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MARIETTA, GEORGIA 30064-3448

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TELEPHONE
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February 12, 2020

VIA EMAIL & HAND-DELIVERY

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

Re: Application of Legacy Christian School, Inc. for a Special Land Use Permit (“SLUP”) to allow the operation of a private school - Land Lot 402, 16th District, 2nd Section, Cobb County, Georgia (SLUP-2).

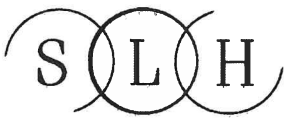
Dear John:

This application is recommended for approval by Cobb County’s professional Staff as a SLUP to allow the operation of a private pre-school. On February 5, 2020, the Planning Commission recommended approval of the application to the Board of Commissioners. The following will clarify operational aspects of Legacy Christian School’s proposal and neighbor agreement prior to our appearance before the Board of Commissioners on February 18, 2020.

This Application seeks a Special Land Use Permit (“SLUP”) to allow the operation of a preschool in the existing Bethany Presbyterian Church located on Sandy Plains Road (“BPC”). The preschool will be owned and operated by Legacy Christian School, Inc which is a self-funded nonprofit 501 (c)(3). (“LCS”).

The proposal to allow the preschool concerns a 6.6 acre tract of land on Sandy Plains Road west of its intersection/terminus with Hwy 92/Woodstock/Alabama Road and east of its intersection with Wesley Chapel Road (“Subject Location”) with an address commonly known as 4644 Sandy Plains Road (“Subject Property”). The Subject Property is located in an area on Cobb County’s Future Land Use Map (“FLUM”) which is denominated as Low Density Residential (“LDR”) but itself is denominated as Public Institutional (“PI”) within an R-30 zoning district.

The Subject Property is located under .5 mile of a Neighborhood Activity Center (“NAC”) and multiple other areas denominated as PI and currently being utilized as a church,



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elementary school and preschool. Nonetheless, the proposed school will service a growing need in this area of the County and specifically as it relates to the growing enrollment of LCS.

The Subject Location was formerly utilized as a preschool until 2017 and is currently appropriately outfitted for the proposed classroom use. In fact, BPC recently underwent a significant remodel and renovation to construct an approximately 22,000 square foot fellowship hall to provide for greater accommodation of the education building and education programs.

The Applicant plans to lease the existing classroom space to accommodate its students but will also be allowed access to other areas within the Church building. As stated in its Scope of Operations, LCS will work to establish a firm foundation for spiritual growth and academic success for children ages two (2) through six (6) years of age. LCS will utilize the Biblically based ABEKA curriculum as part of an age-appropriate balanced program that includes music, art, science, and creative play while celebrating individual success in preparation for primary school readiness.

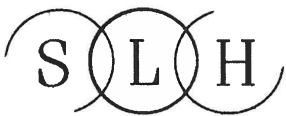
The Applicant's regular hours of operation for the preschool, will be Monday – Friday from 9:00 a.m. until 1:00 p.m. with an optional after school program from 1:00 to 1:50. Staff's regular hours on site are from 8:00 a.m. until 2:00 p.m. The operations schedule will substantially comport with the Cobb County School Calendar. The expansion of scope will accommodate community demand and align with other pre-schools. The teachers and staff at LCS collectively hold certified teaching degrees and decades of teaching and ministry experience. LCS looks forward to providing ministry that will shape children and families in East Cobb in a location that will be greatly enriched by this added resource for education.

Since the filing of the Application, Legacy met and discussed this case numerous times with the adjoining property owner at 4111 Springwood Place, Jefferson Park residents generally, landscaping and fencing professionals as well as Staff and the County's officials. These discussions covered the operations generally as well as noise and light screening and adjustment. In turn, Legacy continues to work closely with the ownership of the Church to ensure agreement and compatibility with all parties involved. A portion of the results of these discussions and work of all parties is embodied in this letter while the Church and nearby residents continue to meet and work together.

This letter will constitute Legacy Christian School's agreement with the following stipulations which shall become conditions and a part of the grant of the requested SLUP, and binding upon the subject property thereafter. The referenced stipulations are

1. The SLUP shall be applied to the subject property specifically and exclusively for preschool and Kindergarten school and related activities and shall not allow grades beyond Kindergarten without an additional SLUP approval.^{1 2}

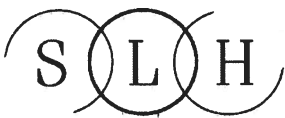
¹ Please see the attached Mission Statement and Scope of Operations as outlined by Legacy Christian School, Inc.



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2. Legacy Christian School will utilize the currently outfitted Education Building as identified on the Site Plan and the surrounding premises. There are no additions or improvements planned with respect to the existing Church buildings.
3. Entrance signage for Legacy Christian School shall be the ground-based, monument-style signage currently existing and utilized by the Church.
4. As it relates to the agreement with the owner of the adjoining property located at, 4111 Springwood Place, Legacy agrees to the installation of a wooden privacy fence, eight feet (8') in height and similar to the construction as identified in the attached rendering.
 - a. The privacy fence shall be placed along the southwestern boundary of the existing playground and running parallel to the subject property's adjoining boundary with 4111 Springwood Place. The fence line shall be no less than the length of the southwestern section of the existing playground chain link fence but shall not encroach onto 4111 Springwood Place.
 - b. The installation of the privacy fence shall occur prior to the beginning of the 2020-2021 school year.
5. Legacy Christian School's expected staff is fifteen (15) full and part-time staff members which includes teaching staff and the director.
6. Legacy Christian School's regular days and hours of operation are proposed to be Monday through Friday from 9:00 a.m. until 1:00 p.m. Daily attendance is staggered among its age groups so that maximum enrollment is not regularly on site on any given day with varying age groups attending different daily schedules of:
 - a. Monday, Wednesday and Friday;
 - b. Tuesday and Thursday;
 - c. Tuesday, Wednesday and Thursday;
 - d. Monday through Thursday; and
 - e. Monday through Friday.
7. In addition to Legacy Christian School's regular classroom hours of operation, there will be an optional after-school program for a finite number of students for indoor extracurricular activities from 1:00 p.m. to 1:50 p.m. This optional after-school program will be limited to activities within the Education Building.

² This SLUP and conditions herein are intended to be in addition to and not to negate or remove existing entitlement, variances or other approvals previously approved regarding the subject property.



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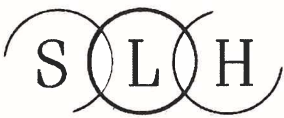
8. Legacy children will not be permitted to utilize the existing playground facility after 2:00 p.m. and Legacy will instruct the parents of its enrolled students of the same with written instructions at the inception of the school year.
9. Legacy shall maintain a routine and structured daily pick up and drop off schedule. The schedule and parent driver instructions shall be distributed to all parents for compliance at the inception of the school year.
 - a. Regular drop-off times will be staggered from 8:50-9:15 a.m. Regular pick-up times will be staggered from 12:50 p.m. – 1:15 p.m. After school activities pick-up time will be staggered from 1:50 p.m. to 2:00 p.m.
 - b. Legacy shall implement a daily carpool schedule and traffic circulation plan reflecting the vehicle queuing and stacking during daily drop-off and pick-up times and indicating the pattern for the dropping off and picking up of students as identified in the attached Traffic Circulation Plan and Schedule (collectively “Traffic Circulation Plan”).³ The Traffic Circulation Plan shall be subject to Cobb County DOT review with final review and approval of the District Commissioner.
 - c. Legacy shall implement a detailed plan for parents’ navigation of the carpool line and drop-off/pick-up area including directional signage and cones. The specifics of the detailed plan shall be distributed to all parents at the inception of the school year.
10. Legacy’s current enrollment is just over fifty (50) children. The maximum number of students at the subject property at any time is capped at one hundred (100) enrolled children due to the classroom space of the Church Education Building and the previous approval of the Fire Marshall.
 - a. For the 2020 – 2021 school year, there shall be a maximum number of sixty-five (65) enrolled children.
 - b. For the 2021 – 2022 school year, there shall be a maximum number of seventy-five (75) enrolled children.
 - c. In the event that at any time Legacy seeks enrollment beyond the enrollment identified in (a) and (b) above, Legacy shall seek prior approval through the Board of Commissioners as an Other Business application.

³ Please see the attached Traffic Circulation Plan including an established schedule providing for staggered drop-off and pick-up times showing sufficient queuing at maximum capacity.



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11. Legacy will continue to work with the Church, the neighboring residents and the County to address the potential requirement of a landscape buffer along the southern boundary of the subject property while taking into account the impact of the historical variances (removing setbacks and buffers) and/or disturbance related to the same.
 - a. In the event that a landscape buffer is determined to be required or requires landscape plantings, a landscape strip shall be installed in an area or areas along the southern boundary of the subject property as identified in a landscape plan. (“Landscape Plan”).
 - i. The Landscape Plan shall be allowed to be implemented in phases to begin during the 2020 - 2021 school year and be completed no later than twenty-four (24) months from final approval. The District Commissioner shall have final approval of the Landscape Plan including the necessity, species, location and schedule for implementation.
12. The granting of a contemporaneous variance to waive the lot size for a church with a school from eight (8) acres to six and six tenths (6.6) acres.
13. Upon the replacement of the equipment of the existing playground facility, the existing playground facility shall be relocated to an area further away from the southern property line. The existing equipment shall subsequently be removed from the existing playground area upon completion of the relocated playground facility. The District Commissioner shall have final approval of the location of the relocated playground facility.
14. Compliance with the recommendations from Cobb County DOT, Cobb County Fire Department and the Cobb County Water System with respect to the availability of water and sewer to the site (the subject property is already connected to both with sufficient capacity).
15. The District Commissioner shall have the authority to make minor modifications to the site plan and these stipulations/conditions except for those that:
 - a. Reduce the size of an approved buffer adjacent to property which is zoned in a more restrictive zoning district;
 - b. Relocate a building structure closer to the property line of an adjacent property that is zoned in a more restrictive zoning district;
 - c. Change access locations to different roadways; or



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d. Increase the percentage of impervious surface beyond that identified;

Legacy's success and compatibility within its existing church and community as approved in 2016 (SLUP-2), is a testament to the operations of this nonprofit preschool. Legacy and its currently enrolled families and children are excited to continue this success at this new location and continue their great work in East Cobb and Cobb County.

Thank you again for your time with this Application and please do not hesitate to call should you or members of the County's Professional Staff require any further information or documentation.

Sincerely,

SAMS, LARKIN & HUFF, LLP


Adam J. Rozen
Attorney for Applicant

AJR/lkj

Enclosures

cc: Members, Cobb County Board of Commissioners (via email)
BOC Commission Assistants (via email)
Ms. Jessica Guinn, AICP, Director (via email)
Ms. Jeannie Peyton, Senior Planner (via email)
Mr. Terry Martin, Planner III (via email)
Mr. Donald Wells, Planner I (via email)
Ms. Tannessa Bates, Planner I (via email)
Ms. Margie Vazquez, Planner I (via email)
Ms. Robin Stone, Deputy County Clerk (via email)
Ms. Leila Washington, Deputy County Clerk (via email)
Captain Bob Bennett, Fire Marshal's Office (via email)
Ms. Mary Lanning, RLA, Fire Marshal's Office (via email)
Ms. Amy Diaz, P.E., Cobb DOT (via email)
Mr. David Breden, P.E., Stormwater Management Division (via email)
Mr. Tim Davidson, Water System (via email)
Ms. Victoria Kirby, 4111 Springwood Place, Jefferson Park Residents (via email)
Mr. David Meyer, RLA (via email)
Mr. Ben Treadway, Chairman, Legacy Christian School Board (via email)
Ms. Heidi Milton, Director, Legacy Christian School (via email)



Legacy Christian School

*Growing little hearts with the love of Jesus
and little minds with the joy of learning.*

At Legacy Christian School we establish a firm foundation for spiritual growth and academic success by:

- Providing a joyful, Christ-centered, loving environment for learning and development
- Utilizing the Biblically based ABEKA curriculum as part of an age-appropriate balanced program that includes music, art, science, and creative play
- Seeking to meet the emotional and cognitive needs of each child, with God's help
- Celebrating individual success in preparation for primary school readiness
- Continuing a legacy of ministry in God's love and joyful learning that encompasses each child and their family

About Us...

We believe the preschool years are the cornerstones in a child's development. Our school's purpose is to grow hearts for Jesus and minds that love to learn. We offer an exceptional Christ-centered educational experience for children ages two through six years.

Legacy Christian School is a ministry of instilling God's love and a joy for learning that will shape children and families right here in East Cobb. We provide a nurturing environment where children are surrounded with Christ-centered principles of love and grace. Our teachers and staff are creative Christian women, with decades of teaching and ministry experience between them, whose greatest passion is helping your child learn and grow in God's love. It is our privilege to play a part in each child's emotional, social, intellectual and spiritual growth.

Legacy Christian School

Heidi Milton - Founder/Director

678-640-4498

heidimilton@comcast.net

<http://www.legacychristianeastcobb.org/>



Legacy Christian School, Inc. Scope of Operations

- Legacy Christian School, Inc. operates as a 501c(3) non-profit organization, serving the East Cobb and surrounding community.
- We have adopted and operate under a racially non-discriminatory policy.
- We are a Christian preschool for children ages 2-6 years.
- School operates Monday through Friday, 9am to 1pm, and follows the Cobb County school calendar, with the exception of a later start date.
- School days include curriculum instruction, free play, music, art, chapel, and outside play time.
- Optional extra-curricular activities will be offered from 1-1:50pm.
- Kitchen facilities are used for warming purposes only.
- Expected enrollment for first year of operation at the proposed location is approximately 65 students.
- Legacy Christian School employs a maximum of 15 individuals, including 14 teachers and 1 director.
- Employees are on-site Monday to Friday, 8am to 2pm.
- We use a staggered carpool system to facilitate drop-off and pick-up in a timely manner.



MAISON
ESTABLISHED 1988
1000 W. 10th St. Seattle, WA 98104

Special Land Use Permit Plat and Traffic Flow Exhibit

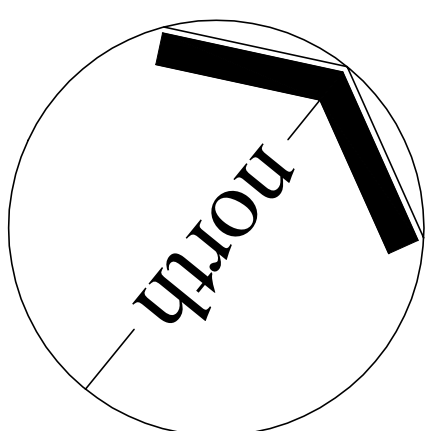
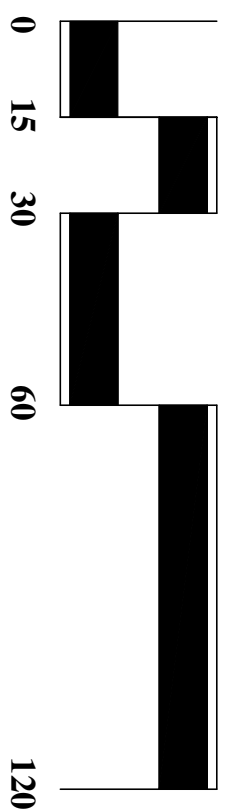
Legacy Christian School

Cobb County, Georgia Land Lot 111, 16th District, 2nd Section

property owner:

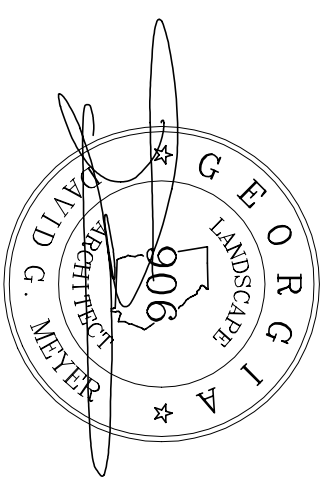
Behany Presbyterian Church
 4644 Sandy Plains Road
 Marietta, Georgia 30062
 Phone: 678-756-4898

January 29, 2020



DGM
 LAND PLANNING
 CONSULTANTS

975 Cobb Place
 Blvd. Suite 212
 Kennesaw
 GA 30144
 770 514-9006
 FAX 514-9491



Site Data
 Total Site Area: **6.6 AC**
 Present Zoning: **R-30**

Special Land Use Permit Request:

to allow a private preschool in an existing worship center within an R-30 district

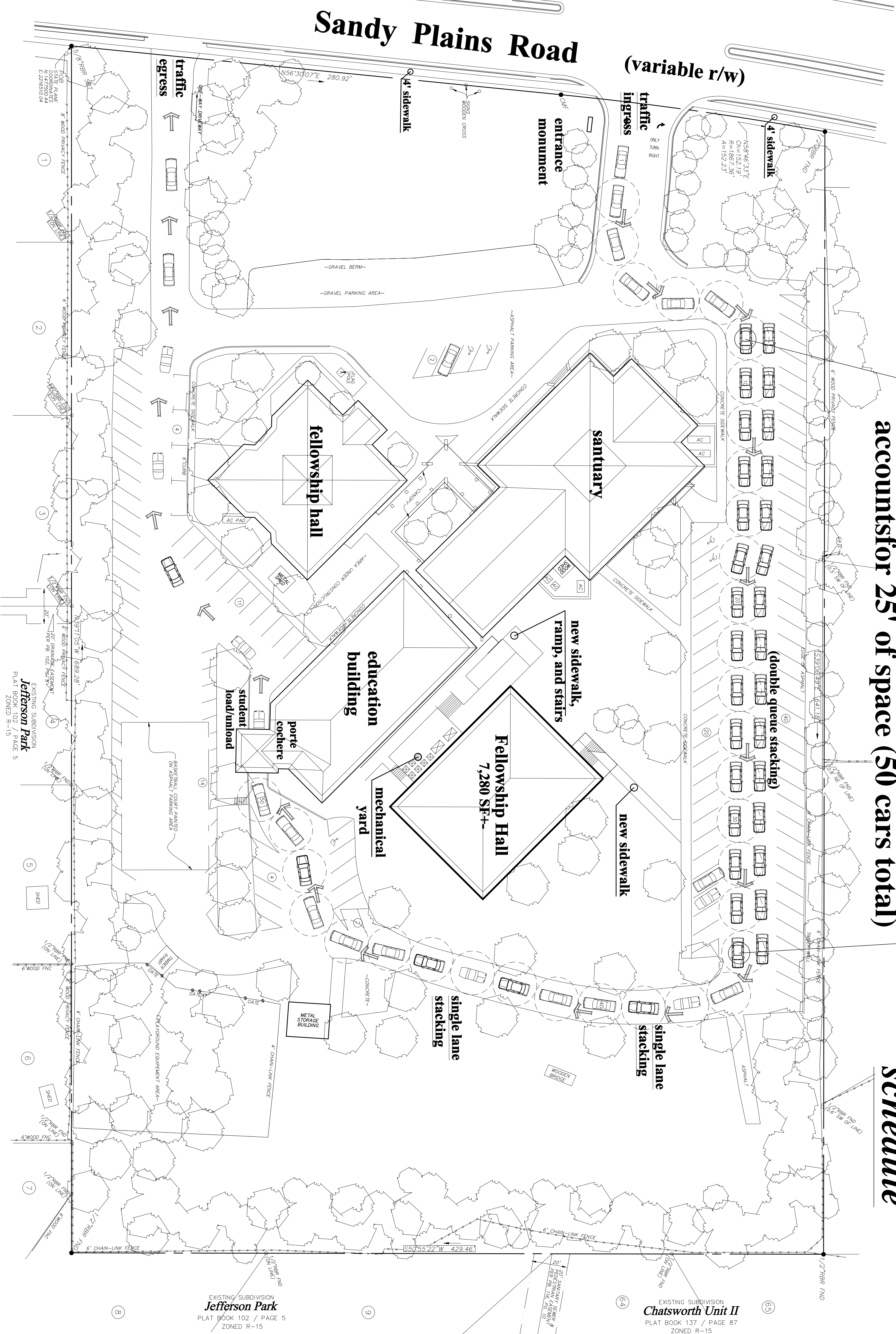
Note:

Each car shown in parking queue accounts for 25' of space (50 cars total)

schedule

SCHOOL	DROP OFF-START TIME	NUMBER OF STUDENTS	END TIME- PICKUP
All Ages	8:50 am-9:00am	45 students	
All Ages	9:00 am-9:10am	45 students	
All Ages	9:15 am-9:15	10 students	
All Ages/End School day		40 students	12:50 pm - 1:00pm
All Ages/End School day		40 students	1:00 pm - 1:15pm
After School Activities		20 students	1:50pm - 2:00 pm

MAXIMUM OF 100 STUDENTS (Current enrollment approximately 50 students)



- Notes:**
1. Boundary and Topography from GEO Survey, Ltd., dated October 15, 2015
 2. According to Flood Insurance Rate Map (FIRM) 13061 C 0066 H, dated March 4, 2013, no portion of this site contains floodplain.
 3. No cemeteries are known to exist on site.
 4. No streams and/or wetlands are known to exist on site.
 5. No archaeological or architectural landmarks are known to exist on site.
 6. No utility easements are known to exist on site.
 7. Stormwater management and water quality structures are existing and may need to be reevaluated to make sure they meet current Cobb County standards.

EXISTING SUBDIVISION
Jefferson Park
 PLAT BOOK 102 / PAGE 5
 ZONED R-15

EXISTING SUBDIVISION
Chatsworth Unit II
 PLAT BOOK 137 / PAGE 87
 ZONED R-15