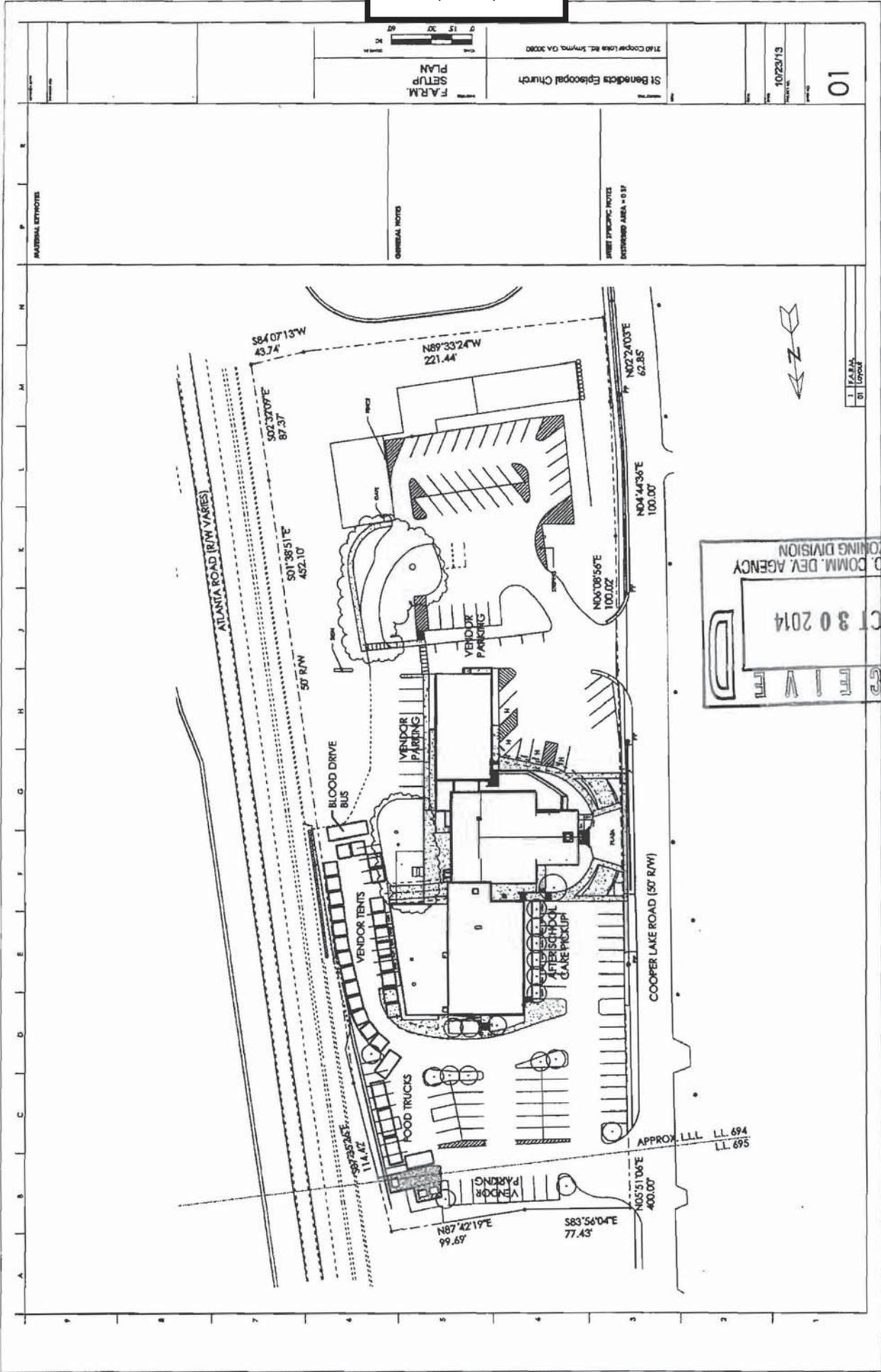
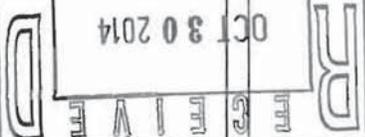


LUP-38  
(2014)



<p>7140 Cooper Lake Rd. Smyrna, GA 30080</p> <p>St Benedict's Episcopal Church</p> <p>F.A.R.M. SETUP PLAN</p>	<p>10/23/13</p> <p>10</p>
<p>GENERAL NOTES</p>	<p>SHEET SPECIFIC NOTES</p> <p>EXTENDED AREA = 0.37</p>


  
 COBB CO. COMM. DEV. AGENCY  
 ZONING DIVISION  
 OCT 30 2014

A B C D E F G H I J K L M N

ADDITIONAL EXHIBITS

1. TABULAR  
ON 10/23/13

**APPLICANT:** St. Benedict's Episcopal Church

**PETITION NO:** LUP-38

**PHONE#:** (678)279-9300 **EMAIL:** brian@mysaintb.org

**HEARING DATE (PC):** 12-02-14

**REPRESENTATIVE:** Brian C, Sullivan

**HEARING DATE (BOC):** 12-16-14

**PHONE#:** (678)279-9301 **EMAIL:** brian@mysaintb.org

**PRESENT ZONING:** O&I

**TITLEHOLDER:** St. Benedict's Episcopal Church, LLC

**PROPOSED ZONING:** Land Use Permit

**PROPERTY LOCATION:** East side of Cooper Lake Road, west side of Atlanta Road, north of Cumberland Parkway (2160 Cooper Lake Road).

**PROPOSED USE:** Farmer's Market

**ACCESS TO PROPERTY:** Cooper Lake Road

**SIZE OF TRACT:** 3.55 acres

**DISTRICT:** 17

**PHYSICAL CHARACTERISTICS TO SITE:** Existing church and private school

**LAND LOT(S):** 694, 695

**PARCEL(S):** 2

**TAXES: PAID** X **DUE** \_\_\_\_\_

**COMMISSION DISTRICT:** 2

**CONTIGUOUS ZONING/DEVELOPMENT**

- NORTH:** NS/Commercial Building and Oakdale Park
- SOUTH:** GC/Office Building
- EAST:** UVC/Ivy Walk at Vinings/Mixed Use Development
- WEST:** R-20/Cooper's Point Subdivision and 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** \_\_\_\_\_

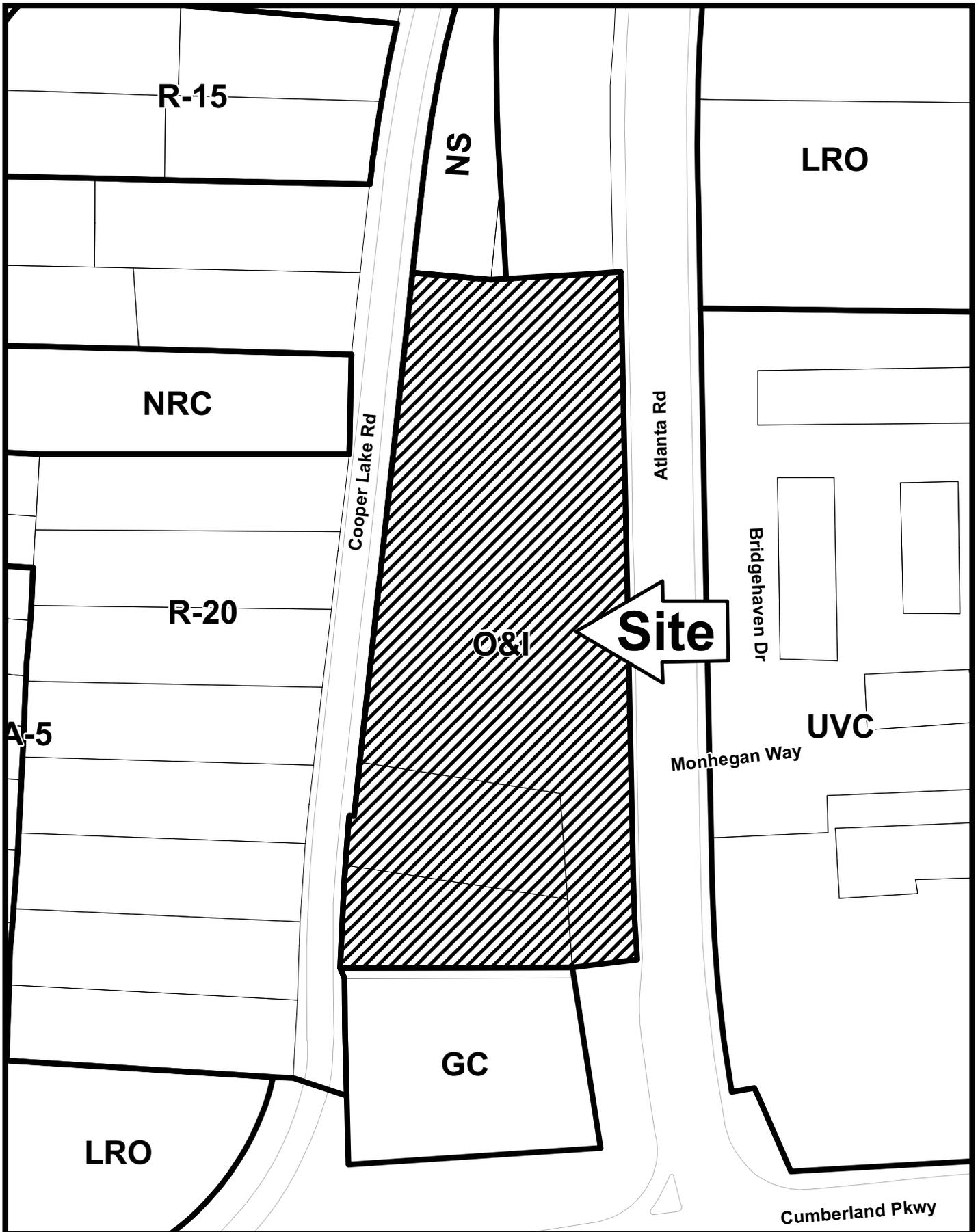
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

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

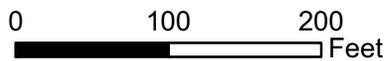
**STIPULATIONS:**



# LUP-38



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



-  City Boundary
-  Zoning Boundary

**APPLICANT:** St. Benedict's Episcopal Church

**PETITION NO.:** LUP-38

**PRESENT ZONING:** O&I

**PETITION FOR:** LUP

\*\*\*\*\*

**ZONING COMMENTS:** Staff Member Responsible: Jason A. Campbell

Applicant is requesting a Temporary Land Use Permit for the purpose of operating a farmer's market (F.A.R.M.). In addition to the church, the property has previously been approved for a private school and a farmer's market. The applicant has submitted an attachment to this analysis explaining the operations of the farmer's market, along with a list of the types of items to be sold, and site plans indicating vendor locations, staging areas and parking.

**Historic Preservation:** No comments.

**Cemetery Preservation:** No comment.

\*\*\*\*\*

**WATER & SEWER COMMENTS:**

Property is served by public water and sewer. No comments.

\*\*\*\*\*

**TRAFFIC COMMENTS:**

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

\*\*\*\*\*

**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: St. Benedict's Episcopal Church**

**PETITION NO.: LUP-38**

**PRESENT ZONING: O&I**

**PETITION FOR: LUP**

\*\*\*\*\*

**STORMWATER MANAGEMENT COMMENTS**

No comments.

## STAFF RECOMMENDATIONS

### **LUP-38      ST. BENEDICT'S EPISCOPAL CHURCH**

The subject property has been before the Board of Commissioners several times since 2008 for rezoning to O&I for the church, private school and the farmer's market. In compliance with §134-36 of the Cobb County Zoning Ordinance, the applicant has submitted the attached details of the market, site plans for vendor locations, parking and staging areas. In addition, the applicant has also submitted a list of possible items to be sold that will need to be approved by the Board of Commissioners. There are no Code Enforcement issues at this location.

Based upon the above analysis, Staff recommends APPROVAL for 24 months subject to the following:

- Site plans received October 30, 2014;
- Exhibit "A" received October 30, 2014;
- Exhibit "B" received October 30, 2014;
- Meeting the requirements for farmers market found in §134-36 of the Cobb County Zoning Ordinance; 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.**

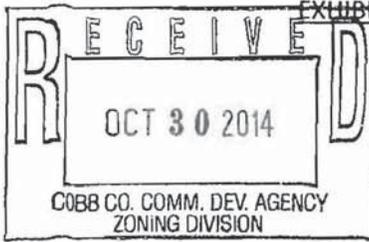


EXHIBIT "A" – ATTACHMENT TO APPLICATION

(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;  
April 20, 2010  
Current Hearing Date: December 17, 2013

BEFORE THE COBB COUNTY BOARD OF COMMISSIONERS

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

On April 20, 2010, the Cobb County Board of Commissioners granted Applicant's request to extend the time limit for operation of a farmer's market on the Subject Property, until December 31, 2013.

Applicant now seeks to amend the stipulation to again allow for the operation of the farmer's market on the Subject Property. The market has been successful since its opening in 2009, and has been used as a ministry and outreach for the Smyrna/Vinings/Oakdale area. Commencing in 2013 the proceeds from vendor fees were directed to the Path To Shine ministry, a free after-school mentoring and tutoring program for under-served children.

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, providing access to healthy, locally grown, raised or produced food items including produce, meats, dairy and cheese, as well as home-made products and baked items.

Additionally there will be activities to enhance the market experience and/or to benefit the community such as Blood Bank drives (no "finger"), cooking demonstrations using FARM produce, Jump Rope demonstrations, a bounce house, and live acoustic music.

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) To ensure a maximum of 30 vendors total at any one market, which may include up to a maximum of 5 food trucks.
- (3) The market day will be Tuesday from 4:30PM until 8:00PM commencing with the first Tuesday in April and ending no later than the last Tuesday in November. Vendors will be allowed to

begin setting up after the car-pool for St. Benedict's Episcopal Day School is completed, as directed by the Market Manager; this will typically be at 3:45PM. Vendors will be required to remove all trash and unsold food items from the Property within thirty (30) minutes of market close.

- (4) Vendors must remove all organic material from the Property and will be prohibited from using the on-site dumpster or trash receptacle.
- (5) Vendors will be restricted to one 10 x 10 foot "plot" within which to display their goods, as illustrated on the map. Vendors will be required to use the pop-up style of tent. Vendors will be held accountable for having all necessary licenses, inspection and permits to sell their goods and report appropriate sales taxes. Applicant will conduct random inspection of these licenses and permits on a regular basis.
- (6) All signage related to the market will be designed professionally to ensure that they are aesthetically appropriate. In addition, they will be posted and removed in a timely fashion. The signage may be placed only on the day of the market.

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, and the amended official minutes, including attachments for Application for "Other Business" held on June 16, 2009, and also on April 20, 2010, 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.

Exhibit B

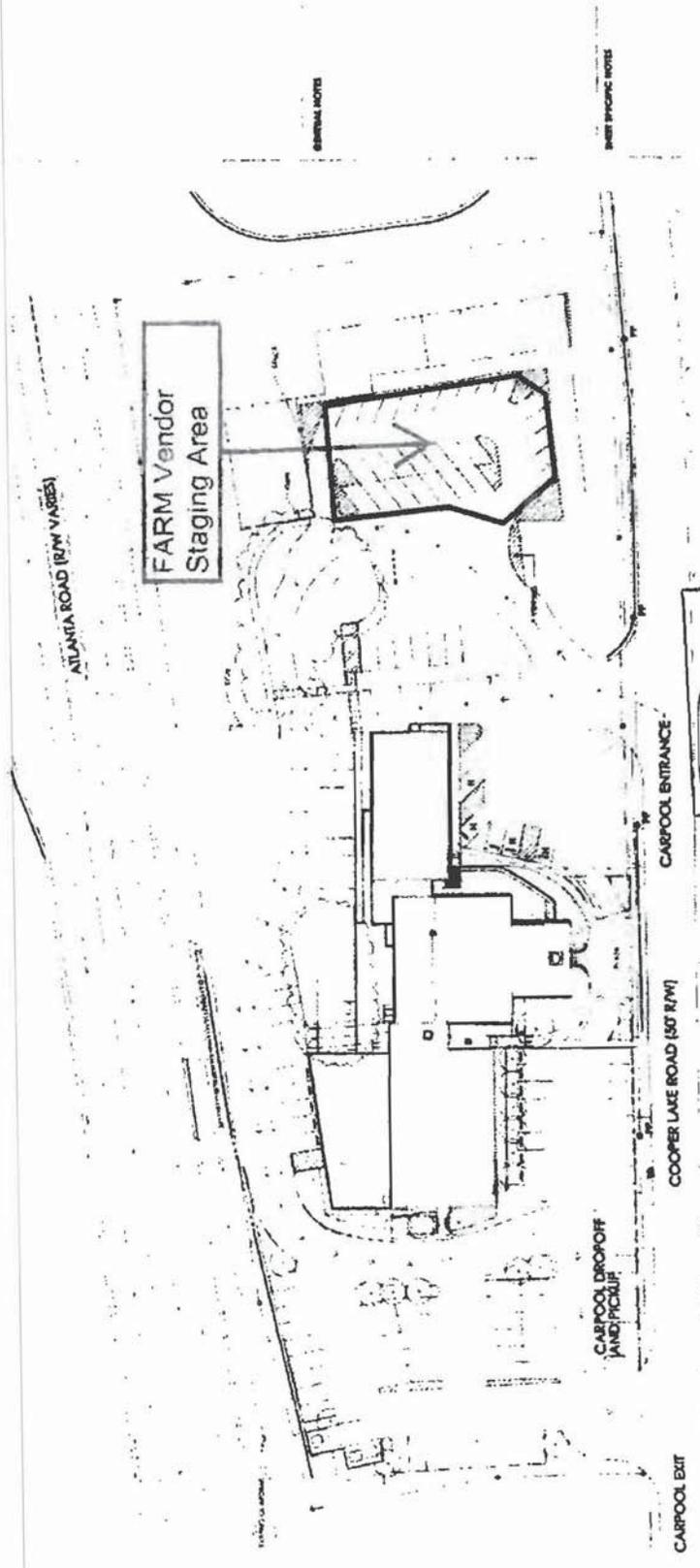
Types of Items Sold at St. Benedict's Farmer's Market (F.A.R.M.)

- |  |                          |
|--|--------------------------|
| Breads                                   | Recyclable Shopping Bags |
| Cookies                                  | Pickles                  |
| Vegetables                               | Spices                   |
| Honey                                    | Oils                     |
| Pretzels                                 | Preserves                |
| Tamales                                  | Olives                   |
| Salsa                                    | Pizza                    |
| Organic Drinks                           | Samosas                  |
| Smoothies                                | Chips                    |
| Pimento Cheese                           | Jewelry                  |
| Crackers                                 | Coffee                   |
| Pastas                                   | Tea                      |
| Frozen Popsicles                         |                          |
| Milk                                     |                          |
| Cheeses                                  |                          |
| Meats                                    |                          |
| Health Advice (Chiropractor, etc.)       |                          |
| Homemade/Cottage Soaps & Beauty Products |                          |
| Flowers                                  |                          |
| Nuts & Berries                           |                          |
| Fruit                                    |                          |
| Books                                    |                          |
| Water                                    |                          |



St Benedicts Episcopal Church  
7750 Cooper Lake Rd Smyrna, GA 30080

Carpool  
Plan



RECEIVED  
OCT 30 2014  
COBB CO. COMM. DEV. AGENCY  
ZONING DIVISION

DATE: 10/27/14  
DRAWN BY: [illegible]

ORIGINAL DATE OF APPLICATION: 08-21-12

APPLICANTS NAME: ST. BENEDICT'S EPISCOPAL CHURCH, LLC

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

**BOC DECISION OF 08-21-12 ZONING HEARING:**

**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 17<sup>th</sup> 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 – 1<sup>st</sup> 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 – 4<sup>th</sup> 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 – 2<sup>nd</sup> 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 – 2<sup>nd</sup> 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)

ORIGINAL DATE OF APPLICATION: 08-21-12

APPLICANTS NAME: ST. BENEDICT'S EPISCOPAL CHURCH, LLC

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

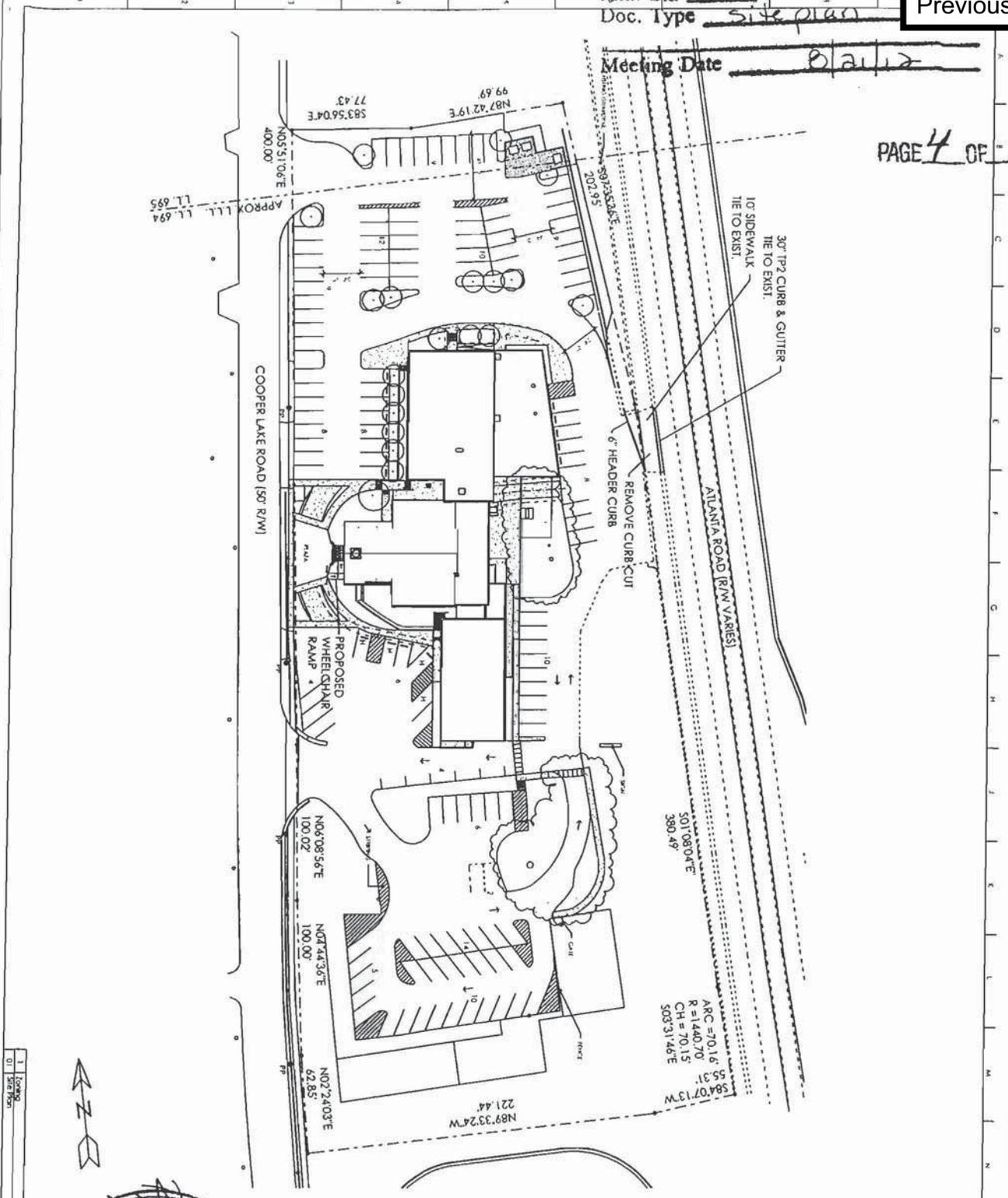
**BOC DECISION OF 08-21-12 ZONING HEARING: (Continued)**

- 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)

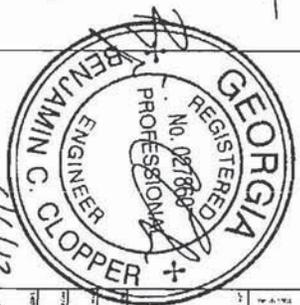
VOTE: **ADOPTED** unanimously

Meeting Date 02/12

PAGE 4 OF



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01	01	01



SHEET SPECIFIC NOTES

GENERAL NOTES

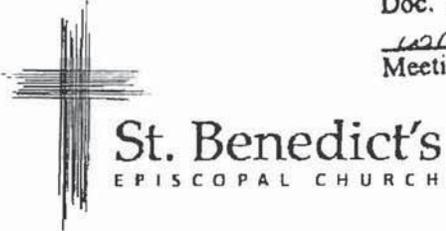
MATERIAL ERFNOTES

JUN - 6 2012

*[Handwritten signature]*

<p>6/6/12 01</p>	<p>5/6/12</p>	<p>St Benedicts Episcopal Church</p> <p>2140 Cooper Lake Rd., Smyrna, GA 30080</p>	<p>Site Plan</p> <p>Scale: 1" = 30'</p>
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Min. Bk. 666 Petition No. 2  
Doc. Type Letter of agreeable  
conditions  
Meeting Date 8/2/12



PAGE 5 OF     

August 6, 2012

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.

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

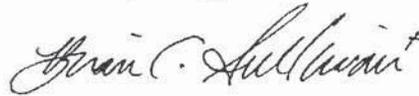
PAGE 6 OF \_\_\_\_\_

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,



The Rev. Brian C. Sullivan, Rector

Attachments:

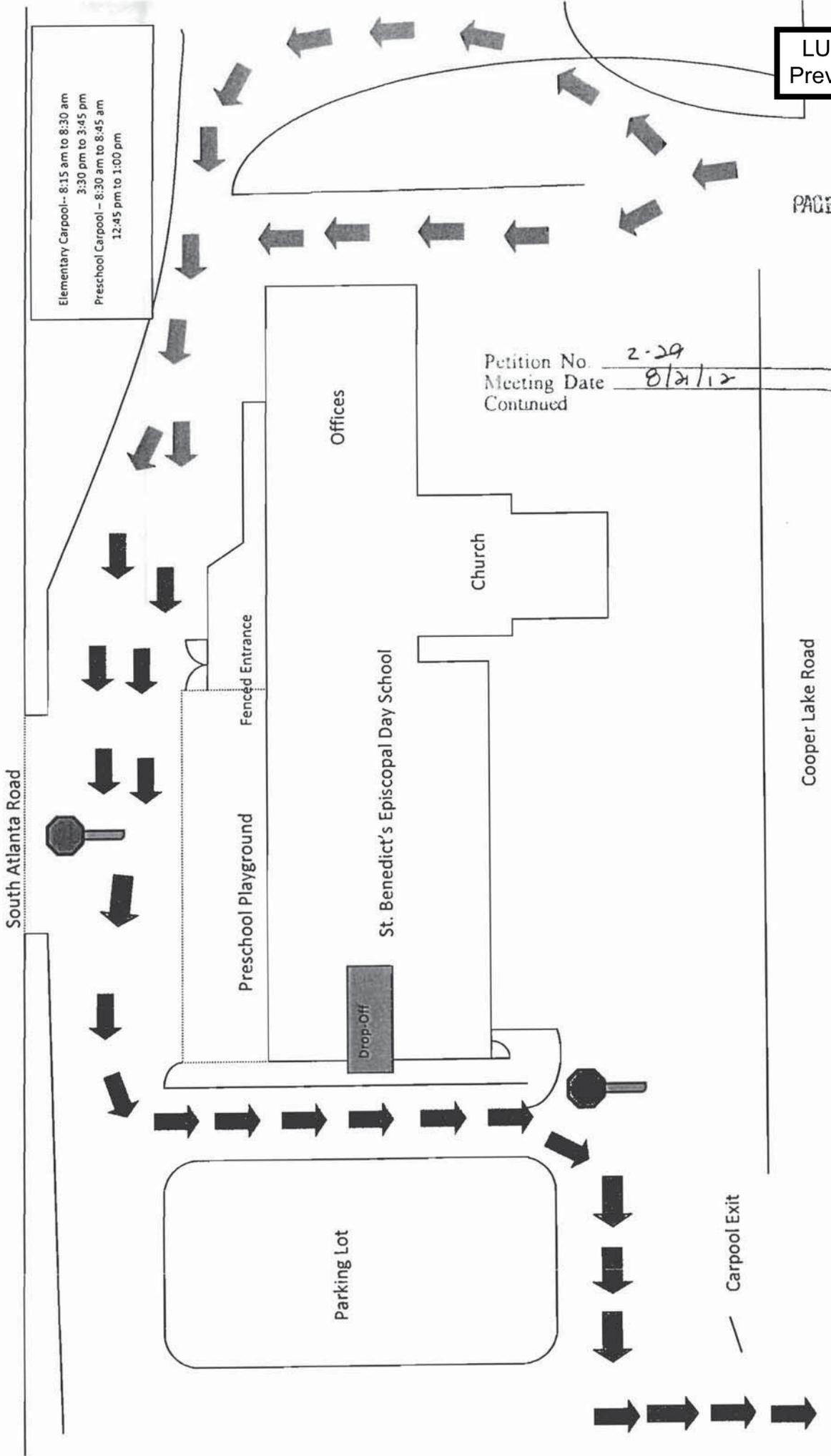
1. Carpool instructions and plan for parents
2. Layout showing carpool relative to FARM staging area
3. Guidance letter to FARM vendors

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

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

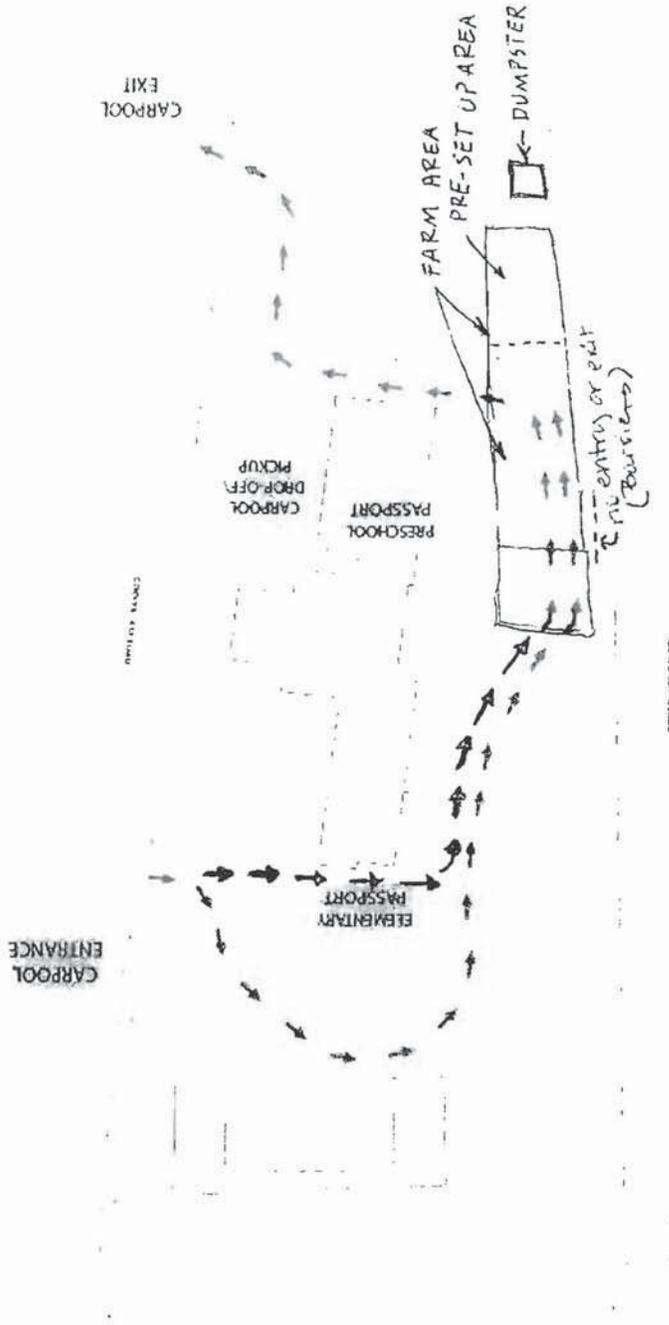
Carpool Procedures

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.

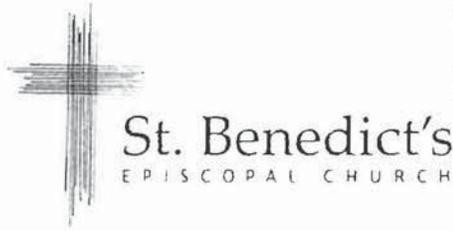


Petition No. 2-29  
Meeting Date 8/21/12  
Continued

PAGE 9 OF     



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



PAGE 12 OF 10

August 14, 2012

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,

The Rev. Brian C. Sullivan, Rector

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

**APPLICANT** St. Benedict's Episcopal Church, LLC

**PETITION NO.** Z-029

**PRESENT ZONING** O&I with Stips

**PETITION FOR** O&I with Stips

\*\*\*\*\*

**WATER COMMENTS:**

NOTE: Comments reflect only what facilities were in existence at the time of this review.

- Available at Development:  Yes  No
- Fire Flow Test Required:  Yes  No

Size / Location of Existing Water Main(s): 8" DI / W side of Atlanta Road

Additional Comments: Existing water customer

Developer may be required to install/upgrade water mains, based on fire flow test results or Fire Department Code. This will be resolved in the Plan Review Process.

\*\*\*\*\*

**SEWER COMMENTS:**

NOTE: Comments reflect only what facilities were in existence at the time of this review.

- In Drainage Basin:  Yes  No
- At Development:  Yes  No

Approximate Distance to Nearest Sewer: At site in Atlanta Road R-O-W

Estimated Waste Generation (in G.P.D.): A D F +0 Peak= +0

Treatment Plant: South Cobb

- Plant Capacity:  Available  Not Available
- Line Capacity:  Available  Not Available
- Projected Plant Availability:  0 - 5 years  5 - 10 years  over 10 years
- Drv Sewers Required:  Yes  No

- Off-site Easements Required:  Yes\*  No \*If off-site easements are required, Developer must submit easements to CCWS for review/approval as to form and stipulations prior to the execution of easements by the property owners. All easement acquisitions are the responsibility of the Developer
- Flow Test Required:  Yes  No
- Letter of Allocation issued:  Yes  No

- Septic Tank Recommended by this Department:  Yes  No
- Subject to Health Department Approval:  Yes  No

Additional Comments: Existing sewer customer. No additional flow anticipated as a result of re-zoning request.

Developer will be responsible for connecting to the existing County water and sewer systems, installing and/or upgrading all outfalls and water mains, obtaining on and/or offsite easements, dedication of on and/or offsite water and sewer to Cobb County, as may be required. Rezoning does not guarantee water/sewer availability/capacity unless so stated in writing by the Cobb County Water System. Permit issuances subject to continued treatment plant compliance with EPD discharge requirements.

APPLICANT: St. Benedict's Episcopal Church, LLC

PETITION NO.: Z-29

PRESENT ZONING: O&I w/ stips

PETITION FOR: O&I w/ stips

\*\*\*\*\*

DRAINAGE COMMENTS

No comments.

APPLICANT: St. Benedict's Episcopal Church, LLC PETITION NO.: Z-29

PRESENT ZONING: O&I with Stipulations PETITION FOR: O&I with Stipulations

\*\*\*\*\*

**COBB COUNTY DEPARTMENT OF TRANSPORTATION RECOMMENDATIONS**

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
Atlanta Road	18,810	Arterial	45 mph	Cobb County	100'
Cooper Lake Road	3,500	Minor Collector	35 mph	Cobb County	60'

*Based on 2011 traffic counting data taken by Georgia DOT (Atlanta Road)  
Based on 2006 traffic counting data taken by Cobb County DOT (Cooper Lake Road)*

**COMMENTS AND OBSERVATIONS**

Atlanta Road is classified as an arterial and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

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.

**RECOMMENDATIONS**

Recommend applicant consider entering into a development agreement pursuant of O.C.G.A. 36-71-13 for dedication of the following system improvements to mitigate traffic concerns: a) donation of right-of-way on the west side of Atlanta Road, a minimum of 50' from the roadway centerline.

Recommend applicant consider entering into a development agreement pursuant of O.C.G.A. 36-71-13 for dedication of the following system improvements to mitigate traffic concerns: a) donation of right-of-way on the east side of Cooper Lake Road, a minimum of 30' from the roadway centerline.

Recommend driveway on Atlanta Road to be removed and replaced with curb, gutter, and wide sidewalk.

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

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