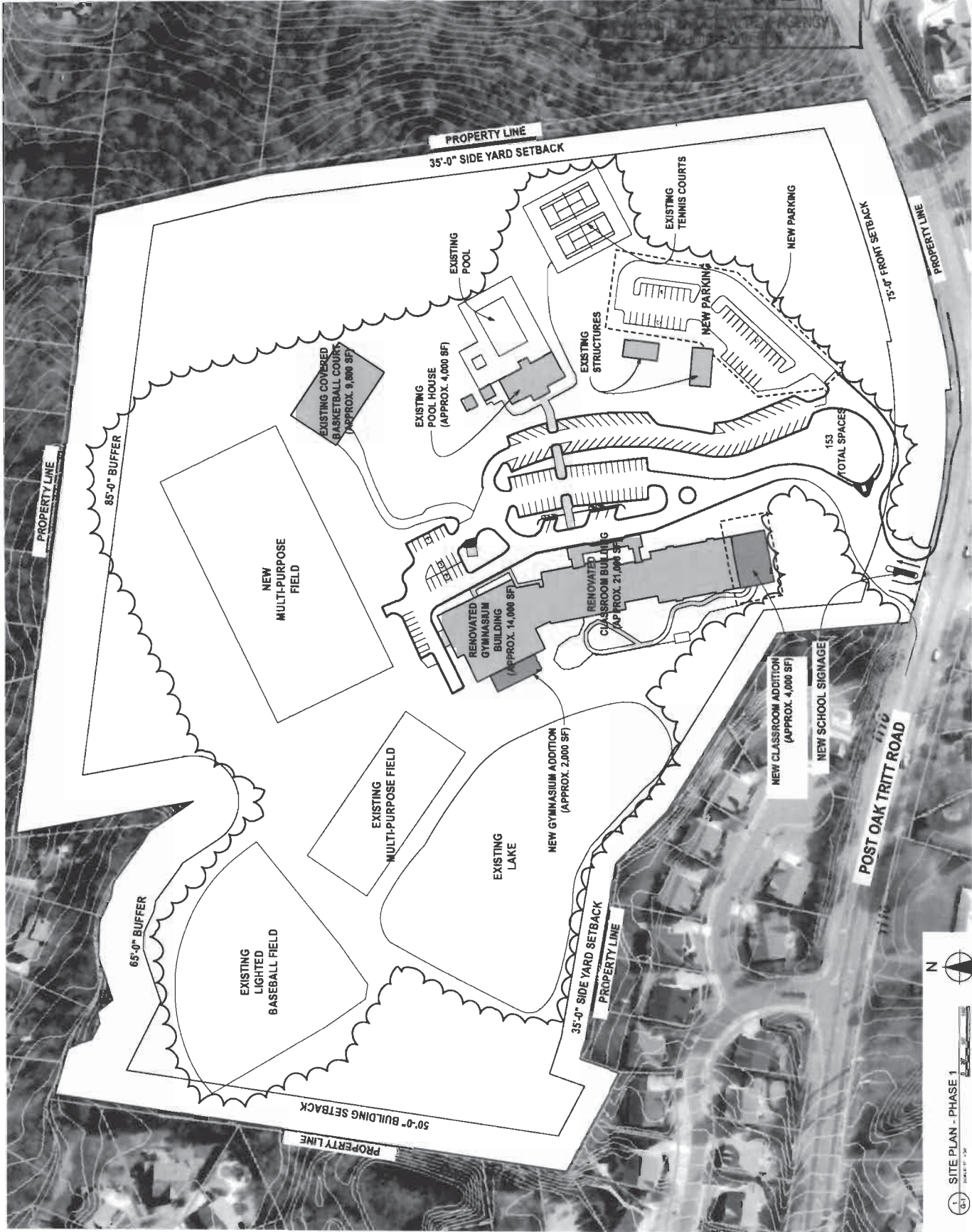


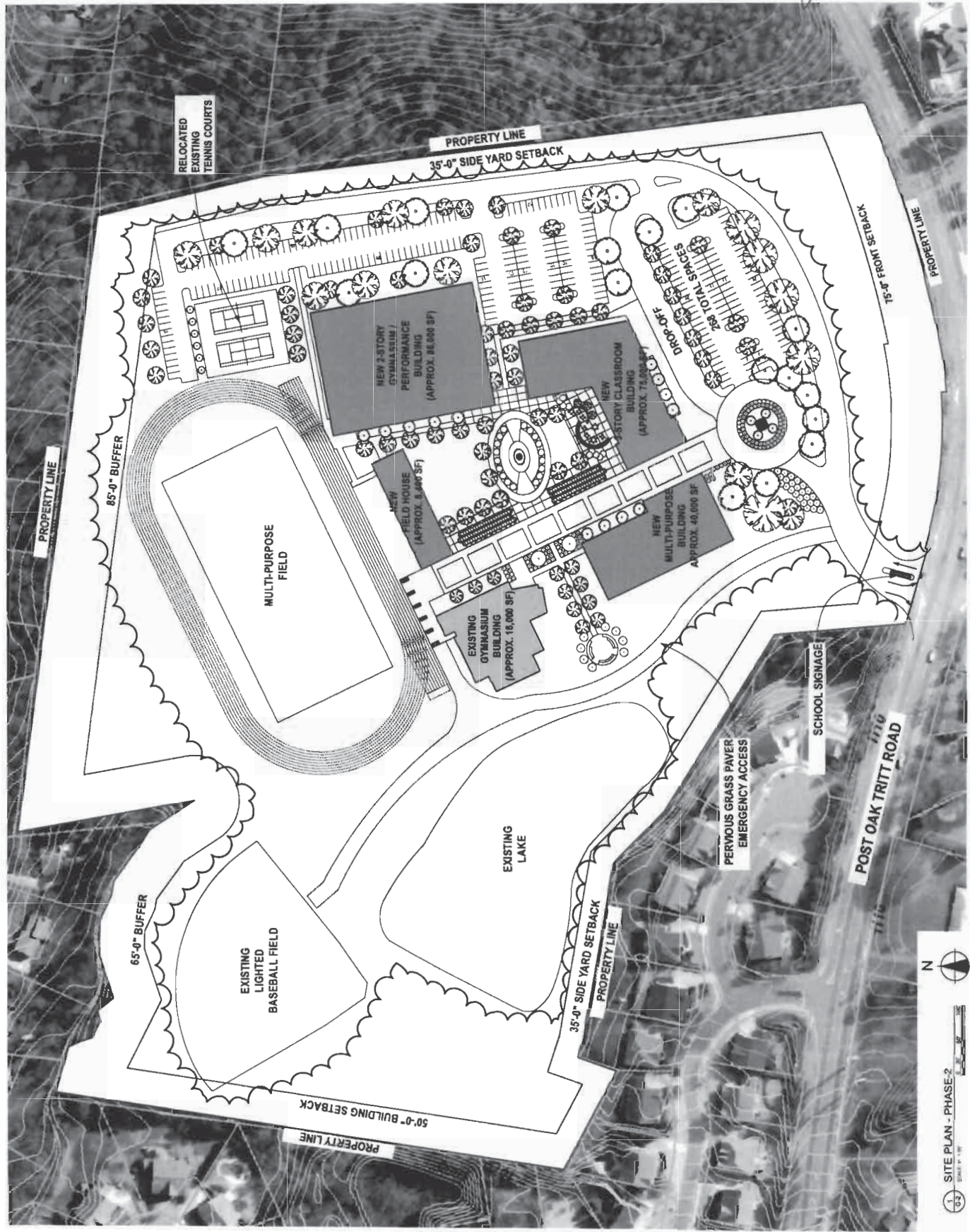
**SLUP-11
(2013)
Site Plan -
Phase 1**

REVISED
12-0



**SLUP-11
(2013)
Site Plan -
Phase 2**

RECEIVED
REVISED
OCT 24 2013
CITY OF ATLANTA
COMMUNITY DEVELOPMENT AGENCY
ZONING DIVISION



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APPLICANT: Mt. Bethel United Methodist Church, Inc.
770-971-2880

PETITION NO: SLUP-11
HEARING DATE (PC): 11-05-13

REPRESENTATIVE: James M. Ney
770-956-9600

HEARING DATE (BOC): 11-19-13
PRESENT ZONING: R-20

TITLEHOLDER: Atlanta Jewish Community Center, Inc.

PROPOSED ZONING: Special Land
Use Permit

PROPERTY LOCATION: North side of Post Oak Tritt Road, west of
Holly Springs Road
(2509 Post Oak Tritt Road).

PROPOSED USE: Private School

ACCESS TO PROPERTY: Post Oak Tritt Road

SIZE OF TRACT: 33.255 acres
DISTRICT: 16

PHYSICAL CHARACTERISTICS TO SITE: Developed community
center with classrooms and recreational facilities

LAND LOT(S): 599, 600, 625, 626
PARCEL(S): 2

TAXES: PAID X **DUE** _____
COMMISSION DISTRICT: 3

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** R-20/Holly Springs Subdivision
- SOUTH:** R-15/OSC Hampton Park; RA-4 Vermilion; R-20 Holly Springs North; and R-15 Castle Gate
- EAST:** R-20/Single-family house and undeveloped acreage
- WEST:** R-15/OSC Hampton Park

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

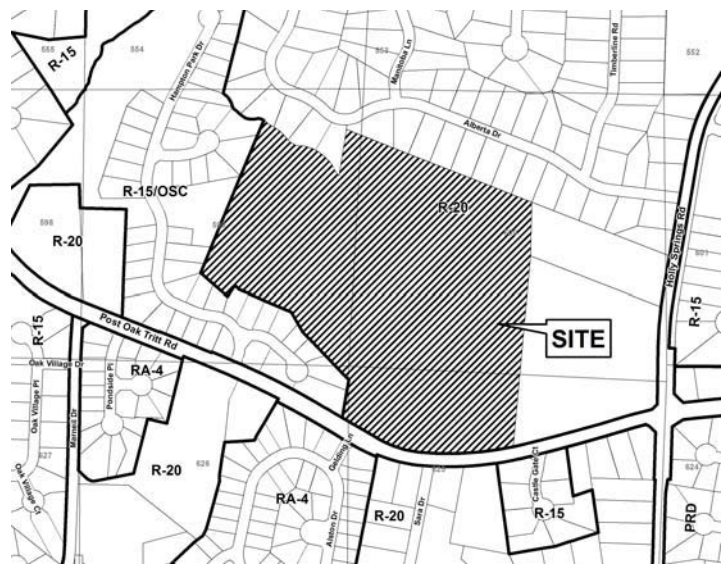
PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____
REJECTED _____ **SECONDED** _____
HELD _____ **CARRIED** _____

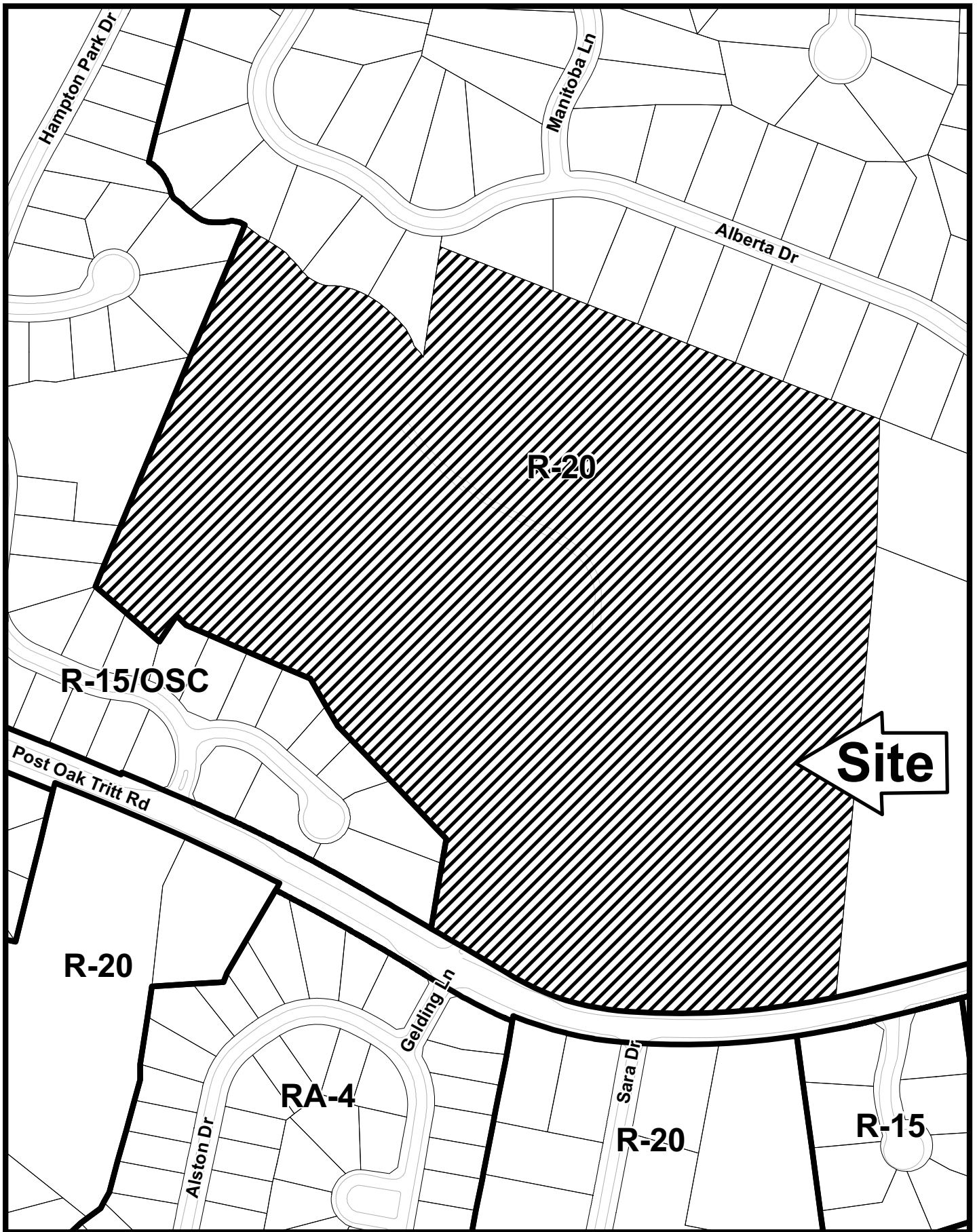
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____
REJECTED _____ **SECONDED** _____
HELD _____ **CARRIED** _____

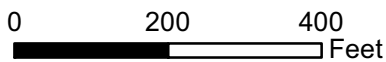
STIPULATIONS:



SLUP-11



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



City Boundary
Zoning Boundary

APPLICANT: Mt. Bethel United Methodist Church, Inc.

PETITION NO.: SLUP-11

PRESENT ZONING: R-20

PETITION FOR: SLUP

ZONING COMMENTS:

Staff Member Responsible: Jason A. Campbell

Applicant is requesting a Special Land Use Permit for the purpose of operating a private high school. The current proposal is for possibly 440 students (110 per class for grades 9-12). The maximum students anticipated in the coming years will be 625. The property has been utilized pursuant to a previous SLUP for the purpose of the Marcus Jewish Community Center. The original application for the previous use was Application 357 from 1986 and has been amended or granted a new SLUP during the almost 30-year span of the previous use. The property currently has an approximate 21,000 square-foot classroom building, an approximately 14,000 square-foot gymnasium, covered basketball courts, an approximately 4,000 square-foot pool, tennis courts, a lighted baseball field and other existing structures as indicated on the plans. The classroom use of the facility was discontinued several years ago, but the property continues to be used for recreational purposes on a regular basis.

Mt Bethel has operated the Mt. Bethel Christian Academy on its existing church campus since 1998. The Academy now serves approximately 500 students in grades K-8. Mt. Bethel is committed to expanding its educational program in Cobb County with the proposed use of a private high school on the subject property. The applicant has submitted the attached LETTER OF PROPOSED IMPROVEMENTS that account for development plans noted as Phase I and Phase II. Phase I proposes an approximately 4,000 square-foot addition to the existing classroom building; an approximately 2,000 square-foot addition to the existing gymnasium building; a slightly widened driveway, new parking and a new multi-purpose field. The applicant anticipates the Phase I improvements would serve the school's needs for several years. Phase II is based on an estimated 5-10 years of occupancy of the subject property. The Phase II site plan indicates reorienting several of the buildings and uses of buildings on the property. All buffers and setback requirements would be maintained. The bulk of structures will remain to the interior of the property.

Historic Preservation: No comments.

Cemetery Preservation: No comment.

WATER & SEWER COMMENTS:

System Development Fee (sewer fee) may be assessed depending on number of permitted students.

TRAFFIC COMMENTS:

Recommend applicant verify that minimum intersection sight distance is available for Post Oak Tritt Road access and if it is not, implement remedial measures, subject to the Department's approval, to achieve the minimum requirement of 445 feet.

Recommend sidewalk along the Post Oak Tritt Road frontage.

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

APPLICANT: Mt. Bethel United Methodist Church, Inc.

PETITION NO.: SLUP-11

PRESENT ZONING: R-20

PETITION FOR: SLUP

FIRE COMMENTS:

After analyzing the information presented for a Preliminary Review, the Cobb County Fire Marshal's Office is confident that all other items can be addressed during the Plan Review Stage.

APPLICANT: Mt. Bethel United Methodist Church, Inc.

PETITION NO.: SLUP-11

PRESENT ZONING: R-20

PETITION FOR: SLUP

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Sewell Mill Creek FLOOD HAZARD INFO: Zone X

- FEMA Designated 100 year Floodplain Flood.
- Flood Damage Prevention Ordinance DESIGNATED FLOOD HAZARD.
- Project subject to the Cobb County Flood Damage Prevention Ordinance Requirements.
- Dam Breach zone from (upstream) (onsite) lake - need to keep residential buildings out of hazard.

WETLANDS: YES NO POSSIBLY, NOT VERIFIED

Location: Surrounding lake and adjacent to discharge channel

- The Owner/Developer is responsible for obtaining any required wetland permits from the U.S. Army Corps of Engineer.

STREAMBANK BUFFER ZONE: YES NO POSSIBLY, NOT VERIFIED

- Metropolitan River Protection Area (within 2000' of Chattahoochee River) ARC (review 35' undisturbed buffer each side of waterway).
- Chattahoochee River Corridor Tributary Area - County review (_____ undisturbed buffer each side).
- Georgia Erosion-Sediment Control Law and County Ordinance - **County Review**/State Review.
- Georgia DNR Variance may be required to work in 25 foot streambank buffers.
- County Buffer Ordinance: **50'**, 75', 100' or 200' each side of creek channel.

DOWNSTREAM CONDITION

- Potential or Known drainage problems exist for developments downstream from this site.
- Stormwater discharges must be controlled not to exceed the capacity available in the downstream storm drainage system.
- Minimize runoff into public roads.
- Minimize the effect of concentrated stormwater discharges onto adjacent properties.
- Developer must secure any R.O.W required to receive concentrated discharges where none exist naturally
- Existing Lake Downstream _____.
Additional BMP's for erosion sediment controls will be required.
- Lake Study needed to document sediment levels.
- Stormwater discharges through an established residential neighborhood downstream.
- Project engineer must evaluate the impact of any increased volume of runoff generated by the proposed project on existing lake and downstream receiving system.

APPLICANT: Mt. Bethel United Methodist Church, Inc.

PETITION NO.: SLUP-11

PRESENT ZONING: R-20

PETITION FOR: SLUP

STORMWATER MANAGEMENT COMMENTS – Continued

SPECIAL SITE CONDITIONS

- Provide comprehensive hydrology/stormwater controls to include development of out parcels.
- Submit all proposed site improvements to Plan Review.
- Any **spring activity** uncovered must be addressed by a qualified geotechnical engineer (PE).
- Structural fill _____ must be placed under the direction of a qualified registered Georgia geotechnical engineer (PE).
- Existing facility.
- Project must comply with the Water Quality requirements of the CWA-NPDES-NPS Permit and County Water Quality Ordinance.
- Water Quality/Quantity contributions of the existing lake/pond on site must be continued as baseline conditions into proposed project.
- Calculate and provide % impervious of project site.
- Revisit design; reduce pavement area to reduce runoff and pollution.

INSUFFICIENT INFORMATION

- No Stormwater controls shown _____
- Copy of survey is not current – Additional comments may be forthcoming when current site conditions are exposed.
- No site improvements showing on exhibit.

ADDITIONAL COMMENTS

1. Is it anticipated that when the proposed building expansions and multi-purpose field are constructed that the existing lake will be utilized for stormwater management. The dam will need to meet current code design standards which will be verified during Plan Review.

STAFF RECOMMENDATIONS

SLUP-11 MT. BETHEL UNITED METHODIST CHURCH, INC.

Applicant's request for a private high school will utilize the property as it is developed with the addition of two phases of development, the second of which is not anticipated until a period of 5-10 years once the school is occupied. For a period of almost 30 years, the property has been approved by the Board of Commissioners through various land use permits and site plan amendments for the purpose of classrooms, community center and recreational purposes. Mt. Bethel has long been established in Cobb County and seeks to continue its educational program to include high school grades.

The proposal for a private school is permitted in the current R-20 zoning as a special exception with the approval of a Special Land Use Permit by the Board of Commissioners. The property is in the Public Institutional land use category on the *Cobb County Comprehensive Plan*. The proposed use of a private high school is also compatible with the PI land use category. If the property were to be developed for residential use under its current R-20 zoning, approximately 58 single-family lots could be developed on the 33.255-acre site using the average found in the Zoning Ordinance of 1.75 units per acre.

Based upon the previous use of the property and the similarities of the functions of the proposed private school, along with the Public Institutional land use category, Staff recommends APPROVAL subject to the following conditions:

- Revised Phase I and Phase II site plans received by the Zoning Division on October 24, 2013, with the District Commissioner approving minor modifications;
- Traffic flow plan attached to this analysis, with the District Commissioner approving minor modifications;
- Attached letter from applicant's representative;
- Water and Sewer Division comments and recommendations;
- Stormwater Management Division comments and recommendations; and
- Department of Transportation 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.

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ATTORNEYS AT LAW

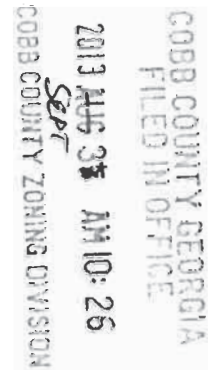
100 GALLERIA PARKWAY, SUITE 1800
ATLANTA, GEORGIA 30339-5947

TELEPHONE 770-956-9600 FACSIMILE 770-956-1490

James M. Ney, P.C.
e-mail jney@hnzw.com

Ellen W. Smith
e-mail esmith@hnzw.com

September 3, 2013



BY HAND DELIVERY

Zoning Division
Community Development Agency
Cobb County, Georgia
1150 Powder Springs Street, Suite 400
Marietta, Georgia 30064

Re: Application for Special Land Use Permit, Cobb County, Georgia by Mt. Bethel United Methodist Church, Inc. for private school (the "**Application**") on the property now known as the Marcus Community Center at 2509 Post Oak Tritt Road, Marietta, Georgia (the "**Property**")

STATEMENT OF PROPOSED SITE IMPROVEMENTS

Ladies and Gentlemen:

This law firm has the pleasure of representing Mt. Bethel United Methodist Church, Inc. (the "**Mt. Bethel**"), with respect to the Application. Mt. Bethel respectfully submits for your consideration the Application, the approval of which will result in the County's issuance of a special land use permit ("**SLUP**") to allow the Property to be used for a private school.

Background - The Property

The Property, which has been owned and operated by the Marcus Jewish Community Center of Atlanta, Inc. (the "**JCC**") since 1986 ("**Owner**"), is an approximately 33.255-acre tract zoned R-20, which fronts on the north side of Post Oak Tritt Road. The JCC holds a special land use permit for the purpose of a Jewish community center, which was originally granted pursuant to Application No. 357, heard November 18, 1986, and which has been amended several times in the almost thirty years since its original approval. The majority of the adjacent properties are zoned R-20, although there are several neighborhoods to the south of the Property zoned R-15 OSC and RA-4.

Currently, the Property is improved with an approximately 21,000 square foot classroom building, an approximately 14,000 square foot gymnasium, covered basketball courts, an approximately 4,000 square foot pool and an outdoor pool, tennis courts, a lighted baseball field and other existing structures more particularly shown on the survey of the Property submitted with this Application. The Property is served by one large driveway from Post Oak Tritt Road.

Although the JCC discontinued classroom use of the Property several years ago, it continues to use the gymnasium and playing fields on a regular basis. The Property has been marketed for sale for

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Zoning Division
Community Development Agency
Cobb County, Georgia
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Page 2

approximately 2 years. The JCC and Mt. Bethel have entered into a sales contract pursuant to which Mt. Bethel has the right to seek a special land use permit application for a private school and to acquire the Property upon the terms and conditions of the parties' sales contract. Mt. Bethel's proposed private school is a permitted use for the Property, upon issuance of the requested SLUP.

Mt. Bethel's Proposed SLUP

Mt. Bethel's currently owns and will continue to operate on its approximately 44-acre campus in East Cobb at 4385 Lower Roswell Road. Mt. Bethel has served the church and community needs at this location since 1971 and in this portion of Cobb County for over 100 years. Since 1998, Mt. Bethel has operated the Mt. Bethel Christian Academy (the "*Academy*") on its existing church campus. Specifically, on August 21, 1998, the Academy opened with two kindergarten classes. The Academy now serves approximately 500 students in grades Kindergarten through Eighth. The Academy enjoys full dual accreditation through the Southern Association of Independent Schools (SAIS) and Southern Association of Colleges and Schools (SACS).

For a number of years, Mt. Bethel has been committed to expanding its educational outreach by offering high school grades Nine through Twelve, and it is committed to doing so in Cobb County. To that end, Mt. Bethel has been looking for an appropriately sized tract of land that would support an Academy High School. The Property provides an excellent opportunity for this expansion.

Mt. Bethel proposes to operate the Academy's High School on the Property with minimal initial site improvements, and Mt. Bethel has engaged the architectural firm of Collins Cooper Carusi to assist in its site planning and renovations. Specifically, as shown on the Phase I Site Plan enclosed, Mt. Bethel is proposing the following additional improvements: (i) an approximately 4,000 square foot addition to the existing classroom building (with interior renovations as well), (ii) an approximately 2,000 square foot addition to the existing gymnasium building, (iii) a slightly widened driveway, new parking, and (iv) a new multi-purpose field. Mt. Bethel anticipates that these Phase I improvements would serve the Academy's High School for several years, as students matriculate from its existing Eighth Grade and the High School builds its reputation and student population.

Mt. Bethel also is submitting for consideration and approval a Phase II Site Plan, based on an estimated 5 to 10 years of occupancy of the Property and expansion of the Academy's High School. As shown on the Phase II Site Plan, Mt. Bethel would re-orient several of the buildings and uses of buildings on the Property. As shown on the enclosed Phase II Site Plan, all buffers and setback requirements would be maintained, as well as significant vegetation surrounding the Property, with the bulk of structures remaining to the interior of the Property.

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Zoning Requirements

Chapter 134 of the Official Code of Cobb County, Georgia, as the same is amended from time to time (such Chapter being the “*Zoning Ordinance*”), and specifically, Section 134-271(7) thereof, sets forth the zoning requirements applicable to SLUP applications for private schools on property within the County. In satisfaction of these requirements, and in addition to this Statement, Mt. Bethel submits the following documents for the Division’s review:

1. Application for Special Land Use Permit, Cobb County Georgia, including the requisite corporate authorization of Owner;
2. Copies of the Property warranty deeds to Owner;
3. Metes and Bounds legal descriptions of Property and Site;
4. Copy of the paid tax receipt for the Property¹;
5. Zoning Standards Analysis (addressing SLUP considerations);
6. Site Plans (5 full sized copies; 2 copies measuring 8 ½ x 11);
7. Survey;
8. Consent of Contiguous Occupants or Land Owners²;
9. Application Fee (\$1,000.00); and
10. Sign Deposit and Fees (\$318.00).

Mt. Bethel’s Application meets and exceeds the minimum requirements of Section 134-271(7) of the Zoning Ordinance. Furthermore, Mt. Bethel is seeking no concurrent variance requests in connection with the Application.

¹Note: the JCC is a tax-exempt entity as is Mt. Bethel. The tax status of the Property will not change.

²Mt. Bethel understands that Cobb County requires applicants seeking special land use permits to discuss the proposed use with the contiguous neighbors and to seek their consent to the proposed use. On Thursday, August 29, 2013, one of Mt. Bethel’s members visited all contiguous property owners and attempted to obtain their consent on the petition to accompany this Application. The results of that initial outreach attempt are enclosed. Mt. Bethel will continue to contact these neighbors, and Mt. Bethel will also notify in writing all property owners within a 1,000-foot radius of the subject property as shown on the most current tax records. Such notice will be accomplished by mailing a copy of the Application form and proposed site plans by first class mail. Mt. Bethel will then file with the Zoning Division of Cobb County a certificate of mailing from the United States Post Office

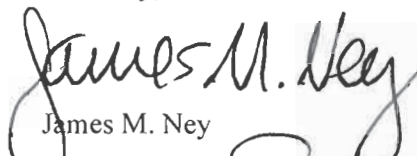
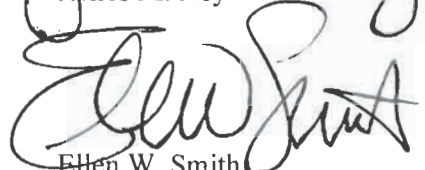
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Page 4

The Application and the accompanying documents support Mt. Bethel's request for the Academy High School SLUP and comply with all Cobb County zoning requirements.³ The Owner and Mt. Bethel respectfully request that the Division recommend the approval of the Application to the Board for consideration at the next available public hearing.

We are happy to answer any questions or provide any information that the Division, its consultant or the Board may have with regard to the Application.

Sincerely,


James M. Ney

Ellen W. Smith

JMN/EWS/ews
Enclosures

³ Mt. Bethel notifies Cobb County of its constitutional concerns. If the Board denies the Application in whole or in part, then the Property does not have a reasonable economic use under the Zoning Ordinance. The Application meets the test set out by the Georgia Supreme Court to be used in establishing the constitutional balance between private property rights and zoning and planning as an expression of the government's police power. See Guhl vs. Holcomb Bridge Road, 238 Ga. 322 (1977). If the Board denies the Application in whole or in part, such an action will deprive Mt. Bethel and Owner of the ability to use the Property in accordance with its highest and best use. Similarly, if the Board limits its approval of the SLUP by attaching conditions thereto affecting any portion of the Property or the use thereof, either of such actions being taken without Mt. Bethel's consent, then such action would deprive Mt. Bethel and Owner of any reasonable use and development of the Property. Any such action is unconstitutional and will result in a taking of property rights in violation of the just compensation clause of the Constitution of the State of Georgia (see Ga. Const. 1983, Art. 1, § 3, para. 1(a)), and the just compensation clause of the Fifth Amendment to the United States Constitution (see U.S. Const. Amend. 5). To the extent that the Zoning Ordinance allows such an action by the Board, the Zoning Ordinance is unconstitutional. Any such denial or conditional approval would discriminate between Mt. Bethel and Owner and owners of similarly situated property in an arbitrary, capricious, unreasonable and unconstitutional manner in violation of Article I, Section I, Paragraph 2 of the Georgia Constitution and the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution. Finally, a denial or a conditional approval of the Application (with conditions not expressly approved by Mt. Bethel) would constitute a gross abuse of discretion and an unconstitutional violation Mt. Bethel's rights to substantive and procedural due process as guaranteed by the Georgia Constitution (see Ga. Const. 1983, Art. 1, § 1, para. 1) and the Fifth and Fourteenth Amendments of the United States Constitution (see U.S. Const. Amend. 5 and 14). Mt. Bethel further challenges the constitutionality and enforceability of the Zoning Ordinance for lack of objective standards, guidelines or criteria limiting the Board's discretion in deciding applications for SLUP.

HOLT NEY ZATCOFF & WASSERMAN, LLP

ATTORNEYS AT LAW

100 GALLERIA PARKWAY, SUITE 1800

ATLANTA, GEORGIA 30339-5960

TELEPHONE 770-956-9600 FACSIMILE 770-956-1490

Re: Application For Special Land Use Permit
Applicant: Mt. Bethel United Methodist Church, Inc.
Property: 2905 Post Oak Tritt Road, Marietta, Cobb County, Georgia

**ANALYSIS OF ZONING STANDARDS IN SUPPORT OF MT. BETHEL UNITED
METHODIST CHURCH, INC.'S SLUP APPLICATION**

Section 134-37(e) of the Zoning Ordinance¹ requires the Board to consider fifteen guideposts, at a minimum, when deciding whether to grant or deny a SLUP application. Applying the fifteen guideposts to the Application shows that the Board should GRANT the Application.

(1) Whether or not there will be a significant adverse effect on the neighborhood or area in which the proposed use will be located.

If the Board's decision is to grant the Application, then there will by no means be any significant adverse impact on the neighborhood or area in which the proposed Academy High School will be located. Given that the JCC has operated the Jewish Community Center on the Property for almost three decades, and further given that the bulk of the improvements on the Property both in the Phase I and Phase II stages are proposed to be interior to the Property, with significant vegetation and buffering remaining with respect to contiguous property owners, the operation of a private school on the Property will be virtually unnoticed.

Furthermore, the location of the proposed renovated and new improvements on the Property meets the various minimum design standards set forth in Section 134-271 (7) of the Zoning Ordinance.

If the Board decides to reject the Application, Applicant will be forced to renew its search for property on which it may locate its proposed Academy High School, and the Property will remain on the market for sale and redevelopment for other potential uses (or a new subdivision or series of subdivisions). Thus, this proposal is a sound and appropriate use of the Property that offers safe and positive use in keeping with the presently approved and existing institutional use.

(2) Whether or not the use is otherwise compatible with the neighborhood.

As described in response to number 1 above, a Board decision to grant the Application will ensure that the overall existing character of the area will remain intact. The proposed use of the Property as the Academy High School will ensure a continued use of the Property as an institutional use serving area community members by providing educational and athletic opportunities for children.

¹Capitalized terms not otherwise defined in this Analysis shall have the meanings ascribed to them in the Statement submitted by Mt. Bethel with its Application.

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Analysis of Zoning Standards in Support of
Mt. Bethel United Methodist Church, Inc.'s SLUP Application
September 3, 2013
Page 2

(3) Whether or not the use proposed will result in a nuisance as defined under state law.

The Board's approval of the Application will not result in a "nuisance" as that Georgia law defines that term. No part of the proposed expansions or new structures under either the Phase I or II plan would rise to the level of a "nuisance" under Georgia law.

(4) Whether or not quiet enjoyment of surrounding property will be adversely affected.

The Board will preserve and help maintain the surrounding property owners' current levels of quiet enjoyment of their property if the Board grants the Application. Specifically, the Academy High School will operate within normal school hours for a high school in Cobb County, with infrequent parent/student meetings during the school day (which are rare and limited to one grade at any particular time), and no anticipated new buildings opening for the first three to four years of its operation. Mt. Bethel is amenable to reasonable conditions ensuring the protection of quiet enjoyment of its neighbors.

(5) Whether or not property values of surrounding properties will be adversely affected.

If the Board grants the Application, the property values of surrounding properties will not be adversely affected. Instead, approval of the Application is one of the contingencies to Mt. Bethel's acquisition of the Property and will further the potential that the Property will be sold to Mt. Bethel and that it will not remain on the market (at potentially reduced pricing) or be sold at a lesser value than currently negotiated by the parties.

(6) Whether or not adequate provisions are made for parking and traffic considerations.

Yes, adequate provisions are made for parking and traffic considerations. Mt. Bethel is proposing increased parking which exceeds the requirements for parking under the Zoning Ordinance. Additionally, Mt. Bethel is proposing improvements to existing driveway and parking facilities to better provide for stacking and ensure traffic patterns throughout the Property and access to Post Oak Tritt Road is improved.

Mt. Bethel has engaged the services of A&R Engineering, Inc. to study its proposed ingress and egress, parking and traffic impacts of the location of the Academy High School on the Property. The initial results of the traffic study reflect that Mt. Bethel's proposed use of the Property will not cause the traffic conditions on any surrounding roadway to be re-graded to a more negative level of service. Mt. Bethel will file the traffic study when it is finalized and Mt. Bethel expects to comply with any recommendations of its third party traffic engineers.

(7) Whether or not the site or intensity of the use is appropriate.

As described in the Statement and above, the Site is appropriate for the location of the proposed Academy High School. With respect to the intensity of the use, given the significant size of the Property, there is significant density available for development. That said, Mt. Bethel and its architects are mindful to ensure that the density is driven to the interior of the Property, and as shown on both Phase Site Plans, that is readily achieved in a thoughtful manner.

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Analysis of Zoning Standards in Support of
Mt. Bethel United Methodist Church, Inc.'s SLUP Application
September 3, 2013
Page 3

(8) Whether or not special or unique conditions overcome the Board's general presumption that residential neighborhoods should not allow noncompatible business uses.

The fact that the JCC has used this Property for almost 3 decades with its institutional use is the unique condition that overcomes the Board's general presumption that residential neighborhoods should not allow noncompatible business uses. Moreover, to this end, the fact that the Academy High School meets the various requirements for a SLUP for private schools reflects that the proposal is not really a "noncompatible" business use. Instead, so long as the private school meets these conditions, it appears that the Board has made a determination that it is appropriate to locate a private school among properties zoned for residential neighborhoods. In this instance, Mt. Bethel is not seeking a single concurrent variance and its proposal meets or exceeds all requirements of the Zoning Ordinance.

(9) Whether or not adequate provisions are made regarding hours of operation.

The Academy High School will operate within hours similar to Cobb County Public Schools, with its class start time being at 8:00 a.m. (arrivals estimated to be between 7:00 a.m. to 8:15 a.m.), and ending at 3:00 p.m., with after school activities available for students desiring to participate. Mt. Bethel anticipates that there will be few evening activities and that graduation will be off campus at Mt. Bethel's East Cobb Church location.

(10) Whether or not adequate controls and limits are placed on commercial and business deliveries.

There are few commercial and business deliveries anticipated post-construction of any improvements to the Property. That said, even taking into account the initial construction traffic relating to Property improvements, all such deliveries will occur during normal business hours during the week and in accordance with all traffic and noise limitations imposed by the County.

(11) Whether or not adequate landscape plans are incorporated to ensure appropriate transition.

Given the significant existing mature vegetation on the Property and, as shown on the Site Plans, the location of improvements towards the interior of the Property, there is adequate buffering and transition between the existing single family residences contiguous to the Property.

(12) Whether or not the public health, safety, welfare or moral concerns of the surrounding neighborhood will be adversely affected.

This factor simply is not relevant to the proposed location of the Academy High School.

HOLT NEY ZATCOFF & WASSERMAN, LLP

Analysis of Zoning Standards in Support of
Mt. Bethel United Methodist Church, Inc.'s SLUP Application
September 3, 2013
Page 4

(13) Whether the Application complies with any applicable specific requirements set forth in this chapter for special land use permits for particular types of uses.

The Application complies with all specific requirements set forth in the Zoning Ordinance for SLUPs for private schools. In this instance, consideration of all of these factors weigh in support of granting the Application.

(14) Whether the Applicant has provided sufficient information to allow a full consideration of all relevant factors.

In support of its Application, Applicant has provided all information required by the Zoning Ordinance. Applicant remains willing to provide to the Board any additional information that it may desire to allow for a full consideration of the Application.

(15) In all applications for a special land use permit the burden shall be on the applicant both to produce sufficient information to allow the county fully to consider all relevant factors and to demonstrate that the proposal complies with all applicable requirements and is otherwise consistent with the policies reflected in the factors enumerated in this chapter for consideration by the county.

In addition to this Zoning Analysis, Applicant has submitted the following in support of the Application:

- (a) Application for Special Land Use Permit, Cobb County Georgia, including the requisite corporate authorization of Owner;
- (b) Copies of the Property warranty deeds to Owner;
- (c) Metes and Bounds legal descriptions of Property and Site;
- (d) Copy of the paid tax receipt for the Property;
- (e) Statement of Proposed Improvements;
- (f) Site Plans (5 full sized copies; 2 copies measuring 8 ½ x 11);
- (g) Survey;
- (h) Consent of Contiguous Occupants or Land Owners;
- (i) Application Fee (\$1,000.00); and
- (j) Sign Deposit and Fees (\$318.00).

Based on all of these factors, Applicant has produced sufficient information to allow the Board fully to consider all relevant factors and to demonstrate that the Application complies with all applicable requirements and is otherwise consistent with the policies reflected in the factors enumerated in this chapter for consideration by Cobb County. The Board should APPROVE the Application.

Mr. Bethel Christian Academy High School
 2509 Post Oak Trail Rd. Marietta, GA 30067
 Internal Circulation Plan
 Prepared for:
 1425 Hwy 200 East & Roswellville, LT
 1425 Roswell, Marietta, GA 30067
 404.875.1234

Phase 1 - Circulation Plan
 A&R Engineering Inc.
 7780 Peachtree Corners Blvd
 Atlanta, GA 30078
 Tel: (770) 420-2222 Fax: (770) 420-2222
 www.aandengineering.com

DATE	REVISIONS	DATE
09-25-13		

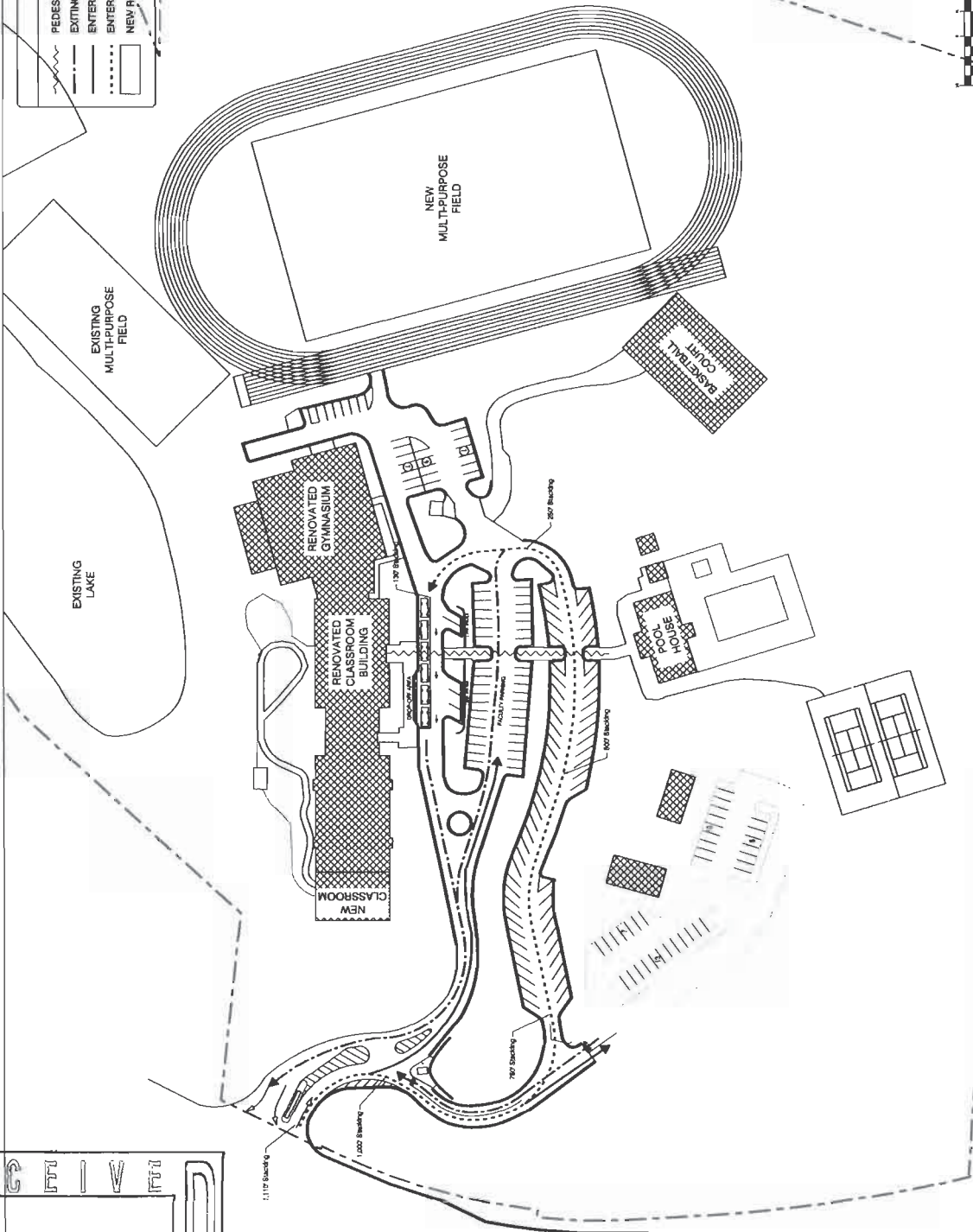
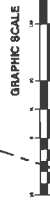
PROJECT NO.	13-061
DRAWN BY	AKA
CHECKED BY	
DATE	10/01/13
PROJECT	Original

Phase 1

SLUP-11 (2013)
Traffic
Circulation Plan -
Phase 1

LEGEND

- PEDESTRIAN ROUTE
- EXISTING ROUTE
- ENTER (PARKING) ROUTE
- ENTER (PICK-UP / DROP-OFF) ROUTE
- NEW ROADWAY



RECEIVED

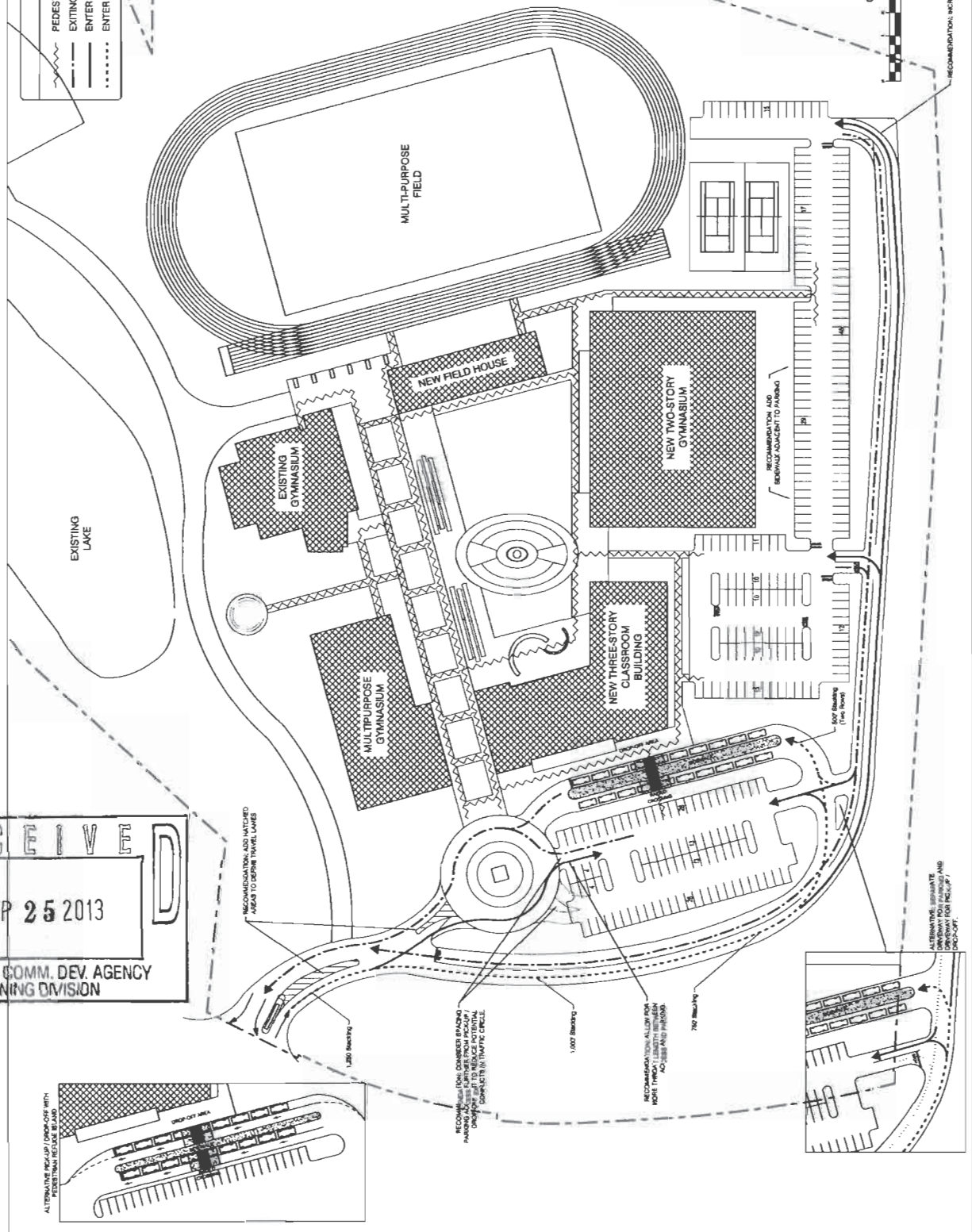
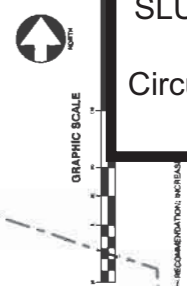
SEP 25 2013

COBB CO. COMM. DEV. AGENCY
 ZONING DIVISION

SLUP-11 (2013)
Traffic
Circulation Plan -
Phase 2

LEGEND

	PEDESTRIAN ROUTE
	EXITING ROUTE
	ENTER (PICK-UP) ROUTE
	ENTER (PICK-UP) / DROP-OFF ROUTE



RECEIVED
 SEP 25 2013
 COBB CO. COMM. DEV. AGENCY
 ZONING DIVISION

APPLICATION FOR LAND USE PERMIT
TO THE
COBB COUNTY BOARD OF COMMISSIONERS OF ROADS AND REVENUES
AND THE
COBB COUNTY PLANNING COMMISSION
(type or print clearly)

Application No. 357

Hearing Date 11-18-86

Applicant Atlanta Jewish Community Center, Inc. Business Phone 875-7881 Home Phone N/A
(business name)

* John D. Popovic Address 1745 Peachtree Rd. Atlanta, GA 30309
(representative's name, printed)

John D. Popovic Business Phone 351-7620 Home Phone 355-8710
(representative's signature)

* Mr. Jack Freedman is also a representative, however, he will not be present

Titleholder (see attached) Business Phone _____ Home Phone _____

Signature _____ Address _____
(attach additional signatures, if needed)

Type of Permit

Present Zoning R-20 Temporary Land Use _____ Medical Hardship _____
Special Use x _____ Construction Hardship _____
Renewal - Yes _____ No x

For the Purpose of Jewish Community Center Size of Tract 35± acre(s)

Location Near the corner of Holly Springs Rd. & Post Oak Tritt
(street address, if applicable, nearest intersection, etc.)

Land Lot(s) 599 & 600 District 16th

Recommendation of Planning Commission 11-18-86 Planning Commission recommended
application be approved. Motion by Brown, seconded by Jones: carried 5-0.

Henry A. Vanover Jr. Chairman

Board of Commissioners' Decision 11-18-86 Board of Commissioners approved application.
Motion by Smith, seconded by Burton: carried 5-0. 12/27/88 Board of Commissioners approved
revised site plan as submitted marked Exhibit A on file in the Zoning Department.

Carl E. Smith Chairman

See attached page

PAGE 2 OF 3/45 APPLICATION NO. #357

ORIGINAL DATE OF APPLICATION: 11-18-86

APPLICANT'S NAME: ATLANTA JEWISH COMMUNITY CENTER, INC.

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

THE FOLLOWING IS AN EXCERPT OF THE MINUTES OF THE REGULAR MEETING OF THE COBB COUNTY BOARD OF COMMISSIONERS HELD ON DECEMBER 27, 1988:

ITEM #6: PLANNING DEPARTMENT - APPROVAL OF AMENDMENT TO SITE PLAN FOR THE JEWISH COMMUNITY CENTER - SHIRLEY BLUMENTHAL PARK AND MAX L. KUNIANSKY FAMILY BUILDING:

MOTION: On motion duly made by Commissioner Powell and seconded by Commissioner Paschal, the Commission approved the revised site plan for the Jewish Community Center - Shirley Blumenthal Park and Max L. Kuniansky Family Building, subject of Special Land Use Permit No. 357 granted November 1986 as submitted marked Exhibit A on file in the Zoning Department. Said approval is subject to athletic fields not to be lighted with any revisions to be submitted back to the Board of Commissioners for approval with certified notification sent to adjacent residents of proposed changes.

VOTE: Unanimously carried

Karen L. Hach
Karen L. Hach, Deputy County Clerk
Cobb County Board of Commissioners

PAGE 3 OF 2/45

APPLICATION NO. #357

ORIGINAL DATE OF APPLICATION: 11-18-86

APPLICANT'S NAME: ATLANTA JEWISH COMMUNITY CENTER, INC.

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

OTHER BUSINESS ITEM #2 OF 5-17-94

REQUEST FOR SITE PLAN AMENDMENT -- SPECIAL LAND USE PERMIT APPLICATION #357 OF MAY 18, 1986 (ATLANTA JEWISH COMMUNITY CENTER, INC., FOR THE SHIRLEY BLUMENTHAL JEWISH COMMUNITY CENTER)

To consider site plan amendment for the Shirley Blumenthal Jewish Community Center, located in Land Lots 599 and 600 of the 16th District, on the north side of Post Oak Tritt Road.

Mr. Danneman reviewed the applicant's request to move the tennis courts/basketball court approximately 250 feet deeper into the property. Following this presentation the Board of Commissioners **approved** site plan amendment for the Shirley Blumenthal Jewish Community Center (Application #357 of 1986 -- Atlanta Jewish Community Center, Inc.) **subject to: 1) site plan submitted dated 4-23-94; 2) all other previously approved conditions/stipulations to remain in effect.** Motion by Wysong, second by Poole, carried 5-0.

See attached page . . .

Karen L. Hach
Karen L. Hach, Deputy County Clerk
Cobb County Board of Commissioners

EDAW

- PLANNING NOTES**
1. Review: Scale of Approval: Land Use Permit 1997.
 2. Total acreage of development: 13.74.
 3. This plan and previous plans are subject to the approval of the County Planning Commission and the County Board of Supervisors.
 4. **USE OF BUILDING** SHALL BE:
 - a. Residential
 - b. Single-Family
 - c. 1, 2, 3, 4
 5. Building setbacks shall be determined by the Planning Commission. See also the County Planning Commission's Land Use Ordinance, which sets the minimum setbacks for all uses.
 6. **SETBACKS** SHALL BE:
 - a. Front: 10 feet
 - b. Side: 10 feet
 - c. Rear: 10 feet
 7. All buildings to be set back from the property line 10 feet.
 8. **UTILITIES** SHALL BE:
 - a. Water: 10 feet
 - b. Sewer: 10 feet
 - c. Gas: 10 feet
 - d. Electric: 10 feet
 - e. Telephone: 10 feet
 - f. Cable: 10 feet
 - g. Stormwater: 10 feet
 - h. Fire: 10 feet
 - i. Other: 10 feet
 9. **UTILITIES** SHALL BE:
 - a. Water: 10 feet
 - b. Sewer: 10 feet
 - c. Gas: 10 feet
 - d. Electric: 10 feet
 - e. Telephone: 10 feet
 - f. Cable: 10 feet
 - g. Stormwater: 10 feet
 - h. Fire: 10 feet
 - i. Other: 10 feet
 10. **UTILITIES** SHALL BE:
 - a. Water: 10 feet
 - b. Sewer: 10 feet
 - c. Gas: 10 feet
 - d. Electric: 10 feet
 - e. Telephone: 10 feet
 - f. Cable: 10 feet
 - g. Stormwater: 10 feet
 - h. Fire: 10 feet
 - i. Other: 10 feet
 11. **UTILITIES** SHALL BE:
 - a. Water: 10 feet
 - b. Sewer: 10 feet
 - c. Gas: 10 feet
 - d. Electric: 10 feet
 - e. Telephone: 10 feet
 - f. Cable: 10 feet
 - g. Stormwater: 10 feet
 - h. Fire: 10 feet
 - i. Other: 10 feet
 12. **UTILITIES** SHALL BE:
 - a. Water: 10 feet
 - b. Sewer: 10 feet
 - c. Gas: 10 feet
 - d. Electric: 10 feet
 - e. Telephone: 10 feet
 - f. Cable: 10 feet
 - g. Stormwater: 10 feet
 - h. Fire: 10 feet
 - i. Other: 10 feet
 13. **UTILITIES** SHALL BE:
 - a. Water: 10 feet
 - b. Sewer: 10 feet
 - c. Gas: 10 feet
 - d. Electric: 10 feet
 - e. Telephone: 10 feet
 - f. Cable: 10 feet
 - g. Stormwater: 10 feet
 - h. Fire: 10 feet
 - i. Other: 10 feet
 14. **UTILITIES** SHALL BE:
 - a. Water: 10 feet
 - b. Sewer: 10 feet
 - c. Gas: 10 feet
 - d. Electric: 10 feet
 - e. Telephone: 10 feet
 - f. Cable: 10 feet
 - g. Stormwater: 10 feet
 - h. Fire: 10 feet
 - i. Other: 10 feet
 15. **UTILITIES** SHALL BE:
 - a. Water: 10 feet
 - b. Sewer: 10 feet
 - c. Gas: 10 feet
 - d. Electric: 10 feet
 - e. Telephone: 10 feet
 - f. Cable: 10 feet
 - g. Stormwater: 10 feet
 - h. Fire: 10 feet
 - i. Other: 10 feet
 16. **UTILITIES** SHALL BE:
 - a. Water: 10 feet
 - b. Sewer: 10 feet
 - c. Gas: 10 feet
 - d. Electric: 10 feet
 - e. Telephone: 10 feet
 - f. Cable: 10 feet
 - g. Stormwater: 10 feet
 - h. Fire: 10 feet
 - i. Other: 10 feet
 17. **UTILITIES** SHALL BE:
 - a. Water: 10 feet
 - b. Sewer: 10 feet
 - c. Gas: 10 feet
 - d. Electric: 10 feet
 - e. Telephone: 10 feet
 - f. Cable: 10 feet
 - g. Stormwater: 10 feet
 - h. Fire: 10 feet
 - i. Other: 10 feet
 18. **UTILITIES** SHALL BE:
 - a. Water: 10 feet
 - b. Sewer: 10 feet
 - c. Gas: 10 feet
 - d. Electric: 10 feet
 - e. Telephone: 10 feet
 - f. Cable: 10 feet
 - g. Stormwater: 10 feet
 - h. Fire: 10 feet
 - i. Other: 10 feet
 19. **UTILITIES** SHALL BE:
 - a. Water: 10 feet
 - b. Sewer: 10 feet
 - c. Gas: 10 feet
 - d. Electric: 10 feet
 - e. Telephone: 10 feet
 - f. Cable: 10 feet
 - g. Stormwater: 10 feet
 - h. Fire: 10 feet
 - i. Other: 10 feet
 20. **UTILITIES** SHALL BE:
 - a. Water: 10 feet
 - b. Sewer: 10 feet
 - c. Gas: 10 feet
 - d. Electric: 10 feet
 - e. Telephone: 10 feet
 - f. Cable: 10 feet
 - g. Stormwater: 10 feet
 - h. Fire: 10 feet
 - i. Other: 10 feet

#357
of 1986
Approved
on 5-17-94



- LEGEND**
- A ENTRY
 - B MAIN - SUNSHINE FAMILY BUILDING
 - C REAR PORCH (10' WIDE x 3' WIDE x 6' 0")
 - D REAR PORCH (10' WIDE x 3' WIDE x 6' 0")
 - E BALL FIELD (10' WIDE x 3' WIDE x 6' 0")
 - F OPENING TOOL
 - G' GRASSY BULK HEAD
 - H EXISTING STRUCTURE TO REMAIN
 - I EXISTING STRUCTURE TO REMAIN
 - J EXISTING STRUCTURE TO REMAIN
 - K' SERVICE AREA
 - L FUTURE PARKING
 - M EXISTING STRUCTURE TO REMAIN
 - N EXISTING STRUCTURE TO REMAIN
 - O EXISTING STRUCTURE TO REMAIN
 - P EXISTING STRUCTURE TO REMAIN

SITE PLAN REVISED BY:
GREENBERG FARROW
ARCHITECTS
4/23/94 4-23-94
EXHIBIT A

PAGE 4 OF 45

APPLICATION NO. #357

ORIGINAL DATE OF APPLICATION: 11-18-86

APPLICANT'S NAME: ATLANTA JEWISH COMMUNITY CENTER, INC.

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


OTHER BUSINESS ITEM OF 11-15-94 Item #4

Consider a Site Plan Amendment for the Atlanta Jewish Community Center, Shirley Blumenthal Park, Application #357 of November 18, 1986, for property located on the north side of Post Oak Tritt Road, west of Holly Springs Road.

Mr. Danneman stated that applicant's request for consideration at the November 15, 1994 hearing is to revise the site plan for the ball field located in the northwest corner of the property only, specifically for the purpose of reorienting the home plate to the interior of the property and the outfield toward the exterior of the property, so as to move bleachers, etc. to the interior of the property.

Mr. Danneman further reported that a new Special Land Use Permit application is to be filed regarding this property for the purpose of addressing additional buildings and the lighting of the playing fields.

Following a presentation by Cathy Cutler, the Board of Commissioners **held** decision regarding revision of the site plan to allow reorientation of the ball field located in the northwest corner of the property. Motion by Wysong, second by Thompson, carried 5-0.



Karen L. Hach, Deputy County Clerk
Cobb County Board of Commissioners

PAGE 5 OF 5

APPLICATION NO. #357

ORIGINAL DATE OF APPLICATION: 11-18-86

APPLICANT'S NAME: ATLANTA JEWISH COMMUNITY CENTER INC.

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

OTHER BUSINESS ITEM OF 12-20-94

Item #1

Consideration of Site Plan Amendment for the Atlanta Jewish Community Center, Shirley Blumenthal Park, Application #357 of November 18, 1986, for property located on the north side of Post Oak Tritt Road, west of Holly Springs Road.

BOC DECISION OF DECEMBER 20, 1994:

The Board of Commissioners held consideration of site plan amendment for the Atlanta Jewish Community Center, Shirley Blumenthal Park, until the February 21, 1994 Zoning Hearing. Motion to hold by Wysong, second by Cooper, carried 5-0.

Clerk's Note: Removed from Agenda -- See Special Land Use Permit Application SLUP-2 (K)

Karen L. Hach

Karen L. Hach, Deputy County Clerk
Cobb County Board of Commissioners

Application for Special Land Use Permit Cobb County

(type or print clearly)

Application No. SLUP-2
Hearing Date: 2/12/21

Applicant Atlanta Jewish Community Center, Inc. Business Phone 875-7881 Home Phone _____

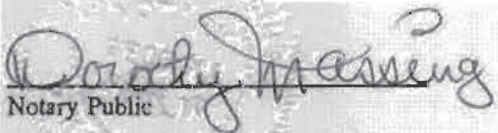
Harry Stern Address 2509 Post Oak Tritt Rd., Marietta, GA 30062

(representative's name, printed)

 Business Phone 404-971-8901

(representative's signature)

Signed, sealed and delivered in presence of:


Notary Public

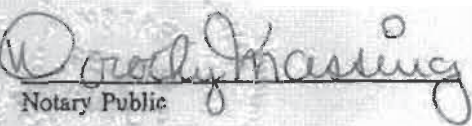
My commission expires: Notary Public, DeKalb County, Georgia
My Commission Expires June 19, 1998

Titleholder Atlanta Jewish Community Center, Inc. Business Phone 875-7881 Home Phone _____

Signature  Address Same as above

(attach additional signatures, if needed)

Signed, sealed and delivered in presence of:


Notary Public

My commission expires: Notary Public, DeKalb County, Georgia
My Commission Expires June 19, 1998

Present Zoning R-20 w/SPECIAL LAND USE PERMIT #357

For the Purpose of Recreational Facility Improvement

Location 2509 Post Oak Tritt Road, Marietta, GA 30062
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 599, 600, 626, 625 District 16

Size of Tract 33.74 Acre(s)

PAGE 2 OF 23413

APPLICATION NO. SLUP-2

ORIGINAL DATE OF APPLICATION: 2-21-95

APPLICANT'S NAME: ATLANTA JEWISH COMMUNITY CENTER

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

BOC DECISION OF 2-21-95: The Board of Commissioners held application until their March 21, 1995 Zoning Hearing. Motion by Wysong, second by Byrne, carried 5-0.

See attached page for additional minutes. (D)

Karen L. Hach
Karen L. Hach, Deputy County Clerk
Cobb County Board of Commissioners

PAGE 3 OF 3413 APPLICATION NO. SLUP-2
 ORIGINAL DATE OF APPLICATION: 2-21-95
 APPLICANT'S NAME: ATLANTA JEWISH COMMUNITY CENTER

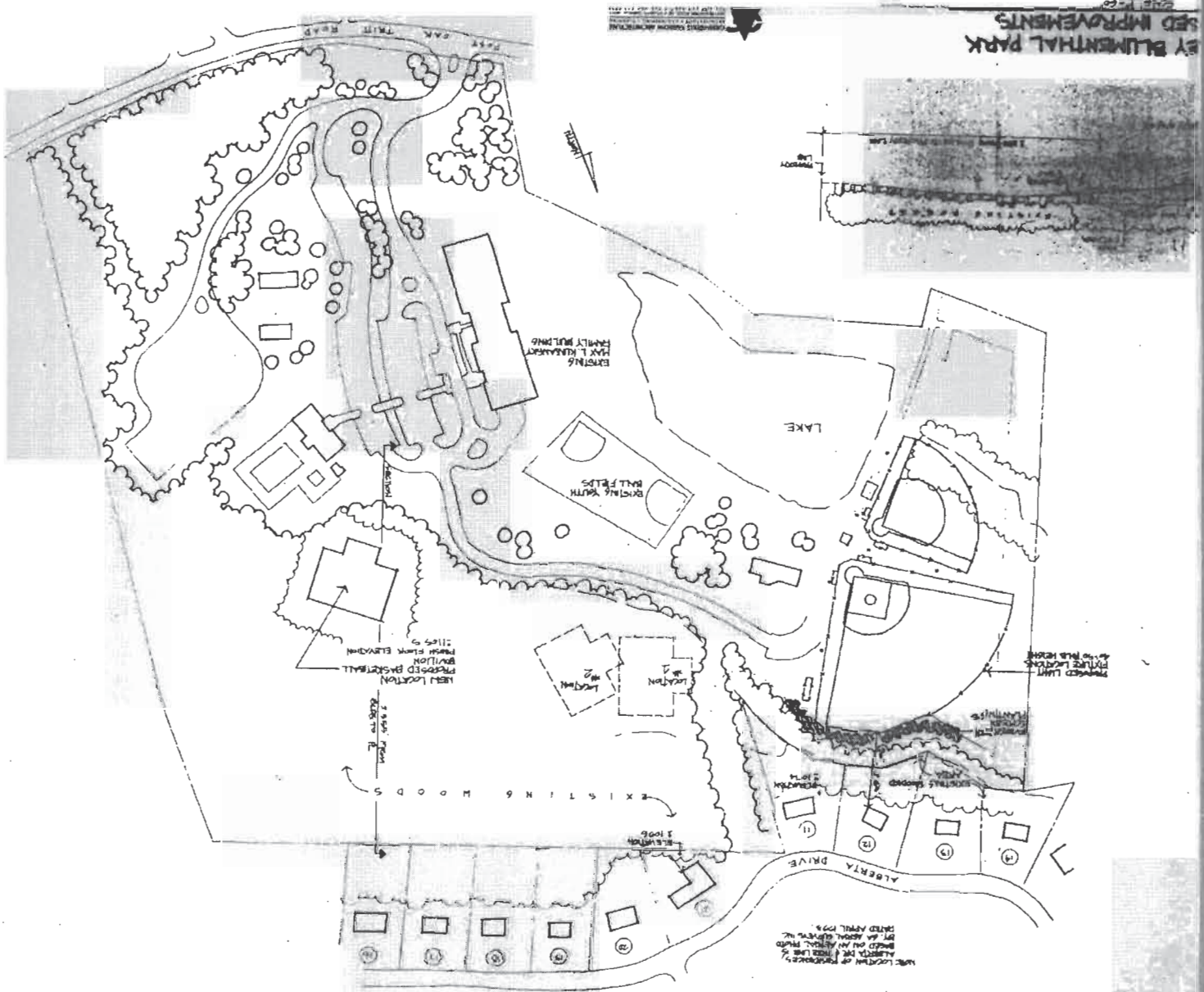
**THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE COBB COUNTY
BOARD OF COMMISSIONERS**

HELD CASE: BOC DECISION OF 3-21-95: Due to recent meetings between applicant and affected homeowners the Board allowed a presentation by applicant's representatives: Richard Calhoun (Legal Counsel), Max Searan (Architect), and Harry Stern (Atlanta Jewish Community Center). Following these presentations and discussions the Board of Commissioners approved application to become effective on April 21, 1995 and further subject to: 1) revised site plan submitted, dated March 4, 1995 marked as Exhibit "A", site plan shows orientation of home plate for the large adult field to the interior of the site -- the Board of Commissioners allowed that existing orientation of home plate for the large adult field may remain as is; 2) allowance of lights on the small (youth) ball-field, but no lighting of large (adult) ball-field; 3) erection of an 8 foot solid wood privacy fence, approximately 400 feet long, between the existing (adult) field and the adjoining homeowners; 4) installation of acoustic materials in ceiling of pavilion; 5) hours of operation marked as Exhibit "B"; 6) if the applicant/owner can reposition the smaller (youth) field closer to Post Oak Tritt Road and subsequently move the larger (adult) field farther from the northern property line (away from adjacent property owners), the Board of Commissioners would consider lighting of both fields; if this plan/agreement can be presented at the next Zoning Hearing of April 18, 1995, if not, the decision of March 21, 1995 will become effective on April 21, 1995. Motion by Wysong, second by Byrne, carried 4-0-1, Poole absent at time of vote.

Karen L. Hach

Karen L. Hach, Deputy County Clerk
Cobb County Board of Commissioners

SLUP-2
EXHIBIT "A"
As referenced in
Zoning Minutes of
3-21-95. Karla



SLUP-11
EXHIBIT 713
PAGE 2 OF 2

ATLANTA JEWISH COMMUNITY CENTER
SHIRLEY BLUMENTHAL PARK
2509 POST OAK TRITT ROAD
MARIETTA, GEORGIA 30062

As referenced in
Zoning Minutes
of 3-21-95.
Kerker

TELEPHONE # 971-8901
FAX # 565-2780

PROPOSED HOURS OF OPERATION FOR SHIRLEY BLUMENTHAL PARK

Spring - First Week of March to middle of June.

Sunday, Monday, Tuesday, Wednesday, Thursday are primary use days. The last game would start at 8:00 p.m. On Sunday mornings, the first game would begin at ~~10:00~~ 11:00 a.m. The latest the lights would normally be on is 10:00 p.m.

11:00 (PK)

Fall - Middle of September to first week of December.

On most occasions, 8:00 p.m. would be the latest. This would be Sunday through Thursday. On Sunday mornings, the first game would begin at 10:00 a.m. Once in a while, we may need to keep them on until 10:00 p.m. through October (primarily for make-up games).

Winter - Second week of December to third week of February.

Very little use if any.

Summer - First week of June to end of August.

On Sunday mornings, the first game would begin at 10:00 a.m. Two evenings a week, with the last game starting at 8:00 p.m.

Shirley Blumenthal Park is closed and the gate is normally locked by our maintenance staff at 10:00 p.m. Sunday through Thursday. Shirley Blumenthal Park is closed from 5:00 p.m. on Friday until sundown on Saturday. There may be five times a year when we use the park on Saturday night.

The outdoor pavilion will primarily be used for the AJCC's eight week summer camp which runs Monday-Friday, 9-4 and perhaps some early evenings between June 19th and August 11, 1995.

PAGE 14 OF 113 APPLICATION NO. SLUP-2

ORIGINAL DATE OF APPLICATION: 2-21-95

APPLICANT'S NAME: ATLANTA JEWISH COMMUNITY CENTER

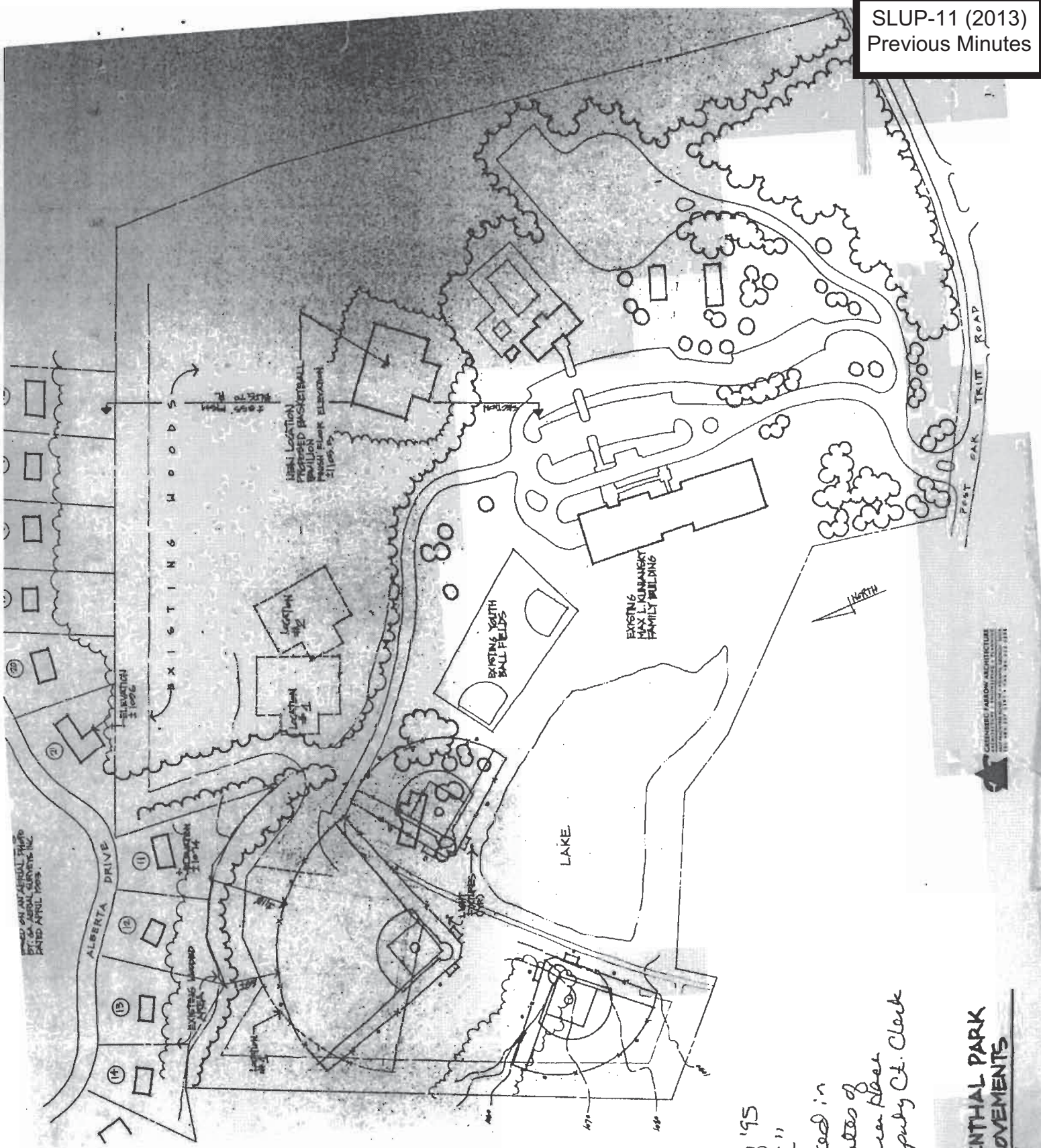
THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE COBB COUNTY BOARD OF COMMISSIONERS

OTHER BUSINESS ITEM #2 OF 4-18-95 ZONING HEARING

To consider Site Plan and Stipulation(s) Amendment for application #SLUP-2 of 1995 (Atlanta Jewish Community Center) for 33.74 acres located in Land Lots 599, 600, 625 and 626 of the 16th District, on the north side of Post Oak Tritt Road, west of Holly Springs Road.

The Board of Commissioners allowed a presentation by applicant's representative, Richard Calhoun, of amended site plan and request for stipulation amendment for the Atlanta Jewish Community Center. Following review of revised site plan and discussions of stipulations the following motion was offered: Motion to approve site plan amendment for application #SLUP-2 of 1995 (Atlanta Jewish Community Center) subject to site plan submitted, marked as Exhibit "C", and to remove stipulations enacted on March 21, 1995 and replace with stipulations of approval to now read: 1) allowance of lights on ball fields as shown on exhibited site plan; 2) installation of acoustic materials in ceiling of basketball pavilion; 3) hours of operation previously marked as Exhibit "B" with the document amended to now reflect that the first game on Sunday mornings will begin no earlier than 11:00 a.m. Motion by Byrne, second by Wysong, carried 5-0.

Karen L. Hach
Karen L. Hach, Deputy County Clerk
Cobb County Board of Commissioners



GENERIC FARM ARCHITECTURE
ARCHITECTURAL CONSULTANTS
100 WEST 1ST ST. SUITE 201
WYOMING, WY 82001

SLUP-29 '95
EXHIBIT "C"
As referenced in
Zoning Minutes of
4-18-95. Karen Abler
Deputy Ct. Clerk

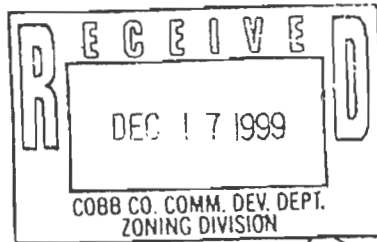
SHIRLEY BLUMENTHAL PARK
PROPOSED IMPROVEMENTS

DATE: 11/11/95
DRAWN BY: [unclear]
SCALE: 1" = 100'
REV: 11/11/95

PAGE 48 OF 413APPLICATION NO. SLUP-2ORIGINAL DATE OF APPLICATION: 02-21-95APPLICANTS NAME: ATLANTA JEWISH COMMUNITY CENTERTHE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE
COBB COUNTY BOARD OF COMMISSIONERS**BOC DECISION OF 12-21-99 ZONING HEARING:****OTHER BUSINESS ITEM #9 – TO CONSIDER A SITE PLAN AMENDMENT REGARDING SLUP-2 (ATLANTA JEWISH COMMUNITY CENTER) OF FEBRUARY 21, 1995**

To consider a site plan amendment regarding SLUP-2 (Atlanta Jewish Community Center) of February 21, 1995, for property located on the north side of Post Oak Tritt Road, west of Holly Springs Road in Land Lots 599, 600, 625 and 626 of the 16th District. Mr. Mark Danneman, Zoning Division Manager, provided information regarding this request to amend site plan. Following Mr. Danneman's comments, the Board of Commissioners **approved** site plan amendment for Atlanta Jewish Community Center as submitted regarding SLUP-2 of February 21, 1995 for property located on the north side of Post Oak Tritt Road, west of Holly Springs Road in Land Lots 599, 600, 625 and 626 of the 16th District **subject to:** 1) **letter of agreeable stipulations from Collins, Cooper, Carusi Architects (copy attached and made a part of these minutes);** 2) **the 85 foot undisturbed buffer adjacent to Alberta Drive may be penetrated for the purpose of maintaining the detention pond located within said buffer;** 3) **site plan dated December 8, 1999 (a reduced copy attached and made a part of these minutes, large site plan on file in the Zoning Office).** Motion by Olens, carried 5-0.

AJCC-SHIRLEY BLUMENTHAL PARK
2509 Post Oak Tritt Road
Marietta, GA 30062



3:30 p.m. [Signature]



MICHAEL L. COLLINS, AIA
SAMUEL R. COOPER, AIA
TRACY S. CARUSI, AIA

A. Statement of Proposed Building and Site Improvements

The existing Atlanta Jewish Community Center (AJCC) property located at 2509 Post Oak Tritt Road, Marietta, GA, Land Lots 599, 600, 625,626, 16th District, Section 2, contains 33.2567 acres, including easements, zoned R-20 with a Special Land Use Permit No. 357.

The proposed building expansion entails additions to the existing building to accommodate Gymnasium/Fitness Center and expanded Classroom Areas. Site improvements include relocating (1) existing Jr. Ballfield displaced by the Gym/Fitness Center Addition, improvements to an existing gravel road bed accommodating (17) additional parking spaces meeting Cobb County standards, (4) open-air shelters, and (1) enclosed Bathhouse occupying indoor restrooms.

B. Project Narrative

The AJCC is planning for the construction of a single level addition and interior alterations to their existing building. The Gymnasium/Fitness Center Addition will be located on one end of the existing building, and the Classroom Addition will be located at the opposite end of the existing building.

The new building improvements will be constructed of Type IV, non-combustible construction, fully sprinklered and designed to match the existing building aesthetic. The Gymnasium Addition and Classroom Additions will add approximately 16,000 square feet to an existing 19,000 square feet facility. Interior alterations will not impact building size.

C. Building Program and Scope- Phase One

Gym/Fitness Center Addition- 13,750 gsf
Gymnasium, Fitness Room, Gym Office, Locker Rooms, Storage, Mechanical, Circulation

Classroom Addition- 2,250 gsf
Classrooms, Kitchenette (to match existing installations), Restrooms, Storage, Circulation

Total Building Addition (±) 16,000 gsf

D. Future Expansion- Phase Two

The submitted Site Plan, prepared by Cooper Carry/Collins Cooper Carusi Architects Inc dated December 8, 1999, proposes to expand the AJCC facility in the future to accommodate Phase II improvements not to exceed 40,000 square feet of new building construction. These improvements may include a gymnasium, indoor swimming pool, theater, kitchen, dining area, activities room, lounge, offices, additional classrooms, and associated parking. Site improvements will include up to three (3) additional open-air Camp Shelters, four (4) additional Tennis Courts, and (1) unlighted* adult ballfield (previously approved under SLUP #2) in the southwest corner of the existing site.

* refer to Letter of Agreeable Conditions dated 12.15.99.

Min. Bk. 13 Petition No. SLUP #95
Doc. Type Agreeable Conditions

Meeting Date Dec. 21 1999
Other Business Items

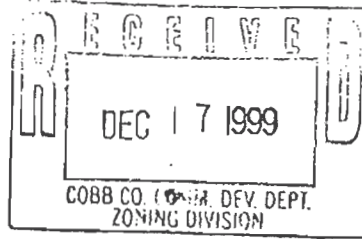
COLLINS COOPER CARUSI ARCHITECTS, INC.
The Brookwood Exchange Building ■ (fax) 404-873-0051
1708 Peachtree Street NW Suite 309 ■ Atlanta, Georgia 30309 ■ 404-873-0001

December 14, 1999

[Signatures: Doug Hughes, D. Cohen, M. MacGregor, A. Dougherty, J. G. Jones, and others]

AJCC-SHIRLEY BLUMENTHAL PARK
2509 Post Oak Tritt Road
Marietta, GA 30062

December 15, 1999
page 1 of 2



MICHAEL L. COLLINS, AIA
SAMUEL R. COOPER, AIA
TRACY S. CARUSI, AIA

3:30 p.m. MAR

Min. Bk. 13 Petition No. SLUP of 1995
Doc. Type Letter Agreeable
Conditions
Meeting Date Dec. 21, 1999
Other Business Item # 9

Letter of Agreeable Conditions

Following a meeting held on November 30, 1999 at AJCC-Blumenthal Park, the Atlanta Jewish Community Center (AJCC), AJCC representatives, and Alberta Drive Neighborhood Group representatives agreed to conditions applicable to the Proposed Building and Site Improvements delineated on the submitted Site Plan prepared by Cooper Carry/ Collins Cooper Carusi Architects Inc. dated December 8, 1999. Sam Olens attended this meeting to help facilitate the following agreeable conditions.

A. Covenant

The AJCC shall covenant their property, located at 2509 Post Oak Tritt Road, Marietta, GA, Land Lots 599, 600, 625, 626, 16th District, Section 2, to maintain a 50' undisturbed buffer along the northern property lines bordering the Alberta Drive residential neighborhood, as shown on the submitted Site Plan. This covenant shall become void in the event the Alberta Drive property changes zoning designation, and/or the AJCC sells their property.

B. Stipulations

Based upon the submitted Site Plan prepared by Cooper Carry/ Collins Cooper Carusi Architects Inc. dated December 8, 1999, the AJCC shall:

1. Provide an 85' undisturbed buffer located along the northern property line bordering the Alberta Drive residential neighborhood, as shown on the submitted Site Plan dated December 8, 1999. Walking trails shall be permitted with this buffer.
2. At the northwestern-most end of the existing gravel drive located nearest the rightfield corner of the existing Adult Ballfield, the 85' buffer shall be reduced to approximately 65' to permit the existing gravel road and adjoining gravel parking areas to be located as currently exists. Any future site improvements to this gravel road area shall be located no closer to the existing northern property line ~~that would cause the removal of trees.~~
3. At the existing Adult Ballfield, install (15) Leyland Cypress trees (6'-8' tall @ 6'-0" on staggered centers) located outside the existing right centerfield fence along the existing tree line, and (15) Leyland Cypress trees (6'-8' tall @ 6'-0" on staggered centers) located outside the existing left centerfield fence.
4. At the existing Adult Ballfield, replace (2) existing 40' tall ballfield light poles located nearest home plate with (2) 60' tall poles with new light fixtures and/or fixture shields at same location to minimize light spilling onto the surrounding Alberta Drive neighborhood; the remaining existing 40' tall ballfield lights shall be redirected to further minimize light glare and spill onto surrounding neighborhood properties, balanced with required photometrics necessary to fully utilize the Ballfield.

AJCC-SHIRLEY BLUMENTHAL PARK
2509 Post Oak Tritt Road
Marietta, GA 30062

Collins Cooper Carusi Architects Inc.

December 15, 1999
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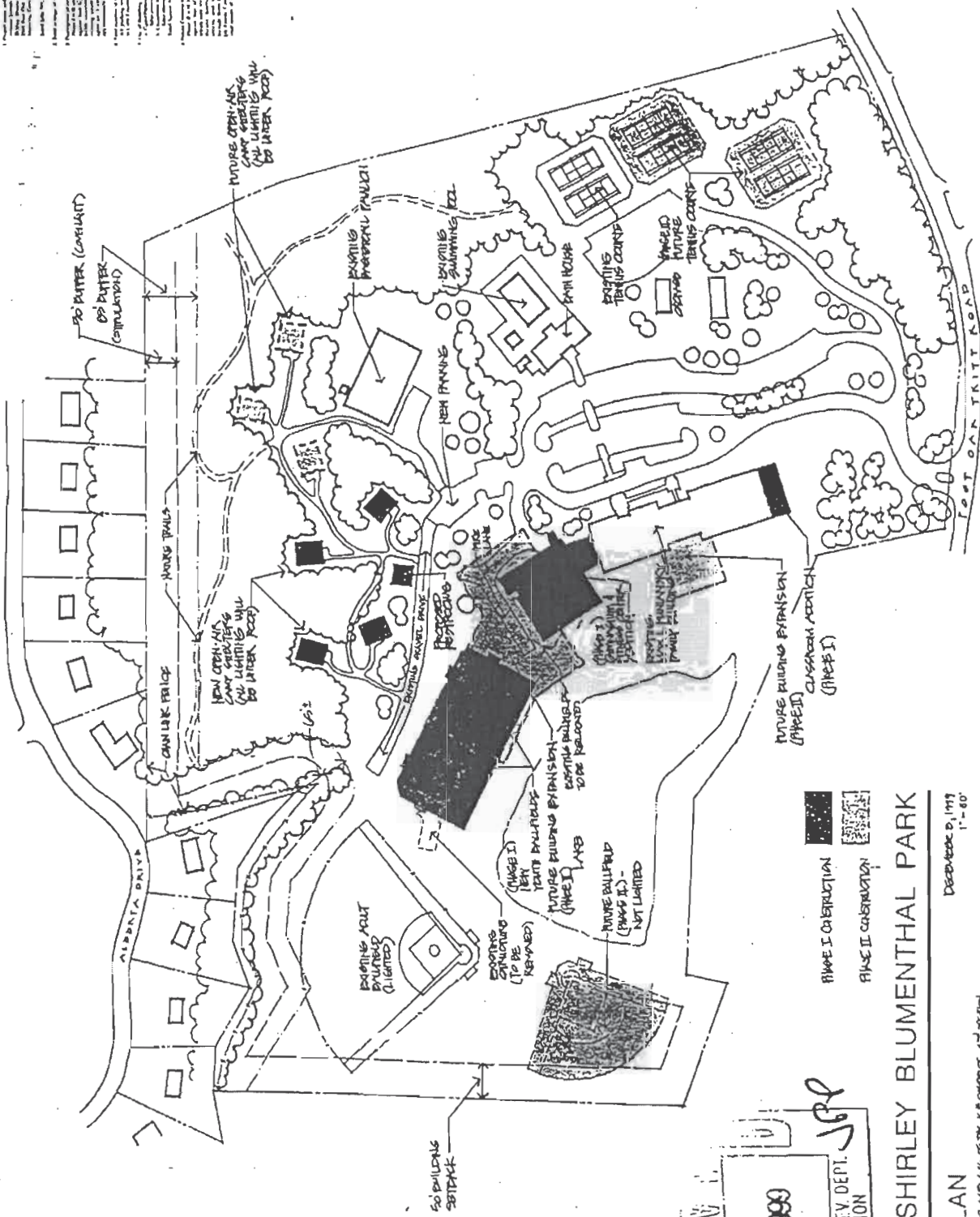
Petition No. SLUP of 1995
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Continued

Letter of Agreeable Conditions (continued)

5. At the Existing Jr. Ballfield to be relocated per Site Plan submittal, install (2) 40' tall poles with ballfield lights on side of ballfield facing away from Alberta Drive neighborhood, and install (2) 60' tall poles with ballfield lights on side facing Alberta Drive neighborhood to minimize light glare and spill onto surrounding neighborhood properties.
6. At Ballfield proposed to be located in the southwest corner of AJCC property (previously approved by Cobb County Board of Commissioners), no ballfield lighting shall be installed.
7. All new Open-Air Camp Shelters shall be lighted with conventional roof eave lighting consistent with surrounding residential properties.

COOPER CARRY
COLLINS COOPER CARUSI

Site Plan
1. The Site Plan shall be prepared and submitted to the Planning Commission for review and approval. The Site Plan shall include, but not be limited to, the following information:
a. A detailed description of the proposed project, including the name of the project, the location of the project, and the purpose of the project.
b. A detailed description of the proposed site plan, including the location of the proposed buildings, parking areas, and other facilities.
c. A detailed description of the proposed landscaping, including the location of trees, shrubs, and other plants.
d. A detailed description of the proposed site access, including the location of the proposed driveway and other access points.
e. A detailed description of the proposed site lighting, including the location of the proposed light fixtures and other lighting equipment.
f. A detailed description of the proposed site security, including the location of the proposed security cameras and other security equipment.
g. A detailed description of the proposed site maintenance, including the location of the proposed maintenance buildings and other facilities.
h. A detailed description of the proposed site safety, including the location of the proposed fire hydrants and other safety equipment.
i. A detailed description of the proposed site environmental impact, including the location of the proposed stormwater management facilities and other environmental features.
j. A detailed description of the proposed site historical and cultural resources, including the location of the proposed archaeological sites and other historical features.
k. A detailed description of the proposed site social and economic impact, including the location of the proposed community facilities and other social features.
l. A detailed description of the proposed site transportation impact, including the location of the proposed transit stations and other transportation facilities.
m. A detailed description of the proposed site utility impact, including the location of the proposed utility lines and other utility facilities.
n. A detailed description of the proposed site noise and vibration impact, including the location of the proposed noise barriers and other noise reduction facilities.
o. A detailed description of the proposed site air quality impact, including the location of the proposed air quality monitoring stations and other air quality improvement facilities.
p. A detailed description of the proposed site water quality impact, including the location of the proposed water quality monitoring stations and other water quality improvement facilities.
q. A detailed description of the proposed site soil and sediment impact, including the location of the proposed soil erosion control facilities and other sediment control facilities.
r. A detailed description of the proposed site wildlife and habitat impact, including the location of the proposed wildlife corridors and other habitat improvement facilities.
s. A detailed description of the proposed site cultural and recreational impact, including the location of the proposed cultural facilities and other recreational facilities.
t. A detailed description of the proposed site public safety impact, including the location of the proposed public safety facilities and other public safety facilities.
u. A detailed description of the proposed site public utility impact, including the location of the proposed public utility facilities and other public utility facilities.
v. A detailed description of the proposed site public health impact, including the location of the proposed public health facilities and other public health facilities.
w. A detailed description of the proposed site public works impact, including the location of the proposed public works facilities and other public works facilities.
x. A detailed description of the proposed site public housing impact, including the location of the proposed public housing facilities and other public housing facilities.
y. A detailed description of the proposed site public transportation impact, including the location of the proposed public transportation facilities and other public transportation facilities.
z. A detailed description of the proposed site public safety impact, including the location of the proposed public safety facilities and other public safety facilities.



Min. Bk. 13 Petition No. SLUP-2 of 1995
Doc. Type Site Plan Amendment
(Reduced Copy)
Meeting Date Dec. 24, 1999
Other Business Item # 9

RECEIVED
DEC - 8 1999
COBB CO. COMM. DIV. DEPT.
ZONING DIVISION

AJCC-SHIRLEY BLUMENTHAL PARK
SITE PLAN
December 8, 1999
11-80
LINDA WATSON, 4000, 4100, 4200 OF THE N.W. CORNER, 1ST SECTION
OFF. COUNTY, GEORGIA
33, 35, 37, 39, 41, 43, 45, 47, 49, 51, 53, 55, 57, 59, 61, 63, 65, 67, 69, 71, 73, 75, 77, 79, 81, 83, 85, 87, 89, 91, 93, 95, 97, 99

Large Plan on file in Zoning Office