI RUI REESE
21 547009724291 SANTANA ELISE
21 547009724317 HASSAN ASHRAF & HASSAN ALI RASHA
21 547009724325 ERTAS YUSUF & YUNUS
21 547009724333 KURNIAWAN FRITS & PHANGESTU CHRISTINA
21 547009724341 ABDULAZEEZKHAN MANSOOR
21 547009724358 CHINTALAPATI SIVARANI & NUKALA BALAJI
21 547009724366 LI LIN & LU LIANGHONG
21 547009724374 TALEB KASHEM CHOWDHURY TABASSUM
21 547009724382 MERRY COLIN & MERRY LIZA ALFARO
21 547009724390 POLUSHIN SERGEY & POLUSHINA YULIA
21 547009724408 JAIN ANAND KUMAR & SANGITA
21 547009724416 WIDJAJA JIMMY S & WIDJAYA FRANCISKA O
21 547009724424 JULICH THORSTEN
21 547009724440 HIDDEN FOREST COMMUNITY ASSOCIATION INC
21 547009730330 WISDARIUM LLC
21 547009732674 FARVIEW HOMEOWNERS ASS INC
21 547009740685 DEERFIELD PARK L L C
21 547109720488 JAYWELL LLC
21 547009724432 JSB TRIANGLE INC

PARCELID

021 610 VALAPPIL MOHAMMED SHASAR KACHERY & ASMI LUBNA
021 613 BETHANY CROSSING HOA INC
021 003 SIMPSON JAMES TIMOTHY
021 665 DEERFIELD CROSSING APARTMENTS LLC
021 016 WB HOLDINGS-WINDWARD LLC
021 006 BTG PROPERTIES LLC
021 004 GEORGIA LANDSHARK LLC
021 611 BETHANY CROSSING HOA INC

PUBLIC PARTICIPATION PLAN - FORM E

Applicant: Sapient Minds LLC Date _____

1. The following parties were notified of the requested rezoning/use permit:

2. The following meetings were held regarding this petition: (Include the date, time and meeting location)

3. The following issues and concerns were expressed:

4. The applicant's response to issues and concerns was as follows:

5. Applicants are required to attach copies of sign-in sheets from meetings as well as meeting announcements, i.e., notices, flyers, letters, and any other documentation which supports the opportunity for public input.

☐ Notice

☐ Flyer

☐ Letters

☐ Other _____

☐ Sign-In Sheet(s)

Attach additional sheets as needed.

Site Plan Checklist - Form F

ITEM #

Site plans for rezoning and use permit must be folded, drawn to scale, no larger than 30" x 42", and shall, at a minimum, include the following information:

DESCRIPTION	CHECK	
1 Key and/or legend and site location map with North arrow	<input checked="" type="checkbox"/>	✓
2 Boundary survey of subject property which includes dimensions along property lines that match the metes and bounds of the property's written legal description and clearly indicates the point of beginning	<input checked="" type="checkbox"/>	✓
3 Acreage of subject property	<input checked="" type="checkbox"/>	✓
4 Location of land lot lines and identification of land lots	<input checked="" type="checkbox"/>	✓
5 Existing, proposed new dedicated and future reserved rights-of-way of all streets, roads, and railroads adjacent to and on the subject property	<input checked="" type="checkbox"/>	✓
6 Proposed streets on the subject site	<input checked="" type="checkbox"/>	N/A
7 Posted speed limits on all adjoining roads	<input checked="" type="checkbox"/>	✓
8 Current zoning of the subject site and adjoining properties	<input checked="" type="checkbox"/>	✓
9 Existing buildings with square footages and heights (stories), wells, driveways, fences, cell towers, and any other structures or improvements on the subject	<input checked="" type="checkbox"/>	✓
10 Existing buildings with square footages and heights (stories), wells, driveways, fences, cell towers, and any other structures or improvements on adjacent properties within 400 feet of the subject site based on aerial photography from an acceptable source as determined by the Director of Community Development	<input checked="" type="checkbox"/>	N/A
11 Location of proposed buildings (except single family residential lots) with total square footage	<input checked="" type="checkbox"/>	✓
12 Layout and minimum lot size of proposed single family residential lots	<input checked="" type="checkbox"/>	N/A
13 Topography (surveyed or County) on subject site and adjacent property within 200 feet as required to assess runoff effects	<input checked="" type="checkbox"/>	✓
14 Location of major overhead and underground electrical and petroleum transmission/conveyance lines	<input checked="" type="checkbox"/>	✓
15 Required and/or proposed setbacks	<input checked="" type="checkbox"/>	✓
16 100 year flood plain horizontal limits and flood zone designations as shown on survey or FEMA FIRM maps	<input checked="" type="checkbox"/>	✓
17 Required landscape strips, undisturbed buffers, and any other natural areas as required or proposed	<input checked="" type="checkbox"/>	✓
18 Required and proposed parking spaces; Loading and unloading facilities	<input checked="" type="checkbox"/>	✓
19 Lakes, streams and other waters on the site and associated buffers	<input checked="" type="checkbox"/>	✓
20 Proposed stormwater management facilities	<input checked="" type="checkbox"/>	✓
21 Community wastewater facilities including preliminary areas reserved for septic drain fields and points of access	<input checked="" type="checkbox"/>	N/A
22 Availability of water system and sanitary sewer system	<input checked="" type="checkbox"/>	✓
23 Tree lines, woodlands and open fields on subject site	<input checked="" type="checkbox"/>	✓
24 Locate all specimen trees on the site, as defined by the City of Milton Tree Preservation Ordinance	<input checked="" type="checkbox"/>	✓
25 Entrance site distance profile assuming the driver's eye at a height of 3.5 feet (See Subdivision Regulations)	<input checked="" type="checkbox"/>	N/A
26 Wetlands shown on GIS maps or survey	<input checked="" type="checkbox"/>	✓

Office use only

I hereby certify that I have completed a preliminary review of the site plan for this project and determined that it meets the minimum standards specified by Sec 64-2153 of the City of Milton Zoning Ordinance.

Staff signature: _____

Community Development

Date _____

5/3/24

Staff printed name: _____

Robyn MacDonald

The undersigned acknowledges that the site plan is submitted in accordance with Sec 64-2153 of the City of Milton Zoning Ordinance and failure to comply shall render my application incomplete which may result in delay in the process of this application.

Applicant signature: _____

Date _____

5/3/24

Applicant printed name: _____

Biju EAPPEN