

# Application for "Other Business"

## Cobb County, Georgia

(Cobb County Zoning Division - 770-528-2035)

BOC Hearing Date Requested: 4/19/12<sup>17</sup>

Applicant: ST. BENEDICT'S BRIAN SULLIVAN Phone #: 678-279-4300  
(applicant's name printed)

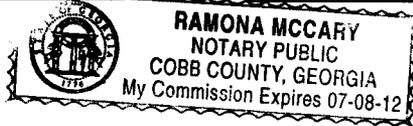
Address: 2160 COOPER LAKE RD E-Mail: FR.BSULLY@GMAIL.COM

BRIAN SULLIVAN Address: 2160 COOPER LAKE RD  
(representative's name, printed)

Brian Sullivan Phone #: \_\_\_\_\_ E-Mail: FR.BSULLY@GMAIL.COM  
(representative's signature)

Signed, sealed and delivered in presence of:

Ramona McCary  
Notary Public



My commission expires: \_\_\_\_\_

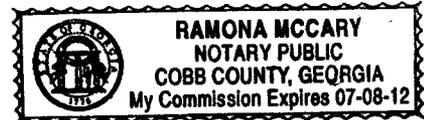
Titleholder(s): ST. BENEDICT'S Phone #: 678-279-4300  
(property owner's name printed)

Address: 2160 COOPER LAKE RD. E-Mail: FR.BSULLY@GMAIL.COM

Brian C. Sullivan  
(Property owner's signature)

Signed, sealed and delivered in presence of:

Ramona McCary  
Notary Public



My commission expires: \_\_\_\_\_

Commission District: 2 Zoning Case: Z-21 / SLUP-9

Date of Zoning Decision: 5/20/08 Original Date of Hearing: 5/20/08

Location: 2160 COOPER LAKE RD.  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 694 : 695 District(s): 17<sup>th</sup>

State specifically the need or reason(s) for Other Business: We are asking for permission to keep the current curb (as is) until August 2014. Delay installation of Decel lane.

(List or attach additional information if needed)

Pd. \$318.00 (300.00 Appl. 18.00 S.S. - 2008.00) Rec- 01094

# MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP  
WWW.MIJS.COM

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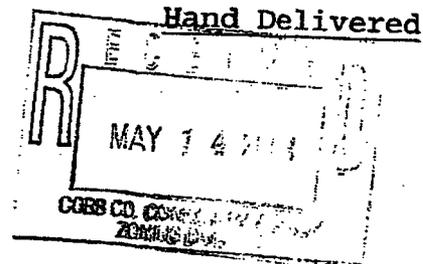
OF COUNSEL:  
JOHN L. SKELTON, JR.†

† ALSO ADMITTED IN TN  
\* ALSO ADMITTED IN FL  
- ALSO ADMITTED IN NM  
- ALSO ADMITTED IN NC  
• ADMITTED ONLY IN TN

May 14, 2008

Min. Bk. 56 Petition No. Z-21  
Doc. Type letter of  
agreeable conditions  
Meeting Date 5/20/08

Mr. John P. Pederson, AICP  
Planner III  
Zoning Division  
Cobb County Community Development Agency  
Suite 300  
191 Lawrence Street  
Marietta, Georgia 30060-1661



RE: Application for Rezoning  
Application No.: Z-21 (2008)  
Applicant: St. Benedict's Episcopal  
Church, LLC  
Owner: Cooper Lake Investments, LLC  
Property: 3.553 acres located at  
2160 Cooper Lake Road,  
Land Lots 694 and 695,  
17<sup>th</sup> District, 2<sup>nd</sup> Section,  
Cobb County, Georgia

Dear John:

As you know, the undersigned and this firm represent St. Benedict's Episcopal Church, LLC, the Applicant (hereinafter "Applicant"), and Cooper Lake Investments, LLC, the Property Owner (hereinafter referred to as "Owner"), in their Application for Rezoning with respect to a total tract of 3.553 acres located at 2160 Cooper Lake Road, Land Lots 694 and 695, 17<sup>th</sup> District, 2<sup>nd</sup> Section, Cobb County, Georgia (hereinafter the "Subject Property"). After meeting with planning and zoning staff and various departmental representatives, discussions with area homeowner groups and homeowner representatives, and

**MOORE INGRAM JOHNSON & STEELE**

Mr. John P. Pederson, AICP  
Planner III  
Zoning Division  
Cobb County Community Development Agency  
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reviewing the staff comments and recommendations and the uses of surrounding properties, we have been authorized by the Applicant and Owner to submit this letter of agreeable stipulations and conditions which, if the Application for Rezoning is approved, as submitted, shall become a part of the grant of the requested zoning and shall be binding upon the Subject Property. This letter shall supersede and replace in full the letter of agreeable stipulations and conditions dated and filed April 30, 2008. The referenced stipulations are as follows:

- (1) The stipulations and conditions set forth herein shall replace and supersede in full any and all prior stipulations and conditions, in whatsoever form, which are currently in place on the Subject Property.
- (2) Rezoning of the Subject Property shall be from the existing zoning category of RM-12 to the proposed zoning category of Office and Institutional ("OI"), site plan specific to that certain As-Built Survey prepared by McClung Surveying Services, Inc. dated May 16, 2002.
- (3) The Subject Property consists of a total of 3.553 acres. Applicant proposes to renovate and refurbish the existing church facilities and parking for a church and day school, up to and including pre-kindergarten and kindergarten.
- (4) The maximum number of students enrolled in the proposed day school shall be two hundred eighty (280). Enrollment shall be as follows:
  - (a) There will be a maximum of eighty (80) students during the 2008-2009 school year which is scheduled to begin September 2008 after completion of renovations to approximately 6,500

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square feet on the first floor of the existing structure;

- (b) There shall be a total maximum number of students of two hundred eighty (280), phased-in over the next few years.
- (5) The hours of operation of the proposed day school shall be 6:30 a.m. to 6:30 p.m. to accommodate single-parent families and as well as families where both parents work. Applicant will present a detailed plan for staggered starting times and ending times at the Board of Commissioners Zoning Hearing on May 20, 2008.
- (6) Applicant proposes completion of renovation and occupation of the existing facilities as follows:
  - (a) The church will begin evening meetings at the location during the fall of 2008;
  - (b) Upon completion of renovations to the second and third floors, church administrative offices presently in Vinings will be moved to the renovated facilities;
  - (c) Renovation of the church fellowship hall will be completed before Christmas 2008. The fellowship hall will accommodate large groups and be available for community meetings; and
  - (d) The church worship services will be moved to the renovated facilities before Easter 2009.
- (7) Applicant will preserve the exterior of the old historical sanctuary. Additionally, the existing northern brick addition (the school space) will be preserved essentially "as is" (new windows, decorative

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- trim, etc.). In the near future, Applicant will make an addition to the center of the existing structure fronting Atlanta Road. The addition will be approximately 1,200 square feet per floor and will increase meeting and office space while making the exterior façade of the building more attractive.
- (8) The "upper hill" area will be preserved as well as the large specimen trees throughout the site. Applicant will attempt, where possible, to reduce the amount of pavement around stressed trees to prolong their life. Additionally, Applicant agrees to walk the site with neighborhood representatives and mark the tree preserve areas.
- (9) Applicant agrees to site improvements to increase circulation and reduce the traffic impact on Cooper Lake Road as more fully shown and reflected on the traffic pattern and queuing plan prepared by Planners and Engineers Collaborative dated May 6, 2008, and submitted contemporaneously with this letter. These improvements will include, but not be limited to, relocating the Atlanta Road entrance slightly to the south, adding a decel lane within the limits of the topography, and reducing access from a full access to a right-in/right-out only. Three of the five entrances on Cooper Lake Road will be closed.
- (10) Applicant has done extensive research into making the proposed school and traffic patterns consistently acceptable for the total number of students planned.

The traffic pattern and queuing plan referenced in paragraph (9) and submitted herewith reflects the traffic patterns for queuing for both pick-ups and drop-offs of students. Each student and parent will be provided with a number which will be placed on a

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small board which will be required to identify the student and parent, allowing pick-up of the student. A staff member will be stationed at a point in the queuing line closer to Cooper Lake Road armed with a walkie-talkie. As the parent approaches the pick-up, the staff member will notify another staff member stationed at the pick-up point to have that student or students ready for pick-up when the vehicle arrives. This prevents parents waiting in line at the pick-up point for the student to be located. Space will be provided for at least four (4) vehicles to pick-up simultaneously.

Another staff person will be located at the entrance on Atlanta Road to facilitate permitting vehicles to either exit Atlanta Road or proceed around the queue line to Cooper Lake Road to exit. This will avoid needless delay in allowing vehicles to exit the pick-up point. These operational procedures have been investigated and have proven to greatly ease any delay in moving vehicles through the process.

- (11) Minor modifications to the within stipulations, the referenced As-Built Survey, landscaping, architecture, site features, and the like, may be approved by the District Commissioner, as needed or necessary.
- (12) If Applicant does not close on the purchase of the Subject Property on or before December 31, 2009, the zoning on the Subject Property shall revert to its pre-existing category of RM-12.

We believe the requested zoning, pursuant to the As-Built Survey and the revised stipulations set forth herein, is an appropriate use of the Subject Property. The rezoning and the use sought by Applicant shall allow for the existing facilities to be renovated and used for the benefit of the surrounding community.

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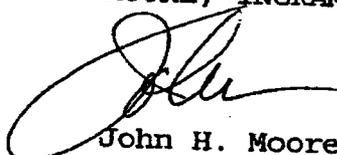
Petition No. 2-21  
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Continued

As always, we greatly appreciate your consideration in this request.

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP



John H. Moore

JHM:cc

Attachments

c: Cobb County Board of Commissioners:  
Samuel S. Olens, Chairman  
Helen C. Goreham  
Annette Kesting  
Joe L. Thompson  
Tim Lee  
(With Copy of Attachment)

Shane Coldren  
Ron Sifen  
Vinings Homeowners Association  
(With Copy of Attachment)

Suzanne Ballew  
Mary Rose Barnes  
(With Copy of Attachment)

St. Benedict's Episcopal Church, LLC  
(With Copy of Attachment)

