
CITY COUNCIL AGENDA ITEM

TO: Mayor & City Council

DATE: February 13, 2012

FROM: John McDonough, City Manager

AGENDA ITEM: U11-004 - 650 Mount Vernon Hwy., Applicant: Cumberland Academy of Georgia, A Use Permit to maintain a Private School

MEETING DATE: For Submission onto the February 21, 2012, City Council Regular Meeting Agenda

BACKGROUND INFORMATION: (Attach additional pages if necessary)

See attached:

Memorandum
Rezoning Petition

APPROVAL BY CITY MANAGER: JMM APPROVED

_____ NOT APPROVED

PLACED ON AGENDA FOR: 2/21/12

CITY ATTORNEY APPROVAL REQUIRED: () YES () NO

CITY ATTORNEY APPROVAL: [Signature]

REMARKS:

To: John McDonough, City Manager

From: Angela Parker, Director of Community Development



Date: February 6, 2012 for submission onto the February 21, 2012 City Council meeting

Agenda Item: **U11-004 650 Mount Vernon Highway**, a Use Permit to allow and expand an existing special school (grades 4-12) within the existing church facility

CMO (City Manager's Office) Recommendation:

APPROVAL CONDITIONAL of the Use Permit to allow and expand an existing special school (grades 4-12) within the existing church facility.

Background:

The site is located at the northeast corner of Mount Vernon Highway and Glenridge Drive. The subject property is zoned R-2 (Single-family Dwelling District) and is currently developed with a Church facility having a separate Special School operating out of the existing Family Life Center building numbered 650 Mount Vernon Highway. Historically, the Family Life Center building has been used as a school.

Discussion:

The school currently has a fulltime enrollment of approximately sixty-two (62) students, has ten (10) classrooms, and has between ten (10) and fourteen (14) Staff members. The school typically operates Monday through Friday from 7:00 a.m. to 5:00 p.m. and specializes in the needs of children with Asperger's Syndrome, High Functioning Autism, ADD and/or ADHD.

The applicant states the Cumberland Academy has been operating out of this location since August of 2007. Staff notes an application for Business License was denied in October of 2011. Additionally, the school received a positive inspection report from Sandy Springs Fire Rescue in September of 2011 (report attached).

The applicant intends to increase the number of classrooms to twelve (12) and intends to increase the student enrollment to 200 children.

Concurrent Review:

The staff held a Focus Meeting on December 7, 2011 at which the following city departments provided comments:

- Building and Development Division
- Fire Department
- Transportation Division
- Code Enforcement

In addition, the following external departments were contacted for comment:

- Atlanta Regional Commission
- Fulton County Board of Education
- Fulton County Department of Environment and Community Development (*comments received*)
- Fulton County Department of Public Works
- Fulton County Environmental Health Services
- Sandy Springs Council of Neighborhoods
- Sandy Springs Revitalization Inc.
- Georgia Department of Transportation
- City of Atlanta Department of Watershed Management (*comments received*)
- U.S. Postal Service Address Management Systems
- MARTA
- Fulton County Emergency Management



Rezoning Petition No. U11-004

HEARING & MEETING DATES

Community Zoning Information Meeting December 13, 2011	Community Developer Resolution Meeting December 29, 2011	Planning Commission Hearing January 19, 2012	Mayor and City Council Hearing February 21, 2012
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APPLICANT/PETITIONER INFORMATION

Property Owners	Petitioner	Representative
First Baptist Church of Sandy Springs	Cumberland Academy of Georgia	Floyd Bushey

PROPERTY INFORMATION

Address, Land Lot, and District	650 Mount Vernon Highway Land Lot 35, District 17
Council District	4
Frontage and Area	712 feet of frontage along the east side of Glenridge Drive and 770 feet of frontage along the north side of Mount Vernon Highway. The subject property has a total area of approximately 7.06 acres (307,534 square feet).
Existing Zoning and Use	R-2 (Single-family Dwelling District). The subject property is currently developed with a Church facility.
Overlay District	Suburban
2027 Comprehensive Future Land Use Map Designation	Living-Working Neighborhood (LWN)
Proposed Use	Use Permit to allow and expand an existing Special School (grades 4-12).

INTENT

A USE PERMIT TO ALLOW AND EXPAND AN EXISTING SPECIAL SCHOOL WITHIN THE EXISTING CHURCH FACILITY.

This is a Use Permit to allow and expand an existing special school (grades 4-12) within the existing church facility. The School currently operates out of the existing Family Life Center building numbered 650 Mount Vernon Highway. It has ten (10) classrooms and currently has a fulltime enrollment of approximately sixty-two (62) students. Cumberland Academy specializes in the needs of children with Asperger’s Syndrome, High Functioning Autism, ADD and/or ADHD.

The applicant intends to increase the number of classrooms to twelve (12) and intends to increase the student enrollment to 200 children.

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION U11-004 - APPROVAL CONDITIONAL

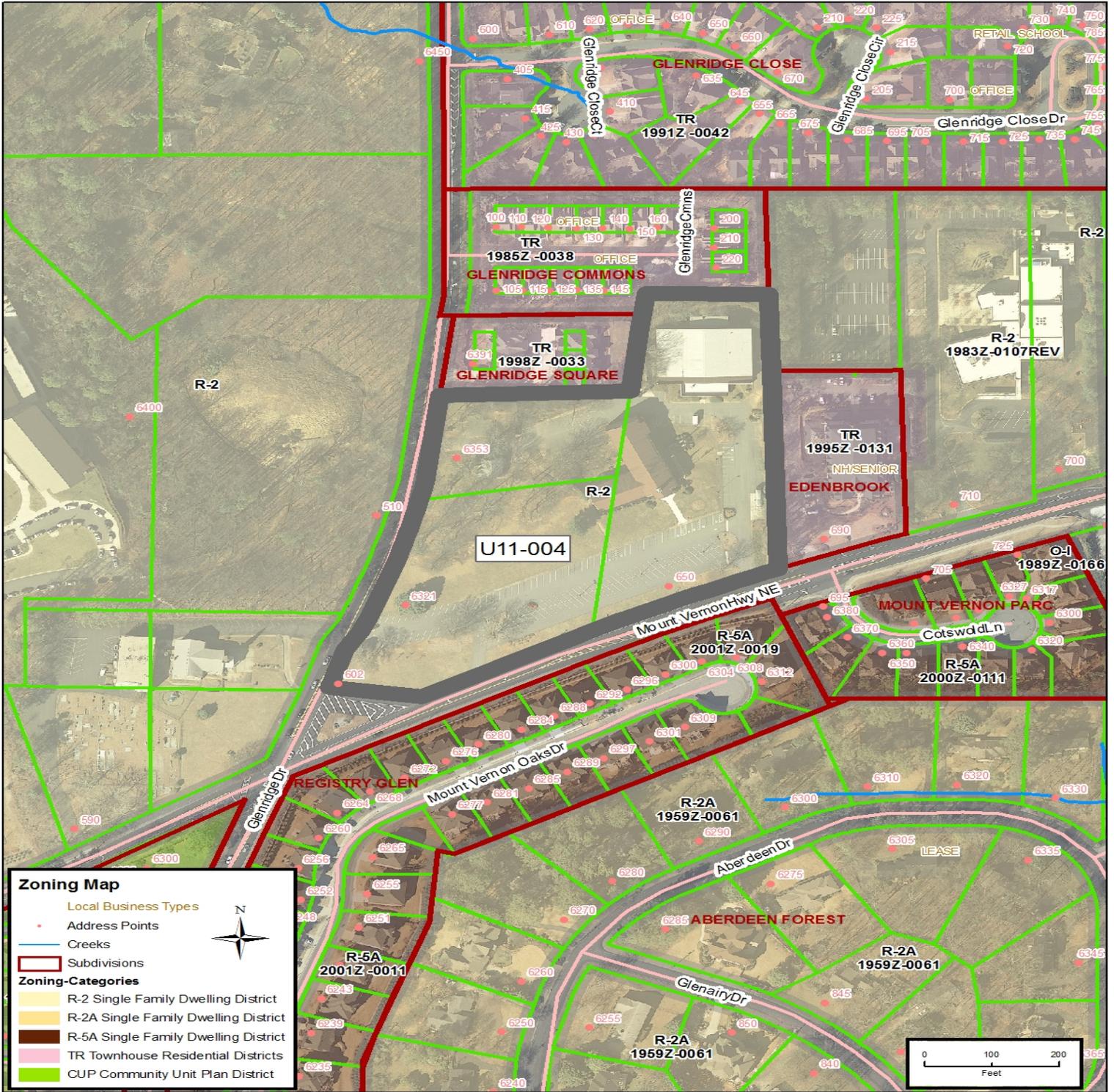
The school currently has a fulltime enrollment of approximately sixty-two (62) students, has ten (10) classrooms, and has between ten (10) and fourteen (14) Staff members. The school typically operates Monday through Friday from 7:00 a.m. to 5:00 p.m. and specializes in the needs of children with Asperger's Syndrome, High Functioning Autism, ADD and/or ADHD.

EXISTING LAND USE AND ZONING OF ABUTTING PROPERTY

SUBJECT PETITION U11-004	Current Zoning	Proposed Use	Land Area (Acres)	Square footage or Number of Units	Density (Square footage or Units per Acre)
	R-2	Special School	7.06 acres	49,000 SF	6,940.51 SF/ac
Location in relation to subject property	Zoning	Use	Land Area (Acres)	Square Footage or Number of Units	Density (Square Feet or Units Per Acre)
North	TR Z85-038	Townhomes (Glenridge Commons)	2.45 acres	15 units	6.22 units/acre
North	TR Z98-033	Townhomes (Glenridge Square)	1 acre	5 units	5 units/acre
East	R-2	Single-family (parking lot for Congregation Bnai Torah)	1.95 acres	-----	-----
East	TR Z95-131	Senior Care Homes (Edenbrook)	1.59 acres	33,250 SF	20,912 SF/acre
South	R-5A Z01-013	Single-family (Registry Glen)	7.69 acres	41 units	5.33 units/acre
West	R-2	Church Properties (Providence Baptist, Northside Independent, and Mount Vernon Presbyterian)	7.41 acres	25,650 SF	3,462 SF/acre

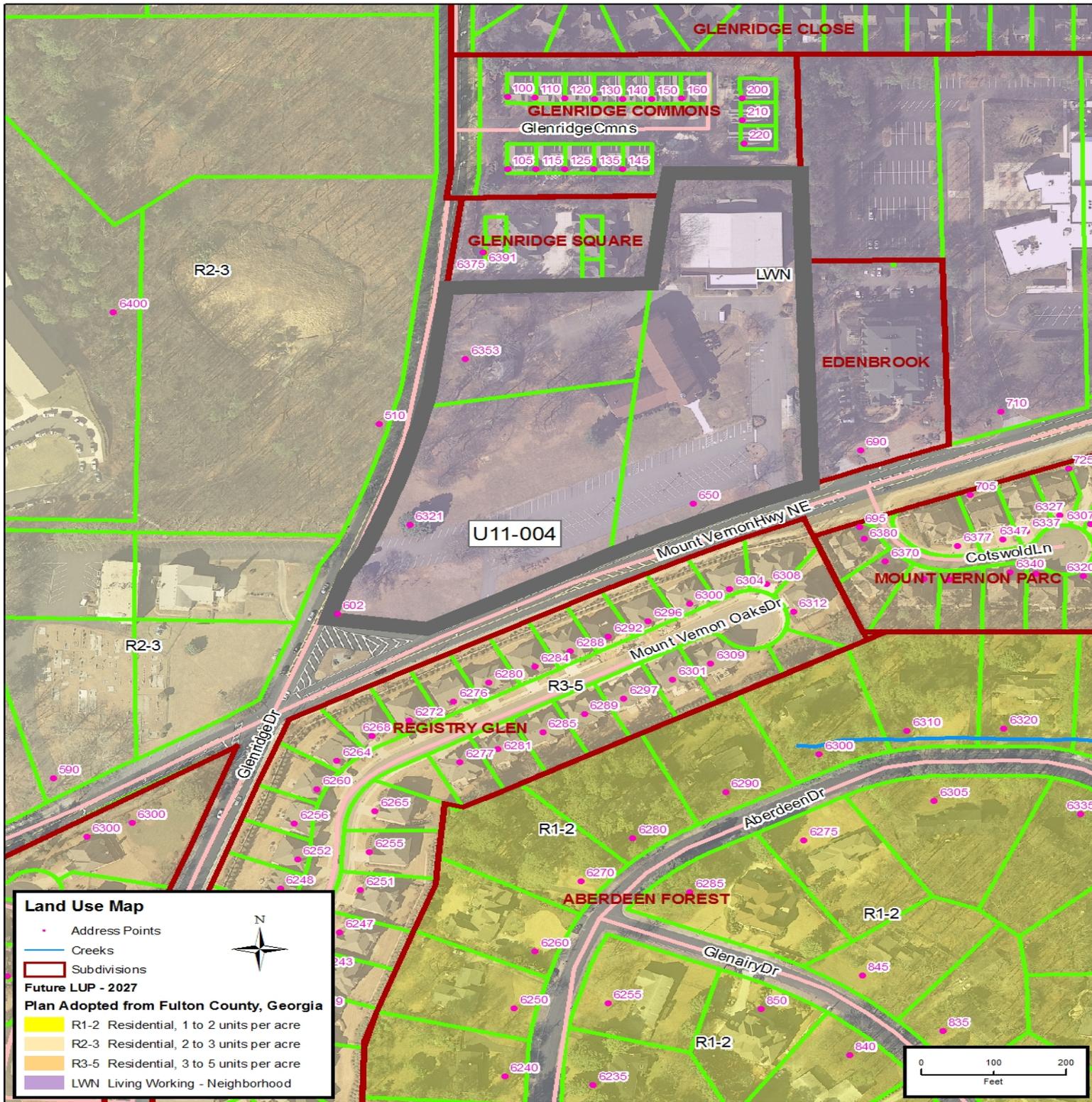
Zoning Map

650 Mount Vernon Hwy NE and 6321 and 6353 Glenridge Dr



Future Land Use Map

650 Mount Vernon Hwy NE and 6321 and 6353 Glenridge Dr



Photographs



Subject Property



East of Subject Property



Southeast of Subject Property



South of Subject Property



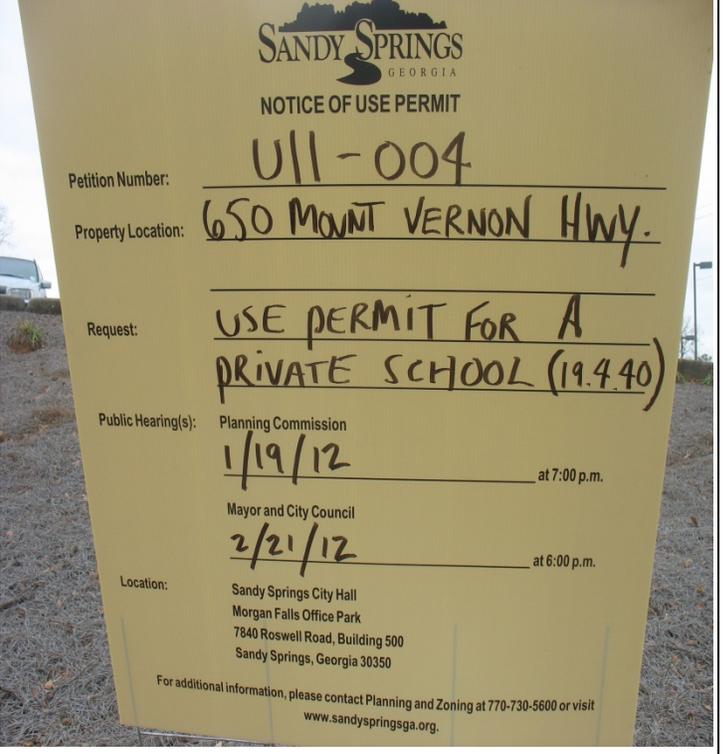
Southwest of Subject Property



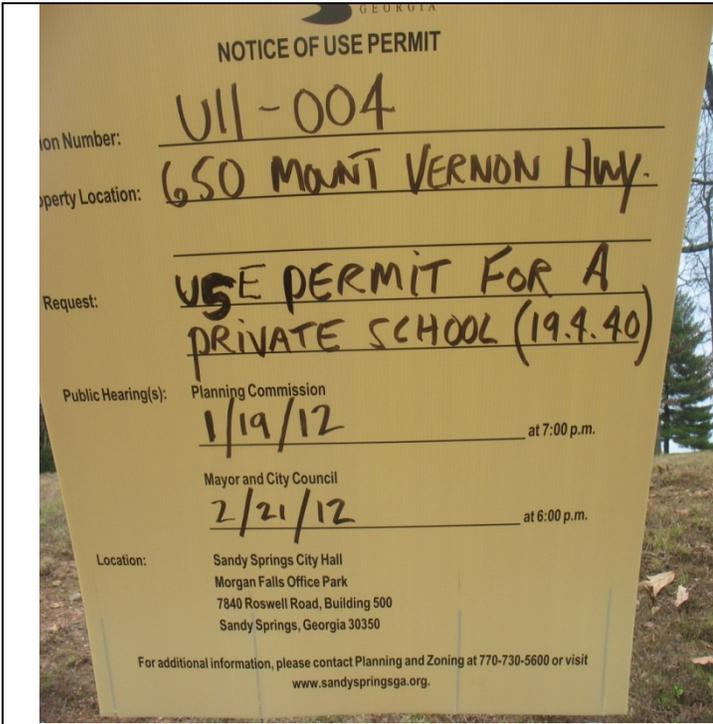
West of Subject Property



Subject Property Looking East



Sign



Sign



Dumpster facing Glenridge Square



Dumpsters facing Glenridge Square



Chiller Unit next to Glenridge Square



Chiller Unit next to Glenridge Square



Glenridge Square Buffer to School

SITE PLAN ANALYSIS

The overall site plan, provided by the applicant, indicates the subject property is a total 7.06 acres and has four (4) buildings located on it. The site plan also indicates that 210 parking spaces are provided. The property slopes primarily to the north and south.

ENVIRONMENTAL SITE ANALYSIS

The Environmental Site Analysis Report is sufficient and satisfies the requirements of the Sandy Springs Zoning Ordinance. The reporting on all items of the analysis stated either positive, minimal, or no environmental issues, with the exception of the following: There are slopes exceeding 25 percent over a 10-foot rise in elevation. The report, in its entirety, is within the case file as a matter of record.

USE PERMIT CONSIDERATIONS

The applicant is requesting a use permit to allow and expand the existing Special School (grades 4-12).

Per Article 19.2.4, *Use Permit Considerations*, the City Council shall consider each of the following:

- A. *Whether the proposed use is consistent with the Comprehensive Land Use Plan and/or Economic Development Revitalization plans adopted by the City Council;*

Finding: The staff is of the opinion that the proposed use is consistent with the Future Land Use Map, which designates the property as Living-Working Neighborhood (LWN). The proposal is appropriate for LWN designated areas where the overall intent is to have a mixture of land uses that includes institutional uses such as the existing and proposed Special School (grades 4-12).

B. *Compatibility with land uses and zoning districts in the vicinity of the property for which the Use Permit is proposed;*

Finding: The staff is of the opinion the proposed use is compatible with the land uses and zoning districts within the vicinity of the property.

C. *Whether the proposed use may violate local, state and/or federal statutes, ordinances or regulations governing land development;*

Finding: The staff is of the opinion the proposed uses would not violate any local, state, and/or federal statutes, ordinances, or regulations.

D. *The effect of the proposed use on traffic flow, vehicular and pedestrian, along adjoining streets;*

Finding: The staff is of the opinion that the proposal will not result in a use that will cause an excessive or burdensome use of the existing infrastructure. Public works did have a chance to review the revised carpool circulation plan. It appears that the revised plan is adequate, as long as no is parked in the western-most parking spaces during carpool times. If, with growth in the future indicated that cars waiting in line could back onto Mt. Vernon, then we would recommend that they stagger morning drop-offs and afternoon pick-ups.

E. *The location and number of off-street parking spaces;*

Finding: The *Basic Off-street Parking Requirements* for the facility are as follows:

- Church: 300 seats / 3.5 = 86 parking spaces required.
- School: 12 classrooms X 10 = 120 parking spaces required.

The total parking required is 206, and the applicant is providing 210 parking spaces.

F. *The amount and location of open space;*

Finding: The applicant provided a site plan showing a property that consists of a total of 7.06 acres and has an impervious footprint mostly consisting of existing parking fields and four (4) buildings.

G. *Protective screening;*

Finding: The building used for the school is situated near the rear, northern property line adjoining residentially zone and used properties. There are small wooded areas between adjoining properties; however, there have been complaints, from the residential properties to the north, over noise that a "chiller unit" (ground level mechanical equipment) makes when in operation.

H. *Hours and manner of operation;*

Finding: The standard/typical hours and manner of operation would be from 7:00 a.m. to 5:00 p.m. with nighttime and weekend events throughout the year and would be consistent with other schools.

I. *Outdoor lighting; and*

Finding: Any modification to or addition of outdoor lighting will not adversely impact adjacent and/or surrounding properties.

J. *Ingress and egress to the property.*

Finding: Ingress and egress to the property will not be modified as current ingress and egress to the property is adequate for the use and the proposed use thereof.

DEPARTMENT COMMENTS

The staff held a Focus Meeting on December 7, 2011 at which the following departmental comments were provided:

BUILDING & DEVELOPMENT DIVISION	Sandy Springs Building Officer	<ul style="list-style-type: none"> ▪ In the absence of any evidence discovered otherwise, we conclude that this building was constructed as an Educational Occupancy and has remained so since its construction. The building remains under the code it was constructed and thus must comply with the "48 Exits Code." Current fire inspections conducted under chapter 15 of the 2000 Life Safety Code (existing educational occupancies) will met or exceed requirements of this code. ▪ In addition, we note that the construction type is likely NFPA II (0,0,0,) which is non-combustible. The building has 4 enclosed exits, illumination of means of egress, marking of means of egress and has a fire alarm. The proposed 200 occupant load will be supported by the classroom sizes, the arrangement of means of egress and the exit capacity.
	Sandy Springs Chief Engineer	<ul style="list-style-type: none"> ▪ As long as the Use Permit does not involve proposed or required site development, no site development issues are noted.
	Sandy Springs Chief Environmental Compliance Officer	<ul style="list-style-type: none"> ▪ The Arborist worked with the applicant and the concerned neighbors to suggest appropriate plantings that would help buffer the noise between the chiller unit and the Glenridge Square subdivision.
FIRE DEPT.	Sandy Springs Fire Protection Engineer	<ul style="list-style-type: none"> ▪ In the absence of any evidence discovered otherwise, we conclude that this building was constructed as an Educational Occupancy and has remained so since its construction. The building remains under the code it was constructed and thus must comply with the "48 Exits Code." Current fire inspections conducted under chapter 15 of the 2000 Life Safety Code (existing educational occupancies) will met or exceed requirements of this code. ▪ In addition, we note that the construction type is likely NFPA II (0,0,0,) which is non-combustible. The building has 4 enclosed exits, illumination of means of egress, marking of means of egress and has a fire alarm. The proposed 200 occupant load will be supported by the classroom sizes, the arrangement of means of egress and the exit capacity.

CODE ENFORCE	Officer	<ul style="list-style-type: none"> ▪ The code enforcement division received a complaint regarding the use of the parcel for Cumberland Academy in August 2011. A notice of violation was issued in September 2011 to obtain a valid permit. The owner of the school is leasing the space from the church and had a delay in obtaining certain documentation to assist in resolving the use permit issue. The case is pending the determination from the zoning board for approval.
TRANSPORTATION	Sandy Springs Transportation Planner	<ul style="list-style-type: none"> ▪ Public works did have a chance to review the revised carpool circulation plan. It appears that the revised plan is adequate, as long as no is parked in the western-most parking spaces during carpool times. If, with growth in the future indicated that cars waiting in line could back onto Mt. Vernon, then we would recommend that they stagger morning drop-offs and afternoon pick-ups.
	Georgia Department of Transportation	<ul style="list-style-type: none"> ▪ There are no GDOT requirements that need to be addressed at this time.

The staff has not received any additional comments from the Fulton County Board of Education.

PUBLIC INVOLVEMENT

Required Meetings

The applicant attended the following required meetings:

- Community Zoning Information Meeting held December 13, 2011 at the Sandy Springs City Hall
- Community/Developer Resolution Meeting was held December 29, 2011 at the Sandy Springs City Hall

Additional Meetings

On January 6, 2012, City staff, representatives for the Use Permit application, and a representative for the Glenridge Square subdivision met on the subject property and discussed concerns regarding this application.

On February 2, 2012, City staff, representatives for the Use Permit application, representatives for the Glenridge Square subdivision, and representatives from the Sandy Springs Council of Neighborhoods met at the First Baptist Church of Sandy Springs and discussed concerns regarding this application.

Public Comments Received At All Meetings Include The following:

Regarding the total enrollment of students growing to 200 children:

- Concerns over if the subject property can effectively accommodate 200 children and the impact 200 children may have on the area.

Regarding the “chiller unit” (ground level mechanical equipment):

- The outside chiller unit is facing the Glenridge Square subdivision homes & the noise it produces is most excessive ,if not intolerable.
- The unit operates sometimes all night or is triggered in the very early hours of the morning (3 to 5 a.m.)
- This annoying noise often continues during weekends.

Regarding landscaping:

- The poor state of the landscaping around the church property, particularly on Glenridge Drive, which detracts from the attractiveness of the entire community.

Regarding two (2) large dumpsters:

- Two large trash dumpsters sit directly in front of our units. The Glenridge Square subdivision highly recommends that they be relocated on the East side of the school as for disheartening inconveniences occur from their current location.
- Dumping of trash by school employees is very noisy.
- Strong odors emanate & pollute our air.
- These dumpsters are a sore to our view and eye sight.
- Dump truck retrieval at early hours is extremely loud.

Regarding storm-water runoff:

- Storm-water drainage off the subject property onto Glenridge Square is excessive.

Additional Comments:

- Concerns over the manner of standard/typical operation for the School and the Church including special activities and events.

NOTE: At the on-site meeting on January 6, 2012, the following agreements between the Owner/Applicant and the Glenridge Square Owner(s) were discussed:

- Methods and cost sharing to further buffer the noise of the “chiller unit”.
- Limiting the hours of operation of the “chiller unit”.
- Relocation of the dumpster(s).
- Maintenance of landscaping on the subject property.

NOTE: At the meeting on February 2, 2012, the following agreements between representatives for the Use Permit application, representatives for the Glenridge Square subdivision, and representatives from the Sandy Springs Council of Neighborhoods were discussed:

- The Cumberland Academy, in coordination with the First Baptist Church of Sandy Springs, would make every attempt at keeping their calendar of events current and up-dated on the web site so that concerned neighbors could be aware of certain special activities and events that fall outside of the Church’s and Cumberland’s standard/typical operation.

- Both the Cumberland Academy and the Glenridge Square Subdivision would designate a contact person accessible 24 hours per day to address concerns of possible nuisance and/or maintenance issues and to give advanced notice of upcoming special activities and events that fall outside of the Church's and Cumberland's standard/typical operation.

Notice Requirements

The petition will have been advertised in the Sandy Springs Neighbor on January 11, 2012 and in the Sandy Springs Reporter on January 13, 2012. The applicant has posted signs issued by the Department of Community Development along the frontages of Mount Vernon Highway and Glenridge Drive on December 12, 2011.

Public Participation Plan and Report

The applicant will meet the Public Participation Plan requirements. The applicant is required to submit the Public Participation Report seven (7) days prior to the Mayor and City Council Hearing on February 21, 2012. The Public Participation Report will be submitted on or before February 14, 2012.

CONCLUSION TO FINDINGS

It is the opinion of the staff that the petition for Use Permit to allow for a Special School is in conformity with the policies of the Comprehensive Plan and the intent of the Future Land Use Map. Therefore, based on these reasons, the staff recommends **APPROVAL CONDITIONAL** of the petition for the Use Permit subject to conditions.

STAFF RECOMMENDED CONDITIONS

Should the Mayor and City Council decide to grant the Use Permit and Concurrent Variances, the staff recommends that the approval be subject to the following conditions. The applicant's agreement to these conditions would not change staff recommendations. These conditions shall prevail unless otherwise stipulated by the Mayor and City Council.

1. To the owner's agreement to abide by the following:
 - a. To the site plan received by the Department of Community Development dated November 1, 2011.
 - b. To locate a Special/Private School, with associated accessory uses, in the existing Family Life Center building (a.k.a. 650 Mount Vernon Highway). The aforementioned Special/Private School shall operate out of no more than twelve (12) classrooms.
 - c. To restrict the total number of enrolled students to no more than 200.
 - d. By August 15th of every year, the applicant shall provide the City an annual affidavit detailing the total maximum enrollment for their academic year, subject to the approval of the Department of Community Development.
 - e. The Applicant/Owner shall provide a vehicular circulation/stacking plan that accounts for the maximum students permitted under condition 1.c. above. The submitted vehicular circulation/stacking plan and its implementation shall be subject to City approval.
 - f. The Applicant/Owner shall designate a contact person accessible 24 hours per day to address concerns of possible nuisance and/or maintenance issues and shall give advanced notice (to adjoining property owners) of upcoming special activities and events that fall outside of the Church's and the School's standard/typical operation.

2. To the owner's agreement to provide the following site development standards:
 - a. To reduce the zoning regulations to the extent necessary for all the existing non-conforming (grandfathered) structure(s) to comply in accordance with the site plan received by the Department of Community Development dated November 1, 2011.

Attachments

Site Plan received November 1, 2011

Letters of Intent received November 1, 2011 & January 9, 2012

Applicant Use Permit Considerations dated November 1, 2011

Sandy Springs Fire Inspection Report dated September 28, 2011

Letter City of Atlanta Dept. of Watershed Management received December 29, 2011

Letter Fulton County Dept. of Planning and Community Services received January 24, 2012

Letters of Opposition received January 3, 2012, January 4, 2012, and January 5, 2012

Email of opposition from Barbara Jacobs received January 9, 2012

Email of opposition from Claudette Genest received February 2, 2012

RECEIVED

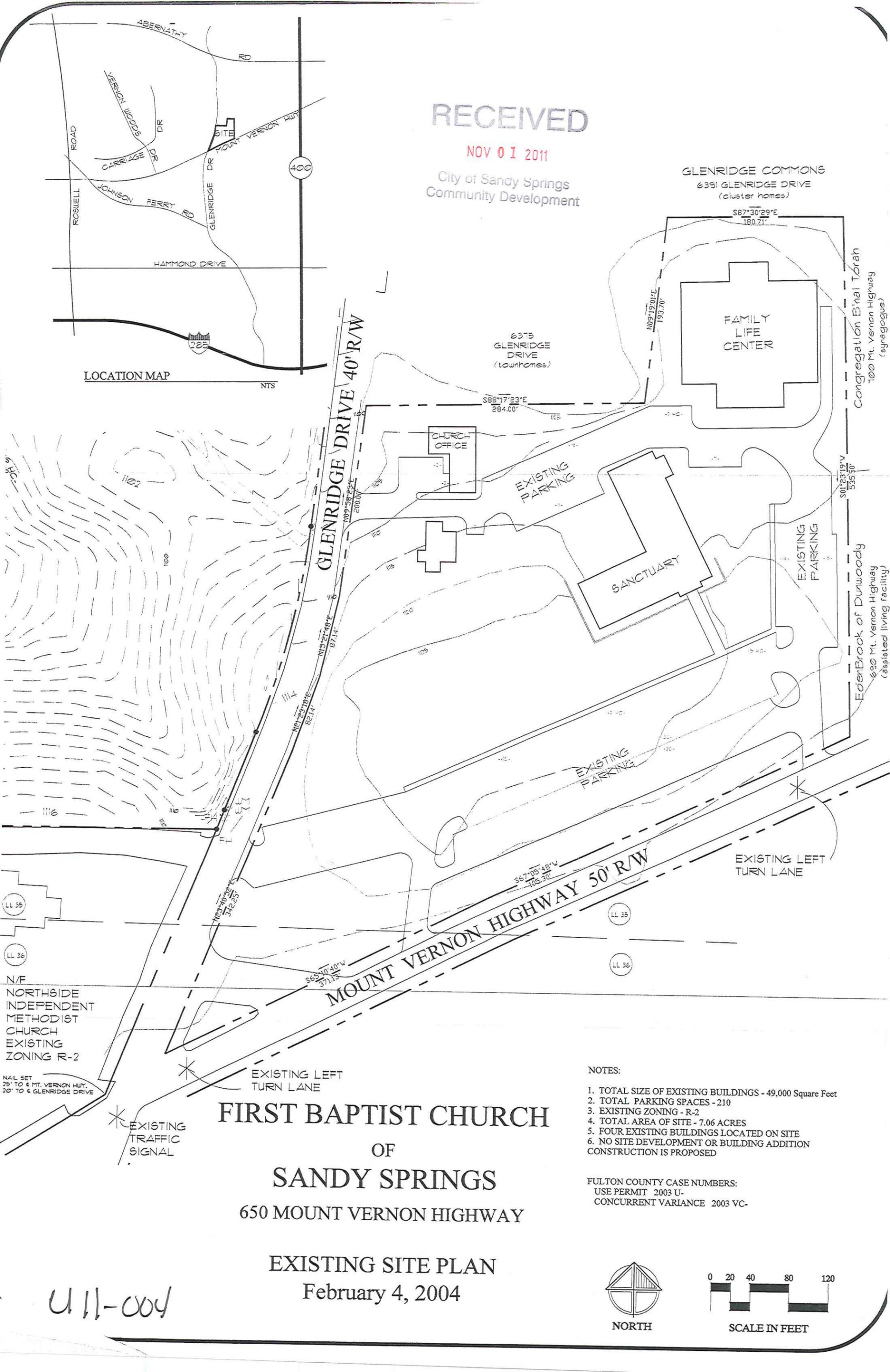
NOV 01 2011

City of Sandy Springs
Community Development

GLENRIDGE COMMONS
6391 GLENRIDGE DRIVE
(cluster homes)

LOCATION MAP

NTS



Congregation B'nai Torah
100 Mt. Vernon Highway
(synagogue)

EderBrook of Dunwoody
690 Mt. Vernon Highway
(assisted living facility)

LL 35
LL 36
N/F
NORTHSIDE
INDEPENDENT
METHODIST
CHURCH
EXISTING
ZONING R-2

NAIL SET
25' TO & MT. VERNON HWY.
20' TO & GLENRIDGE DRIVE

NOTES:

1. TOTAL SIZE OF EXISTING BUILDINGS - 49,000 Square Feet
2. TOTAL PARKING SPACES - 210
3. EXISTING ZONING - R-2
4. TOTAL AREA OF SITE - 7.06 ACRES
5. FOUR EXISTING BUILDINGS LOCATED ON SITE
6. NO SITE DEVELOPMENT OR BUILDING ADDITION CONSTRUCTION IS PROPOSED

FULTON COUNTY CASE NUMBERS:
USE PERMIT 2003 U-
CONCURRENT VARIANCE 2003 VC-

FIRST BAPTIST CHURCH OF SANDY SPRINGS

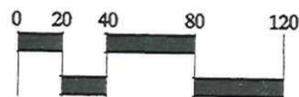
650 MOUNT VERNON HIGHWAY

EXISTING SITE PLAN
February 4, 2004

U 11-004



NORTH



SCALE IN FEET



Cumberland Academy of GEORGIA

"An Exceptional School for Exceptional Students"

October 31, 2011

City of Sandy Springs
78400 Roswell Road
Sandy Springs, GA 30350

RECEIVED

NOV 30 2011

U11-004

City of Sandy Springs
Community Development

To Whom It May Concern:

Please accept this letter as a "Letter of Intent" to the City of Sandy Springs in support of Cumberland Academy of Georgia, (www.cumberlandacademy.org), application for a school use permit. Cumberland Academy of Georgia opened August 2007 with a student population of three students and now has a population of 62 students. Our school is a private, non-profit independent school for children in grades 4 through 12 who do not learn well in traditional schools. The Academy specializes in the needs of children with Asperger's Syndrome, High Functioning Autism, ADD and/or ADHD. The school is accredited by The Southern Association of Colleges and Schools Council on Accreditation and School Improvement (SACS CASI) and The Georgia Accrediting Commission (GAC). Cumberland Academy of Georgia is a member of the following organizations: Georgia Independent School Association (GISA) Atlanta Area Association of Independent Schools (AAAIS) and Georgia Association of Private Schools for Exceptional Children (GAPSEC).

Cumberland Academy of Georgia is located at 650 Mt. Vernon Hwy, Atlanta, GA 3028. The site is currently zoned R-2 and the school is located in the Family-Life Center building on property belonging to First Baptist Church Sandy Springs. The Academy leases the building from the church. The school currently has 62 students and 10 fulltime faculty and staff members. School hours are Monday – Friday 8:00 am to 4:30 pm. The school has been in existence for four years and operates on a 180 school day calendar. School begins in August and ends with gradation in late May.

Currently, the 7.06 acre site consists of the Church sanctuary building, Family Life Center, Church administration office and retreat house with surface parking of 210 spaces. Using the parking calculation for churches with fixed seating of one parking space per 3.5 fixed seats in the largest assembly area; the sanctuary has a seating capacity of 300 and has enough parking spaces. Cumberland Academy of Georgia has 10 classrooms and using the criteria for secondary schools of 10 spaces per classroom the school has enough parking spaces. The school and the church in its four year history have never had events together. In addition we only have about 10 students who are of legal age to drive and due to their special needs usually do not get their driver license until after they leave school. Currently we have one student who drives to school. Finally, no new buildings nor building expansions are being contemplated.

Thank you for your time and consideration in this matter.

Sincerely,

Floyd Bushey
Director of Operations



Cumberland Academy of GEORGIA

"An Exceptional School for Exceptional Students"

U11-004

RECEIVED

JAN 09 2012

January 4, 2012

Doug Trettin, Senior Planner
City of Sandy Springs
7840 Rowell Rd., Bldg. 500
Sandy Springs, GA 30350

City of Sandy Springs
Community Development

Dear Mr. Trettin:

I am writing in response to the Draft Conditions discussed at the Community Development meeting on Thursday, December 29, 2011 in regards to Cumberland Academy of GA application for a school use permit at 650 Mt. Vernon Hwy. Cumberland Academy of GA is a private, non-profit independent school for children who do not learn well in a traditional setting. The Academy specializes in the needs of children with Asperger's Syndrome, ADD and/or ADHD. Cumberland Academy of Georgia is accredited by the Southern Association of Colleges and Schools Council on Accreditation and School Improvement (SACS CASI) and from the Georgia Accrediting Commission GAC). Cumberland Academy of Georgia is a member of the following organizations: Georgia Independent School Association (GISA), Atlanta Area Association of Independent Schools AAAIS) and Georgia Association of Private Schools for Exceptional Children (GAPSEC).

Cumberland Academy of GA agrees to abide by the following:

1. Comply with all conditions in regards to the site plan received by the Department of Community Development on November 1, 2011.
2. We will operate out of no more than 12 classrooms during the academic year. Regular school hours are Monday through Friday 7:00am to 5:00pm with night time and weekend events throughout the year.
3. We will provide each year to the City by August 15 an annual report detailing the total enrollment of the school for the academic year which will not exceed 200.
4. The school will monitor the times that the air conditioning unit is running and only run the unit the amount of time needed to make the Family Life Center a comfortable place for our students and staff which would be no earlier than 5:00am and no later than 10:00pm. In the event the AC unit is running other than the stated times; we would look for cooperation from the community to inform us of the incident so that we can prevent it from continuing to happen.
5. Trash pick-up is Tuesday and Friday before noon. It is done within a 5 minute period and no longer. We will be cognizant of any odors and react accordingly. We have never had any odor issues. We cannot relocate the dumpster to the east side of the building due to fire safety issues. We will move the dumpster to behind a bush near its present location.

As stated at the meeting we intend to do all that is within our means to be a good community member of the surrounding area and comply with city zoning regulations. As our school continues to mature, we will work closely with our Sandy Springs neighbors and the Department of Community Development to make our school the best possible example of integrating a special needs school with a community committed to high standards of excellence.

If you have any further questions, please don't hesitate to contact me. Thank you for all of your help throughout this process.

Sincerely,

Debbi Scarborough
Founding Director/Headmaster



Cumberland Academy
of GEORGIA

RECEIVED

FEB 01 2011

"An Exceptional School for Exceptional Students"

411-004

Use Permit Consideration Form

City of Sandy Springs
Community Development
Community Development

1. Whether the proposed use is consistent with the Comprehensive Land Use Plan and/or Economic Development Revitalization plans adopted by the City Council;
Schools are allowed in any zoning district with an approved use permit. Cumberland Academy of Georgia would be appropriate in any land category.
2. Compatibility with land uses and zoning districts in the vicinity of the property for with the Use permit is proposed;
Located at 510 Mt. Vernon Hwy; near Cumberland Academy of Georgia is Mount Vernon Presbyterian School. The school has a lower, middle and upper school. In addition, located next to First Baptist Church is a pre-school.
3. Whether the proposed use may violate local, state and/or federal statutes, ordinances or regulations governing land development.
Since two schools are in the area it would seem that no laws or regulations are being violated.
4. The effect of the proposed use on traffic flow, vehicular and pedestrian, along adjoining streets.
In the four years the school has existed there has never been an effect on traffic on Mt. Vernon and Glenridge Drive. Cumberland Academy has a very detailed car pool plan. There are entrances and exits to both Mt. Vernon Hwy and Glenridge Drive.
5. The location and number of off-street parking spaces.
There is no off-street parking on Mt. Vernon Hwy and Glenridge Drive nears the school.
6. The amount and location of open space:
There is much open space in front of the church and to the side of the church along with several open areas to play.
7. Protective screening;
Behind the Family Life Center and to the right is a Townhouse community. There is fencing that separates Cumberland Academy of Georgia and the Townhouse community.
8. Hours and manner of operation.
School is based on a 180 school day calendar with hours of operation Monday to Friday: 8:00 am to 4:30 pm. Please see Letter of Intent for further details.
9. Outdoor lighting
There are six light standards in the parking lot and next to the church. Three outdoor lights are attached to the church building. It is well lit but not intrusive to the surrounding area.
10. Ingress and egress to the property.
There is one entrance and two exits to the property from Mt. Vernon Hwy. Glenridge Drive has two exits and entrances to the property.



Sandy Springs Fire Rescue

7840 Roswell Road
Building 500
Sandy Springs, Ga.30350
Office 770-730-5600
Fax 770-206-1562

Occupant Name:	Tenant-Cumberland Academy	Inspection Date:	9/28/2011
Address:	650 Mount Vernon Highway	InspectionType:	Reinspection
Suite:		Construction Type:	II -(000) - Non-Combustible
Occupant Type:	High school/junior high school/middle school	Inspected By:	Casey Beynon 770-206-4364
Current Permits:	none		

GA International Fire Codes 2006

Floor 1

Electrical

605.4 Multiplug adapters.

OK Violation cleared on 9/28/2011

605.6 Unapproved conditions.

OK Violation cleared on 9/28/2011

Extinguishing Systems

906.1 Portable Fire Extinguishers - General.

OK Violation cleared on 9/28/2011

Fire Alarm

907.17 Fire Alarm testing documentaion

OK Violation cleared on 9/28/2011

Fire Protection for Cooking Operations

904.11 Fire Protection for Cooking Operations.

Inspector Comments:

Fire Alarm documentation provided - system fully operational.
Hood system will be serviced by the church - I will contact Mr. Smith for assistance with this matter

Inspector will return on or after 10/6/2011

Thank you for your cooperation in keeping your business and our community safe! If you have any questions, please contact the Fire Marshal's office at 770 206-2083.

Company Representative:

Signature on file

Floyd Bushey
9/28/2011

Signature on file

Inspector:

Casey Beynon
9/28/2011



RECEIVED

DEC 29 2011

City of Sandy Springs
Community Development

CITY OF ATLANTA
DEPARTMENT OF WATERSHED MANAGEMENT
BUREAU OF DRINKING WATER
TECHNICAL SERVICES GROUP

KASIM REED
MAYOR

651 FOURTEENTH STREET
ATLANTA, GEORGIA 30318
OFFICE 404-235-2007
FAX 404-982-1400

JOANN MACRINA
COMMISSIONER

December 19, 2011

City Of Sandy Springs
Department of Community Development
Planning and Zoning Division
7840 Roswell Road, Building 500
Sandy Springs, GA 30350

RECEIVED

DEC 29 2011

City of Sandy Springs
Community Development

Subject: Water Availability at 650 Mount Vernon Hwy.

To Whom It May Concern,

In response to your letter we offer the following:

1. There is an existing 24-inch water main along Mount Vernon Hwy. This water main is owned and maintained by the City of Atlanta.
2. Our calculations based on the reported fire flow test conducted on 12/15/11 indicate the 24" main has a capacity of 2029 gpm.
3. If further investigation is required, please complete the attached Basis of Design Data form along with a site utility plan.

In order to access the water you must develop a set of stamped engineering drawings, and submit three copies to the City of Atlanta, Bureau of Drinking Water for approval and review.

Should additional information be needed, please contact Parett Smith at 404-982-1405.

Sincerely,

Douglas Smith,
Field Engineer

cc: file

Glenridge Square Home Owners Association
6375 Glenridge Drive,
Sandy Springs
GA 30328
January 3rd 2012

U11-004
RECEIVED
JAN 03 2012

City of Sandy Springs
Community Development

TO; Doug Trettin, City of Sandy Springs.
dtrettin@sandyspringsga.gov

RE; Private School at 650 Mount Vernon Highway.

Dear Mr. Trettin,

Further to our meeting on December 29th 2011, we would like to make the following comments and requests, as we reside very close to the school on its Western boundary, & the following issues have & still are impacting us as follows;

1. The outside chiller unit is facing our homes & the noise it produces is most excessive ,if not intolerable.
2. The unit operates sometimes all night or is triggered in the very early hours of the morning (3 to 5 a.m.)
3. This annoying noise often continues during weekends.

All the above deprives us the pleasure of gardening, cook outs with guests or simply sitting outdoors, diminishing our enjoyment and value of our residential units. Silencing or relocating the chiller would be most beneficial.

We would also like to comment on the poor state of the landscaping around the church property, particularly on

Glenridge Drive, which detracts from the attractiveness of the entire community.

It is understood that our comments do not relate directly to the school permit application & we sincerely hope that a responsible person from the church will be present at the next meeting as we sincerely hope that something can be done about these problems.

We further request someone from the appropriate City department visit the area to evaluate the noise level of these chiller units which may well exceed legal noise limits.

Lastly two large trash dumpsters sit directly in front of our units. We highly recommend that they be relocated on the East side of the school as four disheartening inconveniences occur from their current location:

- a) Dumping of trash by school employees is very noisy;
- b) Strong odors emanate & pollute our air;
- c) These dumpsters are a sore to our view and eye sight, and
- d) Dump truck retrieval at early hours is extremely loud.

Thank you for your kind assistance in this regard.

Yours sincerely,

Barbara Jacobs VP

Glenridge Square H.O.A.

011-004

RECEIVED

JAN 03 2012

City of Sandy Springs
Community Development

Trettin, Doug

From: Barbara Jacobs <barbara.jacobs31@gmail.com>
Sent: Thursday, January 05, 2012 5:37 PM
To: Trettin, Doug
Cc: barbaramalone@sandyspringscouncil.org
Subject: Special Use Permit for Cumberland Academy

Dear Mr. Trettin,

I feel that the following issues must be raised concerning the use permit for the school;

1. It needs to be specified whether this school is a preschool, middle school &/or high school or what age ranges will the children attending it be.
2. The number of enrolled students needs to be specified as well as the maximum number of pupils allowed.
3. The hours of operation..Including/excluding weekends, daily 7 a.m. to 5 p.m. Sat 9 to 12 noon ?
4. Hours of deliveries 7.30 a.m. to 7.30 p.m.?
5. We assume that there will not be a P.A. system involved
6. Whether exterior lighting will be in effect.

We look forward to our meeting on the 19th & appreciate your help & co-operation in this matter.

Yours sincerely,

Barbara Jacobs VA

Glenridge Square H.O.A.

RECEIVED

JAN 05 2012

City of Sandy Springs
Community Development

11-004

Trettin, Doug

111-004

From: Barbara Malone <barbaramalone@hotmail.com>
Sent: Wednesday, January 04, 2012 10:50 PM
To: Trettin, Doug
Subject: Cumberland Academy - Special Use Permit

RECEIVED

JAN 04 2012

Doug

City of Sandy Springs
Community Development

I respectfully request the following conditions be added to the draft conditions for the Cumberland Academy;

- Pre-school, Kindergarten, Elementary, Middle School, High School should be specified. Applicable Certification required from the Board of Education.
- Number of enrolled students
- Hours of operations. 7am-5pm Mon- Friday, 9-12 Saturday. For student based activities. Sporting activities 8am until 9pm Mon-Friday. 9am-4pm Saturday. (example)
- Deliveries should be same as construction hours 7.30am-7.30pm Mon Fri, 9am-5pm Saturday
- Interior lighting. Only security lights and lights for safety should be operated between 10pm-7am
- Exterior lighting. Should be the same hours as for sporting operation hours, with the exception of low wattage security lighting.
- Noise. Normal noise is expected with any education establishment. Permanent PA systems should be used in the same time period as sporting activity guidelines. Temporary PA systems should require a special onetime use permit.
- School should not be a burden on their neighbors.
- Enrollment. School should produce annual report for City (August of each year) giving details of ages, numbers and geographical residential addresses.

- Sporting events = standardized hours of operation etc
- Renting out of facilities - standardized hours of operation etc
- certificate of occupation mandatory before building can be used as a school.
- Annual fire inspections.
- Adequate parking spaces per City ordinance

Barbara Malone
Vice President, SSCN

611-004
RECEIVED

JAN 04 2012

City of Sandy Springs
Community Development

Trettin, Doug

From: Barbara Jacobs <barbara.jacobs31@gmail.com>
Sent: Monday, January 09, 2012 3:33 PM
To: Trettin, Doug
Subject: Cumberland Academy

011-004
Received

JAN 09 2012

*City of Sandy Springs
Community Development
Department*

Dear Mr. Trettin,

Please could you submit this letter with your final report.

Glenridge Square opposes that the building at this address on Mount Vernon be used as a school for the following DIRECTLY RELATED reasons. It is self serving for the building owner to pretend that the nearby dumpster eyesore and loud chiller is unrelated to the school permit. The prejudice and nuisance of these items will be greatly magnified from increased utilization once the school permit is granted on a more permanent basis. The school permit would provide the school an established legitimacy and therefore expand school operations and current nuisances into intolerable levels and should not be allowed.

PREJUDICE CAUSED BY USING SAID BUILDING AS A SCHOOL

The building is very close to the Glenridge Square subdivision but when development was made, this building did not have a permit to operate a school and the development and subsequent purchases of units in the subdivision did not contemplate a school of such large planned attendance within a few feet of the units to subsist in the long term. It was felt the school location was temporary and owners were confirmed this when Sophia Academy relocated elsewhere. Therefore a permanent school permit will cause in the long term Glenridge Square Property values to deteriorate, force financial hardship to current owners, and eventually a reduced tax base for City tax revenues.

Compared to other possible usages for the same type of building, a school permit enabling the building to house, feed and support more than 150 students with associated administrative/facilities staff and faculty:

- 1) Directly increases traffic on roads accessing the Glenridge Square subdivision;
- 2) Increases traffic in the parking lot immediately adjacent to Glenridge Square and increases eyesore and noise levels;
- 3) Requires more frequent trash removal with associated noise levels;
- 4) Requires more and/or larger trash dumpsters, increasing eyesore;
- 5) Causes the trash to have more perishables and food stuff thereby adding to air pollution and pervading smell;
- 6) Causes the necessity for a large heater /chiller unit, to be functioning at higher levels because of occupancy and more often than current levels.

If the building adjacent to Glenridge Square was used for a purpose other than for a school of up to 150 students, the car traffic, noise, pedestrian activity as well as dumpsters and chiller unit usage would not be as extensive and cause as much nuisance.

PRIOR TEST OF NOISE LEVEL

Before any school permit is granted, Glenridge Square demands that the noise level of the heater/chiller unit be measured objectively at the expense of the legal owner of the unit. The test should be conducted by an independent engineering firm approved by Glenridge Square, when the unit is in full and maximum use (which is the level a school obtaining the permit in question will require) to ascertain the noise level that is produced, and whether the decibel level developed by such large unit doesn't exceed the limit set by City Ordinance or State regulations. It is to be expected that if this permit is delivered, school attendance will increase well beyond current occupancy and cause hardship greater than what exists today.

If the noise level was determined to be excessive and noise-reducing solutions consequently expensive or inconvenient to the Building Owner, such Owner may be compelled to amend its rental agreement with the operator of the School, and the School operator may no longer wish to rent this property, rendering the permit for usage irrelevant and an unnecessary pursuit.

Received

JAN 09 2012

***City of Sandy Springs
Community Development
Department***

611-004



FULTON COUNTY

Department of Planning and Community Services
Fulton County Government Service Center at Fulton Industrial
5440 Fulton Industrial Boulevard
Atlanta, GA 30336

January 20, 2012

Patrice S. Ruffin, AICP, Manager of Planning & Zoning
City of Sandy Springs
Department of Community Development
Planning and Zoning Division
7840 Roswell Road, Building 500
Sandy Springs, Georgia 30350

Dear Ms. Ruffin:

I am in receipt of your zoning package soliciting comments on the upcoming City of Sandy Springs zoning agenda for the February Mayor and City Council Meeting. I have reviewed all items within the package and find none of them have a significant impact on Unincorporated Fulton County. Thank you for the opportunity to review the requests.

Sincerely,

Randy Beck,
Deputy Director, E&CD



Received

JAN 24 2012

***City of Sandy Springs
Community Development
Department***

011-004

Trettin, Doug

From: fgenest@aol.com
Sent: Thursday, February 02, 2012 2:58 PM
To: debbi.scarborough@cumberlandacademy.org; floyd.bushey@cumberlandacademy.org; Trettin, Doug; pattyberkovitz@sandyspringscouncil.org
Subject: Sophia Academy

Dear Neighbors and City officials,

If you would kindly look into the web site for "Sophia Academy: A Private Christian School grade Pre-K ". Under the subject: "About Sophia", please open the tab "History/Philosophy". The bullet **2005-2006** speaks by itself: The enrollment for the school had grown in 5 years from 11 students in 1999 to 100 students in 2004 and they realized that they had "outgrown" the facility.

As I said at the meeting today, only me and the 2 representatives of the Church were around here at that time. I remember having talked informally to the Headmaster in 2006 to know more about the School, etc. He then announced to me me that the school was in the process of moving out of the facility, because of "they had outgrown the area available".

So, Mr. Scarborough refrain to tell me that "I am wrong" like you did today. Because I live here; I am the one who spoke to the former Headmaster in 2006 and I disagree that this facility could hold 200 students without causing harm and peace of mind to the existing community.

Thank you,

Claudette Genest.

Received

FEB 02 2012

*City of Sandy Springs
Community Development
Department*

011-004