



REZONING & SPECIAL LAND USE
APPLICATION ANALYSIS

ZONING CASE #: Z2020-16 **LEGISTAR:** 20200290

LANDOWNERS: Trustee of AOA Parish Real Estate Trust
John Schiavone (Attorney-in-fact)
2401 Lake Park Dr.
Smyrna, GA 30080

APPLICANT: Saint Joseph Catholic School

PROPERTY ADDRESS: 589 Campbell Hill Street, 543 & 555 Sugar Hill Drive,
558 Saint Joseph Way, 95 & 105 Lacy Street, and 570 &
574 Nancy Street

PARCEL DESCRIPTION: Land Lot 1086, District 16, Parcels 0010, 0450, 0460,
0370, 0220, 0210, 0230, & 0240

AREA: 0.36 acres **COUNCIL WARD:** 4B

EXISTING ZONING: OI (Office Institutional)

REQUEST: R-4 (Single Family Residential – 4 units/acre) with a
Special Land Use Permit for a place of assembly

FUTURE LAND USE: CSI (Community Service & Institutional) &
LDR (Low Density Residential)

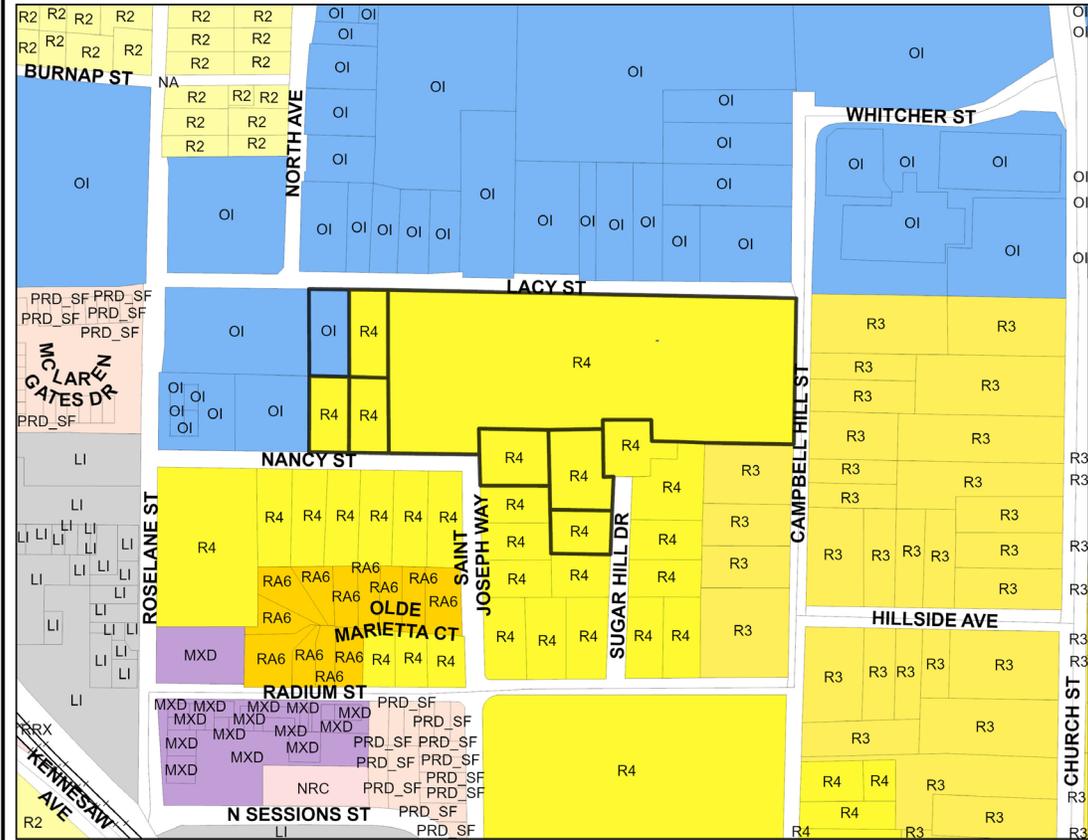
REASON FOR REQUEST: The applicant is requesting the rezoning of 105 Lacy Street so it can be incorporated into the existing Special Land Use Permit for 95 Lacy St, 589 Campbell Hill St, 543 & 555 Sugar Hill Dr, 558 St. Joseph Way, 570 & 574 Nancy St, for expanded operations as a place of assembly.

PLANNING COMMISSION HEARING: Tuesday, May 5, 2020 – 6:00 p.m.

CITY COUNCIL HEARING: Wednesday, May 13, 2020 – 7:00 p.m.

MAP

City of Marietta Area Zoning Map

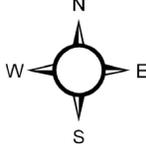


Zoning		District	Land Lot	Parcel	Current Zoning	Proposed Zoning
SINGLE FAMILY RESIDENTIAL R-1 One Unit/Acre R-2 Two Unit/Acre R-3 Three Unit/Acre R-4 Four Unit/Acre ATTACHED FAMILY RESIDENTIAL RA-4 Four Unit/Acre RA-6 Six Unit/Acre RA-8 Eight Unit/Acre PRD(SF) Planned Residential Dev. MHP Mobile Home Park MULTI FAMILY RESIDENTIAL RM-8 Eight Unit/Acre RM-10 Ten Unit/Acre RM-12 Twelve Unit/Acre RHR Residential High Rise PRD(MF) Planned Residential Dev.	COMMERCIAL NRC Neighborhood Retail CRC Community Retail RRC Regional Retail CBD Central Business District PCD Planned Commercial Dev. MXD Mixed-Use Dev. OIT Office Institutional Trans. LRO Low-Rise Office OI Office Institutional OS Office Services OHR Office High-Rise INDUSTRIAL LI Light Industrial HI Heavy Industrial PID Planned Industrial Dev.	16	1086	0010 0450 0460 0370 0220 0210 0230 0240	R-4 R-4 R-4 R-4 R-4 OI R-4 R-4	R-4 w/ SLUP

Comments: 589 Campbell Hill Street, 543 & 555 Sugar Hill Drive, 558 Saint Joseph Way, 95 & 105 Lacy Street, and 570 & 574 Nancy Street

Date: **4/1/2020**

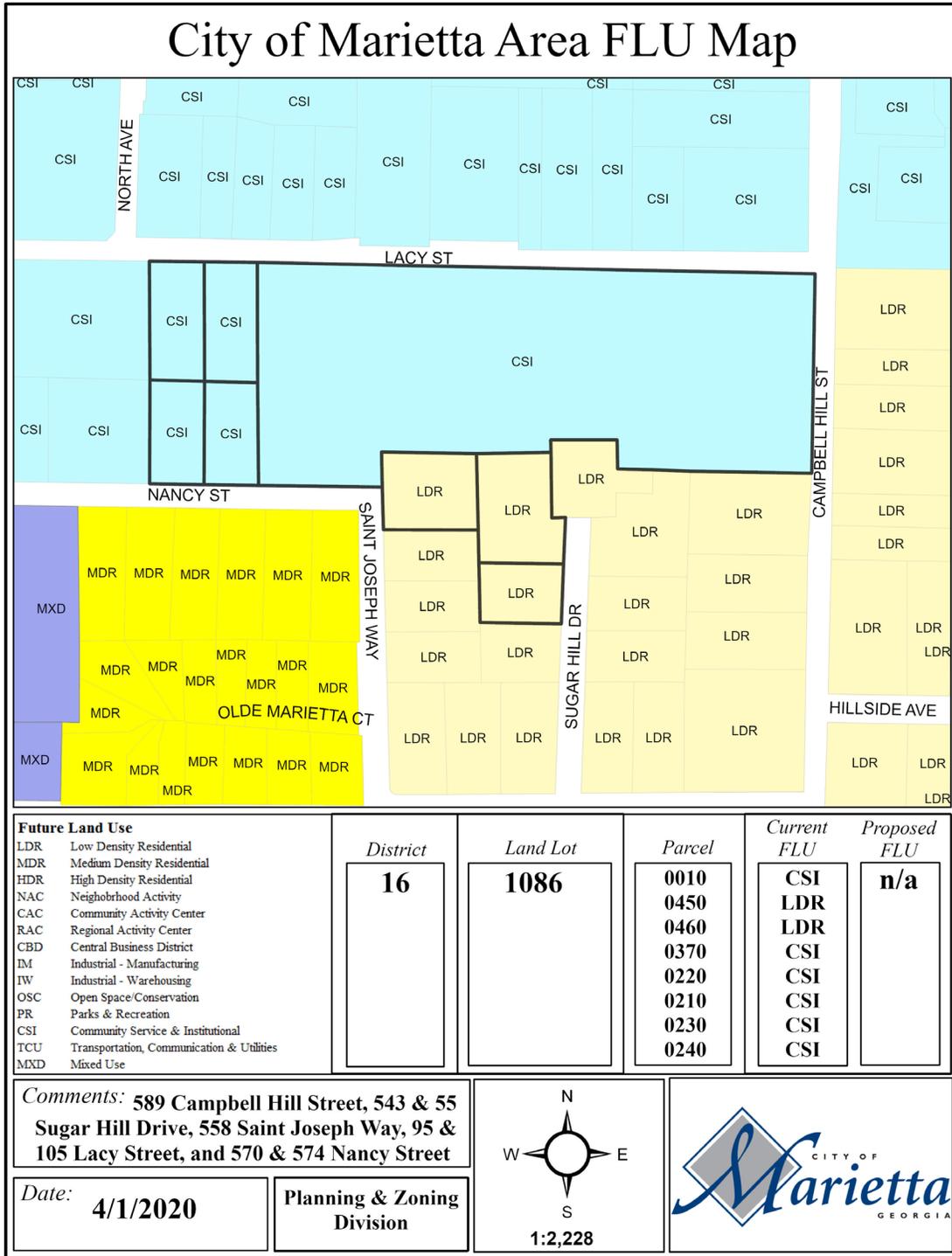
Planning & Zoning Division



1:3,482



FLU MAP



PICTURES OF PROPERTY



Project Areas (Recreation and Building Addition)



Frontage along Lacy Street



Rear along Nancy Street



Existing school building at 589 Campbell Hill Street

STAFF ANALYSIS

Location Compatibility

Saint Joseph Catholic Church is requesting both the rezoning of 105 Lacy Street and an amendment to the existing Special Land Use Permit (SLUP) for a new recreation area and a small addition to the school building. The property at 105 Lacy Street is zoned OI (Office Institutional), is approximately 0.359 acres in area. This parcel was recently acquired by Saint Joseph Catholic Church, which currently operates a church and elementary school at 95 Lacy Street, 589 Campbell Hill Street, 543 & 555 Sugar Hill Drive, 558 St. Joseph Way, and 570 & 574 Nancy Street. This request would allow the Church to operate on eight (8) contiguous properties totaling 8.9 acres.

Across Lacy Street to the north is Kennestone Hospital and other medical practices, which are zoned OI. Single family homes, zoned R-4, are adjacent to the subject properties along Saint Joseph Way, Sugar Hill Drive, and Campbell Hill Street.

Use Potential and Impacts

The scope of work includes fully developing the four parcels at 95 & 105 Lacy Street and 570 & 574 Nancy Street into a basketball court, playground, open field, parking lot, and a new 800-square foot storage/restroom building. Also, there would be a 300-square foot addition to the existing school lobby at 589 Campbell Hill Street. For this to happen, the property at 105 Lacy street will need to be rezoned to match the R-4 zoning of the rest of the church campus, which was granted a Special Land Use Permit in 2009. This SLUP contained numerous variances and stipulations, most of which pertained to work that was proposed at the time (see *History of the Property*). In addition to the rezoning, the applicant is requesting an amendment to the 2009 SLUP for the proposed work.

One stipulation included with the original SLUP was: “*Any exterior property changes that include the addition of occupiable space must be submitted back to the Planning Commission and City Council for site plan review which would include any buffer requirements*”. This stipulation would be triggered by the 300 square foot lobby addition. This addition is occurring on the northern, central side of the site and should not have any impact, or even be visible, from the residences to the south.

SLUPs issued in R-4 zones have additional conditions that require a building setback of 75 feet and that lighting must not cast over property lines. The new storage/restroom building on 105 Lacy Street is only 7 feet from the property line to the east, which is part of the existing church campus. The building will be setback approximately 49 feet from the property to the west, which is adjacent to the nearest property not owned by the Church. An exemption plat to consolidate the entire church campus, or even just the recreation area, is encouraged, as it will eliminate internal property lines. Therefore, should the SLUP be approved, the following variance would be needed for the new 800-square foot building:



- Variance to reduce the required 75-foot setback to 7 feet for the restroom/storage building, and in no case shall the building be closer than 49 feet from a property not owned by the Church. [§708.04 (E)]

The submitted plans for the recreation area show six (6) light poles at the periphery of the project area. Lighting shall be established in such a way that no direct light shall cast over any property line nor adversely affect neighboring properties.

The location of the proposed recreation area and building addition is at the furthest end of the site from the adjacent single-family residences. It appears that the church already uses the western part of the site as an unimproved recreation area. As long as lighting from the recreation area is designed not to spill over the property line, the residences across Nancy Street to the south should not be adversely impacted; and instead would overlook an improved recreation area.

The Future Land Use (FLU) of the City’s Comprehensive Plan designates these parcels as either Low Density Residential (LDR) or Community Service & Institutional (CSI). The five northern-most properties: 589 Campbell Hill Street, 105 Lacy Street, 95 Lacy Street, 570 and 574 Nancy Street are classified as CSI, which is reserved for institutional uses such as governmental offices, hospitals, colleges, or places of assembly. The three southern-most properties – 543 Sugar Hill Drive, 555 Sugar Hill Drive, and 558 St. Joseph Way – are designated Low Density Residential (LDR), which is suitable for low-density housing with densities of up to four (4) dwelling units per acre. It should be noted that certain low impact uses, such as park and recreational facilities, elementary schools, libraries and community centers, may also be an appropriate transition between non-residential developments and residential neighborhoods. As a result, the existing and proposed use of these parcels is consistent with the FLU map and is supported by the City’s Comprehensive Plan.

Environmental Impacts

New development is required to adhere to the Tree Protection and Landscaping Ordinance. While area devoted to recreation fields is exempt from tree density requirements, a ten (10) foot planted border area containing street trees is still required along any public street. The submitted plan includes new, five (5) foot sidewalks along both Nancy and Lacy Streets next to the recreation area. Right of way donation or a sidewalk easement will be necessary for the new sidewalk on Lacy Street. However, the full ten (10) feet behind the property line/sidewalk is not provided. As a result, the following variance would be necessary to develop according to the attached plan:

- Variance to reduce the planted border area on Nancy Street and Lacy Street from 10 feet to 7 feet. [§712.08 (G.2.a.)]

Otherwise, there are no streams or possible wetlands located in the vicinity of the site, nor is the property located in a floodplain.

Economic Functionality

This site is currently made up of seven (7) other properties which have been previously rezoned to R-4 with a SLUP (Z2009-01). Rezoning 105 Lacy Street to R-4 with a SLUP would establish a down-zoning that would limit the use of the site to either a place of assembly or single-family residential use. Because of the proximity to and rapid growth experienced by Kennestone Hospital and other neighboring medical practices, it is unlikely that the campus will ever be utilized for single family use, except for 543 and 555 Sugar Hill Drive. As a result, St. Joseph Catholic Church serves as an appropriate transition between the residential neighborhood and the Kennestone Hospital campus, as long as the neighborhood is protected from further encroachment from the church.

Infrastructure

The new recreation facility is between two local streets - Lacy Street along the north and Nancy Street along the south. New curb cuts are proposed for Lacy Street that will provide access to twelve parking spaces next to the recreation area. Parking for the church and school was reduced from 252 spaces to 211 spaces in the original SLUP in 2009. The proposed improvements are considered accessory to the church and school so no additional parking spaces would be required. The location of the parking along Lacy Street is preferred to additional parking off Nancy Street, as it will keep drivers on the northern side of the campus and away from the residential neighborhood to the south.

The applicant is seeking a non-residential use within a residential zoning. Therefore, residential zoning development standards shall apply unless otherwise stated. As a result, the following variances are being requested:

- Variance to increase the impervious surface from 50% to 60%. [*§708.04 (H)*]
- Variance to allow parking in the front yard. [*§716.08 (C.8)*]
- Variance to allow a curb cut to be 10 feet from the property line instead of the required twenty (20) feet. [*§716.02 (B)*]
- Variance to reduce the minimum turning radii from 25 feet to 10 feet. [*§730.01 (I.3.b)*]

The applicant is also seeking variances that would allow the use of black, vinyl-coated chain link fencing up to 12 feet in height that would surround most of the site, including along Nancy Street. Although, the plan shows areas with retaining walls upwards of ten (10) feet in height with the fence on top, retaining walls are not subject to height standards covered by the Fence Ordinance [*§710.04 (F.)*]. For this to be allowable under the Fence Ordinance, the following variances would be necessary:

- Variance to allow a black vinyl chain link fence as an approved material seen from the road. [*§710.04 (B)*]

- Variance to increase the allowable fence height from six (6) feet to twelve (12) feet, as shown on plans. [§710.04 (D)]

Otherwise, there shall be no affects to the transportation, education, water, sewer, electricity, or other public infrastructure in the area.

Overhead Electrical/Utilities

There are overhead utilities along the Lacy Street property frontage. However, there would be no potential conflicts with the new building addition or recreation area.

History of Property

The property at 105 Lacy Street does not have any records of variances, special land use permits, or rezonings.

However, the properties at 95 Lacy Street, 589 Campbell Hill Street, 543 & 555 Sugar Hill Drive, 558 St. Joseph Way, 570 & 574 Nancy Street were rezoned to R-4 with a SLUP in 2009 with the following stipulations and variances:

Z2009-01 Stipulations:

- Any exterior property changes that include the addition of occupiable space must be submitted back to the Planning Commission and City Council for site plan review which would include any buffer requirements.
- The Church will install a fence and place shrubs as per the attached plat. The fence will be the same as the fence that surrounds the school playground. A controlled non-passenger vehicle gate may be installed so as to allow access from the Church property to the house for maintenance purposes.
- After two (2) years the fence shall be extended along Sugar Hill to the south property line of the house.
- For two (2) years the Church will be able to access the Sugar Hill Drive house by using the two driveways for the purpose of handicap visitors and delivery of supplies. Otherwise access to the house will be from the Church property. There will be no access to the Church property through the house.

Z2009-01 Variances:

- Variance to allow a fence exceeding 4 feet in height and chin link in composition along St. Joseph Way, Nancy Street, and Lacy Street.
- Variance to reduce the required 75-foot setback to 15 feet for property located at 543 Sugar Hill Drive.
- Variance to reduce required parking for a place of assembly and an elementary school from 252 to 211.



- Variance to allow more than 12 parking spaces in a row without a planter island.
- Variance to allow continued use of the curb cuts on Sugar Hill Drive and St. Joseph Way, both residential streets.
- Variance to allow use of an unpaved parking lot for a period of two (2) years.

Other Issues

The easternmost building closest to the corner of Lacy Street and Campbell Hill Street, identified as “Three Story Fr. Rectory” on the submitted plans, was surveyed and subsequently listed on the Georgia Historic Resources Survey. The survey lists the estimated date of construction for the original portion of the building as 1865 – 1874. Because of this structure, this property is included in the Church Street - Cherokee Street Historic District, as listed on the National Register of Historic Places by the U.S. Department of the Interior.

Special Land Use Permit Considerations

The following are the criteria for determining a site’s eligibility for a Special Land Use Permit, as specified in Section 712.01 (E):

1. Whether or not there will be a significant adverse effect on the neighborhood or area in which the proposed use will be located.
2. Whether or not the use is compatible with the neighborhood.
3. Whether or not the proposed use will constitute a nuisance as defined by state law.
4. Whether or not property values of surrounding property will be adversely affected.
5. Whether or not adequate provisions are made for parking and traffic considerations.
6. Whether or not the site or intensity of the use is appropriate.
7. Whether or not adequate provisions are made regarding hours of operation.
8. The location or proximity of other similar uses (whether conforming or nonconforming).
9. Whether or not adequate controls and limits are placed upon commercial deliveries.
10. Whether or not adequate landscaping plans are incorporated to ensure appropriate transition.
11. Whether or not the public health, safety and welfare of the surrounding neighborhoods will be adversely affected.

ANALYSIS & CONCLUSION

Saint Joseph Catholic Church is requesting both the rezoning of 105 Lacy Street and an amendment to the existing Special Land Use Permit (SLUP) for a new recreation area and a small addition to the school building. The parcel at 105 Lacy Street is zoned OI and was recently acquired by Saint Joseph Catholic Church, which currently operates a church and elementary school at 95 Lacy Street, 589 Campbell Hill Street, 543 & 555 Sugar Hill Drive, 558 St. Joseph Way, and 570 & 574 Nancy Street. This request would allow the Church to expand and operate on eight (8) contiguous properties totaling 8.9 acres. Kennestone Hospital and other medical practices are to the north while a well-established, single family neighborhood lies to the south.

The church was granted a SLUP in 2009 that contained numerous variances and stipulations, most of which pertained to work that was proposed at the time (*see History of the Property*).

The location of the proposed recreation area and building addition is at the furthest end of the site from the adjacent single-family residences. If lighting from the recreation area is designed not to spill over the property line, the residences across Nancy Street to the south should not be adversely impacted; and instead would overlook an improved recreation area.

The following are variances that would be necessary to implement the **new** plan:

1. Variance to reduce the required 75-foot setback to 7 feet for the restroom/storage building but in no case shall the building be closer than 49 feet from a property not owned by the Church. [*§708.04 (E)*]
2. Variance to reduce the planted border area on Nancy Street and Lacy Street from 10 feet to 7 feet. [*§712.08 (G.2.a.)*]
3. Variance to increase the impervious surface from 50% to 60%. [*§708.04 (H)*]
4. Variance to allow parking in the front yard. [*§716.08 (C.8)*]
5. Variance to allow a curb cut to be 10 feet from the property line instead of the required twenty (20) feet. [*§716.02 (B)*]
6. Variance to reduce the minimum turning radii from 25 feet to 10 feet. [*§730.01 (I.3.b)*]
7. Variance to allow a black vinyl chain link fence as an approved material seen from the road. [*§710.04 (B)*]
8. Variance to increase the allowable fence height from 6 feet to 12 feet, as shown on plans. [*§710.04 (D)*]

The following stipulation is suggested in order to minimize the impact on the Nancy Street residents:

1. Lighting shall be established in such a way that no direct light shall cast over any property line nor adversely affect neighboring properties.

And the following variances and stipulations should be carried over from the 2009 SLUP to keep the property in compliance:

- Any exterior property changes that include the addition of occupiable space must be submitted back to the Planning Commission and City Council for site plan review which would include any buffer requirements.
- Variance to allow a fence exceeding 4 feet in height and chain link in composition along St. Joseph Way, Nancy Street, and Lacy Street.
- Variance to reduce the required 75-foot setback to 15 feet for property located at 543 Sugar Hill Drive.
- Variance to reduce required parking for a place of assembly and an elementary school from 252 to 211.
- Variance to allow more than 12 parking spaces in a row without a planter island.
- Variance to allow continued use of the curb cuts on Sugar Hill Drive and St. Joseph Way, both residential streets.

The Future Land Use of the City's Comprehensive Plan designates these parcels as either Low Density Residential or Community Service & Institutional. These are described as areas appropriate for institutional uses such as places of assembly, as well as low impact uses, such as park and recreational facilities, elementary schools, libraries and community centers, that would function as appropriate transitions between non-residential developments and residential neighborhoods. As a result, the existing and proposed use of these parcels is consistent with the FLU map and is supported by the City's Comprehensive Plan.

Prepared by: Shelly Grille

Approved by: Rusty Roth



DATA APPENDIX

CITY OF MARIETTA - WATER

Is a water line adjacent to the property?

If not, how far is the closest water line?

Size of the water line?

Capacity of the water line?

Approximate water usage by proposed use?

CITY OF MARIETTA - WASTEWATER

Is a sewer line adjacent to the property?

If not, how far is the closest sewer line?

Size of the sewer line?

Capacity of the sewer line?

Estimated waste generated by proposed development?

Treatment Plant Name?

Treatment Plant Capacity?

Future Plant Availability?

A.D.F
Peak



DATA APPENDIX CONTINUED

DRAINAGE AND ENVIRONMENTAL CONCERNS

Does flood plain exist on the property:	No
What percentage of the property is in the flood plain?	N/A
What is the drainage basin for the property?	Ward Creek
Is there potential for the presence of wetlands as determined by the U.S. Environmental Protection Agency?	No
If so, is the use compatible with the possible presence of wetlands?	No
Do stream bank buffers exist on the parcel?	No
Are there other topographical concerns on the parcel?	Yes
Are there storm water issues related to the application?	No
Potential presence of endangered species in the area?	No
<ul style="list-style-type: none"> • Full site development plans required • Retaining walls will require separate permit sealed by structural/geotechnical engineer 	

TRANSPORTATION

What is the road affected by the proposed change?	Lacy St
What is the classification of the road?	Local
What is the traffic count for the road?	Unknown
Estimated # of trips generated by the proposed development?	Unknown
Estimated # of pass-by cars entering proposed development?	Unknown
Do sidewalks exist in the area?	Yes
Transportation improvements in the area?	No
If yes, what are they?	N/A



DATA APPENDIX CONTINUED

EMERGENCY SERVICES

Nearest city or county fire station from the development?	51
Distance of the nearest station?	1.4 miles
Most likely station for 1 st response?	51
Service burdens at the nearest city fire station (under, at, or above capacity)?	Under

Comments:

- All new commercial buildings must be protected throughout by an approved automatic fire sprinkler system. A variance would be required from the Fire Marshal to exempt or modify sprinklers within the proposed new building. Addition to existing building would require protection as well.
- Radius for turn into parking lot not a concern, due to the proximity to the road, very unlikely our fire trucks would utilize the parking lot.

MARIETTA POWER - ELECTRICAL

Does Marietta Power serve this site? Yes X No _____

If not, can this site be served? Yes _____ No _____

What special conditions would be involved in serving this site?

Additional comments:



Department of Development Services
 205 Lawrence Street
 Marietta, Georgia 30060
 Phone (770) 794-5440

APPLICATION FOR REZONING

(OWNER/APPLICANT OR REPRESENTATIVE MUST BE PRESENT AT ALL PUBLIC HEARINGS)
 (NOTE: CORRESPONDENCE IS HANDLED VIA EMAIL UNLESS OTHERWISE REQUESTED)

For Office Use Only:

Application #: 22020-16 w/ slup Legistar #: 20200290 PZ #: 20-102
 Planning Commission Hearing: 5-5-20 City Council Hearing: 5-13-20

The Most Reverend Joel M. Konzen, S.M. as Duly Constituted Diocesan Administrator of the Roman Catholic Archdiocese of Atlanta, Owner's Name Pursuant to the Law of the Canon 421, and/or His Successors in Office, as Trustee of AOA Parish Real Estate Trust, dated Jan 4, 2013.

EMAIL Address: cmoultrie@archatl.com Mr. Carrington Moultrie

Mailing Address 2401 Lake Park Drive, SE, Smyrna, Ga Zip Code: 30080 Telephone Number 404-920-7864

COMPLETE ONLY IF APPLICANT IS NOT OWNER:

Applicant: St. Joseph Catholic School Contact: _____
 EMAIL Address: _____ Andrew Halloran
 Mailing Address _____ andrew@cornerstone
 Zip Code: _____ Site.com
 Telephone Number _____ Email Address: _____

Address of property to be rezoned: 105 Lacy Street

Land Lot (s) 1086 District 16th Parcel 16108600210 Acreage 0.36 ac Ward 4B Future Land Use: CS1

Present Zoning Classification: O1 Proposed Zoning Classification: R4 w/ slup

REQUIRED INFORMATION

Applicant must submit the following information by 4:00 p.m. on or before the application deadline. Failure to submit any item, or any additional information that might be requested, on or before the deadline will result in the application being held until the next scheduled meeting of the Planning Commission.

1. **The original application must be submitted with ALL ORIGINAL SIGNATURES - Copies of the application or signature(s) will NOT be accepted. ALL rezoning submittals must include proposed plans, supplementary material, etc. in Adobe Acrobat on computer disk.**
2. Legal Description. Legal description must be in a WORD DOCUMENT.
3. Application fee (\$500)
4. Copy of the deed that reflects the current owner(s) of the property.
5. Copy of current tax bill showing payment or a certification from the City of Marietta Tax Office stating that taxes have been paid.
6. Site plan, plat or survey prepared by an architect, engineer (P.E. or Civil Engineer), Landscape Architect or Land Surveyor whose state registration is current and valid, and whose seal shall be affixed to the site plan/plat/survey.

Copies Required: One (1) - (8 1/2" x 11") -or- (11" x 17") drawn to scale. Optional Additional Plat size: (24"x 36").

If providing (24"x 36") then 5 copies REQUIRED.

The following information must be included:

- Specific use or uses proposed for the site
- Acreage, bearing and distances, other dimensions, and location of the tract(s)
- Locations, sizes and setbacks of proposed structures, including the number of stories and total floor area
- Detention/retention areas, and utility easements
- Public or private street(s) - right of way and roadway widths, approximate grades
- Location and size of parking area with proposed ingress and egress
- Specific types and dimensions of protective measures, such as buffers
- Landscaping
- Wetlands, stream buffers, and 100 year floodplain

7. A detailed written description of the proposed development/project must be submitted with the application.



Department of Development Services
205 Lawrence Street
Marietta, GA 30060
Phone: 770-794-5440

APPLICATION FOR SPECIAL LAND USE PERMIT

(Owner/Applicant/or Representative must be present at all public hearings)

(NOTE: CORRESPONDENCE IS HANDLED VIA EMAIL UNLESS OTHERWISE REQUESTED)

For Office Use Only:

Application#: 22020-16 w/ supp Legistar#: 20200290 PZ#: 20-102
PC Hearing: 5-5-20 CC Hearing: 5-13-20 BZA Hearing: -



Planning Commission/City Council



Board of Zoning Appeals

The Most Reverend Joel M. Konzen, S.M. as Duly Constituted Diocesan Administrator of the Roman Catholic Archdiocese of Atlanta,
Owner's Name Pursuant to the Law of the Canon 421, and/or His Successors in Office, as Trustee of AOA Parish Real Estate Trust, dated Jan 4, 2013.

EMAIL Address: cmoultrie@archatl.com

Mailing Address 2401 Lake Park Drive, SE, Smyrna, Ga. Zip Code: 30080 Telephone Number 404-920-7864

COMPLETE ONLY IF APPLICANT IS NOT OWNER:

Applicant: St. Joseph Catholic School I

EMAIL Address:

Mailing Address Zip Code:

Telephone Number Email Address:

Address of property for which special land use is requested: 589 Campbell Hill Street, 543 Sugar Hill Drive, 555 Sugar Hill Drive, 558 St. Joseph Way, 95 Lacy Street, 105 Lacy Street, 570 Nancy Street, 574 Nancy Street,

Date of Acquisition: April 30, 2019

Land Lot (s) 1086 District 16 Parcel 0010, 0210, 0220, 0230, 0240, 0370, 0450, 0460 Acreage 8.905 Zoned R-4 Ward 4B FLU CSI

List the special land use permit requested (please attach any additional information):

Request to revise the current Special Land Use Permit (SLUP) to include 105 Lacy Street property, to allow the school to construct an artificial turf striped playfield with site lighting, an 800 SF storage/restroom building, a 300 SF lobby addition to the school building, relocated playground and basketball court enclosed with a new black vinyl coated chain link fence and a new parking lot along Lacy Street. Variances requested in conjunction with the SLUP are: 1.To allow black vinyl coated chain link fence material to secure playfield, 2.To allow fence to exceed 6 feet in height up to 12 feet in height, 3.To allow retaining wall in excess of 6 feet in height up to 10 feet in height, 4.To allow parking lot driveways with 10 foot radius, 5.To allow parking lot driveway closer than 20 feet to the south property line due to existing storm drainage structures, 6.To allow parking lot in the front setback yard, 7.To allow impervious area of 60%.

Required Information

- 1. Application fee: Board of Zoning Appeals (\$250) or Planning Commission/City Council (\$500)
2. Completed notarized application. The original application must be submitted with ALL original signatures - Copies of the application or signature(s) will NOT be accepted.
3. Legal description of property. Legal description must be in a WORD DOCUMENT.
4. Site plan: One copy scaled to an 8 1/2" X 11" size. If larger than 11" x 17", will need 25 copies. Site plan must be drawn to scale prepared by an architect, engineer, (P.E. or Civil Engineer), whose state registration is current and valid.
5. Copy of current tax bill showing payment or documentation certified by the City of Marietta Tax Office.

Note: The Department of Development Services reserves the right to obtain additional information that reasonably may be required in order that an informed decision may be made.

OVER

CAMPAIGN CONTRIBUTIONS

The Owner and Applicant herein certify that he/she has has not made campaign contributions or gifts aggregating \$250.00 or more to the Mayor, any member of Council or any member of the Planning Commission within the two (2) years preceding the filing of the this application.

John F. Schiavone
Signature of Owner

Signature of Applicant

John F. Schiavone
Print Name

Print Name

FINANCIAL INTEREST

The Applicant herein certifies that he/she has has not a financial interest in the property which is ten percent (10%) or more.

Print Name

Signature of Applicant

OWNER/APPLICANT CERTIFICATION

- The Owner or Applicant certifies that all information in this application, and all information furnished in support of this application, is true and complete to the best of the Applicant's knowledge and belief. Should any portion not be true, then the application may be rejected.
- Penalty for false or fraudulent statement: Whoever, in any matter, knowingly and willingly falsifies or makes any false, fictitious or fraudulent statement of representatives concerning this application shall be denied the request stated in this application.
- The Owner or Applicant hereby gives permission to enter on the property for inspection during the time application is pending.

John F. Schiavone
Signature

John F. Schiavone
Please Print

2401 Lake Park Dr. SE, Smyrna, GA 30080
Address

March 10, 2020
Date

Signed, sealed and delivered in the presence of:

Anleigh Richardson

My Commission Expires: February 3, 2024



Note: Owner, Applicant or Representative must be present at meeting in order for case to be heard.

THE ROMAN CATHOLIC
ARCHDIOCESE OF ATLANTA
THE OFFICE OF THE AUXILIARY BISHOP



AMENDMENT TO SPECIAL POWER OF ATTORNEY

I, The Most Reverend Joel M. Konzen, S.M., as Duly Constituted Diocesan Administrator of The Roman Catholic Archdiocese of Atlanta, Pursuant to the Law of Canon 421, and/or His Successors in Office, of 2401 Lake Park Drive, the County of Cobb, the State of Georgia, do hereby appoint Mr. John Schiavone of 2401 Lake Park Drive, the County of Cobb, the State of Georgia, my true and lawful attorney in fact, by virtue of that certain Special Power of Attorney, dated July 1, 2017 ("Power"), a copy which is attached hereto:

I, The Most Reverend Joel M. Konzen, S.M., as Duly Constituted Diocesan Administrator of The Roman Catholic Archdiocese of Atlanta, Pursuant to the Law of Canon 421, and/or his Successors in Office, as Trustee of AoA Parish Real Estate Trust, dated January 4, 2013 ("Trust") do hereby appoint Mr. John Schiavone of 2401 Lake Park Drive, Smyrna, the County of Cobb, the State of Georgia, as Vice-President of Catholic Construction Services, Inc., my true and lawful attorney in fact, for me and in my name, place and stead, and for my use and benefit to sign construction contracts and related documents on behalf of the Trust.

The Power remains in effect and unchanged, except as may be indicated herein.

This Amendment to Special Power of Attorney is effective May 24, 2019 through May 23, 2020.

Executed this 30th day of May, 2019, at Smyrna, the State of Georgia.

The Most Reverend Joel M. Konzen, S.M., as Duly Constituted Diocesan Administrator of the Roman Catholic Archdiocese of Atlanta, Pursuant to the Law of Canon 421, and/or His Successors in Office, as Trustee of AoA Parish Real Estate Trust, dated January 4, 2013

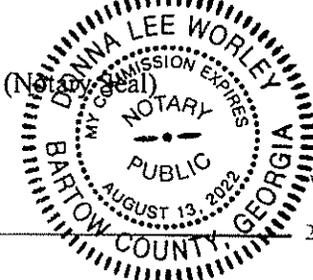
+ Joel M. Konzen, S.M.
Most Reverend Joel M. Konzen, S.M.

On May 30, 2019, before me, a notary public for the State of Georgia, personally appeared Most Reverend Joel M. Konzen, Diocesan Administrator of the Roman Catholic Archdiocese of Atlanta, known to me or proved to me to be the person whose name is subscribed to the within power of attorney, and acknowledged to me that he executed the same.

Donna Lee Worley
Notary Public for the State of Georgia

Kirsten Rozdol
Witness

Mardese Smith
Witness



VICAR GENERAL - MODERATOR OF THE CURIA

2101 Lake Park Drive, S.E. • Smyrna, Georgia 30080-8862
404-920-7319 • Fax 404-920-7301 • archatl.com

Request to revise the current Special Land Use Permit (SLUP) to include 105 Lacy Street property, to allow the school to construct an artificial turf striped playfield with site lighting, an 800 SF storage/restroom building, a 300 SF lobby addition to the school building, relocated playground and basketball court enclosed with a new black vinyl coated chain link fence and a new parking lot along Lacy Street.

Variances requested in conjunction with the SLUP are:

1. To allow black vinyl coated chain link fence material to secure playfield
2. To allow fence to exceed 6 feet in height up to 12 feet in height.
3. To allow retaining wall in excess of 6 feet in height up to 10 feet in height
4. To allow parking lot driveways with 10 foot radius.
5. To allow parking lot driveway closer than 20 feet to the south property line due to existing storm drainage structures.
6. To allow parking lot in the front setback yard
7. To allow impervious area of 60%.

Rezoning Application detailed written description of the proposed project:

The 105 Lacy Street property was acquired by the church and school to provide an improved playfield area for the school and church. The property is requested to rezone from OI to R4 to match the zoning of the church/school property. Then a request to revise the current Special Land Use Permit (SLUP) to include 105 Lacy Street property with the purpose to allow the school to construct an artificial turf striped playfield with site lighting, an 800 SF storage/restroom building, a 300 SF lobby addition to the school building, relocated playground and basketball court enclosed with a new black vinyl coated chain link fence and a new parking lot along Lacy Street.

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TO: Marietta Daily Journal

FROM: City of Marietta

RUN AD DATE: April 17, 2020

**CITY OF MARIETTA
PUBLIC NOTICE OF REZONINGS, CODE AMENDMENTS, and SPECIAL LAND USE PERMITS**

The City of Marietta hereby gives notice that a public hearing will be held on the following by the Planning Commission on **Tuesday, May 5th, 2020, 6:00 P.M.**, City Hall, for a recommendation to the City Council at their meeting on **Wednesday, May 13th, 2020, 7:00 p.m.**, City Hall, for a final decision to be made.

Z2020-16 [REZONING & SPECIAL LAND USE PERMIT] SAINT JOSEPH CATHOLIC SCHOOL is requesting the rezoning of 8.9 acres located in Land Lot 1086, District 16, Parcels 0010, 0450, 0460, 0370, 0220, 0210, 0230, & 0240 of the 2nd Section, Cobb County, Georgia, and being known as 589 Campbell Hill Street, 543 & 555 Sugar Hill Drive, 558 Saint Joseph Way, 95 & 105 Lacy Street, and 570 & 574 Nancy Street from OI (Office Institutional) and R-4 (Single Family Residential – 4 units/acre) to R-4 (Single Family Residential – 4 units/acre) with a Special Land Use Permit for a place of assembly. Ward 4B.

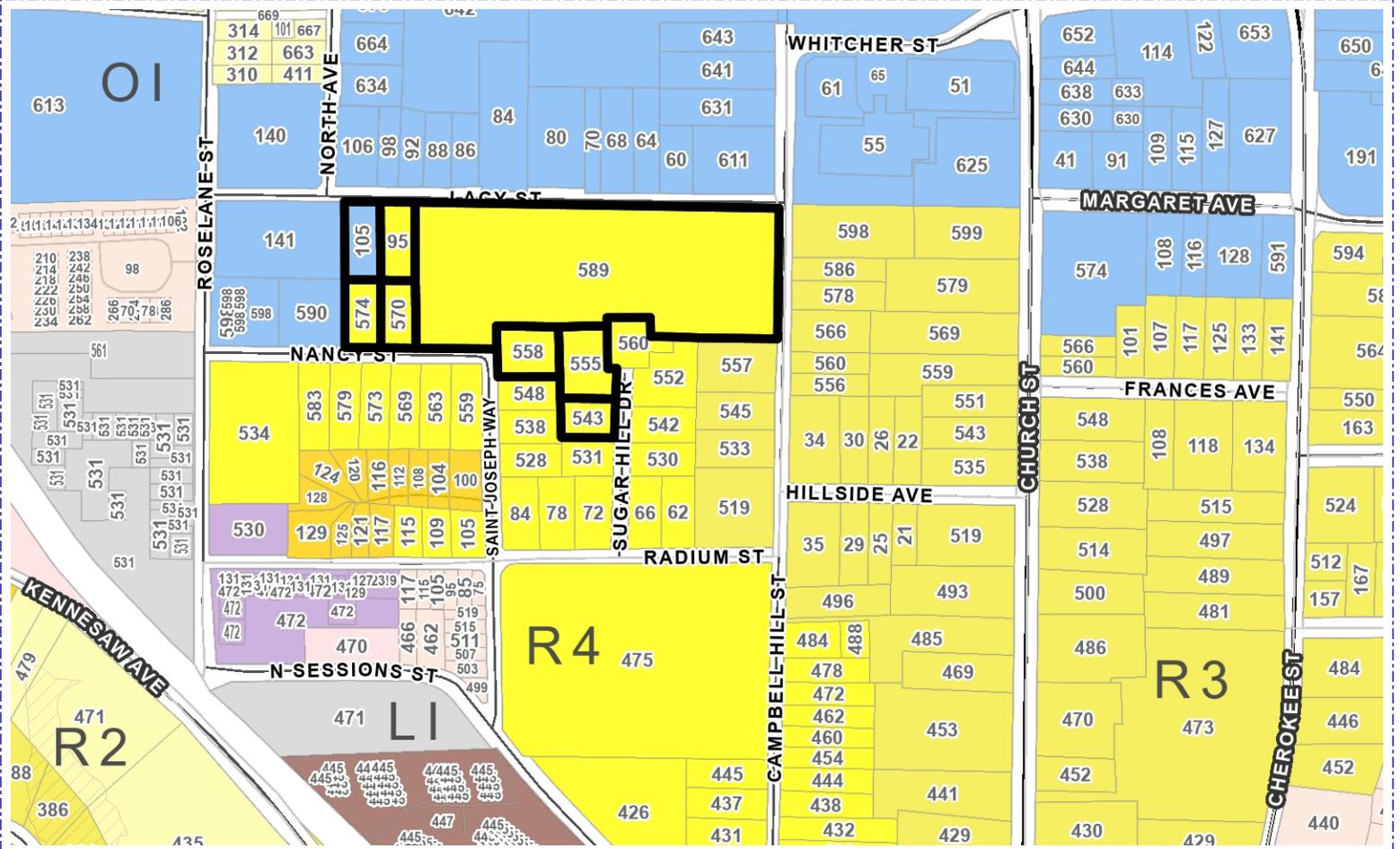
A description and plat of the property sought for the rezoning, special land use permit, and variances are on file in the Planning and Zoning Office, City Hall, and is available for inspection between 8:00 A.M. and 5:00 P.M., Monday through Friday. Anyone wishing to attend may do so and be heard relative thereto. You may also review the property file at www.marietta.gov and enter the case # in the search box.

For additional information including questions about virtual participation, please call the Planning and Zoning Office (770) 794-5669.

Accessibility to Meetings: If you believe you may need the City/BLW to provide special accommodations in order to attend/or participate in any of the above meetings, please call ADA Coordinator at 770-794-5558 no later than 48 hours before the date of the above meeting.

City of Marietta
205 Lawrence Street
Marietta, Georgia 30060

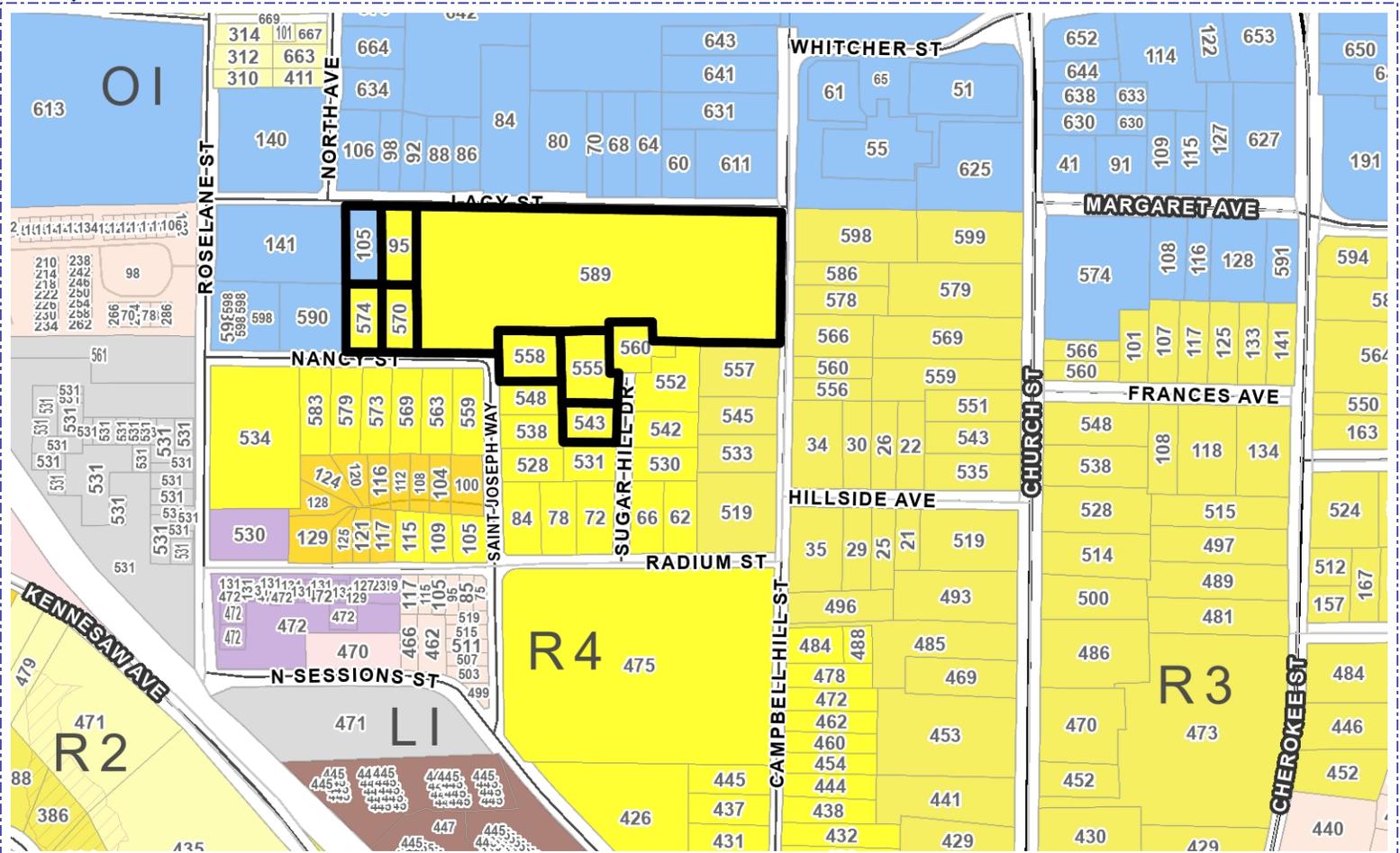
Rezoning



Address	Parcel Number	Acreage	Ward	Zoning	FLU
570 NANCY ST	16108600230	0.314	4B	R4	CSI
574 NANCY ST	16108600240	0.32	4B	R4	CSI
95 LACY ST	16108600220	0.36	4B	R4	CSI
105 LACY ST	16108600210	0.369	4B	OI	CSI
543 SUGAR HILL DR	16108600450	0.281	4B	R4	LDR
555 SUGAR HILL DR	16108600460	0.494	4B	R4	LDR
558 SAINT JOSEPH WAY	16108600370	0.414	4B	R4	LDR
589 CAMPBELL HILL ST	16108600010	6.208	4B	R4	CSI

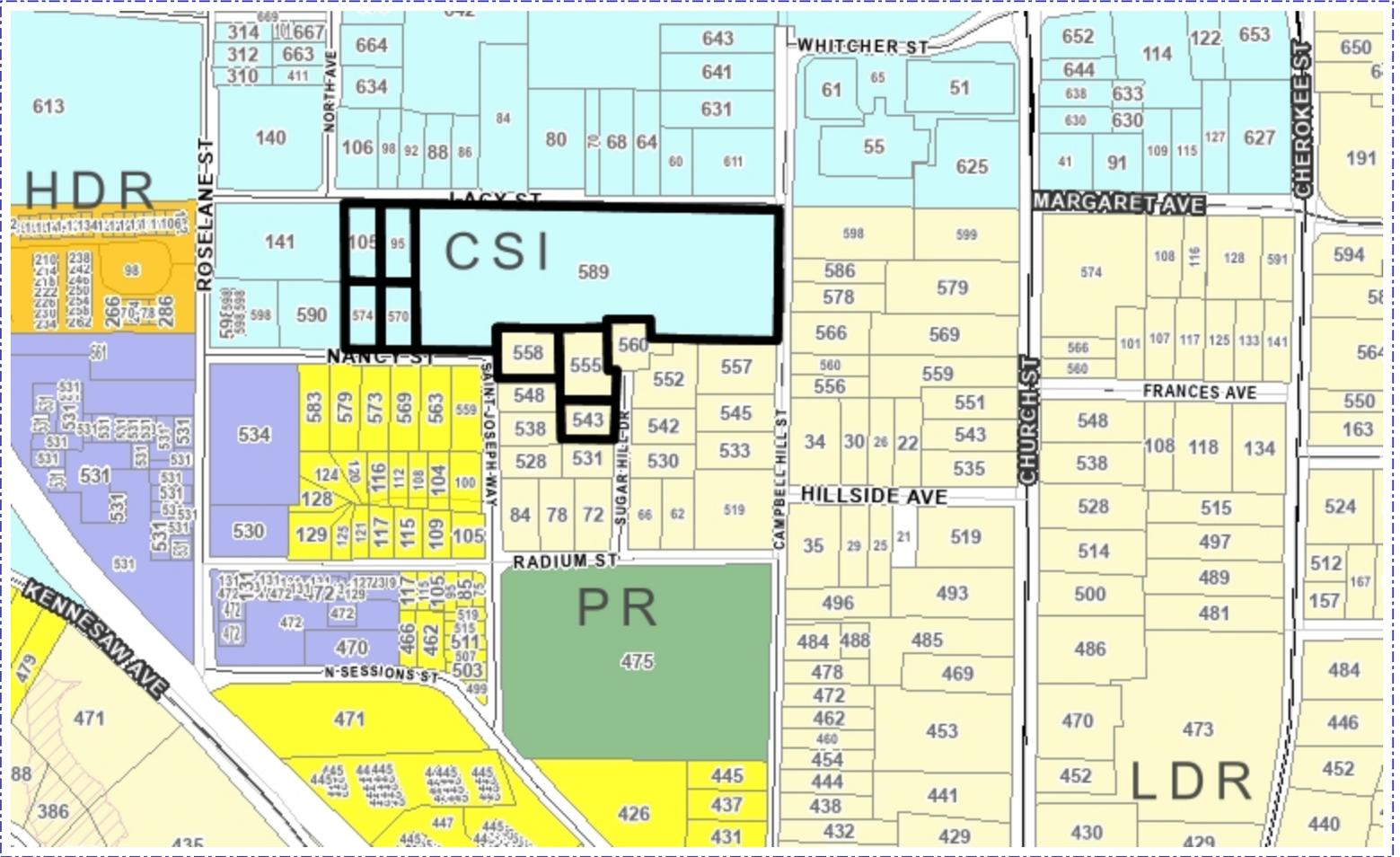
Property Owner:	Roman Catholic Archdiocese of Atlanta		Zoning Symbols
Applicant:	St. Joseph Catholic School		
Proposed Zoning:	OI, R4 to R4 w/SLUP		
Agent:			
Proposed Use:			
Planning Commission Date:	05/05/2020		
City Council Hearing Date:	05/13/2020	Case Number: Z2020-16	
City of Marietta Planning & Zoning			

Special Land Use



Address	Parcel Number	Acreage	Ward	Zoning	FLU
570 NANCY ST	16108600230	0.314	4B	R4	CSI
574 NANCY ST	16108600240	0.32	4B	R4	CSI
95 LACY ST	16108600220	0.36	4B	R4	CSI
105 LACY ST	16108600210	0.369	4B	OI	CSI
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555 SUGAR HILL DR	16108600460	0.494	4B	R4	LDR
558 SAINT JOSEPH WAY	16108600370	0.414	4B	R4	LDR
589 CAMPBELL HILL ST	16108600010	6.208	4B	R4	CSI

Property Owner:	Roman Catholic Archdiocese of Atlanta	Zoning Symbols
Applicant:	St. Joseph Catholic School	
Agent:		
Proposed Use:		
Planning Commission Hearing Date:	05/05/2020	
City Council Hearing Date:	05/13/2020	
Case Number:	Z2020-16	



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589 CAMPBELL HILL ST	16108600010	6.208	4B	R4	CSI

Planning Commission Hearing Date: 05/05/2020	Future Land Use Symbols
City Council Hearing Date: 05/13/2020	
Future Land Use: CSI	
Case Number: Z2020-16	
Comments:	
City of Marietta Planning & Zoning	



Address	Parcel Number	Acreage	Ward	Zoning	FLU
570 NANCY ST	16108600230	0.314	4B	R4	CSI
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Property Owner:	Roman Catholic Archdiocese of Atlanta
Applicant:	St. Joseph Catholic School
City Council Hearing Date:	05/13/2020
Planning Commission Hearing Date:	05/05/2020
BZA Hearing Date:	Case Number: Z2020-16
Comments:	
City of Marietta Planning & Zoning	

Legend

- Railroads
- City Limits
- Cobb County Pockets

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SITE PLAN LEGEND

- A PROPOSED 12 SPACE PARKING LOT
- B RELOCATED BASKETBALL COURT
- C PROPOSED 800 SF STORAGE BUILDING WITH RESTROOMS
- D RELOCATED PLAYGROUND
- E LIGHTED ARTIFICIAL TURF STRIPED PLAYFIELD
- F PROPOSED 250 SF BUILDING ADDITION (LOBBY ADDITION)
- G PROPOSED MULCH PLAY AREA

SITE PLAN NOTES:

1. PROPOSED ENTRANCES FROM NANCY STREET AT THE LOCATION OF EXISTING CURB CUTS AND PROPOSED TO BE ONE WAY.
2. PROPOSED PARKING = 12 SPACES INCLUDING 1 ADA. SINCE THE PLAY FIELD IS AN ACCESSORY USE TO THE CHURCH AND SCHOOL CAMPUS, AND THERE ARE NO ADDITIONAL CHURCH SEATS OR CLASSROOMS PROPOSED, THE REQUIRED PARKING DOES NOT CHANGE AND THESE 12 SPACES ARE JUST SUPPLEMENTAL TO THE REQUIRED PARKING AT THE CAMPUS.
3. THE ADJACENT PROPERTY TO THE ADDITIONAL PROPERTY AND THE FIELD PROJECT IS ZONED O & I, THEREFORE NO BUFFERS ARE PROPOSED FOR THIS PROJECT.
4. PROPOSED LANDSCAPING TO CONSIST OF CODE REQUIRED TREES AND MULCHED LANDSCAPE AREAS AROUND THE PROPOSED FIELD.
5. THERE ARE NO APPARENT WETLANDS, STREAMS OR FLOODPLAIN ON THIS PARCEL.

PROJECT DATA

OWNER/DEVELOPER:	THE MOST REVEREND JOEL M. KONZEN, S.M. AS DULY CONSTITUTED DIOCESAN ADMINISTRATOR OF THE ROMAN CATHOLIC ARCHDIOCESE OF ATLANTA, PURSUANT TO THE LAW OF THE CANON 421, AND/OR HIS SUCCESSORS IN OFFICE, AS TRUSTEE OF AOA PARISH REAL ESTATE TRUST, DATED JAN 4, 2013	SITE AREA:	105 LACY STREET AREA (0.35965 AC (15,456 SF)) CAMPUS TOTAL AREA (8,90359 AC (387,919 SF))
ARCHITECT:	SMITH BOLAND ARCHITECTS 531 ROSELANE AVE. SUITE 310 MARIETTA, GA	EXISTING SITE USE:	CHURCH AND PRIVATE SCHOOL PLAYFIELD, STORAGE/RESTROOM BUILDING, AND BUILDING ADDITION (LOBBY)
CIVIL SITE ENGINEER:	CORNERSTONE SITE CONSULTANTS, LLC 2985 GORDY PKWY, SUITE 119 MARIETTA, GA 30068 ANDREW M. HALLGRAN, P.E., PH: 770-490-9182	PROPOSED PROJECT:	105 LACY STREET IS PROPOSED TO BE RE-ZONED FROM O-I TO R-4 REMAINING PROPERTY IS ZONED R4
SITE ADDRESSES:	589 CAMPBELL HILL STREET, 555 SUGAR HILL DRIVE, 558 ST. JOSEPH WAY, 95 LACY STREET, 105 LACY STREET, 570 NANCY STREET, 574 NANCY STREET	BUILDING COVERAGE:	1.64 AC (18%)
		IMPERVIOUS AREA:	5.34 AC (60%)

ARCHITECT
smith boland
ARCHITECTS
531 ROSELANE STREET, SUITE 310
MARIETTA, GEORGIA 30068
OFFICE: 770.493.3088
FIELD: 770.493.3088
WWW.SMITHBOLAND.COM

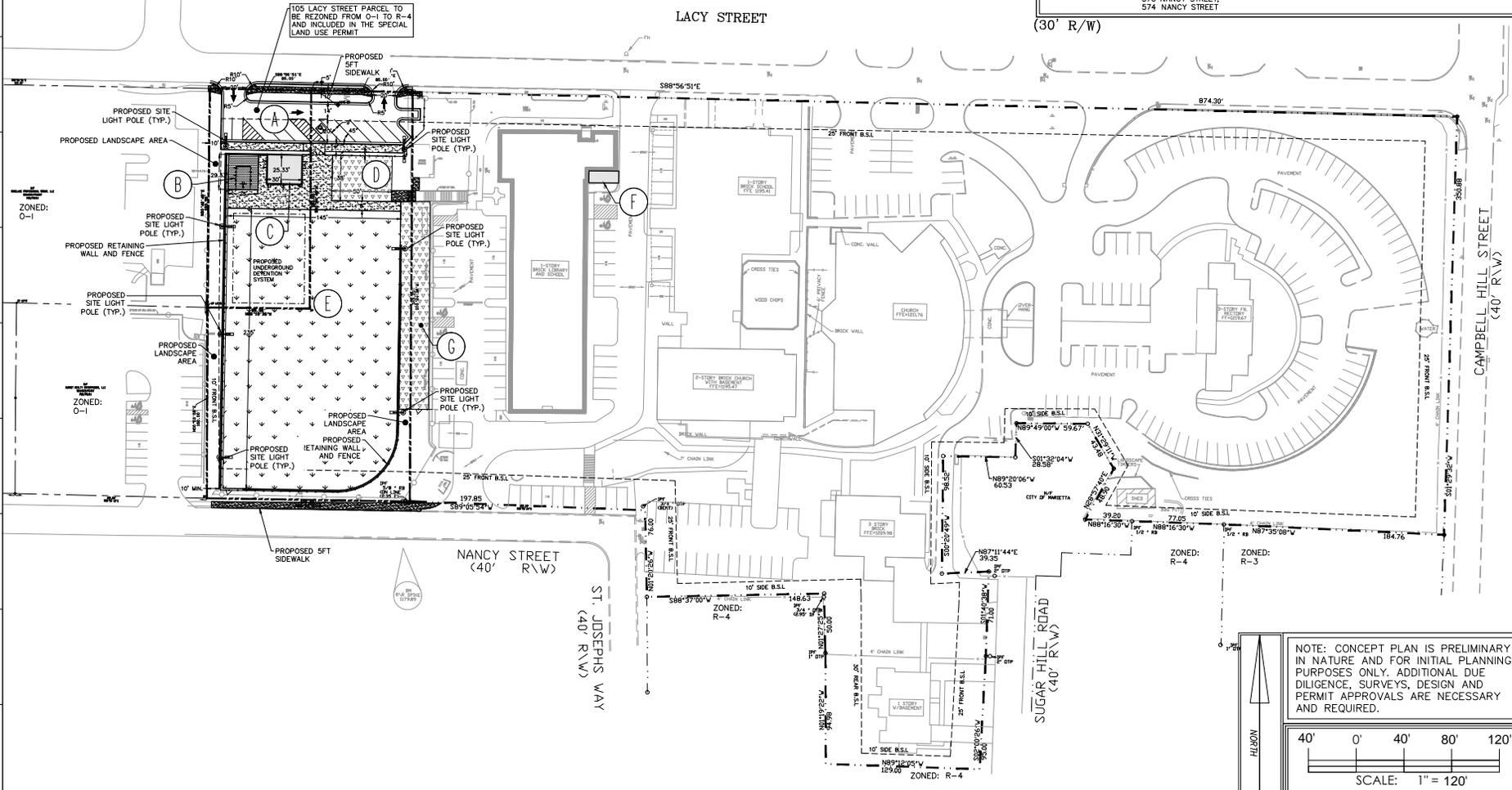
SEAL
CORNERSTONE SITE CONSULTANTS, LLC
2985 GORDY PARKWAY
SUITE 117
MARIETTA, GA 30066
Project # 2020-0008

CONSULTANT
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SUITE 117
MARIETTA, GA 30066
Project # 2020-0008

DRAWINGS PUBLISHED
20 MAR 2024
CORNERSTONE SITE CONSULTANTS, LLC

PROJECT
PHASE _____
SHEET TITLE
ZONING SITE PLAN

SHEET
Z-1



NOTE: CONCEPT PLAN IS PRELIMINARY IN NATURE AND FOR INITIAL PLANNING PURPOSES ONLY. ADDITIONAL DUE DILIGENCE, SURVEYS, DESIGN AND PERMIT APPROVALS ARE NECESSARY AND REQUIRED.

SCALE: 1" = 120'

40' 0' 40' 80' 120'