(Stipulation Amendment)

Application for "Other Business"
Cobb County, Georgia

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

RECEIVED NOV 10 2015 COBB COUNTY DEVELOPMENT AGENCY

BOC Hearing Date Requested: December 15, 2015

Applicant: St. Benedict's Episcopal Church, LLC **Phone #:** (678) 279-4300
(applicant's name printed)

Address: 2160 Cooper Lake Road, S.E., Smyrna, GA 30080 **E-Mail:** brian@mysaintb.org

Moore Ingram Johnson & Steele, LLP
John H. Moore **Address:** Emerson Overlook, 326 Roswell Street
(representative's name, printed) Marietta, GA 30060

BY: _____ **Phone #:** (770) 429-1499 **E-Mail:** jmoore@mijs.com
(representative's signature) Georgia Bar No. 519800

Signed, sealed and delivered in presence of:

Carolyn E. Cook **My commission expires:** January 10, 2019
Notary Public

CAROLYN E. COOK NOTARY PUBLIC EXPIRES GEORGIA JAN. 10, 2019 COBB COUNTY

Titleholder(s): St. Benedict's Episcopal Church, LLC **Phone #:** (678) 279-4300
(property owner's name printed)

Address: 2160 Cooper Lake Road, S.E., Smyrna, GA 30080 **E-Mail:** brian@mysaintb.org

BY: _____
(Property owner's signature) Reverend Brian C. Sullivan, Rector

Signed, sealed and delivered in presence of:

Carolyn E. Cook **My commission expires:** January 10, 2019
Notary Public

CAROLYN E. COOK NOTARY PUBLIC EXPIRES GEORGIA JAN. 10, 2019 COBB COUNTY

Commission District: 2 (Ott) **Zoning Case:** Z-21 (2008); SLUP-9 (2008); Z-29 (2012)

Date of Zoning Decision: 05/20/2008* 07/15/2008 08/21/2012 **Original Date of Hearing:** 05/20/2008; 07/15/2008; 08/21/2012

Location: East side of Cooper Lake Road and on the west side of Atlanta Road, north of Cumberland Boulevard
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 694, 695 **District(s):** 17th

State specifically the need or reason(s) for Other Business:

See Exhibit "A" attached hereto and incorporated herein by reference.

*OB Decisions for Z-21 (2008): 12/16/2008; 06/16/2009; 04/20/2010

(List or attach additional information if needed)

EXHIBIT "A" - ATTACHMENT TO APPLICATION FOR "OTHER BUSINESS"
(Stipulation Amendment)

RECEIVED
NOV 10 2015
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

Application Nos.:	**Z-21 (2008); SLUP-9 (2008); Z-29 (2012)**
Original Hearing Dates:	**May 20, 2008; July 15, 2008; August 21, 2012**
Date of Zoning Decisions:	**May 20, 2008; July 15, 2008; August 21, 2012**
"Other Business" Hearings: (as to Z-21 (2008) only)	**December 16, 2008; June 16, 2009; April 20, 2010**
Current Hearing Date:	**December 15, 2015**

Applicant/Titleholder: **St. Benedict's Episcopal Church, LLC**

On May 20, 2008, the Cobb County Board of Commissioners granted a request to rezone property located at 2160 Cooper Lake Road from the RM-12 to the Office and Institutional ("OI") zoning classification to renovate and refurbish the existing church facilities and parking area for use as a church and day school. One of the stipulations approved in the rezoning allowed for a "maximum number of students of two hundred eighty (280), phased-in over the next few years."

Due to the growth in the area and demand for the quality educational opportunities offered to its day school students, Applicant desires to increase the number of approved students, as follows:

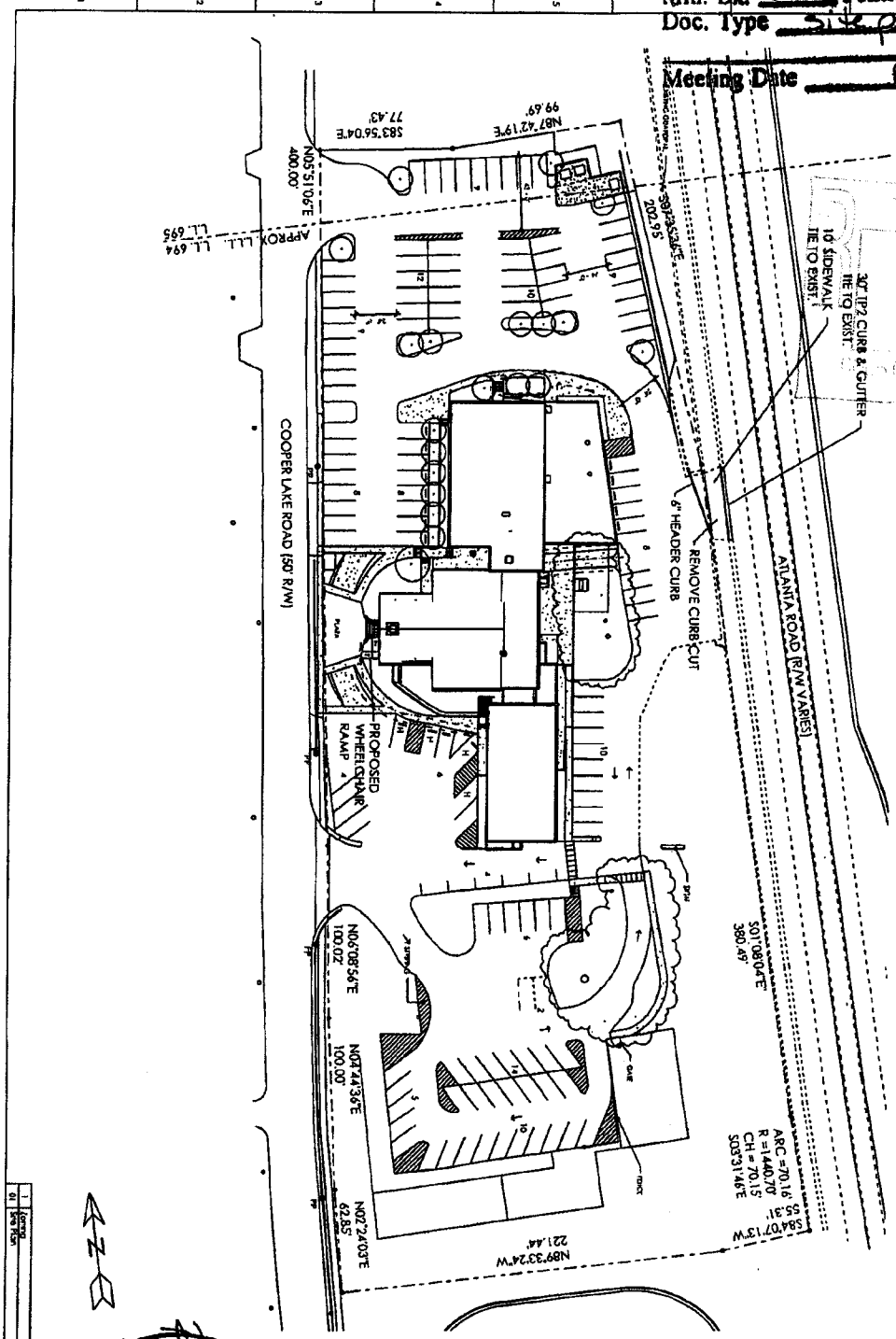
> Applicant proposes to increase the number of children on its main campus from the previously approved two hundred eighty (280) students to three hundred eighty (380) students. The approval by the Board of Commissioners of this proposed stipulation amendment shall be contingent upon the following:
>
> (1) Applicant purchasing, on or before the expiration of one hundred eighty (180) days from final zoning approval, the "Green building property" located adjacent to Applicant's Property; and
>
> (2) Applicant will prepare a traffic flow plan which will be submitted and approved by Cobb County Department of Transportation.

If the proposed, revised stipulation is approved, as submitted in this Application, it shall become an additional part of the final rezoning and shall be binding upon the Subject Property.

The balance and remainder of the stipulations and conditions specifically enumerated in the final, official minutes, and attachments thereto, of the Board of Commissioners Zoning Hearings held on May 20, 2008; July 15, 2008; and August 21, 2012, together with any "Other Business" decisions applicable to the Subject Property, are unaltered by this request for Stipulation Amendment and shall remain in full force and effect.

SITE PLAN APPROVED BY BOARD OF COMMISSIONERS ON AUGUST 12, 2012 – Z-29 (2012)

Min. Bk. 66 Petition No. 2-29
Doc. Type Site plan
Meeting Date 8/21/12



NOV 10 2015

GEORGIA REGISTERED PROFESSIONAL ENGINEER No. 027860 BENJAMIN C. CLOPPER
6/6/12

RECEIVED
JUN - 6 2012
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

SHEET SPECIFIC NOTES

GENERAL NOTES

MATERIAL KEYNOTES

St Benedicts Episcopal Church	Site Plan
2160 Cooper Lake Rd , Smyrna, GA 30080	0' 15' 30' 60'

6/6/12

01

OFFICIAL MINUTES OF BOARD OF COMMISSIONERS ZONING HEARING AS TO APPLICATION FOR REZONING NO. Z-21 (2008) – MAY 20, 2008

MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
MAY 20, 2008
9:04 A.M.

NOV 10 2015

The Board of Commissioners' Zoning Hearing was held on Tuesday, May 20, 2008, at 9:04 a.m. in the second floor public meeting room of the Cobb County building, Marietta, Georgia. Present and comprising a quorum of the Board were:

Chairman Samuel S. Olens
Commissioner Joe L. Thompson
Commissioner Annette Kesting
Commissioner Tim Lee

Commissioner Helen Goreham, absent

Z-21 **ST. BENEDICT'S EPISCOPAL CHURCH, LLC** (Cooper Lake Investments, LLC, owner) requesting Rezoning from **RM-12** to **OI** for the purpose of Church and Day School in Land Lots 694 and 695 of the 17th District. Located on the west side of South Atlanta Road and on the east side of West Atlanta Road, south of Daniel Street.

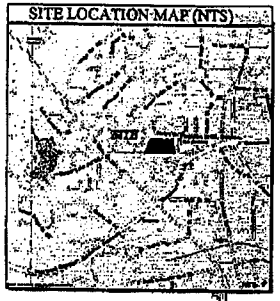
The public hearing was opened and Mr. John Moore, Ms. Mary Rose Barnes, Ms. Suzanne Ballew, and Ms. Joan Thomas addressed the Board. Following presentations and discussion, the following motion was made:

MOTION: Motion by Thompson, second by Olens, to **approve** Rezoning request to the **OI** zoning district **subject to:**

- **site plan/traffic flow plan received by the Zoning Division May 14, 2008 (attached and made a part of these minutes)**
- **letter of agreeable conditions from Mr. John Moore dated May 14, 2008 (attached and made a part of these minutes)**
- **letter of agreeable conditions from Mr. John Moore dated May 15, 2008 (attached and made a part of these minutes)**
- **Fire Department comments and recommendations**
- **Water and Sewer Division comments and recommendations**
- **Stormwater Management Division comments and recommendations**
- ***revised* Cobb DOT comments and recommendations (attached and made a part of these minutes)**
- **owner/developer to enter into a Development Agreement pursuant to O.C.G.A. §36-71-13 for dedication of system improvements to mitigate traffic concerns**

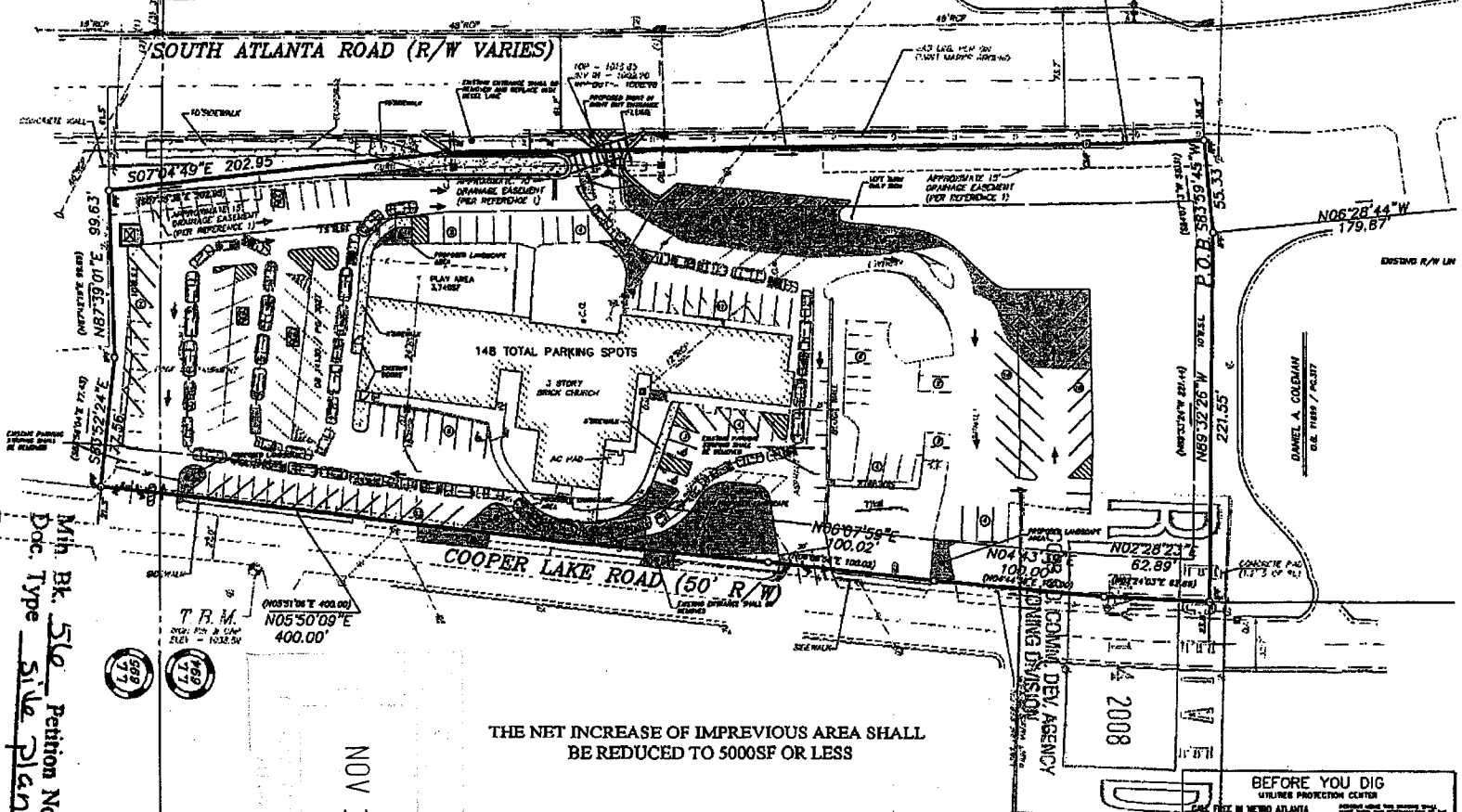
VOTE: **ADOPTED** unanimously

SITE LOCATION MAP (NTS)



SITE DATA:

TOTAL SITE AREA	3.553 ACRES
ZONING	
EXISTING ZONING	PVC (COBB COUNTY)
ZONING JURISDICTION	COBB COUNTY
PLAYGROUND:	
PLAY GROUND SQUAR FOOTAGE	3,740SF
PARKING INFORMATION	
TOTAL PARKING SPOTS	148 PARKING SPOTS
PARKING SPOTS DESIGNATED FOR CAR POOL	43 PARKING SPOTS
TOTAL CAR STACKING LENGTH FRO CAR POOL	1,100 LF
STACK ABLE AMOUNT OF CAR USING 20' PER CAR AVERAGE	55 CARS
STACK ABLE AMOUNT OF CAR USING 16' PER CAR AVERAGE	68 CARS



THE NET INCREASE OF IMPREVIOUS AREA SHALL BE REDUCED TO 5000SF OR LESS

WEST ATLANTA ROAD @ ATLANTA RD. REDEVELOPMENT
PROPOSED IMPROVEMENTS PLAN
FOR
ST. BENEDICT'S EPISCOPAL CHURCH
2344 PLACITRIS ROAD
ATLANTA, GEORGIA 30055
PHONE: 404-317-0046

"WE PROVIDE SOLUTIONS"
PLANNERS AND ENGINEERS COLLABORATIVE
SITE PLANNING • LANDSCAPE ARCHITECTURE • CIVIL ENGINEERING • LAND SURVEYING
330 VERSAILES COURT • ROSWELL, GEORGIA 30076 • (770)641-2916 • FAX (770)641-2916 • WWW.PCAGL.COM

REVISIONS:

NO.	DATE	BY	DESCRIPTION

SHEET TITLE
SITE PLAN

SCALE: 1" = 30'
DATE: MAY 6, 2008
PROJECT: 06099.00A

A
SHEET

RECEIVED
MAY 14 2008
COBB COUNTY COMM. DEV. AGENCY
PLANNING DIVISION

NOV 10 2015

Mtg. Bk. 56 Petition No. Z-21
Doc. Type Site Plan
Meeting Date 5/20/08

MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP

WWW.MIJS.COM

192 ANDERSON STREET

MARIETTA, GEORGIA 30060

TELEPHONE (770) 429-1499
TELECOPIER (770) 429-8631

BILLING ADDRESS
P.O. BOX 3305 • MARIETTA, GEORGIA 30061

TENNESSEE OFFICE
CEDAR RIDGE OFFICE PARK, SUITE 463
408 N. CEDAR BLUFF ROAD • KNOXVILLE, TENNESSEE 37923

TELEPHONE (865) 692-9039
TELECOPIER (865) 692-9071

JOHN H. MOORE
STEPHEN C. STEELE
WILLIAM R. JOHNSON†
ROBERT D. INGRAM†
J. BRIAN O'NEIL
G. PHILLIP BEGGS
ELDON L. BASHAM
MATTHEW J. HOWARD
JERE C. SMITH
CLAYTON O. CARMACK
KEVIN B. CARLOCK†
ALEXANDER T. GALLOWAY III†
J. KEVIN MOORE
RODNEY R. McCOLLOCH
SUSAN S. STUART
DANIEL A. LANDIS***

BRIAN D. SMITH
HARRY R. TEAR III
W. TROY HART†
JEFFREY A. DAXE
JOYCE W. HARPER*
AMY X. WEBER
KIM A. ROPER
TARA C. RIDDLE
KELLI L. WOLK
TANYA L. CROSSE◆
ROBERT W. BROWN II
VICTOR P. VALMUS
T. SHANE MAYES
ANGELA H. SMITH
OPHELIA W. CHAN
DARRELL L. SUTTON

KASI R. WHITAKER
NICHOLAS J. PETERSON◆
JAMES D. WALKER III
CHRISTOPHER D. GUNNELS*
JENNIFER S. WHITE◆
RYAN G. PRESCOTT
RICARDO J. DeMEDEIROS
BRETT A. MILLER
CHRISTOPHER C. MINGLEDORFF
JAMES D. BUSCH◆
COLE B. STINSON◆**
SUZANNE E. HENRICKSON
ANGELA D. CHEATHAM
CAREY E. ATKINS*
CHARLES PIERCE◆
BRANDON C. HARDY

STAYCE M. BURKHART*
CLAY S. O'DANIEL
C. DAMON GUNNELS
GRAHAM E. MCDONALD
KARINE M. POLIS
PHILLIP G. GOMBAR◆
SARAH S. GRANT

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

RECEIVED
NOV 10 2015

May 14, 2008

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

Hand Delivered

RECEIVED
MAY 14 2008
COBB CO. COMMUNITY DEVELOPMENT
ZONING

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, 17th District, 2nd 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, 17th District, 2nd 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

Petition No. Z-21
Meeting Date 5/20/08
Continued

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

Petition No. Z-21
Meeting Date 5/20/08
Continued

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

Petition No. Z-21
Meeting Date 5/20/08
Continued

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

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.

Petition No. Z-21
Meeting Date 5/20/08
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)

MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP

WWW.MIJS.COM

JOHN H. MOORE
STEPHEN C. STEELE
WILLIAM R. JOHNSON†
ROBERT D. INGRAM†
J. BRIAN O'NEIL
G. PHILLIP BEGGS
ELDON L. BASHAM
MATTHEW J. HOWARD
JERE C. SMITH
CLAYTON O. CARMACK
KEVIN B. CARLOCK†
ALEXANDER T. GALLOWAY III†
J. KEVIN MOORE
RODNEY R. McCOLLOCH
SUSAN S. STUART
DANIEL A. LANDIS***

BRIAN D. SMITH
HARRY R. TEAR III
W. TROY HART†
JEFFREY A. DAXE
JOYCE W. HARPER
AMY K. WEBER
KIM A. ROPER
TARA C. RIDDLE
KELLI L. WOLK
TANYA L. CROSSE◆
ROBERT W. BROWN II
VICTOR F. VALMUS
T. SHANE MAYES
ANGELA H. SMITH
OPHELIA W. CHAN
DARRELL L. SUTTON

192 ANDERSON STREET
MARIETTA, GEORGIA 30060

TELEPHONE (770) 429-1499
TELECOPIER (770) 429-8631

BILLING ADDRESS
P.O. BOX 3305 • MARIETTA, GEORGIA 30061

TENNESSEE OFFICE
CEDAR RIDGE OFFICE PARK, SUITE 463
406 N. CEDAR BLUFF ROAD • KNOXVILLE, TENNESSEE 37923

TELEPHONE (865) 692-9039
TELECOPIER (865) 692-9071

KASI R. WHITAKER
NICHOLAS J. PETERSON◆
JAMES D. WALKER III
CHRISTOPHER D. GUNNELS*
JENNIFER S. WHITE◆
RYAN G. PRESCOTT
RICARDO J. DeMEDEIROS
BRETT A. MILLER
CHRISTOPHER C. MINGLEDORFF
JAMES D. BUSCH◆
COLE B. STINSON◆**
SUZANNE E. HENRICKSON
ANGELA D. CHEATHAM
CAREY E. ATKINS*
CHARLES PIERCE◆
BRANDON C. HARDY

STAYCE M. BURKHART*
CLAY S. O'DANIEL
C. DAMON GUNNELS
GRAHAM E. MCDONALD
KARINE M. POLIS
PHILLIP G. GOMBAR◆
SARAH S. GRANT

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

RECEIVED
NOV 10 2015

May 15, 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

Hand Delivered

RECEIVED
MAY 15 2008
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

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, 17th District, 2nd Section, Cobb County, Georgia

Dear John:

On behalf of the Applicant and Property Owner in the above-referenced Application for Rezoning, please allow this correspondence to serve as a supplement to the revised letter of agreeable stipulations and conditions dated and filed with your office on May 14, 2008, which, if the Application for Rezoning is approved, as submitted, shall become part of the grant of the requested zoning and shall be binding upon the Subject Property. The additional stipulations are as follows:

Petition No. Z-21
Meeting Date 5/20/08
Continued

(1) Applicant has prepared a Daily Carpool Schedule which is proposed as follows:

Projected Morning Start Time:

K - 5th is 8:30 a.m.
Preschool is 9:00 a.m.

These start times are after IAS Charter at 8:00 a.m.

Morning Arrivals:

6:30 - 7:45 a.m. - Building open for early arrivers
- Parents park and bring students inside
- Anticipated number of students during this time is 75-100

7:45 - 8:20 a.m. - Scheduled Kindergarten and Elementary carpool
- Anticipated number of students during this time is 40

8:10 - 8:45 a.m. - Early arrivers for preschool classrooms
- Parents park and bring students inside
- Anticipated number of students during this time is 40

8:30 - 8:50 a.m. - Scheduled Preschool carpool (30-45 students)

Any students arriving after 8:50 a.m. must be brought in by their parents.

Petition No. Z-21
Meeting Date 5/20/08
Continued

During morning carpool two adults will be at curbside to assist children exiting cars and a third at the entrance to the building as necessary. Younger children will need the most help with seatbelts. Older children will need help with backpacks and other objects.

Projected Afternoon Dismissal Time:

Preschool is 1:00 p.m.
Kindergarten is 2:30 p.m.
Grades 1-5 is 3:20 p.m.

These dismissal times are staggered around IAS Charter

Afternoon Dismissals:

1:00 - 1:15 p.m. - Preschool students dismissed
- Carpool used to load students into cars
- Anticipated number of students during this time is 20-30

2:30 - 2:40 p.m. - Kindergarten students dismissed Carpool line used to load students into cars
- Anticipated number of students at full enrollment is 15-25

2:40 - 3:30 p.m. - Individual pick-ups for preschool and kindergarten
- Parents park and come inside to get students
- Anticipated number of students during this time is 10-15

Petition No. Z-21
Meeting Date 5/20/08
Continued

3:20 - 3:40 p.m. - Eventual dismissal period for elementary program students
- Carpool line used to load students into cars
- Anticipated number of students at full enrollment is 50-75
- This timing is later than the
- IAS Charter School's 3:00 p.m. dismissal to try to minimize traffic on Atlanta Road

3:20 - 6:30 p.m. - Extended day/special activity students picked up
- Parents park and come inside to get students
- Anticipated number of students at full enrollment is 140
- Carpool system may be implemented if needed for specific times to help alleviate foot traffic in parking lot

The afternoon is the most likely time for a long carpool queue to form. Based on the maximum projected number of students at the standard elementary dismissal, all 75 parents could arrive at the site and be accommodated in the 45 numbered carpool parking spaces and the carpool queue.

During afternoon carpool times, a spotter will be stationed at the northwest corner of the parking lot and will radio the carpool number of the arriving cars to the carpool coordinator in the building. The coordinator will identify the student(s) based on the carpool number and notify the teachers by intercom to send those students to pickup. By the time the car

Petition No. Z-21
Meeting Date 5/20/08
Continued

arrives at the curb the students will be waiting at the "safety" stop on the sidewalk and ready to quickly load.

Similar to the morning, a minimum of two adults will be assisting the students in loading and buckling so that cars may quickly move forward. Our school partners currently use this method at both of their sites and move 50 to 60 children in 15-20 minutes without any problems. Staff can be added as necessary.

Given the maximum of 80 students during the first year, we have the opportunity to fine-tune our process, if necessary, before adding additional students in the fall of 2009. during the first year, every parent could arrive before the start of carpool, the coordination of calling students could be a failure and every car could still be accommodated onsite in parking and the carpool queue.

(2) Applicant shall have the right to alter, amend, or change the within schedule as needed for operational reasons.

(3) The stipulation letter of May 14, 2008, reflected that this zoning was "site plan specific" to that certain As-Built Survey prepared by McClung Surveying Services, Inc. dated May 16, 2002. However, Applicant shall have the right to expand the church building facilities to accommodate its growth so long as Applicant complies with all required developmental standards, including parking.

(4) Any stipulation contained herein, if in conflict with those set forth in the May 14, 2008, letter of agreeable stipulations and conditions, shall control.

Petition No. Z-21
Meeting Date 5/20/08
Continued

As previously stated, we believe the requested zoning, pursuant to the As-Built Survey and the stipulations previously submitted as well as those 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. 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

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

Shane Coldren
Ron Sifen
Vinings Homeowners Association

Suzanne Ballew
Mary Rose Barnes

St. Benedict's Episcopal Church, LLC

APPLICANT: St. Benedict's Episcopal Church, LLC **PETITION NO.:** Z-21

PRESENT ZONING: RM-12 **PETITION FOR:** O & I

* *

TRANSPORTATION COMMENTS

The following comments and recommendations are based on field investigation and office review of the subject rezoning case:

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Cooper Lake Road	3500	Minor Collector	35 mph	Cobb County	60'
Atlanta Road	22100	Arterial	45 mph	Cobb County	100'

Based on 2006 traffic counting data taken by Cobb County DOT. (Cooper Lake Road)
Based on 2007 traffic counting data taken by Cobb County DOT. (Atlanta Road)

COMMENTS AND OBSERVATIONS

Cooper Lake Road is classified as a Minor Collector and according to the available information, the existing right-of-way does not meet the minimum requirements for this classification.
Atlanta Road is classified as an Arterial and according to the available information, the existing right-of-way does meet the minimum requirements for this classification.

Access to Atlanta Road shall be right-in only.

As necessitated by this development for access from Atlanta Road, a deceleration lane will be required.

Develop and present a circulation plan that will facilitate student drop offs / pick ups and any other related school activity. The plan should show how on-site queuing will be accommodated.

Minimize the number of curb cuts along Cooper Lake Road.

RECOMMENDATIONS

Recommend right-in only access along Atlanta Road.

Recommend a deceleration lane along Atlanta Road.

Recommend the applicant develop and present a detailed circulation plan describing how traffic will be handled for all school functions.

Recommend minimizing the number of curb cuts along Cooper Lake Road.

Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

Min. Bk. 56 Petition No. Z-21
Doc. Type revised DOT comments
Meeting Date 5/20/08

OFFICIAL MINUTES OF BOARD OF COMMISSIONERS ZONING HEARING AS TO APPLICATION FOR "OTHER BUSINESS" FOR Z-21 (2008) – JUNE 16, 2009

NOV 10 2015

MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
JUNE 16, 2009
9:00 A.M.

The Board of Commissioners' Zoning Hearing was held on Tuesday, June 16, 2009, at 9:00 a.m. in the second floor public meeting room of the Cobb County building, Marietta, Georgia. Present and comprising a quorum of the Board were:

Chairman Samuel S. Olens
Commissioner Helen Goreham
Commissioner Tim Lee
Commissioner Woody Thompson
Commissioner Robert Ott

ITEM #3

To consider amending the stipulations regarding Z-21 (ST. BENEDICT'S EPISCOPAL CHURCH, LLC) of May 20, 2008, for property located in Land Lots 694 and 695 of the 17th District on the west side of South Atlanta Road and on the east side of West Atlanta Road, south of Daniel Street.

Mr. Mark Danneman, Zoning Division Manager, provided information regarding request to amend stipulations to allow a farmer's market on the site. The public hearing was opened and Mr. John Moore, Mr. William Kring, Mr. Tony Waybright, Ms. Mary Rose Barnes and Ms. Cheryl Carson addressed the Board. Following presentations and discussion, the following motion was made:

MOTION: Motion by Ott, second by Olens, to **approve** stipulation amendment for Z-21 (ST. BENEDICT'S EPISCOPAL CHURCH, LLC) of May 20, 2008, for property located in Land Lots 694 and 695 of the 17th District on the west side of South Atlanta Road and on the east side of West Atlanta Road, south of Daniel Street., **subject to:**

- **Applicant's written request contained in Exhibit A, *with the following amendments* (attached and made part of these minutes):**
  - **Item No. 6 – Change to now read: *"This amendment shall terminate December 31, 2009, with extension request to be considered by the Board of Commissioners as an Other Business Item."***
  - ***Add* Item No. 7 – to read: *"The Atlanta Road access will remain closed during the hours of operation of the farmer's market."***

MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
JUNE 16, 2009
9:00 A.M.

The Board of Commissioners' Zoning Hearing was held on Tuesday, June 16, 2009, at 9:00 a.m. in the second floor public meeting room of the Cobb County building, Marietta, Georgia. Present and comprising a quorum of the Board were:

Chairman Samuel S. Olens
Commissioner Helen Goreham
Commissioner Tim Lee
Commissioner Woody Thompson
Commissioner Robert Ott

OTHER BUSINESS – ITEM #3 (Continued)

- **Cobb DOT comments and recommendations regarding this request: no parking allowed within drive aisles**
- **all other applicable previous zoning stipulations and conditions, not otherwise in conflict, to remain in effect**

VOTE: **ADOPTED** unanimously

Clerk's Note: The Applicant's representative was asked to confer with the County Attorney regarding possible Special Land Use Permit application for this use (if application is filed, a reduced fee to be allowed.)

Min. Bk. 58 Petition No. OB3
Doc. Type Applicants
Exhibit A
Meeting Date 6/16/09

EXHIBIT "A" - ATTACHMENT TO APPLICATION FOR OTHER BUSINESS (STIPULATION AMENDMENT)

NOV 10 2015

Application Nos.:	**Z-21 (2008) and SLUP-9 (2008)**
Original Hearing Dates:	**May 20, 2008 and July 15, 2008**
Previous Other Business Hearing Date:	**December 16, 2008**
Current Hearing Date:	**June 16, 2009**

BEFORE THE COBB COUNTY BOARD OF COMMISSIONERS

Applicant: St. Benedict's Episcopal Church, LLC

Applicant requests an amendment to the stipulations and conditions approved by the Cobb County Board of Commissioners in hearings regarding the Application for Rezoning (Z-21 (2008)) on May 20, 2008, and Application for Special Land Use Permit (SLUP-9 (2008)) on July 15, 2008. Certain stipulations as to each Application were amended by the Board of Commissioners on December 16, 2008, through an "Other Business" request.

Applicant proposes a farmer's market on its premises. The market will operate as a ministry of the Church to provide the residents of Smyrna/Vinings/Oakdale communities access to health, locally grown, raised or produced food items including produce, meats, cheese, and baked items. Applicant will use its best efforts to ensure that this market will be a first-class experience for both the vendors and the patrons.

Applicant agrees to condition this amendment upon the following:

(1) To provide local farmers and food purveyors a once a week, seasonal marketplace to sell their goods to the residents of Smyrna/Vinings/Oakdale communities.

(2) The market day, which is currently proposed for Tuesday, shall be from 4:00 p.m. to 8:00 p.m. Vendors will be allowed to begin setting up at 3:00 p.m. on market days. All vendors will be required to remove all trash and unsold food items from the Property within thirty (30) minutes of market close.

(3) Vendors must remove all organic material from the Property and will be prohibited from using on-site dumpster or trash receptacle.

(4) Vendors will be restricted to one 12 x 12 foot "plot" within which to display their goods, and will be required to use the pop-up style tent provided by the Applicant. Vendors will be held accountable for having all necessary licenses, inspections, and permits to sell their goods and report appropriate sales taxes. Applicant will conduct random inspections of these licenses and permits on a regular basis.

(5) All signage related to the market will be designed professionally to ensure that they are aesthetically appropriate for the intersection. In addition, they will be posted and removed in a timely fashion. The signage may be only placed the day of the market.

(6) This amendment, if approved, shall terminate September 1, 2009,unless extended by the District Commissioner.

The balance and remainder of the stipulations and conditions specifically enumerated in the official minutes, and attachments thereto, of the Board of Commissioners Zoning Hearings held on May 20, 2008, as to Application No. Z-21 (2008) and July 15, 2008, as to SLUP-9 (2008), as well as the amended official minutes, including attachments, held on December 16, 2008, are unaltered by this request for stipulation amendment.

Applicant believes this to be an important ministry, and one that is very beneficial to the community at large.

OFFICIAL MINUTES OF BOARD OF COMMISSIONERS ZONING HEARING AS TO APPLICATION FOR "OTHER BUSINESS" FOR Z-21 (2008) – APRIL 20, 2010

NOV 10 2015

MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
APRIL 20, 2010
9:00 A.M.

The Board of Commissioners' Zoning Hearing was held on Tuesday, April 20, 2010 at 9:00 a.m. in the second floor public meeting room of the Cobb County building, Marietta, Georgia. Present and comprising a quorum of the Board were:

Vice Chairman Woody Thompson
Commissioner Helen Goreham
Commissioner Robert Ott

NOTE: The Chairman's seat was vacant at this time, due to the resignation of Chairman Sam Olens, effective March 30, 2010 at 5:00 p.m. The District 3 Commission post was also vacant, due to Commissioner Tim Lee qualifying on April 13, 2010 to run for the office of Chairman of the Board of Commissioners.

ITEM #3

To consider amending the stipulations for Z-21 (ST. BENEDICT'S EPISCOPAL CHURCH, LLC) of May 20, 2008, for property located in Land Lots 694 and 695 of the 17th District on the west side of South Atlanta Road and on the east side of West Atlanta Road, south of Daniel Street.

Mr. Mark Danneman, Zoning Division Manager, provided information regarding request for stipulation amendment. The public hearing was opened and Mr. John Moore and Ms. Mary Rose Barnes addressed the Board. Following presentations and discussions, the following motion was made:

MOTION: Motion by Ott, second by Thompson, to **approve** Other Business Item #3 for stipulation amendment to Z-21 (ST. BENEDICT'S EPISCOPAL CHURCH, LLC) of May 20, 2008, for property located in Land Lots 694 and 695 of the 17th District on the west side of South Atlanta Road and on the east side of West Atlanta Road, south of Daniel Street, **subject to:**

- **time limit extended for operation of a farmer's market on the subject property until December 31, 2013**
- **additional conditions contained in Applicant's submitted document titled *Exhibit A* (attached and made a part of these minutes)**
- **all other previously approved conditions/stipulations not in conflict with this request to remain in effect**

VOTE: **ADOPTED** 3-0

Min. Bk. 160 Petition No. OB 3
Doc. Type Exhibit A

Meeting Date 4/20/10

EXHIBIT "A" - ATTACHMENT TO APPLICATION FOR OTHER BUSINESS (STIPULATION AMENDMENT)

Application Nos.:	**Z-21 (2008) and SLUP-9 (2008)**
Original Hearing Dates:	**May 20, 2008 and July 15, 2008**
Previous Other Business Hearing Dates:	**December 16, 2008** **June 16, 2009**
Current Hearing Date:	**April 20, 2010**

BEFORE THE COBB COUNTY BOARD OF COMMISSIONERS

Applicant/Titleholder: St. Benedict's Episcopal Church, LLC

On June 16, 2009, the Cobb County Board of Commissioners granted Applicant's request to allow for the operation of a farmer's market on the Subject Property. Applicant agreed to stipulations pertaining to the operation of the market, and the Board of Commissioners added stipulations, as well as revised certain stipulations. One stipulation added by the Board of Commissioners was the amendment for the termination of the farmer's market on December 31, 2009.

Applicant now seeks to amend the stipulations to again allow for the operation of the farmer's market on the Subject Property through and including December 31, 2013. The portable classroom units have been removed from the Property, and much of the construction and renovation work has been completed which would allow for additional space to accommodate the public, as well as vendor booths and parking. The market was very successful in its first year of operation in 2009 and was used as a ministry and outreach for the Smyrna/Vinings/Oakdale communities. As in the past, Applicant will use its best efforts to ensure that the market will be a first-class experience for both the vendors and the patrons.

Applicant agrees that should any problems arise during the operation of the farmer's market during the period herein allowed, the District Commissioner may require a "show cause" hearing to have the Applicant respond to the problems presented. Cobb County shall specify the specific problems to be addressed, which shall be included in the notification as to a "show cause" hearing. Cobb County shall provide a minimum of thirty (30) days' prior written notice as to any such hearing. At any hearing, the Applicant may present evidence on its behalf in response to any problem(s) presented. If, upon hearing, the Board of Commissioners determines the problem(s) does exist, the Board of Commissioners may grant a period of time for Applicant to correct the problem; or, if the problem is substantial enough, revoke the permit for the remainder of the term of the Land Use Permit.

Petition No. 083
Meeting Date 4/20/10
Continued

PAGE TWO - EXHIBIT "A"
ATTACHMENT TO APPLICATION FOR OTHER BUSINESS
(STIPULATION AMENDMENT)

Application Nos.:	**Z-21 (2008) and SLUP-9 (2008)**
Original Hearing Dates:	**May 20, 2008 and July 15, 2008**
Previous Other Business Hearing Dates:	**December 16, 2008** **June 16, 2009**
Current Hearing Date:	**April 20, 2010**

Applicant/Titleholder: St. Benedict's Episcopal Church, LLC

If approved, Applicant will agree to the stipulations and conditions specific to the operation of the farmer's market which were set forth in the official minutes, and attachments thereto, of the Cobb County Board of Commissioners Zoning Hearing held on June 16, 2009, a copy of which is attached to the Application for "Other Business" and incorporated herein by reference.

Additionally, the balance and remainder of the stipulations and conditions specifically enumerated in the official minutes, and attachments thereto, of the Board of Commissioners Zoning Hearings held on May 20, 2008, as to Application No. Z-21 (2008) and July 15, 2008, as to SLUP-9 (2008), as well as the amended official minutes, including attachments, held on December 16, 2008, are unaltered by this request for stipulation amendment.

OFFICIAL MINUTES OF BOARD OF COMMISSIONERS ZONING HEARING AS TO APPLICATION FOR SPECIAL LAND USE PERMIT NO. SLUP-9 (2008) – JULY 15, 2008

NOV 10 2015

MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
JULY 15, 2008
9:04 A.M.

The Board of Commissioners' Zoning Hearing was held on Tuesday, July 15, 2008, at 9:04 a.m. in the second floor public meeting room of the Cobb County building, Marietta, Georgia. Present and comprising a quorum of the Board were:

Chairman Samuel S. Olens
Commissioner Joe L. Thompson
Commissioner Annette Kesting
Commissioner Tim Lee
Commissioner Helen Goreham

SLUP-9 **ST. BENEDICT'S EPISCOPAL CHURCH, LLC** (Cooper Lake Investments, LLC, owner) requesting a **Special Land Use Permit** for the purpose of a Private School in Land Lots 694 and 695 of the 17th District. Located on the west side of South Atlanta Road and on the east side of West Atlanta Road, south of Daniel Street.

The public hearing was opened and Mr. John Moore, Mr. Travis Werner, Mr. Harold Johnson, Mr. Stuart Higginbotham, and Mr. William Kring addressed the Board. Following presentations and discussion, the following motion was made:

MOTION: Motion by Thompson, second by Olens, to **approve** Special Land Use Permit **subject to:**

- **letters of agreeable conditions from Mr. John Moore dated May 14, 2008, May 15, 2008 and June 25, 2008** ***not otherwise in conflict*** **(attached and made a part of these minutes)**
- **mobile classrooms will be removed within six (6) months of the Board of Commissioners' decision; however, the time period may be considered for extension via an Other Business agenda item**
- **the circulation plan to be reviewed and approved by DOT and the District Commissioner prior to issuance of Land Disturbance Permit**
- **minimum age of any student is 2 years**
- **until school reaches planned capacity of 280 students, the church is to consult annually (before opening each school year) with the District Commissioner to review the traffic pattern**
- **operation of the school subject to zoning stipulations from Z-21 of 2008 (on file in the Zoning Division)**

MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
JULY 15, 2008
9:04 A.M.

The Board of Commissioners' Zoning Hearing was held on Tuesday, July 15, 2008, at 9:04 a.m. in the second floor public meeting room of the Cobb County building, Marietta, Georgia. Present and comprising a quorum of the Board were:

Chairman Samuel S. Olens
Commissioner Joe L. Thompson
Commissioner Annette Kesting
Commissioner Tim Lee
Commissioner Helen Goreham

SLUP-9 **ST. BENEDICT'S EPISCOPAL CHURCH, LLC** (Cooper Lake Investments, LLC, owner)

- **District Commissioner may make minor changes**
- **Fire Department comments and recommendations**
- **Water and Sewer Division comments and recommendations**
- **Stormwater Management Division comments and recommendations**
- ***revised* Cobb DOT comments and recommendations dated June 30, 2008 (attached and made a part of these minutes)**
- **owner/developer to enter into a Development Agreement pursuant to O.C.G.A. §36-71-13 for dedication of system improvements to mitigate traffic concerns**

VOTE: **ADOPTED** unanimously

NOV 10 2015

MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP
WWW.MIJS.COM

JOHN H. MOORE
STEPHEN C. STEELE
WILLIAM R. JOHNSON†
ROBERT O. INGRAM†
J. BRIAN O'NEIL
G. PHILLIP BEGGS
ELDON L. BASHAM
MATTHEW J. HOWARD
JERE C. SMITH
CLAYTON O. CARMACK
KEVIN B. CARLOCK†
ALEXANDER T. GALLOWAY III†
J. KEVIN MOORE
RODNEY R. McCOLLOCH
SUSAN S. STUART
DANIEL A. LANDIS***

BRIAN D. SMITH
HARRY R. TEAR III
W. TROY HART†
JEFFREY A. DAXE
JOYCE W. HARPER
AMY K. WEBER
KIM A. ROPER
TARA C. RIDDLE
KELLI L. WOLK
TANYA L. CROSSE♦
ROBERT W. BROWN II
VICTOR P. VALMUS
T. SHANE MAYES
ANGELA H. SMITH
OPHELIA W. CHAN
DARRELL L. SUTTON

192 ANDERSON STREET
MARIETTA, GEORGIA 30060

TELEPHONE (770) 429-1499
TELECOPIER (770) 429-8631

BILLING ADDRESS
P.O. BOX 3305 • MARIETTA, GEORGIA 30061

TENNESSEE OFFICE
CEDAR RIDGE OFFICE PARK, SUITE 453
408 N. CEDAR BLUFF ROAD • KNOXVILLE, TENNESSEE 37923

TELEPHONE (865) 692-9039
TELECOPIER (865) 692-9071

KASI R. WHITAKER
NICHOLAS J. PETERSON♦
JAMES D. WALKER III
CHRISTOPHER D. GUNNELS*
JENNIFER S. WHITE♦
RYAN G. PRESCOTT
RICARDO J. DeMEDEIROS
BRETT A. MILLER
CHRISTOPHER C. MINGLEDORFF
JAMES D. BUSCH♦
COLE B. STINSON♦**
SUZANNE E. HENRICKSON
ANGELA D. CHEATHAM
CAREY E. ATKINS*
CHARLES PIERCE♦
BRANDON C. HARDY

STAYCE M. BURKHART*
CLAY S. O'DANIEL
C. DAMON GUNNELS
GRAHAM E. MCDONALD
KARINE M. POLIS
PHILLIP G. GOMBAR♦
SARAH S. GRANT

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

Min. Bk. 56 Petition No. SLUP-9
Doc. Type Letter of agreeable conditions
Meeting Date 7-15-08

May 14, 2008

Hand Delivered

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, 17th District, 2nd 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, 17th District, 2nd 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

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

Petition No SLUP-9
Meeting Date 7-15-08
Continued

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

Petition No. SLUP-9
Meeting Date 7-15-08
Continued

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

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.

Petition No. SLUP-9
Meeting Date 7-15-08
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

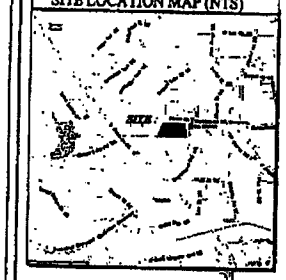
JHM:cc
Attachments
c: Cobb County Board of Commissioners:
Samuel S. Olens, Chairman
Helen C. Goreham
Annette Kesting
Joe L. Thompson
Tim Lee
(With Copy of Attachment)

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

Suzanne Ballew
Mary Rose Barnes
(With Copy of Attachment)

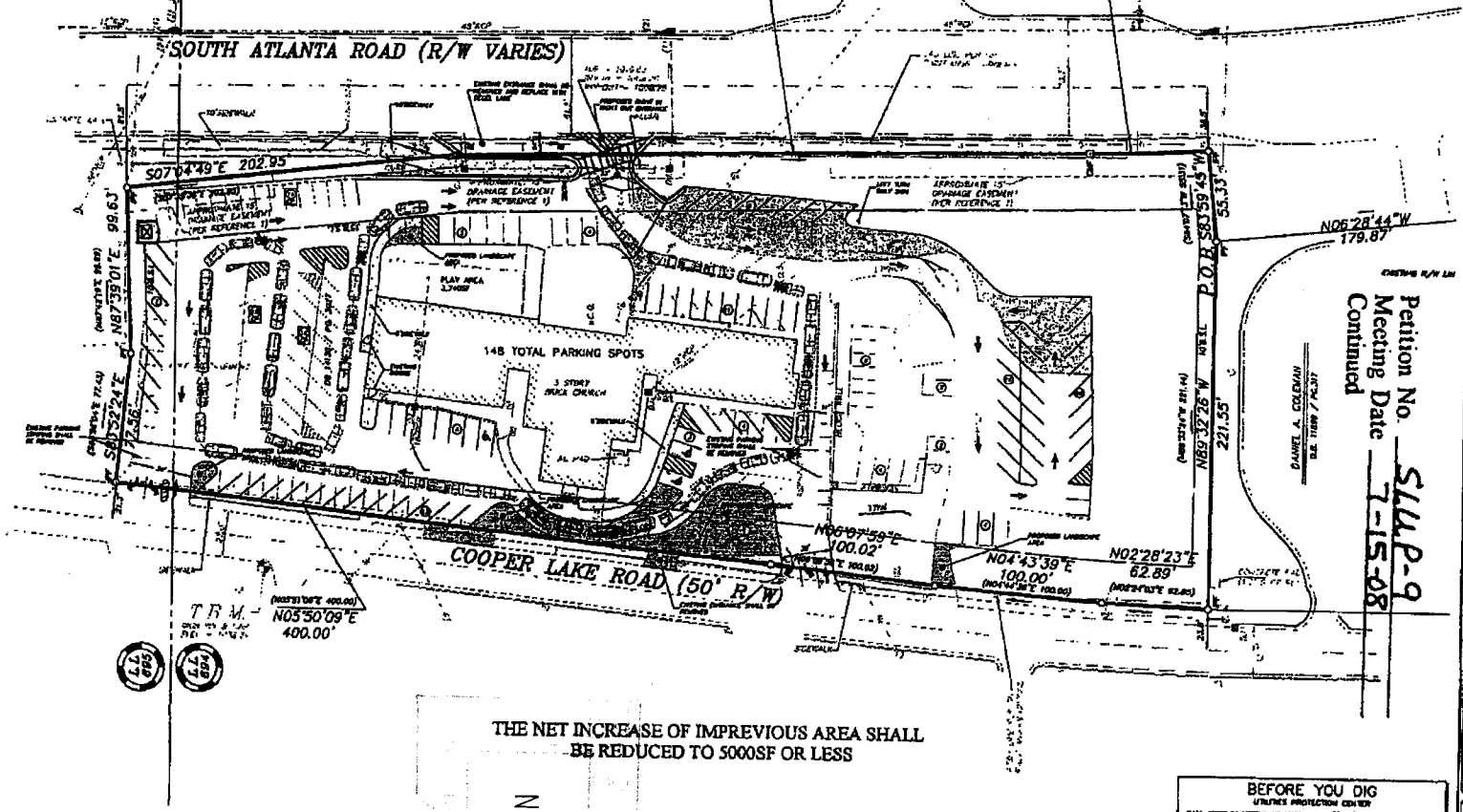
St. Benedict's Episcopal Church, LLC
(With Copy of Attachment)

SITE LOCATION MAP (NTS)



SITE DATA:

TOTAL SITE AREA	3.553 ACRES
ZONING	
EXISTING ZONING	PVC (COBB COUNTY)
ZONING JURISDICTION	COBB COUNTY
PLAY GROUND	
PLAY GROUND EQUAL FOOTAGE	3,940SF
PARKING INFORMATION	
TOTAL PARKING SPOTS	148 PARKING SPOTS
PARKING SPOTS DESIGNATED FOR CAR POOL	45 PARKING SPOTS
TOTAL CAR STACKING LENGTH FRO CAR POOL	1,100 LF
STACK ABLE AMOUNT OF CAR USING 20' PER CAR AVERAGE	55 CARS
STACK ABLE AMOUNT OF CAR USING 16' PER CAR AVERAGE	68 CARS



Petition No. SLUP-9
Meeting Date 7-15-08
Continued

THE NET INCREASE OF IMPREVIOUS AREA SHALL BE REDUCED TO 5000SF OR LESS

24 HOUR CONTACT: MR. TONY WAYBRIGHT @ 404-317-0046

BEFORE YOU DIG
UTILITIES PROTECTION CENTER
CALL FREE IN METRO ATLANTA
(770) 623-4344

WEST ATLANTA ROAD @ ATLANTA RD. REDEVELOPMENT
PROPOSED IMPROVEMENTS PLAN
FOR
ST. BENEDICT'S EPISCOPAL CHURCH
2744 PEACHTREE ROAD
ATLANTA, GEORGIA 30305
PROJ NO. 06-117-0046

"THE PROVIDER SOLUTIONS"
PLANNERS AND ENGINEERS COLLABORATIVE
SITE PLANNING • LANDSCAPE ARCHITECTURE • CIVIL ENGINEERING • LAND SURVEYING
3291 PIEDMONT COURT • MONROE, GEORGIA 30655 • (770) 267-7575 • FAX (770) 267-7576 • WWW.PECATL.COM

REVISIONS:

NO.	DATE	BY	DESCRIPTION

SHEET TITLE
SITE PLAN

SCALE: 1" = 30'
DATE: MAY 6, 2008
PROJECT: 06099.00A

A
SHEET

NOV 10 2015

MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP

WWW.MIJS.COM

JOHN H. MOORE
STEPHEN C. STEELE
WILLIAM R. JOHNSON†
ROBERT D. INGRAM†
J. BRIAN O'NEIL
G. PHILLIP BEGGS
ELOON L. BASHAM
MATTHEW J. HOWARD
JERE C. SMITH
CLAYTON D. CARMACK
KEVIN B. CARLOCK†
ALEXANDER T. GALLOWAY III†
J. KEVIN MOORE
RODNEY R. McCULLOCH
SUSAN S. STUART
DANIEL A. LANDIS***

BRIAN D. SMITH
HARRY R. TEAR III
W. TROY HART†
JEFFREY A. DAXE
JOYCE W. HARPER
AMY K. WEBER
KIM A. ROPER
TARA C. RIDDLE
KELLI L. WOLK
TANYA L. CROSSE♦
ROBERT W. BROWN II
VICTOR P. VALMUS
T. SHANE MAYES
ANGELA H. SMITH
OPHELIA W. CHAN
DARRELL L. SUTTON

192 ANDERSON STREET
MARIETTA, GEORGIA 30060

TELEPHONE (770) 429-1499
TELECOPIER (770) 429-8631

BILLING ADDRESS
P.O. BOX 3305 • MARIETTA, GEORGIA 30061

TENNESSEE OFFICE
CEDAR RIDGE OFFICE PARK, SUITE 453
408 N. CEDAR BLUFF ROAD • KNOXVILLE, TENNESSEE 37923

TELEPHONE (865) 692-9039
TELECOPIER (865) 692-9071

KASI R. WHITAKER
NICHOLAS J. PETERSON♦
JAMES D. WALKER III
CHRISTOPHER D. GUNNELS*
JENNIFER S. WHITE♦
RYAN G. PRESCOTT
RICARDO J. DeMEDEIROS
BRETT A. MILLER
CHRISTOPHER C. MINGLEDORFF
JAMES D. BUSCH♦
COLE B. STINSON♦**
SUZANNE E. HENRICKSON
ANGELA D. CHEATHAM
CAREY E. ATKINS*
CHARLES PIERCE♦
BRANDON C. HARDY

STAYCE M. BURKHART*
CLAY S. O'DANIEL
C. DAMON GUNNELS
GRAHAM E. MCDONALD
KARINE M. POLIS
PHILLIP G. GOMBAR♦
SARAH S. GRANT

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

Min. Bk. 56 Petition No. SLUP-9
Doc. Type Letter of agreeable conditions
Meeting Date 7-15-08

May 15, 2008

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

Hand Delivered

NOV 10 2015

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, 17th District, 2nd Section, Cobb County, Georgia

Dear John:

On behalf of the Applicant and Property Owner in the above-referenced Application for Rezoning, please allow this correspondence to serve as a supplement to the revised letter of agreeable stipulations and conditions dated and filed with your office on May 14, 2008, which, if the Application for Rezoning is approved, as submitted, shall become part of the grant of the requested zoning and shall be binding upon the Subject Property. The additional stipulations are as follows:

Petition No. SLUP-9
Meeting Date 7-15-08
Continued

(1) Applicant has prepared a Daily Carpool Schedule which is proposed as follows:

Projected Morning Start Time:

K - 5th is 8:30 a.m.
Preschool is 9:00 a.m.

These start times are after IAS Charter at 8:00 a.m.

Morning Arrivals:

6:30 - 7:45 a.m. - Building open for early arrivers
- Parents park and bring students inside
- Anticipated number of students during this time is 75-100

7:45 - 8:20 a.m. - Scheduled Kindergarten and Elementary carpool
- Anticipated number of students during this time is 40

8:10 - 8:45 a.m. - Early arrivers for preschool classrooms
- Parents park and bring students inside
- Anticipated number of students during this time is 40

8:30 - 8:50 a.m. - Scheduled Preschool carpool (30-45 students)

Any students arriving after 8:50 a.m. must be brought in by their parents.

Petition No. SLUP-9
Meeting Date 7-15-08
Continued

During morning carpool two adults will be at curbside to assist children exiting cars and a third at the entrance to the building as necessary. Younger children will need the most help with seatbelts. Older children will need help with backpacks and other objects.

Projected Afternoon Dismissal Time:

Preschool is 1:00 p.m.
Kindergarten is 2:30 p.m.
Grades 1-5 is 3:20 p.m.

These dismissal times are staggered around IAS Charter

Afternoon Dismissals:

1:00 - 1:15 p.m. - Preschool students dismissed
- Carpool used to load students into cars
- Anticipated number of students during this time is 20-30

2:30 - 2:40 p.m. - Kindergarten students dismissed
Carpool line used to load students into cars
- Anticipated number of students at full enrollment is 15-25

2:40 - 3:30 p.m. - Individual pick-ups for preschool and kindergarten
- Parents park and come inside to get students
- Anticipated number of students during this time is 10-15

Petition No. SLUP-9
Meeting Date 7-15-08
Continued

3:20 - 3:40 p.m. - Eventual dismissal period for elementary program students
- Carpool line used to load students into cars
- Anticipated number of students at full enrollment is 50-75
- This timing is later than the
- IAS Charter School's 3:00 p.m. dismissal to try to minimize traffic on Atlanta Road

3:20 - 6:30 p.m. - Extended day/special activity students picked up
- Parents park and come inside to get students
- Anticipated number of students at full enrollment is 140
- Carpool system may be implemented if needed for specific times to help alleviate foot traffic in parking lot

The afternoon is the most likely time for a long carpool queue to form. Based on the maximum projected number of students at the standard elementary dismissal, all 75 parents could arrive at the site and be accommodated in the 45 numbered carpool parking spaces and the carpool queue.

During afternoon carpool times, a spotter will be stationed at the northwest corner of the parking lot and will radio the carpool number of the arriving cars to the carpool coordinator in the building. The coordinator will identify the student(s) based on the carpool number and notify the teachers by intercom to send those students to pickup. By the time the car

Petition No. SLUP-9
Meeting Date 7-15-08
Continued

arrives at the curb the students will be waiting at the "safety" stop on the sidewalk and ready to quickly load.

Similar to the morning, a minimum of two adults will be assisting the students in loading and buckling so that cars may quickly move forward. Our school partners currently use this method at both of their sites and move 50 to 60 children in 15-20 minutes without any problems. Staff can be added as necessary.

Given the maximum of 80 students during the first year, we have the opportunity to fine-tune our process, if necessary, before adding additional students in the fall of 2009. during the first year, every parent could arrive before the start of carpool, the coordination of calling students could be a failure and every car could still be accommodated onsite in parking and the carpool queue.

(2) Applicant shall have the right to alter, amend, or change the within schedule as needed for operational reasons.

(3) The stipulation letter of May 14, 2008, reflected that this zoning was "site plan specific" to that certain As-Built Survey prepared by McClung Surveying Services, Inc. dated May 16, 2002. However, Applicant shall have the right to expand the church building facilities to accommodate its growth so long as Applicant complies with all required developmental standards, including parking.

(4) Any stipulation contained herein, if in conflict with those set forth in the May 14, 2008, letter of agreeable stipulations and conditions, shall control.

Petition No. SLUP-9
Meeting Date 7-15-08
Continued

As previously stated, we believe the requested zoning, pursuant to the As-Built Survey and the stipulations previously submitted as well as those 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. 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

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

Shane Coldren
Ron Sifen
Vinings Homeowners Association

Suzanne Ballew
Mary Rose Barnes

St. Benedict's Episcopal Church, LLC

NOV 10 2015

MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP
WWW.MIJS.COM

JOHN H. MOORE
STEPHEN C. STEELE
WILLIAM R. JOHNSON†
ROBERT D. INGRAM†
J. BRIAN O'NEIL
G. PHILLIP BEGGS
ELDON L. BASHAM
MATTHEW J. HOWARD
JERE C. SMITH
CLAYTON O. CARMACK
KEVIN B. CARLOCK†
ALEXANDER T. GALLOWAY III†
J. KEVIN MOORE
RODNEY R. McCOLLOCH
SUSAN S. STUART
DANIEL A. LANDIS***
BRIAN D. SMITH

HARRY R. TEAR III
W. TROY HART†
JEFFREY A. DAXE
KIM A. ROPER
JOYCE W. HARPER
AMY K. WEBER
TARA C. RIDDLE
KELLI L. WOLK
VICTOR P. VALMUS
T. SHANE MAYES
ANGELA H. SMITH
OPHELIA W. CHAN
DARRELL L. SUTTON
NICHOLAS J. PETERSON♦
JAMES D. WALKER III
CHRISTOPHER D. GUNNELS*
JENNIFER S. WHITE♦

192 ANDERSON STREET
MARIETTA, GEORGIA 30060

TELEPHONE (770) 429-1499
TELECOPIER (770) 429-8631

BILLING ADDRESS
P.O. BOX 3305 • MARIETTA, GEORGIA 30061

TENNESSEE OFFICE
CEDAR RIDGE OFFICE PARK, SUITE 500
408 N. CEDAR BLUFF ROAD • KNOXVILLE, TENNESSEE 37923

TELEPHONE (865) 692-9039
TELECOPIER (865) 692-9071

RYAN G. PRESCOTT
CHRISTOPHER C. MINGLEDORFF
COLE B. STINSON♦**
ANGELA D. CHEATHAM
CAREY E. OLSON*
CHARLES PIERCE♦
BRANDON C. HARDY
STAYCE M. BURKHART*
CLAY S. O'DANIEL
GRAHAM E. MCDONALD
KARINE M. POLIS
PHILLIP G. GOMBAR♦
SARAH E. STOTTLEMYER
JENNIFER A. RINGSMUTH*
PRESTON D. HOLLOWAY
JENNIFER B. SIMPSON
ASPEN S. RAINS♦

MARC E. SIROTKIN
BETH GEARHART****
S. NIKOL RICHARDSON♦
SCOTT I. SAIDAK♦
JENNIFER L. LAFOUNTAINE*
TIMOTHY H. STALLINGS
PRESTON D. PIERCE♦

OF COUNSEL:
JOHN L. SKELTON, JR.†

† ALSO ADMITTED IN TN
* ALSO ADMITTED IN FL
** ALSO ADMITTED IN NM
*** ALSO ADMITTED IN NC
**** ALSO ADMITTED IN CA
♦ ADMITTED ONLY IN TN

June 25, 2008

Min. Bk. 56 Petition No. SLUP-9
Doc. Type Letter of agreeable conditions
Meeting Date 7-15-08

Hand Delivered

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

TM
COBB COUNTY DEV AGENCY
ZONING DIVISION

RE: Application for Special Land Use Permit
Application No.: SLUP-9 (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, 17th District, 2nd 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 Special Land Use Permit with respect to a total tract of 3.553 acres located at 2160 Cooper Lake Road, Land Lots 694 and 695, 17th District, 2nd 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

Petition No. SLUP-9
Meeting Date 7-15-08
Continued

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 Special Land Use Permit is approved, as submitted, shall become a part of the grant of the requested approval and shall be binding upon the Subject Property. The referenced stipulations are as follows:

(1) Applicant seeks a Special Land Use Permit for the Subject Property to allow for the operation of a school for ages 2 through grade 5, with reference to that certain As-Built Survey prepared by McClung Surveying Services, Inc. dated May 16, 2002.

(2) The maximum number of students enrolled in the proposed day school shall be two hundred eighty (280), phased-in over the next few years.

(3) Applicant may employ the use of portable classrooms, not to exceed four (4) in number. The classrooms must be removed from the Subject Property on or before six (6) months following the final approval of the Special Land Use Permit by the Board of Commissioners.

(4) Applicant incorporates by reference the final, official minutes, including referenced attachments, from the Cobb County Board of Commissioners Zoning Hearing held on May 20, 2008, approving Application for Rezoning No. Z-21 (2008).

We believe the requested Special Land Use Permit, together with the stipulations set forth herein, is an appropriate use of the Subject Property. The use proposed by Applicant is beneficial to the surrounding community and will allow for maximum utilization of the existing facilities to be renovated by Applicant. As always, we greatly appreciate your consideration in this request.

Petition No. SLUP-9
Meeting Date 7-15-08
Continued

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP

John H. Moore

JHM:cc

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

Cobb County Planning Commission:
Murray Homan, Chairman
Judy Williams
Bob Hovey
Christi S. Trombetti
Tom McCleskey

Shane Coldren
Ron Sifen
Vinings Homeowners Association

Suzanne Ballew
Mary Rose Barnes

St. Benedict's Episcopal Church, LLC

NOV 10 2015

LAND USE AND SPECIAL LAND USE PERMITS
JUNE 2008

Min. Bk. 56 Petition No. SLUP-9
Doc. Type Revised DOT comments
Meeting Date 7-15-08

SLUP-9

Per the June 25, 2008 stipulation letter, the Department recommends the applicant provide a plan showing the locations of the temporary classroom trailers, the drop off and pick up locations and any applicable changes to the circulation plan.

Recommend restricted access along Atlanta Road.

Recommend a deceleration lane along Atlanta Road.

Recommend the applicant develop and present a detailed circulation plan describing how traffic will be handled for all school functions.

Recommend minimizing the number of curb cuts along Cooper Lake Road.

Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

OFFICIAL MINUTES OF BOARD OF COMMISSIONERS ZONING HEARING AS TO APPLICATION FOR "OTHER BUSINESS" FOR SLUP-9 (2008) – DECEMBER 16, 2008

NOV 10 2015

MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
DECEMBER 16, 2008
9:03 A.M.

The Board of Commissioners' Zoning Hearing was held on Tuesday, December 16, 2008, at 9:03 a.m. in the second floor public meeting room of the Cobb County building, Marietta, Georgia. Present and comprising a quorum of the Board were:

Chairman Samuel S. Olens (arrived at 9:14 a.m.)
Commissioner Helen Goreham
Commissioner Tim Lee
Commissioner Joe L. Thompson
Commissioner Annette Kesting

ITEM #2

To consider amending the stipulations regarding SLUP-9 (ST. BENEDICT'S EPISCOPAL CHURCH, LLC) of July 15, 2008 for property located in Land Lots 694 and 695 of the 17th District. Located on the west side of South Atlanta Road and on the east side of West Atlanta Road, south of Daniel Street.

By consensus, the Board deemed this to be a minor amendment. Mr. Mark Danneman, Zoning Division Manager, provided information regarding requested stipulation amendments. The public hearing was opened and Mr. John Moore, Ms. Mary Rose Barnes and Ms. Suzanne Ballew addressed the Board. Following presentations and discussions, the following motion was made:

MOTION: Motion by Thompson, second by Lee, to **approve** Other Business Item #2 for SLUP-9 (ST. BENEDICT'S EPISCOPAL CHURCH, LLC) of July 15, 2008 for property located in Land Lots 694 and 695 of the 17th District, on the west side of South Atlanta Road and on the east side of West Atlanta Road, south of Daniel Street, **subject to:**

- **mobile classrooms to be removed within eighteen (18) months of this decision**
- **Cobb DOT improvements are not required to be completed until Certificate of Occupancy is issued for the school**
- **all other applicable previously approved conditions/stipulations to remain in effect**

VOTE: **ADOPTED** unanimously

OFFICIAL MINUTES OF BOARD OF COMMISSIONERS ZONING HEARING AS TO APPLICATION FOR REZONING NO. Z-29 (2012) – AUGUST 21, 2012

NOV 1 0 2015

MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
AUGUST 21, 2012
9:00 A.M.

The Board of Commissioners' Zoning Hearing was held on Tuesday, August 21, 2012 at 9:00 a.m. in the second floor public meeting room of the Cobb County building, Marietta, Georgia. Present and comprising a quorum of the Board were:

Chairman Tim Lee
Commissioner JoAnn Birrell
Commissioner Helen Goreham
Commissioner Robert Ott
Commissioner Woody Thompson

Z-29 **ST. BENEDICT'S EPISCOPAL CHURCH, LLC** (owner) requesting Rezoning from **O&I with Stipulations** to **O&I with Stipulations** for the purpose of a Church and Private School in Land Lots 694 and 695 of the 17th District. Located on the east side of Cooper Lake Road and on the west side of Atlanta Road, north of Cumberland Parkway (2160 Cooper Lake Road).

The public hearing was opened and Mr. Ben Clopper and Ms. Mary Rose Barnes addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by Ott, second by Lee, to **approve** Rezoning to the **O&I with Stipulations** zoning district **subject to:**

- **site plan received by the Zoning Division on June 6, 2012, with the District Commissioner approving minor modifications (attached and made a part of these minutes)**
- **letter of agreeable conditions dated August 6, 2012 from The Reverend Brian C. Sullivan, Rector (attached and made a part of these minutes)** ***with the following changes:***
  - **Item No. 1 – 1st Sentence, revise to read:** ***"The driveway on Atlanta Road shall be permanently closed; existing paved access to Atlanta Road to be permanently removed; existing new curb, gutter, and multi-use trail, if damaged, will be replaced at church's expense."***
  - **Item No. 1 – 4th Sentence, revise to read:** ***"The demolition and construction project will be completed within 6 months of zoning approval and the driveway will continue to remain closed until that time."***

- **Item No. 2 – 2nd Sentence, revise to read:** ***"This will be submitted within 3 months of zoning approval."***
- **Item No. 7 – revise to read:** ***"The church will install and maintain permanent directional signage clearly indicating automobile routes for student drop off and pick up. In addition, a temporary sign will be employed on the days the farmers market is in operation. Said sign will give direction to the vendors and the shoppers so there is no conflict between the vendors and the car pool line. This signage must be installed within 10 days after Board of Commissioners' approval."***

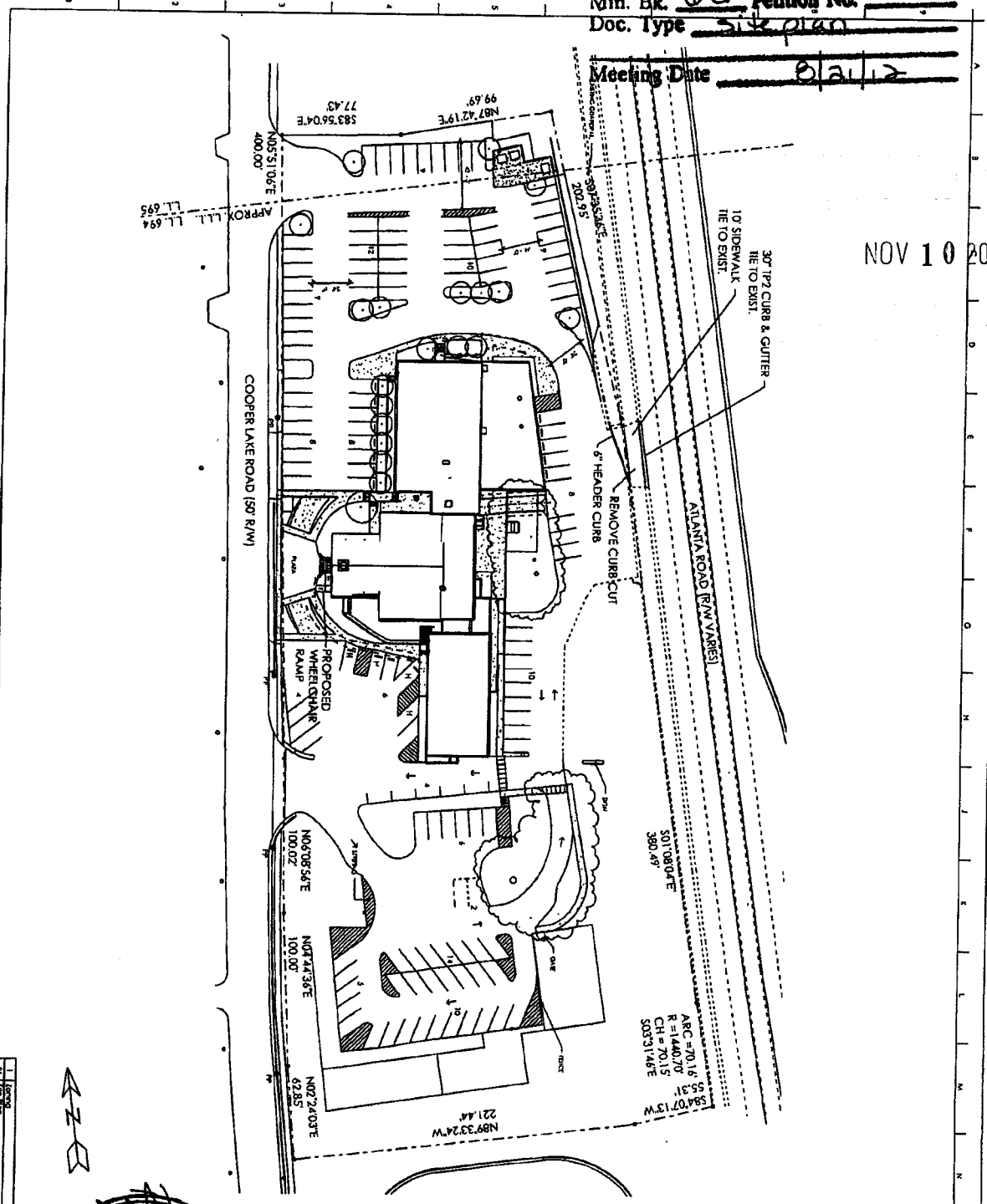
- **Item No. 8 – 2nd Sentence, add to end:** ***"A copy of this letter is attached and must be delivered within 10 days after Board of Commissioners' approval."***

- **letter of agreeable conditions dated August 14, 2012 from The Reverend Brian C. Sullivan, Rector (attached and made a part of these minutes)**
- **Master Plan must be submitted to the Zoning Division within three months and shall include a carpool plan and landscape plan; any changes to the Master Plan from this point forward will be required to come back before the Board of Commissioners through the Other Business process**
- **landscape plan (that accompanies Master Plan) to be approved by the County Arborist and the District Commissioner**
- **all previous stipulations and conditions, *not otherwise in conflict*, to remain in effect**
- **Water and Sewer Division comments and recommendations**
- **Stormwater Management Division comments and recommendations**
- **Cobb DOT comments and recommendations, *with the exception of the requirement to donate right of way on Cooper Lake Road***
- **owner/developer to enter into ~~a Development Agreement~~ pursuant to ~~O.C.G.A. §36-71-13 for dedication of system improvements to~~ mitigate traffic concerns (Atlanta Road)**

VOTE: **ADOPTED** unanimously

Min. Bk. 66 Petition No. 2-29
Doc. Type Site plan
Meeting Date 8/21/12

NOV 10 2015



GEORGIA REGISTERED PROFESSIONAL ENGINEER No. 027860 BENJAMIN C. CLOPPER
7/6/12

RECEIVED
JUN - 6 2012
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

SHEET SPECIFIC NOTES
GENERAL NOTES
MATERIAL KEYNOTES

St Benedicts Episcopal Church	Site Plan
2160 Cooper Lake Rd, Smyrna, GA 30080	

01

Min. Bk. 616 Petition No. Z-29
Doc. Type letter of agreeable conditions
Meeting Date 8/21/12

St. Benedict's
EPISCOPAL CHURCH

August 6, 2012

NOV 10 2015

Mr. John Pederson, AICP, Manager
Cobb County Zoning Division
Community Development Agency
1150 Power Springs Road, Suite 400
Marietta, GA 30064

Re: Z-29 St. Benedict's Episcopal Church

Dear Mr. Pederson:

The purpose of this rezoning request is to modify existing stipulations on the property requiring the construction of a deceleration lane along Atlanta Road for access to property at the existing driveway. As you know this access point has been closed as a condition of the previous rezoning until the deceleration lane is constructed. As the church and school have developed and grown on the property it has become apparent that access to Atlanta Road is not necessary to handle internal traffic and in fact would only complicate management carpool pickup and drop off.

Through discussions with County staff, officials and community members we have developed the following list of stipulations. These stipulations will serve in addition to any already placed on the property, except where in conflict.

1. The driveway on Atlanta Road shall be permanently closed. New curb and gutter and multi-use trail matching the existing shall be constructed along Atlanta Road as well as interior curb within the church parking lot. The deceleration lane along Atlanta Road will no longer be required. This construction will be completed within 6 months of zoning approval and the driveway will continue to remain closed until that time.
2. The church will develop a Master Plan for future growth. This will be submitted within 6 months of zoning approval.
3. The church agrees to all recommendations made by staff expect for the donation of Right of Way along Cooper Lake Road. The recommended 30' from the centerline of the road would impact the existing church parking lot.
4. The church will provide all parents with written directions for carpool as well as a campus map showing the carpool layout prior to each school year. The version for the 2012 school year is attached.

2160 Cooper Lake Road. Smyrna, GA 30080 / 678-279-4300

Petition No. . 2-29
Meeting Date 8/21/12
Continued

5. To provide more time between school pick up and the beginning of the Farmers Atlanta Road Market (FARM), the farmers market starting time will begin at 4:30pm, whereas previous it began at 4:00pm. The Day School currently ends classes at 3:30pm and carpool is from 3:30pm to 3:45pm.
6. The attached layout shows the location of the school carpool and pickup points as well as the location of the FARM staging area and operating area. FARM vendors will enter the property through the northern driveway on Cooper Lake Road and proceed to the pre-setup area prior to 3:45pm.
7. Temporary signage will be provided on FARM days to early arriving vendors and shoppers to the pre-setup area so as not to conflict with the carpool line.
8. A letter will be provided to all FARM vendors reminding them to proceed to the pre-setup area if they arrive prior to 3:45pm. A copy of this letter is attached.
9. The Day School will have at least one staff member outside monitoring the carpool periods who will be able to assist in directing persons arriving early for FARM.

We believe these proposed stipulations should help address any outstanding concerns, particularly those regarding safety on the property and interaction between the school and FARM.

If you have any questions, please feel free to contact me at 678-279-4301.

Yours Very Truly,

Brian C. Sullivan

The Rev. Brian C. Sullivan, Rector

Attachments:

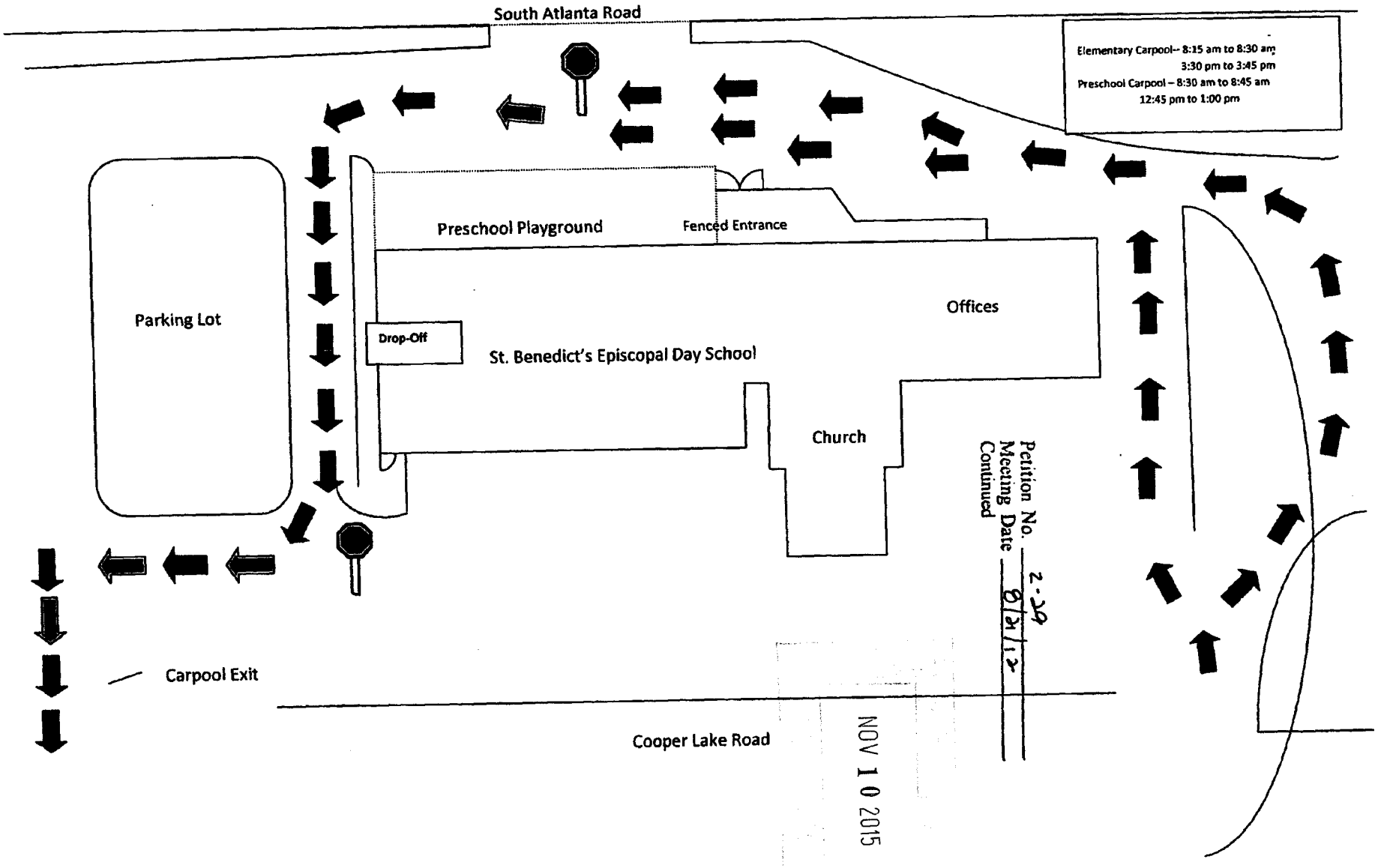
1. Carpool instructions and plan for parents
2. Layout showing carpool relative to FARM staging area
3. Guidance letter to FARM vendors

cc: Jason Campbell, Cobb County Zoning Division
Cobb County Planning Commission

Petition No. 2-29
Meeting Date 8/21/12
Continued

Carpool Procedures

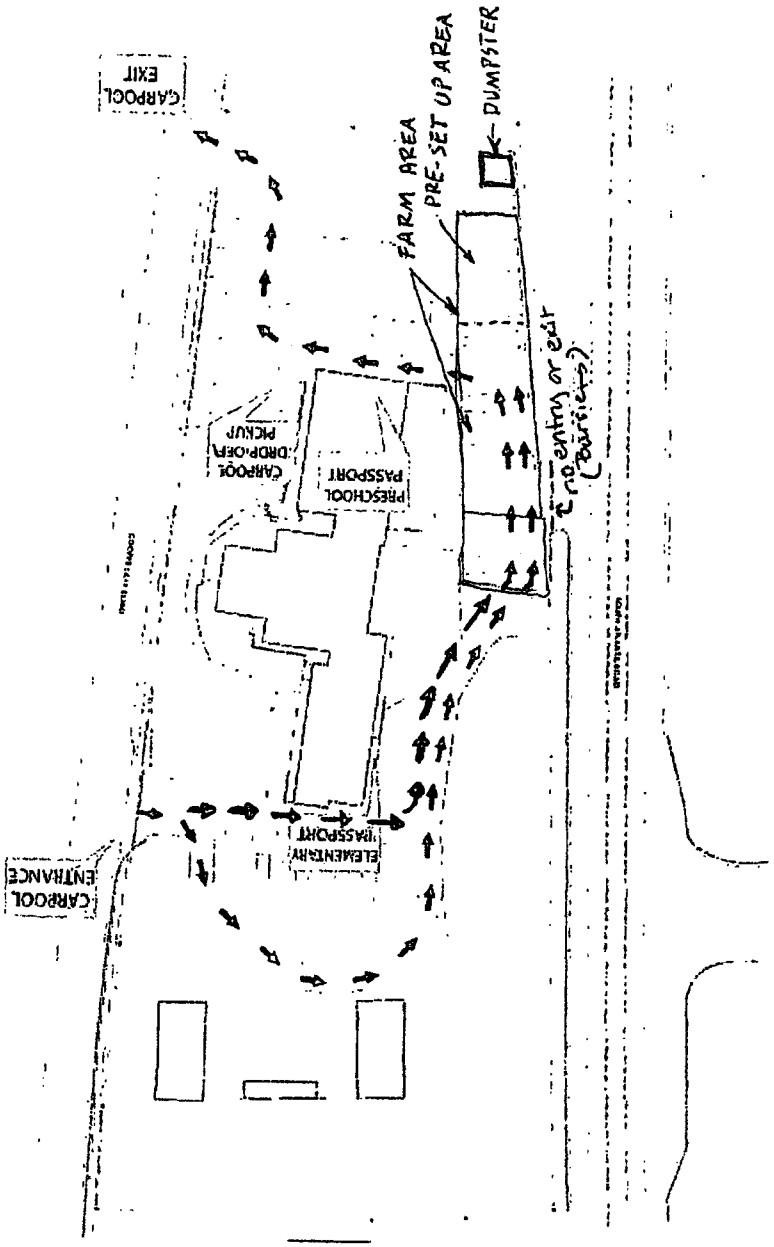
Families arriving at the school for Passport early morning or late afternoon childcare are to walk their children to the school door and pick them up at the end of the day at the child's room door. All arriving and departing parents must sign their child in and out of the program. Carpools including both elementary and preschool students will begin at 8:15 a.m. Cars containing only preschool students should arrive in the carpool line no earlier than 8:30 a.m. Preschool carpool will end promptly at 8:45 a.m. in order to begin our regular curriculum hours of operation. For morning carpool, staff members will be available to take Preschool children out of their cars, at which time parents will be asked to sign the attendance arrival sheet. Staff will walk children to their classrooms. At the close of the day, staff will assist children as they walk up to their cars. Parents will be asked to sign their child out on the dismissal sheet. They will then be asked to turn off the car engine and put their children into the car seat, securing the car seat straps. Preschool staff will at no time put children into car seats or fastens seat belts. It is the responsibility of the family to ensure that each child is securely fastened into their cars. The use of cell phones during carpool is prohibited under all circumstances to ensure the safety of our children.



Petition No. Z-29
Meeting Date 8/21/12
Continued

NOV 10 2015

Petition No. 2-29
Meeting Date 8/21/12
Continued



St. Benedict's Episcopal Day School
Carpool Information
Page 2

Min. Bk. 66 Petition No. Z-29
Doc. Type letter of agreeable conditions
Meeting Date 8/21/12

St. Benedict's
EPISCOPAL CHURCH

August 14, 2012

NOV 10 2015

Mr. John Pederson, AICP, Manager
Cobb County Zoning Division
Community Development Agency
1150 Power Springs Road, Suite 400
Marietta, GA 30064

Re: Z-29 St. Benedict's Episcopal Church

Dear Mr. Pederson:

Based on discussions with community members St. Benedict's agrees to add a further stipulation to be attached to the requested rezoning. This stipulation will be in addition to those included in our August 6, 2012 letter, as amended by the Planning Commission at the August 7. 2012 hearing.

1. Landscaping shall be planted along the fence between the playground and Cooper Lake Road at the southern end of the property in order to visually screen the playground. The plantings will be complete by April 15, 2013.

If you have any questions, please feel free to contact me at 678-279-4301.

Yours Very Truly,

Brian C. Sullivan

The Rev. Brian C. Sullivan, Rector

cc: Cobb County Board of Commissioners
Ms. Mary Rose Barnes

2160 Cooper Lake Road. Smyma, GA 30080 / 678-279-4300