



Land Use Petition SUP-11-003

Date of Staff Recommendation Preparation: 11/10/2011

---

**PROJECT LOCATION:** 3300 – 3400 Block of Old Alabama Road  
9800 Block of Brumbelow Road

**DISTRICT/SECTION/LANDLOT(S):** 1<sup>st</sup> District, 2<sup>nd</sup> Section, Land Lots 923 and 924

**ACREAGE** 26.36 acres

**EXISTING ZONING:** AG-1 (Agricultural District)

**BUILDING SIZE:** Existing Church – 50,170 Square Feet  
Church Addition – 33,000 Square Feet  
Future Building – 24,000 Square Feet  
Total – 107,170 Square Feet

**FUTURE DEVELOPMENT MAP DESIGNATION:** Character Area 06 – Newtown

**OWNERS:** The Roman Catholic Archdiocese of Atlanta  
2401 Lake Park Drive, SE  
Smyrna, Georgia 30080-8862

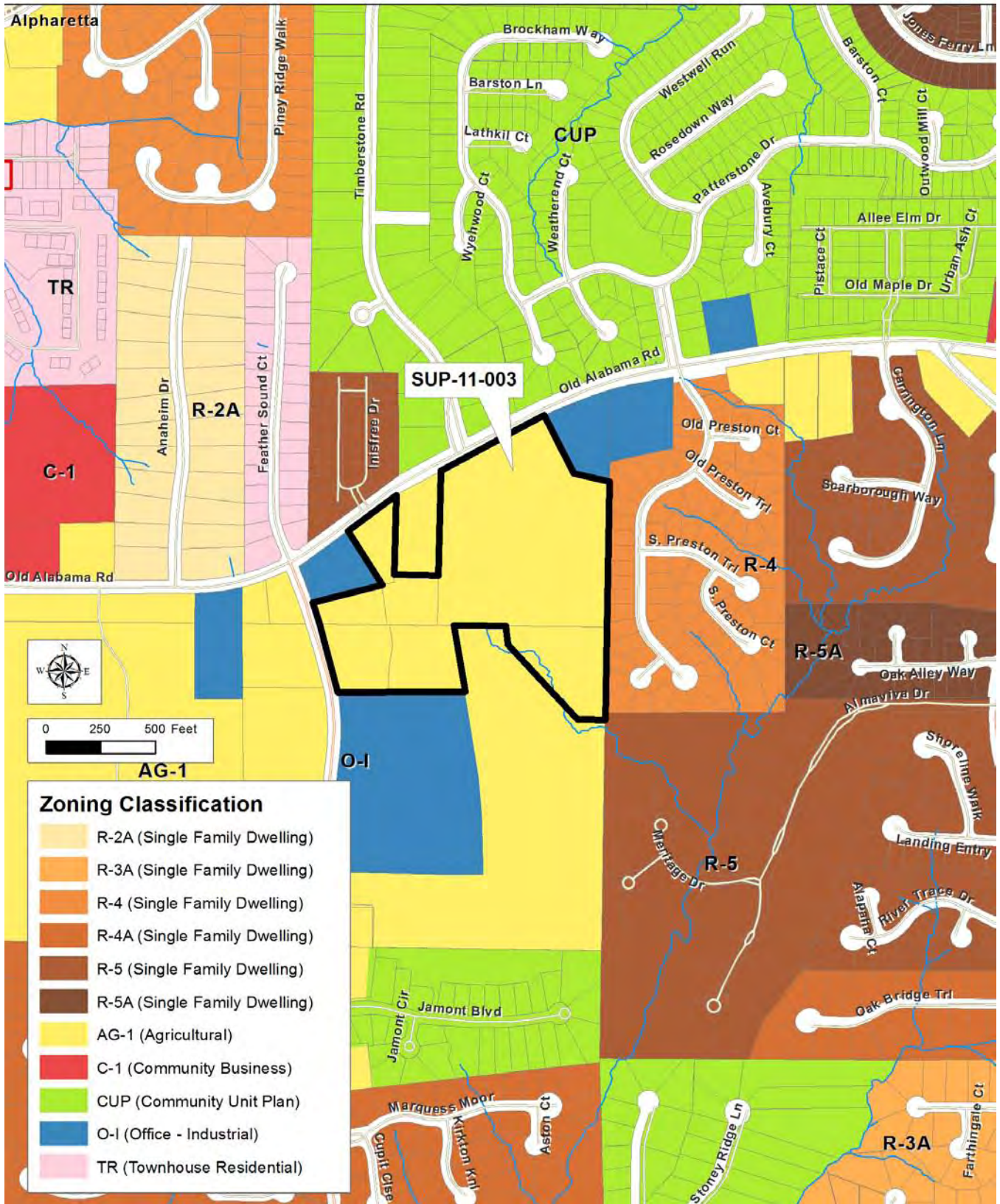
Nancy Paulette Mercer  
9895 Brumbelow Road  
Johns Creek, Georgia 30022

**PETITIONER:** The Roman Catholic Archdiocese of Atlanta  
2401 Lake Park Drive, SE  
Smyrna, Georgia 30080-8862  
Contact: Woody Galloway  
404-965-3680

**PROPOSED DEVELOPMENT:** Addition to existing church building (33,000 SF)  
New church building (24,000 SF)  
Add 1.28 acres to overall church campus

**STAFF RECOMMENDATION:** **APPROVAL with Conditions**

SUP-11-003



## **PROJECT OVERVIEW**

The applicant requests a Special Use Permit to expand the current church building and to add 1.28 acres along Brumbelow Road for a future church building and access drive. The existing church property is approximately 25.08 acres zoned AG-1 (Agricultural District) and consists of the existing St. Brigid Catholic Church, Holy Redeemer Catholic School, a three-story, single-family residence, and two athletic fields. The 1.28 acre tract is also zoned AG-1 and currently contains a single-family residence that will be removed. The subject site is located on the south side of Old Alabama Road and extends to the east side of Brumbelow road.

The proposed site plan indicates the three existing church buildings will remain and the existing single-family residence on the 1.28 acre property will be removed for a new three-story, 24,000 square-foot church building. The applicant's letter of intent states that the programming for this building would likely be used for youth activities. The Department notes that all new structures shall meet the Community Standards. The existing two-story church, currently at 50,170 square feet, would increase by 33,000 square feet for a total of 83,170 square feet. This addition will not increase the seating capacity, but will add meeting rooms and classrooms for church uses. The proposed aggregate square footage, accounting for new construction and expansion of the existing church would be 107,170 square feet or a density of 4,066 square feet per acre.

The site plan also shows additional access off of Brumbelow Road, a new parking lot, and additional parking near the main church. The required parking for the church is 300 parking spaces, and 46 parking spaces for the school, for a total of 346 parking spaces. The property currently has 511 parking spaces and is proposing an additional 98 parking spaces.

The applicant originally requested a concurrent variance to reduce a 25-foot undisturbed buffer to a 15-foot undisturbed buffer and to eliminate the 10-foot improvement setback adjacent to the bank property to the northwest zoned O-I Conditional. The Department would note that the 25-foot undisturbed buffer adjacent to property zoned O-I originated from the initial use permit site plan in 1994, and subsequently was conditioned by staff. Since conditions may be altered through the land use petition process rather than with a variance, the concurrent variance has been administratively withdrawn.

The Department notes that a combination plat will be required to combine the parcels

## **BACKGROUND**

The current church site has been utilized for a church and school since approvals of Special Use Permits in 1994 by Fulton County, pursuant to U-94-0052 and -0053 NFC, and then subsequent use permits in 1997 and 2000, and in 2009 by the City of Johns Creek (SUP-09-005). The 1.28 acre tract of land is an existing AG-1 zoned property that has been utilized for a single-family dwelling.

## **STANDARDS OF REVIEW – SPECIAL USE PERMIT**

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

The City of Johns Creek Future Development Plan designates the property as Character Area 6 – Newtown which suggests appropriate uses of private schools, places of worship, and private recreational facilities. The proposal would be consistent with the intent of the 2030 Future Development Map and the Comprehensive Plan.

### **2. Compatibility with land uses and zoning districts in the vicinity of the property for which the use permit is proposed:**

The property is bordered by existing outdoor recreational fields, residential and office-use properties all of which would be compatible with the proposed use. Additionally, the previous approval for a church, private school, and two outdoor recreational fields on the proposed site establishes a precedent that the proposal would be compatible with the surrounding and nearby properties. As the requested buffer reduction is adjacent to a non-residential property, the request could be supported.

### **3. Whether the proposed use may violate Local, State and/or Federal statutes, ordinances or regulations governing land development:**

The proposed use shall comply with land development regulations.

### **4. The effect of the proposed use on traffic flow, vehicular and pedestrian, along adjoining street;**

The applicant has stated that there will not be an increase in seating capacity of the sanctuary or an increase in the school; however, the requested access onto Brumbelow Road would alter the traffic flow. There may be an increase in traffic during church service times, activities, and events. The proposed conditions relating to transportation improvements may reduce these impacts. Any additional driveways or curb cuts would be required to meet adequate spacing requirements.

### **5. The location and number of off street parking spaces;**

The applicant has proposed 609 total parking spaces, with 511 existing parking spaces and an addition of 98 new parking spaces, which would exceed with the requirements of the City of Johns Creek Zoning Ordinance for a 1,200-seat sanctuary and 23-classroom school.

### **6. The amount and location of open space;**

There are currently two recreational fields provided on the property.

### **7. Protective screening;**

The property currently has a 50-foot undisturbed buffer adjacent to the Preston Oaks subdivision and 25-foot undisturbed buffers adjacent to residential AG-1 properties. Those portions of the undisturbed buffer that are sparsely vegetated shall be required to be revegetated at time of the

Land Disturbance Permit. The requested buffer reduction lies adjacent to a bank property, and not a residential property, and could be adequately addressed with a 10-foot landscape strip.

**8. Hours and manner of operation;**

The church currently has five Sunday services (7:30 a.m., 9 a.m., 10:45 a.m., 12:15 p.m. and 5 p.m.), two morning (6:30 & 9 a.m.) services Monday thru Friday, and 2 services on Saturday (9 a.m. and 5 p.m.). The church holds various activities at the church throughout the week. The school is operated Monday thru Friday, 7:55 a.m. to 3:10 p.m. The proposed expansion would not alter the church service times.

**9. Outdoor lighting;**

The applicant is not requesting outdoor lighting beyond the extent allowed under the Night Sky Ordinance and the Special Use Permit Outdoor Recreational Field restrictions. Additionally, the existing special use permit restricts the lighting of the recreational fields.

**10. Ingress and Egress to the property;**

The proposed site plan indicates one existing full access point with a traffic signal and an existing right-in-right-out access point on Old Alabama Road. One full access point is proposed on Brumbelow Road. The existing three-story residence that will remain has two driveways that have been proposed to remain. All driveways would be required to comply with the alignment and spacing required of the Development Regulations, and subject to the approval of the Department of Public Works.

**DEPARTMENT COMMENTS****PUBLIC WORKS**

1. Curb cut locations and alignments are subject to an approved sight distance plan and the approval of the City of Johns Creek Traffic Engineer.
  - a. Driveway location shown on Brumbelow Road does not meet spacing requirements. The development will be allowed one commercial size full-access driveway from Brumbelow Road. Driveway must meet spacing requirements for Brumbelow Road, which is 300 feet from any existing driveways adjacent to and opposite the property. The southernmost existing residential driveway will be allowed to remain. All other residential driveways must be removed at the time the new full-access drive is installed.
  - b. Ensure that the R/W is cleared of all obstructions that may limit the sight-distance of the driver. This includes, at a minimum, all trees and/or shrubs and fencing. Coordinate all improvements in the R/W with the City's Traffic Engineer.
  - c. Line of sight must remain entirely in the right-of-way. Additional right-of-way may need to be dedicated or acquired to meet this requirement.
  
2. Applicant will be required to repair and/or install any sidewalk along the entire property frontage on Brumbelow Road damaged during construction.

**WATER AND SEWER**

Water and Sewer is provided by Fulton County Public Works Department. Review and approval of water and sewer is required prior to development.

**FIRE MARSHALL**

Development and building plans will be subject to review and approval of the Fire Marshall prior to construction. New buildings and/or additions shall provide sprinkler systems.

**ARBORIST**

1. Tree Ordinance and Administrative Guidelines requirements to be met through land disturbance permit. All existing and new buffers and landscape strips as required by zoning and density requirements are to be planted per the Guidelines.

**SITE DEVELOPMENT**

1. A Land Disturbance Permit (LDP) is required to develop property. Development plans will have to comply with the Development & Zoning Regulations, Tree Preservation, Erosion & Sediment Control, Floodplain, Stream and Post-Development Stormwater Management Ordinances. A surety will be required for erosion control and any right-of-way improvements prior to issuance of land disturbance permit.
  
2. A stormwater facilities maintenance agreement for the entire storm system will be required prior to the issuance of the first certificate of occupancy.
  
3. Fulton County Water & Sewer approval is required prior to issuance of the land disturbance permit.

4. A demolition permit will be required prior to removing the existing house located at 9895 Brumbelow Road.
5. A plat will be required to combine existing and newly acquired property prior to issuance of a building permit.

**STAFF ANALYSIS**

The subject property is located on the south side of Old Alabama Road and the east side of Brumbelow Road. The property contains an existing church, school building, rectory, athletic fields, and a residence that would be removed as part of this request.

The surrounding area is a mixture of residential, office, and institutional uses. The subject property is bordered on the south by the Mount Pisgah recreational fields, which is zoned O-I (Office and Institutional District) Conditional and AG-1. Adjacent to the east is Preston Oaks subdivision zoned R-4 (Single Family Dwelling District) Conditional, and a dental office zoned O-I Conditional. Adjacent to the north and west is a bank zoned O-I Conditional. Across Old Alabama Road to the north is the Inisfree subdivision zoned R-5 Conditional. Also to the north are the Timberstone and Enclave at Breckenridge subdivisions zoned CUP (Community Unit Planned District) Conditional. Across Brumbelow Road to the west are a daycare and an undeveloped property, both zoned AG-1. Farther west is Newtown Park zoned AG-1. The proposed church campus expansion would be compatible in use and scale with the surrounding residential and institutional uses in the area. The Department notes, however, that the new curb cut on Brumbelow Road must be reconfigured to meet driveway standards. As the condition change reducing the existing buffer is adjacent to a bank facility, staff could support the reduction and require a 10-foot landscape strip as required by the Zoning Ordinance.

The City of Johns Creek 2030 Future Development Map designates this property as Character Area 06 – Newtown. The polices for this Character Area allow a mixture of commercial, residential, and institutional uses such as places of worship and private schools. The proposed church expansion, building area and property, would be compatible with the existing uses of the character area.

In conclusion, the proposed church expansion and property addition would be consistent with the recommendations of the Comprehensive Plan and would be compatible in use and scale with the established mix of uses that surround the area. Therefore, the Community Development Department recommends **APPROVAL with Conditions** of the Special Use Permit.

**STAFF RECOMMENDATION**

Based upon the findings and conclusions herein, Staff recommends **APPROVAL, With Conditions** of Land Use Petition SUP-11-003 subject to the following enumerated conditions:

1. Restrict the use of the subject property to:
  - a. a one story private school with a maximum of 578 students and grades Pre-K through 8<sup>th</sup> at a maximum of 75,000 square feet
  - b. 2 story church at a maximum of 85,000 square feet
  - c. 3 story church building at a maximum of 24,000 square feet
  - d. One, existing single family residence.
  - e. Two, unlighted outdoor recreational fields for exclusive use by the adjoining school and church.
2. New buildings/additions shall be consistent with existing building and shall conform to the Community Standards.
3. The site shall be developed in general conformance with the site plan submitted to the Community Development Department dated November 21, 2011, with changes to the site plan to meet these conditions.
4. Provide a 50-foot buffer with 10-foot improvement setback adjacent to the Preston Oaks subdivision. Provide a 25-foot wide buffer and 10-foot improvement setback adjacent to all other residences.
5. Provide a 60-foot landscape strip and a 20-foot landscape strip adjacent to Old Alabama Road as shown on site plan submitted to the Community Development Department dated September 18, 2011; all other road frontages shall follow the current zoning ordinance for required landscape strips.
6. Provide a 10-foot landscape strip adjacent to O-I zoned property.
7. Reduce the setback for a recreation field next to a residentially zoned or developed property from 100 feet to 60 feet.
8. A final plat combining all church property shall be submitted and approved prior to the issuance of a building permit.
9. Owner/developer shall dedicate along the entire property frontage on Old Alabama Road right-of-way as necessary for the GDOT Project STP-9408(3) (P.I. No 751650), Old Alabama Road widening between Holcomb Bridge Road and Jones Bridge Road prior to the issuance of a Land Disturbance Permit as approved by the City of Johns Creek Director of Public Works.
10. The owner/developer shall dedicate at no cost to the City of Johns Creek along the entire property frontage on Brumelow Road at least 11 feet of right-of-way from back of curb or 1 foot from the edge of sidewalk, whichever is greater, of all abutting road improvements prior to the issuance of a Land Disturbance Permit as approved by the City of Johns Creek Director of Public Works.

11. No additional curb cuts shall be allowed along the entire property frontage of Old Alabama Road.
12. Owner/developer shall be allowed one (1) non-residential drive and one (1) residential drive on Brumbelow Road or as may be required by the City of Johns Creek Traffic Engineer. Design and location shall be subject to review and approval of the Johns Creek Traffic Engineer.
13. The owner/developer shall upgrade deceleration lane at west curb cut on Old Alabama Road and shall provide a deceleration lane at the non-residential entrance on Brumbelow Road or as may be required by the City of Johns Creek Traffic Engineer.

SUP-11-003

