

**OCTOBER 20, 2009 ZONING HEARING  
"OTHER BUSINESS"  
COMMISSION DISTRICT 3**

**ITEM #4**

**PURPOSE**

To consider amending the site plan for SM Bishop Company, Inc. regarding Z-114 (MICHAEL T. LOVINGGOOD) of August 19, 1997, for property located in Land Lots 392 and 401 of the 16th District at the northwest intersection of Shallowford Road and Lassiter Road.

**BACKGROUND**

The subject property is zoned NRC subject to a specific site plan that was approved by the Board of Commissioners on June 21, 2005. The Board of Commissioners decision is attached. One of the uses approved was for a Crescent Bank and Trust that was stipulated to a certain architectural style which is also attached. This request seeks to allow a day care center instead of the bank facility. The proposed site plan and architectural elevation are attached. The applicant has also submitted photographs of similar design buildings to the one planned to be constructed on this site which are also attached. The applicants have also submitted a detailed summary of their request in addition to the Other Business application which is attached. The summary indicated a swimming pool will be installed but the swimming pool is not indicated on the proposed site plan. The architectural elevation and photographs indicate the proposed building will utilize a metal roof. Staff is recommending a shingled roof be utilized to be more compatible with the originally approved architecture for the entire NRC portion. Cobb DOT has reviewed this request and is recommending a guard rail be installed along Shallowford Road and Lassiter Road adjacent to the outdoor playground. Traffic circulation was a major concern with the original request due to the bus traffic for the elementary school. This proposal is utilizing the same access points that were originally approved.

**FUNDING**

N/A

**RECOMMENDATION**

The Board of Commissioners consider the request and if approved, should be subject to the submitted site plan, architectural elevation with the exception that the roof should utilize shingles in lieu of a metal roof, the brick and trim colors to be the same as the existing office buildings, installation of a guard rail along Shallowford Road and Lassiter Road adjacent to the outdoor playground, staff comments at Plan Review and all other previously approved conditions/stipulations, not in conflict, to remain in effect.

*Continued on next page*

**OCTOBER 20, 2009 ZONING HEARING  
"OTHER BUSINESS"  
COMMISSION DISTRICT 3  
Page 2**

**ATTACHMENTS**

Board of Commissioners Decision  
Crescent Bank Architectural Design  
Proposed Site Plan/Architectural Elevation  
Photographs  
Summary  
Other Business Application

ORIGINAL DATE OF APPLICATION: 08-19-97APPLICANTS NAME: MICHAEL T. LOVINGGOOD

THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE  
COBB COUNTY BOARD OF COMMISSIONERS

**BOC DECISION OF 06-21-05 ZONING HEARING:****OTHER BUSINESS ITEM #2 – TO CONSIDER A SITE PLAN APPROVAL FOR  
PALLADIAN, INC. REGARDING Z-114 (MICHAEL T. LOVINGGOOD) OF  
AUGUST 19, 1997**

To consider a site plan approval for Palladian, Inc. regarding Z-114 (Michael T. Lovinggood) of August 19, 1997, for property located at the northwest intersection of Shallowford Road and Lassiter Road in Land Lots 392 and 401 of the 16<sup>th</sup> District.

Mr. John Moore, Applicant's representative, addressed the Board regarding request for approval of site plan. Following presentation and discussion, the following motion was made:

MOTION: Motion by Lee, second by Olens, to **approve** site plan for Palladian, Inc. regarding Z-114 (Michael T. Lovinggood) of August 19, 1997, for property located at the northwest intersection of Shallowford Road and Lassiter Road in Land Lots 392 and 401 of the 16<sup>th</sup> District **subject to:**

- **site plan received by the Zoning Division May 18, 2005 (copy attached and made a part of these minutes)**
- **District Commissioner to approve final site plan after review by area residents and prior to issuance of land disturbance permits**
- **renderings submitted for the NRC portion of property with District Commissioner approval of final architectural plans (copy attached and made a part of these minutes)**
- **engineered construction plans subject to review by a representative of the Shallowford Trace Homeowners Association and Mr. Van Dyke prior to issuance of land disturbance permit**
- **engineered layout of sewer connection from the manhole on Lost Forrest Drive subject to review by Mr. Van Dyke during Plan Review; if agreement cannot be reached between the Applicant and Mr. Van Dyke, then District Commissioner to resolve the issue or bring it back to the Board of Commissioners for resolution**
- **ten-foot undisturbed buffer along western property line (and barely turning the corners) of Lots 3 and 4 as depicted on site plan setout above; Applicant to work with Mr. Van Dyke regarding ten-foot buffer along the southerly side of said lots to preserve viable trees and remove scrub trees**
- **Best Management Practices for all drainage and stormwater issues**

ORIGINAL DATE OF APPLICATION: 08-19-97

APPLICANTS NAME: MICHAEL T. LOVINGGOOD

THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE  
COBB COUNTY BOARD OF COMMISSIONERS

**BOC DECISION OF 06-21-05 ZONING HEARING:**

**OTHER BUSINESS ITEM #2 – TO CONSIDER A SITE PLAN APPROVAL FOR  
PALLADIAN, INC. REGARDING Z-114 (MICHAEL T. LOVINGGOOD) OF  
AUGUST 19, 1997 – (Continued)**

- installation of landscape buffer around the detention area
- mandatory homeowners association for residential property
- construction hours limited to 7:00 a.m to 7:00 p.m.
- deliveries and trash pickup for commercial property limited to 7:00 a.m. to 7:00 p.m.
- dumpsters to be placed in a masonry enclosure and located along the Lassiter Road side of the development
- Staff comments and recommendations at Plan Review
- all other previously approved conditions/stipulations to remain in full force and effect

VOTE:        **ADOPTED** unanimously



FILED WITH COUNTY CLERK'S OFFICE  
OF  
RE

COUNTY CLERK / ASST. COUNTY CLERK / DEPUTY COUNTY CLERK  
COBB COUNTY, GEORGIA

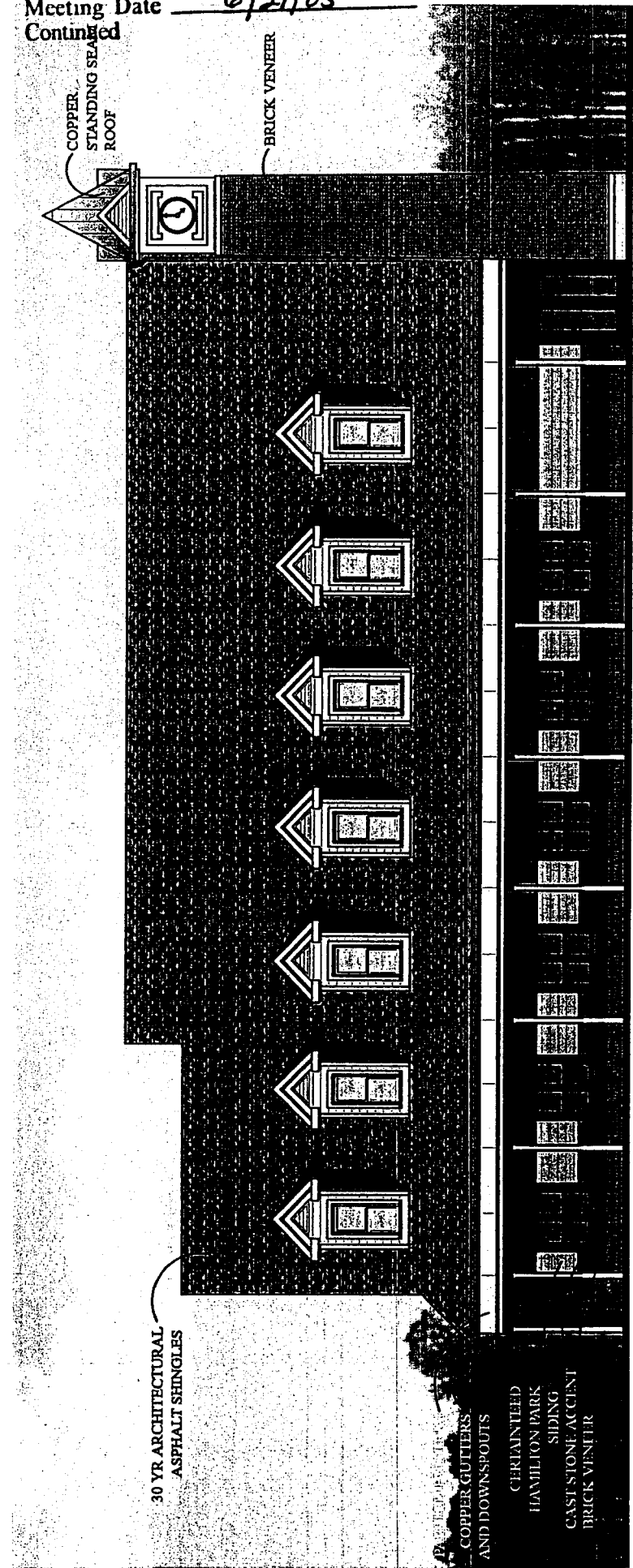
Min. Bk. 35 Petition No. 0.B.#2  
(Z-114  
Doc. Type Renderings of 8/19/97)  
Meeting Date 6/21/05

PAGE 15 OF     



FILED WITH COUNTY CLERK THIS 21st DAY  
 OF JUNE 2005 AT John Moore  
 RE D. Bird  
Deak K. Hest  
 COUNTY CLERK/ASST. COUNTY CLERK/DEPUTY COUNTY CLERK  
 COBB COUNTY, GEORGIA

Petition No. OB# 2 (2-114 of 8/19/97)  
 Meeting Date 6/21/05  
 Continued



FRONT ELEVATION

**GARDNER  
 SPENCER  
 SMITH  
 & TENCH  
 HENSLEY**



Petition No. 0.8.#2 (2-14 of 8/19/97)  
Meeting Date 6/21/05  
Continued

PAGE 17 OF     





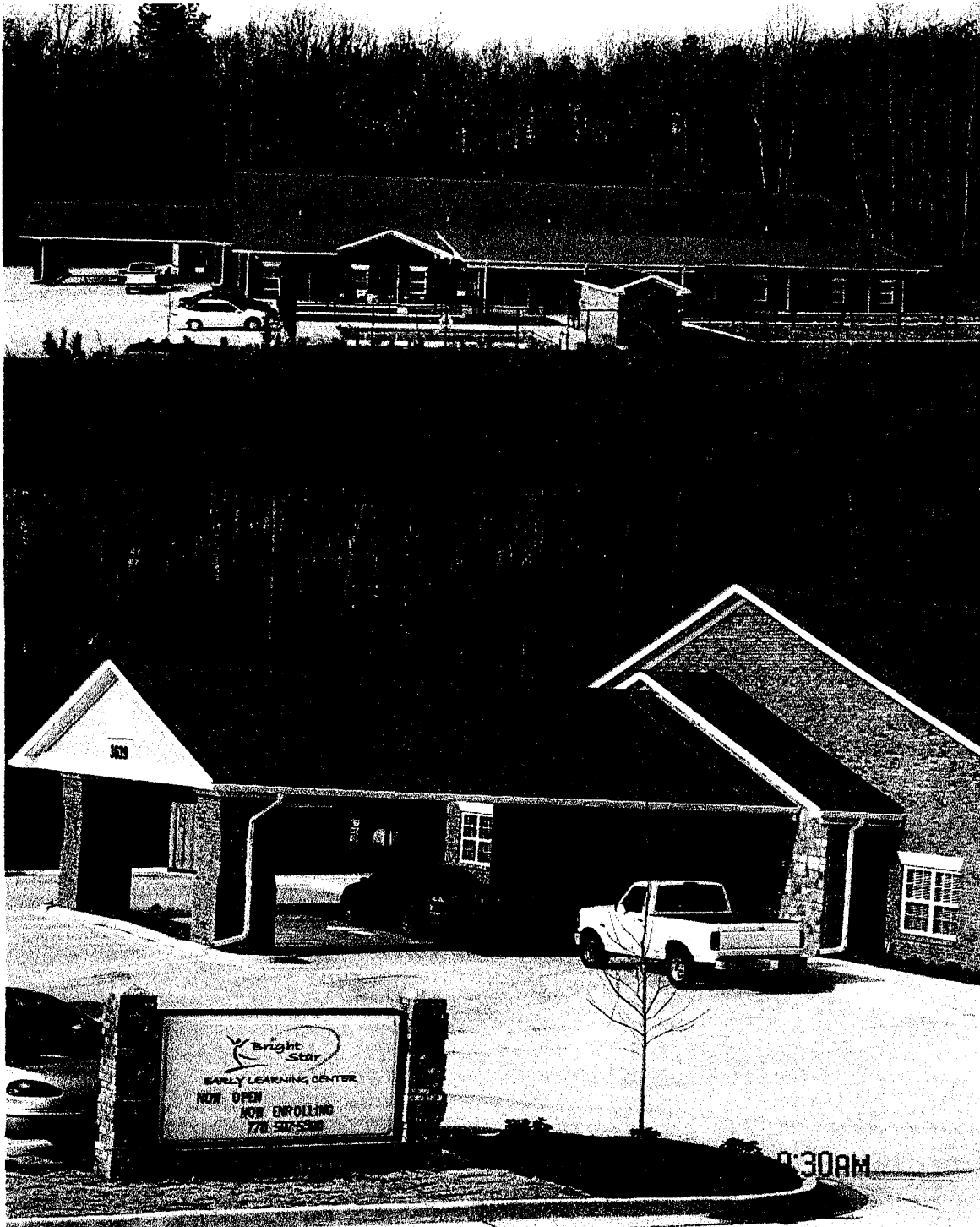






Examples of Existing Daycares

(These photographs are provided for illustrative purposes only. The two centers represented here are both Brightstar EIC's similar to the proposed building)



**Proposed Daycare Center To Be Located  
At The NW Corner Of Lassiter and Shallowford Roads  
Project Discussion and Description**

The purpose of this narrative is to document is to describe, in brief, the physical characteristics and some of the site details of the daycare center that we are proposing to build at the corner of Lassiter and Shallowford roads in Northeast Cobb County. The building will be approximately 10,000 sq. feet and should license upon completion for an enrollment of approximately 200 children. The building will have a brick veneer on all four sides and have a metal roof. The brick and trim colors will be the same as the office buildings located around the building. Palladian Properties built these buildings with whom we have been working closely on this project.

The interior will be divided into a number of age appropriate classrooms. The design of the center will feature a foyer area large enough to accommodate arrivals and departures of children; central to this foyer will be the check in desk where parents must sign their children in and out. Immediately behind the check in area, a conference room, teacher workroom, and owner's office will be situated. On either side of the foyer are where the infants and toddlers rooms will be located. Directly behind the owners office and conference room there will be a centrally located open area called the discovery zone, though not part of any particular class room, this area can be licensed for afterschoolers. This area will serve as a cafeteria and play area during most of the day. Next will be a centrally located kitchen that can be accessed through a pass through in the discovery zone and doors on either side of the kitchen that opens into the two hallways that serves the rest of the classrooms. The interior of the building is going to be decorated with Bright graphics and a coordinated color scheme that will be chosen by operator. Floor coverings in the hallways and discovery zone will be tile. The floor covering in the classrooms in most cases is a mix of tile and commercial carpet; this is to facilitate feeding the children in the classrooms. The interior finish details are preliminary and may be modified as the building is further developed.

The exterior of the building is going to be surrounded by playgrounds, which will be divided into areas of age appropriate play spaces by vinyl covered chain link fence. Each play space will be equipped with age suitable play structures. Each play area is accessed directly from exterior doors in each classroom. On the exterior of the building there will be built covered patios. These patios will provide for outdoor experiences on rainy or overly hot days. The center will be equipped with an outdoor pool surrounded by its own safety fence. The site is designed in such a matter as to allow ease of loading and unloading children under a covered breezeway. There will be adequate room to facilitate the dropping of and picking up of children in a safe and secure manner even in the busiest time of the morning and afternoon. All of the parking as well as all driveways will be poured concrete which is a much more durable surface. The traffic islands and buffer zones surrounding the property shall be heavily landscaped with ornamental trees and shrubs. The entire playground will be shielded by a combination of privacy fencing and landscaping.

As can be seen from the site plan there are several safe ways in and out of the site with traffic being controlled by a traffic signal at the main intersection.

# Application for "Other Business" Cobb County, Georgia

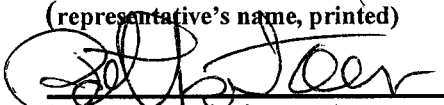
(Cobb County Zoning Division - 770-528-2045)

BOC Hearing Date Requested: 10-20-2009

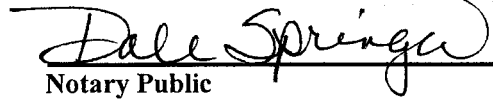
Applicant: Pat Chastain of SM Bishop Co Inc Phone #: 404-312-2670  
(applicant's name printed)

Address: 3966 So. Bogan Rd. Buford GA 30519 E-Mail: Pat@iksrealty.com

Pat Chastain Address: 3966 So. Bogan Rd. Buford GA 30519  
(representative's name, printed)

 Phone #: 404-312-2670 E-Mail: pat@iksrealty.com  
(representative's signature)

Signed, sealed and delivered in presence of:

 My commission expires: 10/28/2012  
Notary Public

Commission District: Three Zoning Case: Z-114 (Michael T. Lovingood 8/19/97)

Date of Zoning Decision: 8/19/97&6/21/05 Original Date of Hearing: 8/19/97&6/21/05

Location: 1.13 acres at the NW corner of Lassiter and Shallowford Roads  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 401 District(s): 16th District, 2nd Section

State specifically the need or reason(s) for Other Business: The original zoning took place in 1997. The site plan was approved on 6/21/2005. This site plan shows a proposed bank branch on the corner lot along with a number of office condos adjacent. The plans of the bank have changed and they are selling the site to SM Bishop Co SM Bishop Co Inc. is a builder of daycare centers in Metro Atlanta. This request is to amend the site plan to show a 10,000 square foot daycare center located on the corner lot rather than a bank branch. The zoning on this lot is NRC which allows for child day care centers as a permitted use. We have been working with Palladian Properties, the original developer and neighbor to make sure our plans match the architectural designs of existing buildings. We are also working with Palladian to share our parking and waste removal services. This change will bring a much needed service into the area and is in keeping with the current zoning.  
(List or attach additional information if needed)