



**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

**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

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

**PLANNING COMMISSION RECOMMENDATION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

**BOARD OF COMMISSIONERS DECISION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

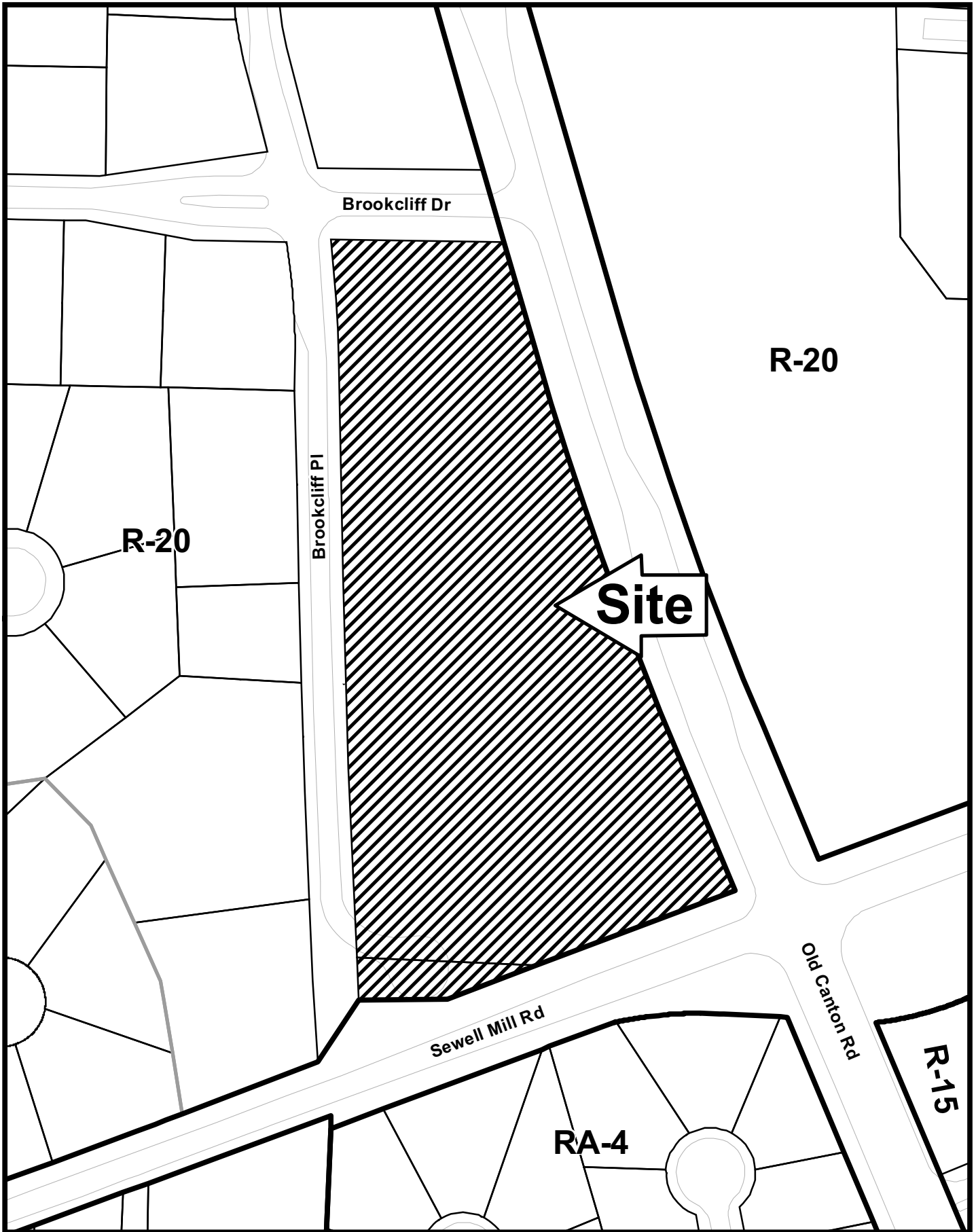
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

**STIPULATIONS:**



# LUP-23



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

100 0 100 Feet



City Boundary  
Zoning Boundary

**APPLICANT:** Temple Kol Emeth

**PETITION NO.:** LUP-23

**PRESENT ZONING:** R-20

**PETITION FOR:** LUP

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**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.

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**WATER & SEWER COMMENTS:**

Records show address connected to water and sewer.

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**TRAFFIC COMMENTS:**

Recommend no parking on right-of-way.

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**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.

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**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.**