

**SEPTEMBER 8, 2011 PLANNING COMMISSION ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 3**

ITEM # 1

PURPOSE

To consider plan approval for Walmart regarding rezoning application number 66 of 1973 (Scott Davis & Associates), for property located near the northeastern intersection of Canton Road and Blackwell Road in Land Lot 372 and 421 of the 16th District.

BACKGROUND

The subject property was zoned PSC on March 7, 1973 for a shopping center. The existing shopping center was built in approximately 1976, which is presently still there. One of the zoning stipulations requires the Planning Commission to approve the building and grading plans before building permits are issued. Walmart has a new concept store called “Walmart Neighborhood Market Store” that sells typical grocery store merchandise only. The proposed store would be 40,601 square-feet and would also have a pharmacy. In order to facilitate this new store concept, part of the existing shopping center would have to be demolished (where America’s Thrift Store is currently located). An architectural elevation of the proposed store is included in the Other Business information. Additional improvements to the property include regrading part the parking lot to improve drainage, installation of parking lot landscaping, additional landscape buffering along the rear and compliance with the Canton Road Design Guidelines. There are two existing variances that Staff would like to address. First, the existing shopping center is over the maximum impervious coverage by 4.2 %, however the proposed site improvements would bring this down to 4.0%. The Walmart improvements would improve this non-conforming condition by 0.2%. Second, the Walmart portion of the site would be under parked by 15 parking spaces, but that is partially caused by the shopping center being under parked by 70 parking spaces when it was originally built. This reduction in the number of parking spaces has not caused a problem in the past, and also contributes to the reduction in impervious surface. Staff is supportive of the variances since one is existing and the other is an improvement to an existing condition. The applicant has submitted a very detailed account of the proposal, which is attached to the Other Business application.

FUNDING

N/A

RECOMMENDATION

The Planning Commissioner conducts a Public Hearing and consider the proposed plan approval.

ATTACHMENTS

Other Business application which includes letter of intent, prior zoning minutes, and proposed plans.

Application for "Other Business"

Cobb County, Georgia

(Cobb County Zoning Division - 770-528-2035)

P.C.
B.C.
J.P.Hearing Date Requested: 9/8/11

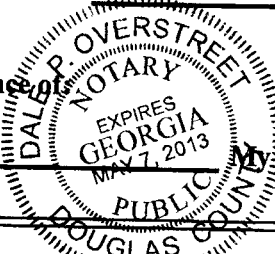
AUG - 4 2011

Applicant: David C. Kirk, as attorney for Walmart Phone #: 404-885-3415
(applicant's name printed)Address: 600 Peachtree St., Suite 5200, Atlanta, GA 30308 E-Mail: david.kirk@troutmansanders.comSee aboveAddress: See above

(representative's name, printed)

David C. Kirk
(representative's signature)Phone #: See aboveE-Mail: See above

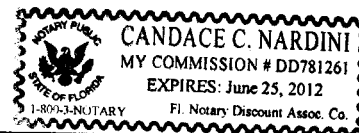
Signed, sealed and delivered in presence of:

Dale P. Overstreet
Notary PublicMy commission expires: 5-7-13Titleholder(s): Group Blackwell, LLC Phone #: (561) 241-9690
(property owner's name printed)Address: 1720 Harrison St., Suite 7-A, Hollywood, FL 33020 E-Mail: j5461177@yahoo.com[Signature]
(Property owner's signature)

Signed, sealed and delivered in presence of:

Candace C. Nardini
Notary Public

My commission expires:

Commission District: 3 Zoning Case: No. 66Date of Zoning Decision: 3/7/73 Original Date of Hearing: 3/7/73Location: Northeast corner of Canton Road and Blackwell Road
(street address, if applicable; nearest intersection, etc.)Land Lot(s): 421 and 372 District(s): 16

State specifically the need or reason(s) for Other Business: The original zoning approval, dated 3/7/73, requires "prior approval by the Planning Commission of grading and building plans before building permits are issued." Walmart is proposing to tear down the existing structure and build the proposed Walmart neighborhood market store in its place.

Accordingly, Planning Commission approval is required.

(List or attach additional information if needed)

**LETTER OF INTENT & JUSTIFICATION
SITE PLAN APPROVAL APPLICATION**

COBB COUNTY, GEORGIA

Through its attorney and as authorized by the property owner, Walmart Real Estate Business Trust (the "Applicant") respectfully submits this Letter of Intent & Justification to the Cobb County Planning Commission in support of an application seeking Site Plan Approval to allow for the proposed Walmart Neighborhood Market Store on the subject property.

THE PROPERTY

The subject property consists of approximately 5.03 acres of an approximately 13.36 acre parcel located at 3344 Canton Road in Cobb County, Georgia. There is an existing, largely vacant, shopping center on the property. Walmart intends to lease a portion of the existing shopping center. A portion of the existing structure will be demolished and Walmart will rebuild a 40,601 square foot Walmart Neighborhood Market Store in its place. A Site Plan prepared by Wolverton & Associates, dated August 1, 2011; a Survey prepared by Wolverton & Associates, dated May, 25, 2001; a Preliminary Landscape Plan prepared by RAA Design, LLC, dated July 28, 2001; and an Elevation Plan prepared by Scott & Goble Architects, PC, dated July 26, 2011 are included with this application and provide additional information on the subject property and proposed development.

REQUEST FOR SITE PLAN APPROVAL

The Cobb County Board of Commissioners' rezoning approval for the subject property, dated March 13, 1973, includes a stipulation requiring "prior approval by the Planning Commission for grading and building plans before building permits are issued." As such, the Applicant respectfully submits this application for Site Plan Approval to allow for the redevelopment of a portion of the existing shopping center as a Walmart Neighborhood Market Store. As shown on the Site Plan attached hereto, the proposed redevelopment will include a 40,601 square foot Walmart Neighborhood Market Store to be constructed within the southernmost portion of the existing shopping center and will include a newly designed structure,

an upgraded parking lot, pedestrian improvements, and increased landscaping. The Neighborhood Market Store is a grocery store concept Walmart has successfully operated in other states for many years and has now introduced in Georgia. Walmart Neighborhood Market Stores provide a convenient destination for customers to purchase groceries and other everyday basics. The store will feature fresh meat, dairy, and produce, a deli, groceries, consumables, health and wellness supplies, and a pharmacy. The Elevation Plan attached hereto provides the proposed architectural renderings for the site and demonstrates the substantial aesthetic improvements of the proposed structure over the current condition of the existing shopping center. The Preliminary Landscape Plan included with this application provides for significantly increased landscaping throughout the development, including along Canton Road, Blackwell Road, and the rear property line, as well as throughout the parking lot. The Applicant, working in cooperation with the property owner and County staff, believe that this redevelopment will significantly improve the aesthetics of the subject property in line with the Canton Road Corridor Guidelines, while also providing the surrounding community with a convenient place to purchase groceries and everyday basics.

SUMMARY AND CONCLUSION

Accordingly, the Applicant respectfully requests the Planning Commission approve this application for Site Plan Approval, which will allow for the development of the proposed Walmart Neighborhood Market Store on the subject property.

The Applicant, including its attorneys, engineers, and architects, stands ready to provide any additional information County officials may find helpful during the review of this application or to assist in any manner during the required public review period.

COBB COUNTY BOARD OF COMMISSIONERS OF ROADS AND REVENUES
COBB COUNTY PLANNING COMMISSION

No. 66

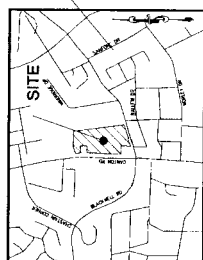
Date of Application 1/31/73 Date of Hearing, Wed. March 7, 1973 1:00
P.M.
Titleholder W. B. Schwartz, Jr. & W.G. Kirkland /S/ W.B. Schwartz Jr. & William G. Kirkland
Address 31 - 28th Street NW Atlanta 30309 Phone 355-3348
Applicant Scott Davis & Associates /S/
Address 1 Dunwoody Park, Suite 219, Atlanta, Ga. 30341 Phone 458-9728
To Zone From R-20 to ~~PSC~~ GC Land Use General Shopping
FOR THE PURPOSE OF Neighborhood Shopping Center
Land Lot (s) 421 & 372, District 16, Sec., 2nd Cobb County, Ga.
CONTAINING 15.75 acres
LOCATED At the northeast corner of Canton Highway (Ga.#5) and Blackwell Road
This property being more particularly described as follows:

All that tract of land lying and being in land lots 421 and 372 of the 16th district and 2nd section of Cobb County, Georgia and more particular being described as follows: Beginning at point at the northeast intersection of Canton Highway and Blackwell Road and running due north along the eastern right-of-way of Canton Highway 1,278.2 feet to a point; thence running east from the right-of-way of Canton Highway 486.3 feet to a point; thence running south 1,086.9 feet to a point on the northern right-of-way of Blackwell Road; thence running east along the northern right-of-way of Blackwell Road 702.2 feet to the northeast intersection of Canton Highway and Blackwell Road and being the point of beginning.

Recommendation of Planning Commission: 3/1/73. Planning Commission recommended
application be approved subject to: prior approval by Planning Commission for grading
and building plans, 100 foot buffer adjacent to the school to remain R-20, delete to
PSC. Motion by Hayes, seconded by Adams; Carried 4-1, Smith - opposed. No opposition
at hearing.
/S/ Robert D. Hayes, Chairman

Final Decision of Board of Commissioners: 3/1/73. Board of Commissioners held
application. Motion by Parrett, seconded by Lankford; Carried 5-0. 3-13-73, Board of
Commissioners approved above request subject to: 100 foot buffer (remain R-20)
adjacent to school, delete to PSC, prior approval by Planning Commission of
grading, and building plans before building permits are issued. Motion by Dickson
seconded by Parrett; carried 5--0.
/S/ Charles Parrett, Chairman

EXHIBIT



LOCATION MAP
NOT TO SCALE

EXISTING OVERALL SITE ANALYSIS

EXISTING BUILDING AREA	103,940 S.F.
PARKING (NON HANDICAPPED)	449 SPACES
HANDICAPPED PARKING	7 SPACES
TOTAL PARKING PROVIDED	458 SPACES
TOTAL PARKING REQUIRED *	457 SPACES
RATIO PROVIDED	4.39/1,000 S.F.
SITE AREA	13.36 ± AC.

WALMART SITE ANALYSIS

WALMART	40,801 S.F.
PARKING PROVIDED	146 SPACES
HANDICAPPED PARKING PROVIDED	6 SPACES
TOTAL PARKING PROVIDED	152 SPACES
TOTAL PARKING REQUIRED *	167 SPACES
RATIO PROVIDED	3,741,000 S.F.
SITE AREA	5.03 ± AC.

OVERALL SITE ANALYSIS

WALMART	40,601 SF.
EXISTING SHOPS	65,441 SF.
EXISTING GOODYEAR	5,653 SF.
TOTAL	111,695 SF.
TOTAL PARKING PROVIDED	418 SPACES
TOTAL PARKING REQUIRED •	468 SPACES
RATIO PROVIDED	374/1,000 SF.
SITE AREA	13.36 AC.

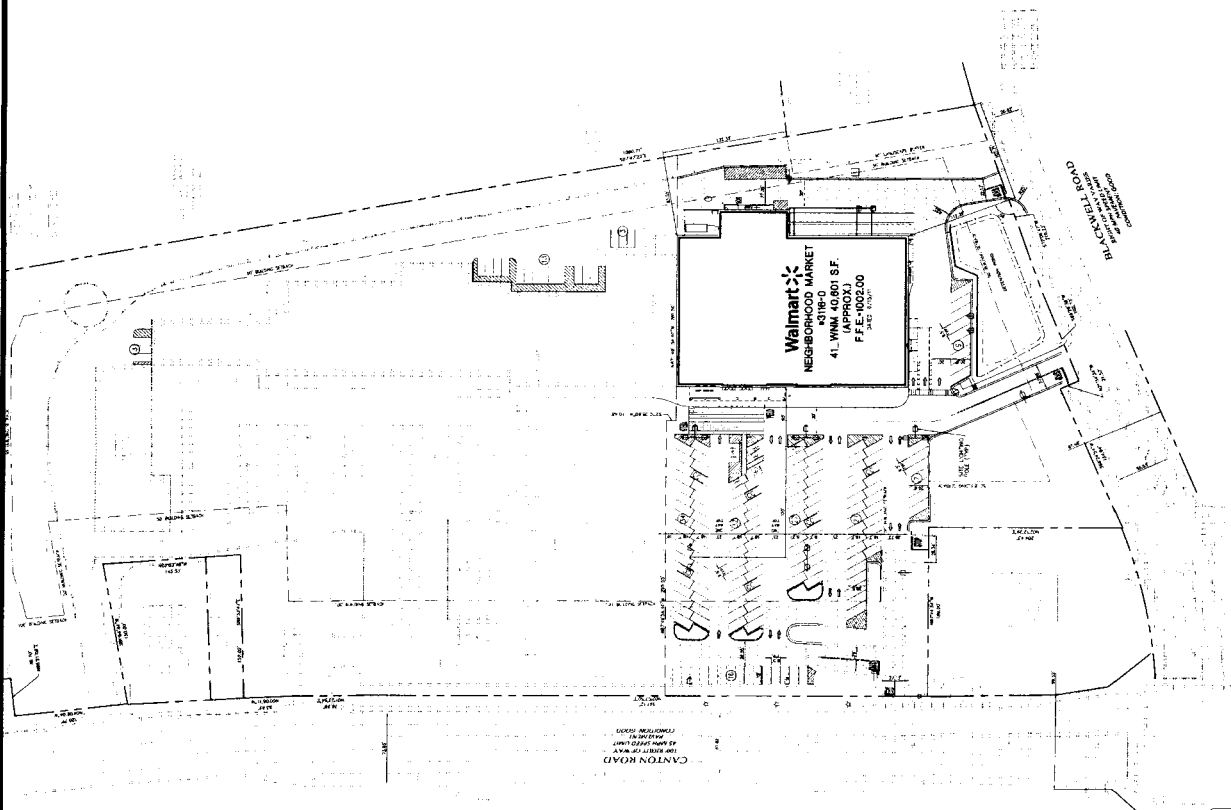
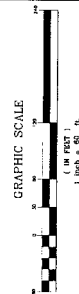
FLOOR AREA RATIO

TOTAL BUILDING AREA - 111,695 S.F. - 2.58 AC.
TOTAL PROPERTY - 13.36 AC.
FLOOR AREA RATIO - 2.58 / 13.36 = .192

- COBB COUNTY CODE, BASE ON BUILDING USE
IMPERVIOUS SURFACE COVERAGE:
EXISTING - 9.81 AC. - 74.2% OF PROPERTY
PROPOSED - 9.88 AC. - 74.0% OF PROPERTY

EXISTING ZONING FOR
SUBJECT PROPERTY: PSC

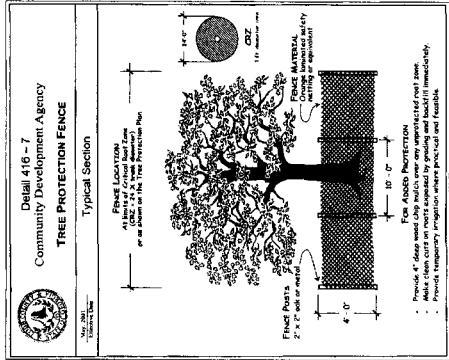
OVERALL SITE PLAN



COBB COUNTY REQUIREMENTS
- 15 UNITS PER ACRE OF NEW LAND DISTURBED
- 83 ACRES X 15 UNITS = 14 UNITS REQUIRED
- 28.5 UNITS PROVIDED

CANTON CORRIDOR STREETSCAPE ELEMENTS

- 5' Wide sidewalk be provided along all road frontages
- Decorative pedestrian light poles shall be staggered 75' on-center and located on private property. (3) provided
- Decorative street trees are to be planted with 50' separation.
- 230' of frontage - (5) trees required, (5) trees provided



Notes:
A pre-construction landscape conference is required for this project. Call the Cobb County Arborist at (770) 528-2124 or Landscape Architect at (770) 528-2149. There are critical factors on the landscape plan that affect both the general contractor and the landscape contractor. Planting area dimensions, planting methods and as well as plant materials must be in accordance with the approved plan, or the landscape inspector may delay the release of the certificate of occupancy.

Tree protection devices must be installed and inspected prior to any clearing, grubbing or grading.

Tree protection and replacement shall be enforced according to Cobb County standards. Any field adjustments to tree protection device types or locations or substitutions of plant materials shown on the approved plans are subject to the review and approval of the Cobb County Arborist.

The site contractor service routing of all gas, telephone, and electrical lines with the appropriate utility company. All construction must comply with each utility's standards and specifications and not interfere with tree planting sites or existing trees to be preserved.

Provide 20' minimum spacing between the trunks of all deciduous shade trees. Provide greater spacing where possible.

Provide 20' minimum spacing between the trunks of all deciduous shade trees and any existing or proposed light poles. Provide greater spacing where possible.

Provide 15' minimum spacing between the trunks of all deciduous shade trees and any existing or proposed buildings.

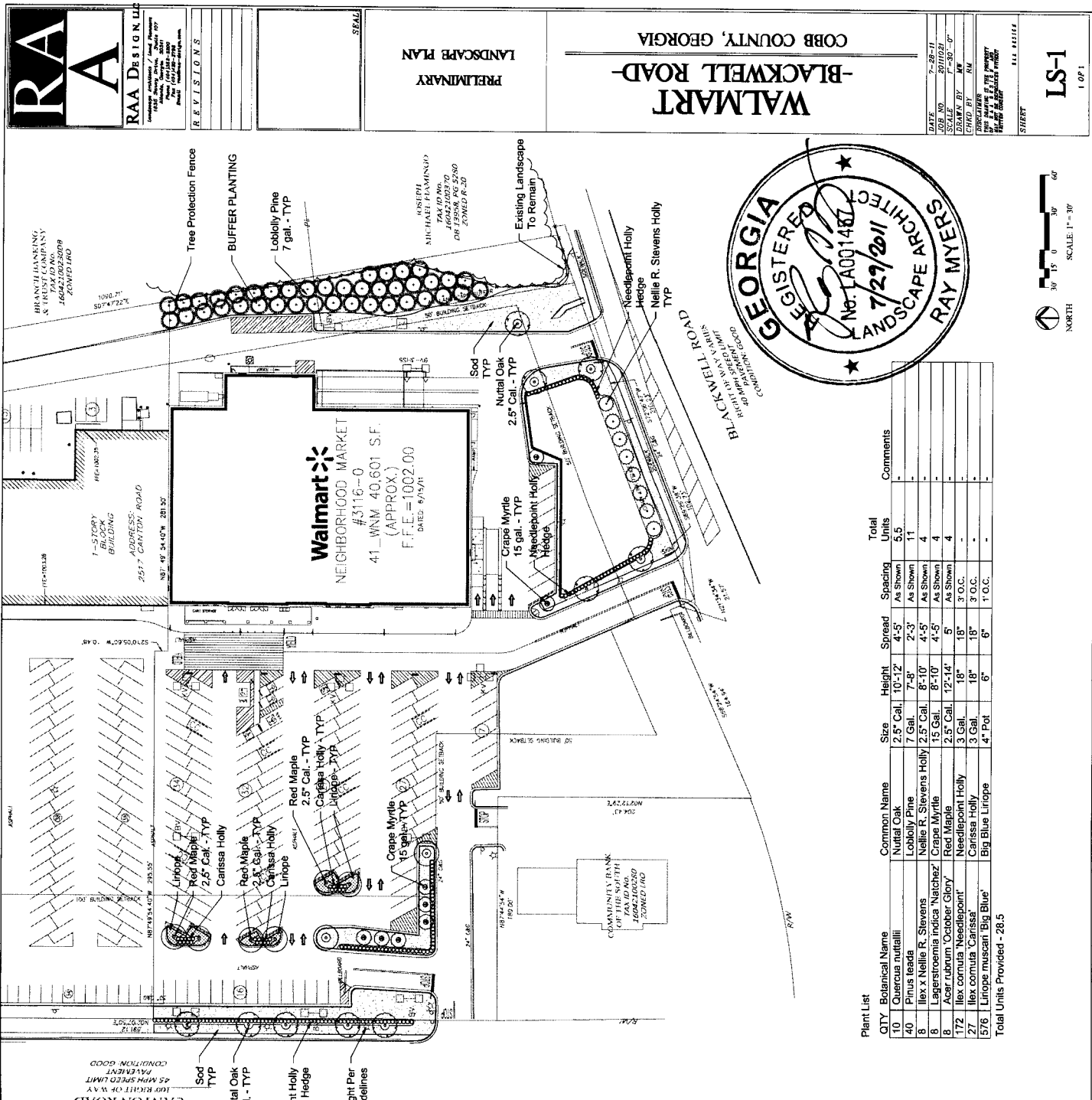
Do not install over-cropper trees in locations where future conflicts with existing overhead utilities lines will be inevitable. Contact the Cobb County Arborist or Landscape Architect if any potential conflicts are identified during the installation process.

The density requirements shown on the Tree Preservation and/or Replacement Plan(s) must be verified prior to the issuance of the Certificate of Occupancy or acceptance of the Final Plat. Call the Department Inspections Division at (770) 528-2124 for an inspection. A performance bond, letter-of-credit or escrow account will be accepted if plant materials must be installed at a later date.

When digging near trees, the contractor shall prune all exposed roots one (1) inch in diameter and larger on the side of the trench adjacent to the trees. Pruning shall consist of making a clean cut flush with the side of the trench to promote new root growth.

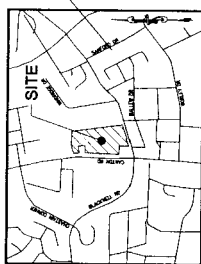
Pruning of tree limbs to provide clearance for equipment and materials shall be done according to standard arboricultural practice (see ANSI A300-1995)

Protect the trunks of any trees being preserved within the temporary or permanent utility easements with strapped-on planking or similar protective devices.



QTY	Botanical Name	Common Name	Size	Height	Spread	Spacing	Units	Comments
10	Quercus nuttallii	Nuttall Oak	2.5" Cal.	10'-12'	4'-5'	As Shown	5.5	
40	Pinus taeda	Loblolly Pine	7" Gal.	7'-8'	2'-3'	As Shown	11	
8	Ilex x Nellie R. Stevens	Nellie R. Stevens Holly	2.5" Cal.	8'-10'	4'-5'	As Shown	4	
8	Lagerstroemia indica 'Natchez'	Crape Myrtle	15" Gal.	8'-10'	4'-5'	As Shown	4	
172	Acer rubrum 'October Glory'	Red Maple	2.5" Cal.	12'-14'	5'	3' O.C.	-	
27	Ilex cornuta 'Carissa'	Carissa Holly	3" Gal.	18"	18"	3' O.C.	-	
576	Liriodendron muscari 'Big Blue'	Big Blue Liriodendron	4" Pot	6"	6"	1' O.C.	-	

Total Units Provided - 28.5



LOCATION MAP

NOT TO SCALE

EXISTING OVERALL SITE ANALYSIS

EXISTING BUILDING AREA	103,940 S.F.
PARKING (NON HANDICAPPED)	448 SPACES
HANDICAPPED PARKING	7 SPACES
TOTAL PARKING PROVIDED	456 SPACES
TOTAL PARKING REQUIRED *	457 SPACES
RATIO PROVIDED	4.39/1,000 S.F.
SITE AREA	19.38 ± A.C.

WALMART SITE ANALYSIS

WALMART	40,801 S.F.
PARKING PROVIDED	148 SPACES
HANDICAPPED PARKING PROVIDED	8 SPACES
TOTAL PARKING PROVIDED	152 SPACES
TOTAL PARKING REQUIRED *	187 SPACES
RATIO PROVIDED	3.74/1,000 S.F.
SITE AREA	5.03 ± AC.

OVERALL SITE ANALYSIS

WALMART	40,601 SF.
EXISTING SHOPS	85,441 SF.
EXISTING GOODYEAR	5,853 SF.
TOTAL	131,895 SF.
TOTAL PARKING PROVIDED	418 SPACES
TOTAL PARKING REQUIRED *	488 SPACES
RATIO PROVIDED	3.74/1,000 SF.
SITE AREA	13.36 ± AC.

FLOOR AREA RATIO

TOTAL BUILDING AREA - 11,895 S.F. - 2.58 AC.
TOTAL PROPERTY - 13.38 AC.
FLOOR AREA RATIO - $\frac{2.58}{13.38} = .192$

COBB COUNTY CODE, BASE ON BUILDING USE

IMPERVIOUS SURFACE COVERAGE:
 EXISTING - 9.91 AC. - 74.2% OF PROPERTY
 PROPOSED - 9.88 AC. - 74.0% OF PROPERTY

AVEMENT REMOVED/REPLACED:	2.03 AC
TOTAL SITE:	13.38 AC

PROPOSED REDEVELOPMENT DOES NOT
EXCEED THE 25% THRESHOLD FOR TREE
ORDINANCE COMPLIANCE.

SITE PLAN

GRAPHIC SCALE

(IN FIRST)
 Inch = 40 ft.

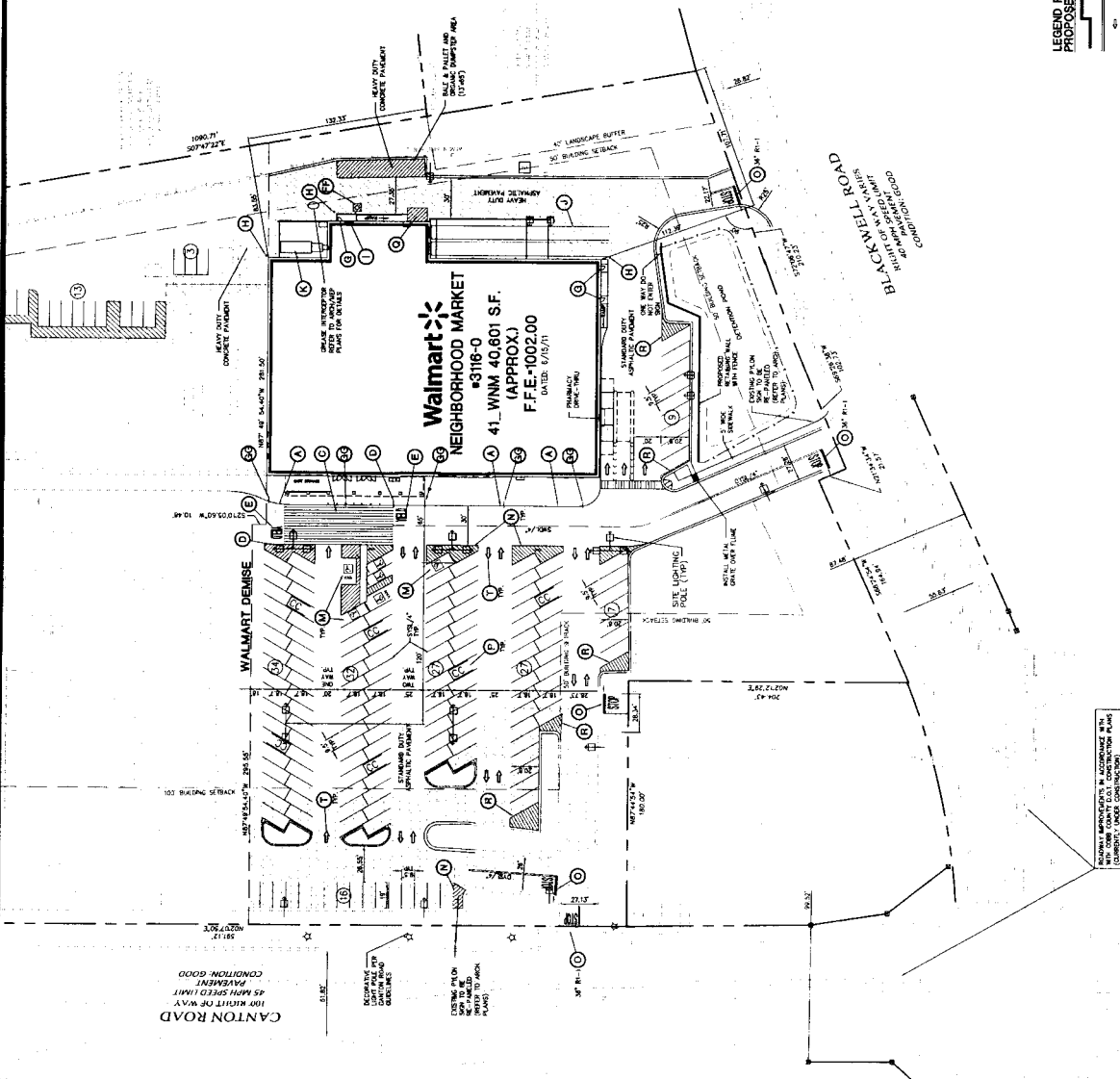
1 inch = 40 ft.

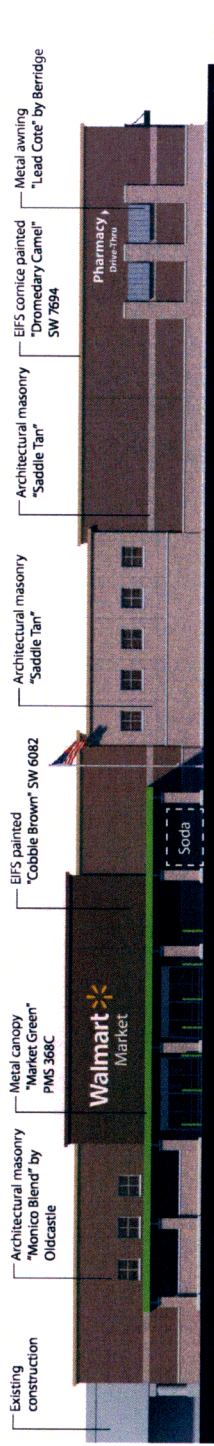
SITE LEGEND

- [illegible]

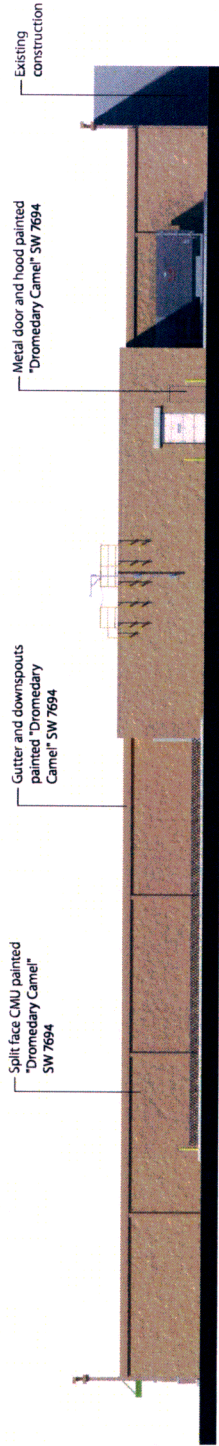
**LEGEND FOR
PROPOSED IMPROVEMENTS**

- | | |
|--|-----------------------------------|
| | PROPOSED BUILDING |
| | PROPOSED CURB
AND GUTTER |
| | PAINTED TRAFFIC DIRECTION ARROW |
| | PROPOSED PARKING SPACES |
| | CURT CORRAL |
| | STANDARD DUTY
ASPHALT PAVEMENT |
| | HEAVY DUTY
ASPHALT PAVEMENT |
| | FULL DEPTH
RECLAMATION |

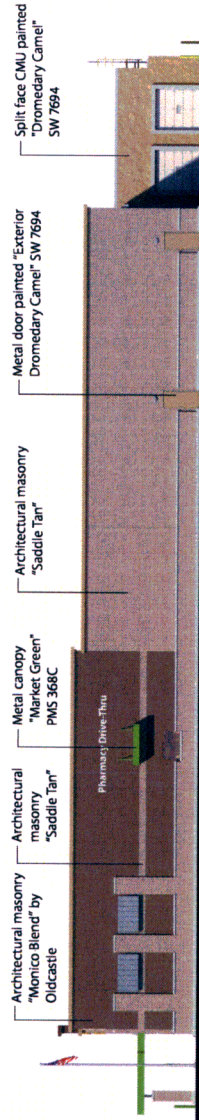




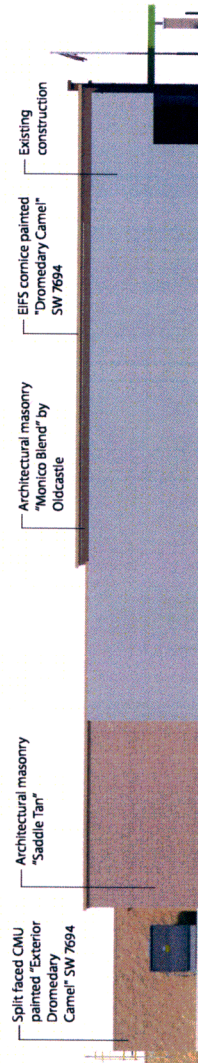
Front Elevation



Back Elevation



Right Elevation



Left Elevation

Sign	Qty.	Height	Area (S.F.)	Total S.F.
Walmart	1	7'-1 3/4"	189.59	189.59
Pharmacy Drive-Thru	1	2'-0 7/16"	61.78	61.78
Pharmacy Drive-Thru	1	1'-6"	39.90	39.90
Total Building Signage				291.27



July 26, 2011

Marietta, Georgia #3116 - New Store Neighborhood Market

Christopher B. Goble, Architect
Georgia Registration No. RA011158

Elevations

1

DESIGN REPRESENTATION ONLY - NOT FOR CONSTRUCTION The building images shown are a representation of the current design intent only. The building images may not reflect variations in color, tone, hue, tint, shading, ambient light intensity, materials, texture, contrast, font style, construction variations required by building codes or inspectors, material availability or final design detailing.