

APPLICANT: Temple Kol Emeth
770-973-9205

REPRESENTATIVE: Smith, Gambrell & Russell, LLP
Kathryn M. Zickert 404-815-3704

TITLEHOLDER: Temple Kol Emeth, LTD

PROPERTY LOCATION: Located at the northeast intersection of
Old Canton Road and Sewell Mill Road, and on the southeast intersection
of Brookliff Place and Brookcliff Drive (1415 Old Canton Road).

ACCESS TO PROPERTY: Old Canton Road

PHYSICAL CHARACTERISTICS TO SITE: Existing buildings

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** R-20/ Single-family house
- SOUTH:** RA-4/ Princeton Corners subdivision
- EAST:** R-20/ Eastminster Presbyterian Church
- WEST:** R-20/ Wooded Hills subdivision, Single-family houses

OPPOSITION: NO. OPPOSED **PETITION NO:** **SPOKESMAN**

PLANNING COMMISSION RECOMMENDATION

APPROVED MOTION BY
 REJECTED SECONDED
 HELD CARRIED

BOARD OF COMMISSIONERS DECISION

APPROVED MOTION BY
 REJECTED SECONDED
 HELD CARRIED

STIPULATIONS:

PETITION NO: LUP-23

HEARING DATE (PC): 07-08-10

HEARING DATE (BOC): 07-20-10

PRESENT ZONING: R-20

PROPOSED ZONING: Land Use Permit

PROPOSED USE: Preschool/Daycare

SIZE OF TRACT: 5.75 acres

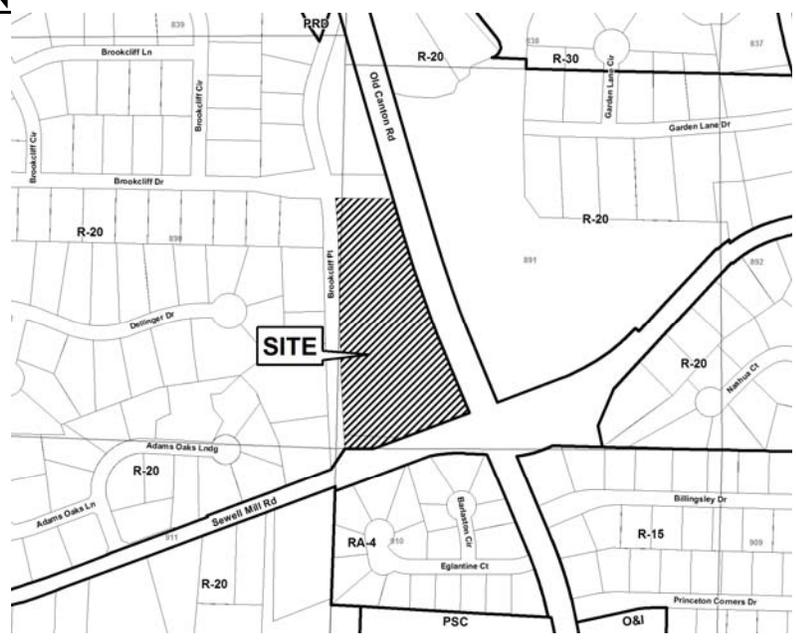
DISTRICT: 16

LAND LOT(S): 890, 891, 910, 911

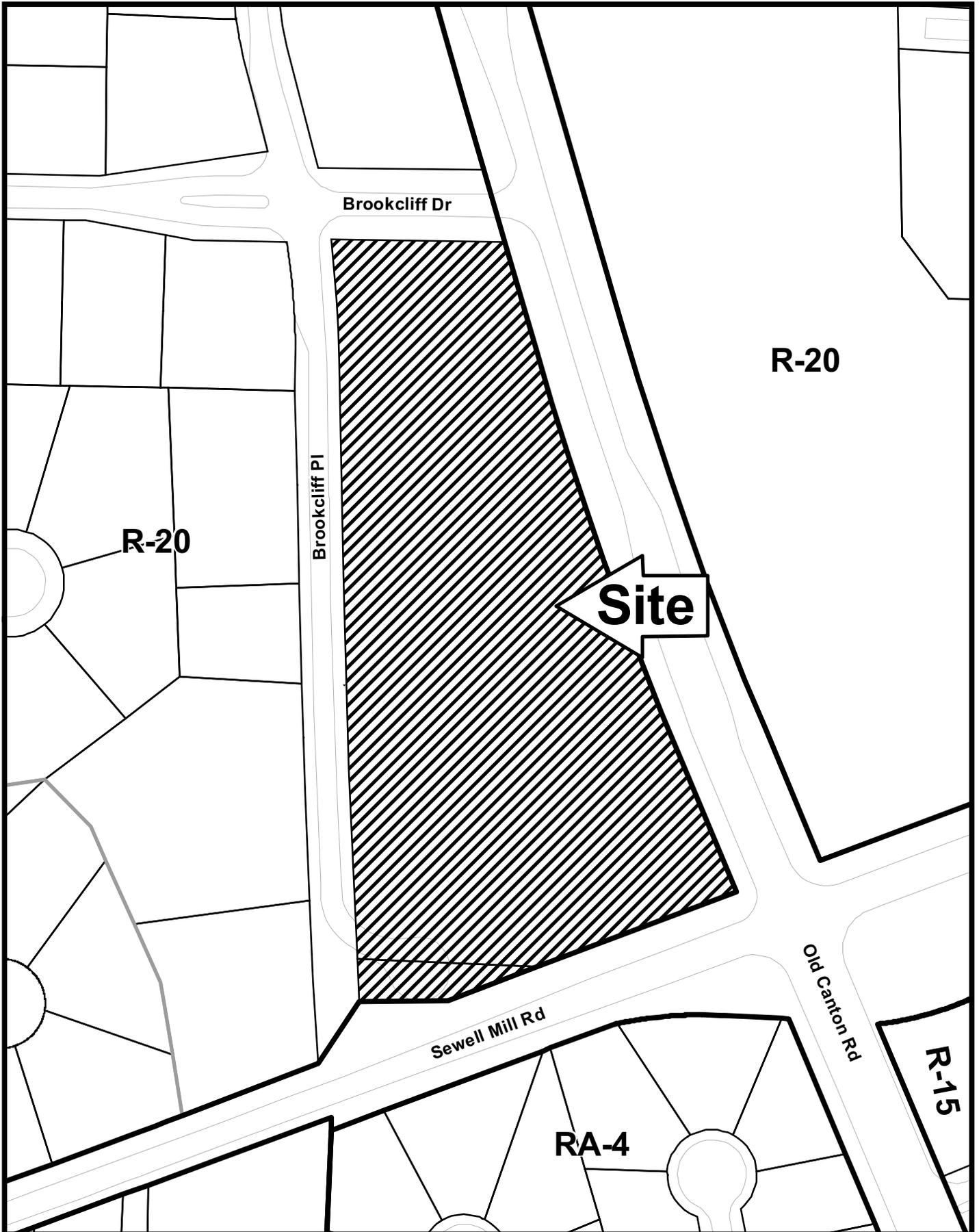
PARCEL(S): 29, 24, 8, 1

TAXES: PAID X **DUE**

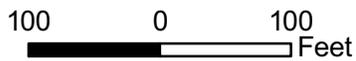
COMMISSION DISTRICT: 3



LUP-23



This map is provided for display and planning purposes only. It is not meant to be a legal description.



-  City Boundary
-  Zoning Boundary

APPLICANT: Temple Kol Emeth

PETITION NO.: LUP-23

PRESENT ZONING: R-20

PETITION FOR: LUP

ZONING COMMENTS: Staff Member Responsible: John P. Pederson, AICP

The applicant is requesting a Temporary Land Use Permit to provide child daycare and preschool to non-members of the facility. The applicant’s current daycare program has up to 80 children of synagogue members. The synagogue would like to have up to 100 children, mostly which are synagogue members. The ages of the children would range from 6 weeks to 5 years old. The daycare program operates Monday through Friday, from 7:00 a.m. to 6:00 p.m. The existing facility would be utilized. There will be no new additions, and no change in the current pick-up/drop-off operation. The applicant would add a small sign to signify the existence of this facility.

Historic Preservation: No comment.

Cemetery Preservation: No comment.

WATER & SEWER COMMENTS:

Records show address connected to water and sewer.

TRAFFIC COMMENTS:

Recommend no parking on right-of-way.

FIRE COMMENTS:

Plans must be submitted to the Cobb County Fire Marshal’s Office to initiate the Certificate of Occupancy process for a change in Occupancy.

STORMWATER MANAGEMENT COMMENTS:

No comments.

STAFF RECOMMENDATIONS

LUP-23 TEMPLE KOL EMETH

It is Staff's opinion that the applicant's proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The area contains a mixture of residential uses, other religious facilities and some commercially zoned property to the south. The applicant has the required infrastructure relating to parking and drop-off/pick-up facilities. The applicant is already running the Pre-K program for the members of the synagogue, and the proposal would add an insignificant number of non-member children to the program. The property has been used for an institutional use for many years prior to this request. Based on the above analysis, Staff recommends APPROVAL for 12 months subject to:

- Site plan received by the Zoning Division on May 25, 2010, with the District Commissioner approving minor changes;
- Maximum of 100 children;
- Fire Department comments; and
- DOT comments and recommendations.

The recommendations made by the Planning and Zoning Staff are only the opinions of the Planning and Zoning Staff and are by no means the final decision. The Cobb County Board of Commissioners makes the final decisions on all Rezoning and Land Use Permits at an advertised public hearing.