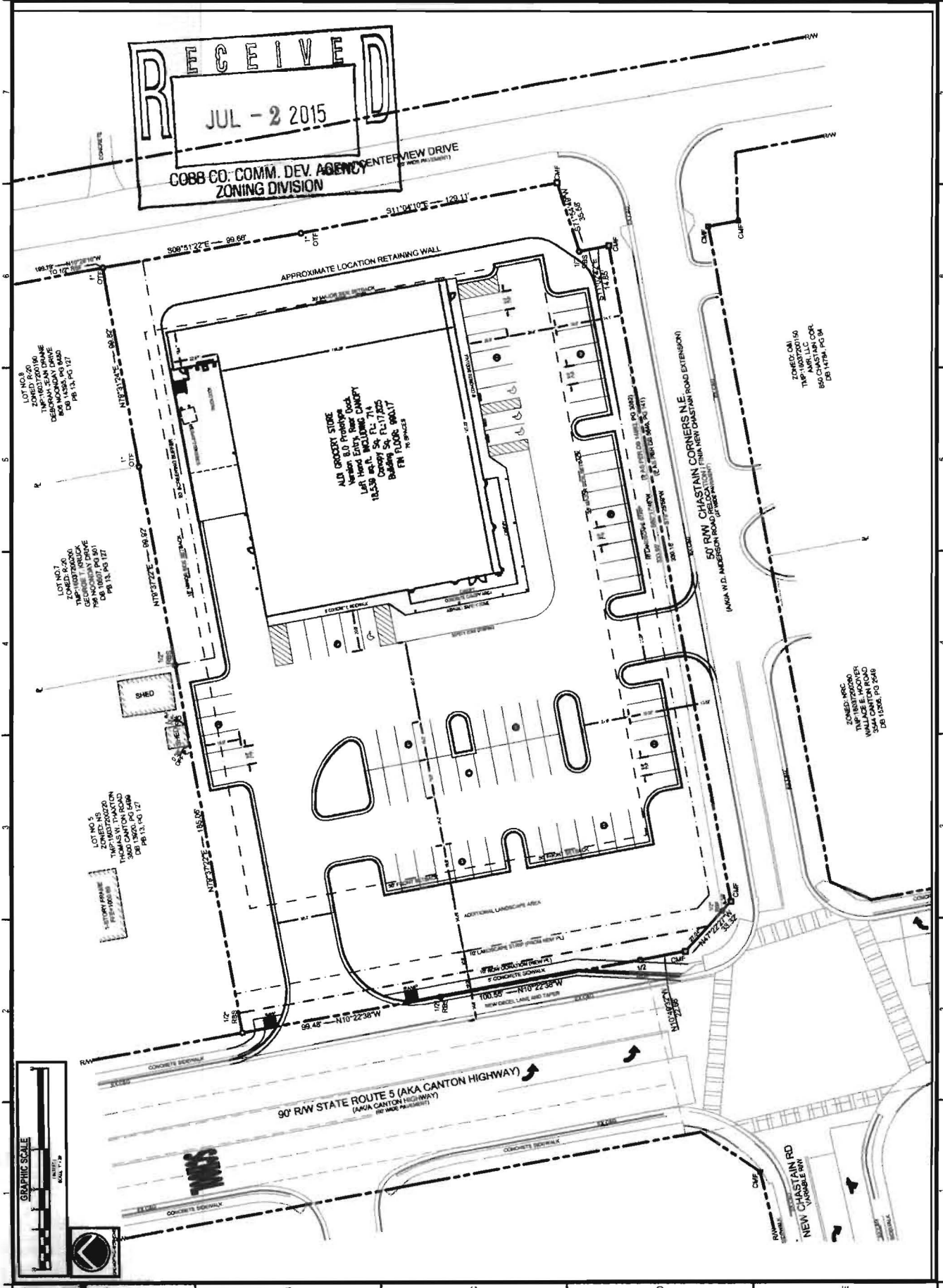




Z-81
(2015)
ALDINO INC.
PARCELS: TMP 241C1-A0028 AND TMP 241C1-A002

RECEIVED
JUL - 2 2015
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION



LOT NO. 8
ZONED G1
1305 WESTWOOD
DEBORAH ESKIN DRIVE
808 NORTON P.O. ROAD
DB 13, PG 127

LOT NO. 7
ZONED G1
1305 WESTWOOD
DEBORAH ESKIN DRIVE
808 NORTON P.O. ROAD
DB 13, PG 127

LOT NO. 5
ZONED G1
1305 WESTWOOD
DEBORAH ESKIN DRIVE
808 NORTON P.O. ROAD
DB 13, PG 127

ALDINO GROCERY STORE
AND PRODUCE
Version Entry Rear Entry
Left Hand Side, INCLUDING
11.52' CANTON ST. (L) (17.00'
BOLTON ST. (R) (17.00'
FIN FLOOR: 0.00/17'
TO GRADE

90' RW CHASTAIN CORNERS N.E.
50' RW CHASTAIN CORNERS N.E. (THRU NEW CHASTAIN ROAD EXTENSION)
100' W.D. MCDONNELL ROAD (EXISTING)

ZONED G1
TMP 241C1-10028
TRINACRE E. HOODING
3004 CANTON P.O. ROAD
DB 13.36, PG 049

ZONED G1
TMP 241C1-10028
TRINACRE E. HOODING
3004 CANTON P.O. ROAD
DB 13.36, PG 049

90' RW STATE ROUTE 5 (AKA CHASTAIN HIGHWAY)
(AKA CANTON HIGHWAY)
(R/W: 100' (EXISTING))

NEW CHASTAIN RD
(AKA ROSE LN)

APPLICANT: Aldi, Inc.

PETITION NO: Z-81

PHONE#: (706) 387-7700 **EMAIL:** al.keeler@aldi.us

HEARING DATE (PC): 09-01-15

REPRESENTATIVE: Al Keeler

HEARING DATE (BOC): 09-15-15

PHONE#: (706) 387-7700 **EMAIL:** al.keeler@aldi.us

PRESENT ZONING: O&I, R-20, GC

TITLEHOLDER: Lisa K. McDaniel, Don Westbrook, J.D. Westbrook,

Robert Hightower, Barbara M. Cochran, Trustee of the Cochran Family Trust

PROPOSED ZONING: NRC

PROPERTY LOCATION: Northeast corner of Canton Road and

Chastain Corners, west side of Centerview Drive

PROPOSED USE: Grocery Store

ACCESS TO PROPERTY: Canton Road, Chastain Corners

SIZE OF TRACT: 2.176 acres

PHYSICAL CHARACTERISTICS TO SITE: Former houses used

DISTRICT: 16

as offices; wooded lot; and single-family house

LAND LOT(S): 372

PARCEL(S): 17, 18, 23, 24, 25

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 3

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: NS/Pawn shop; R-20/Single-family house

SOUTH: NRC/Dollar Tree; O&I/Office building

EAST: R-20/Noonday Subdivision

WEST: NS/Kroger Shopping Center;

NRC/Kroger Fuel Station

Adjacent Future Land Use

North: Neighborhood Activity Center (NAC), Low Density Residential (LDR)

East: Low Density Residential (LDR)

South: Neighborhood Activity Center (NAC) - across Chastain Corner

West: Neighborhood Activity Center (NAC) - across Canton Road

OPPOSITION: NO. OPPOSED **PETITION NO:** _____ **SPOKESMAN** _____

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

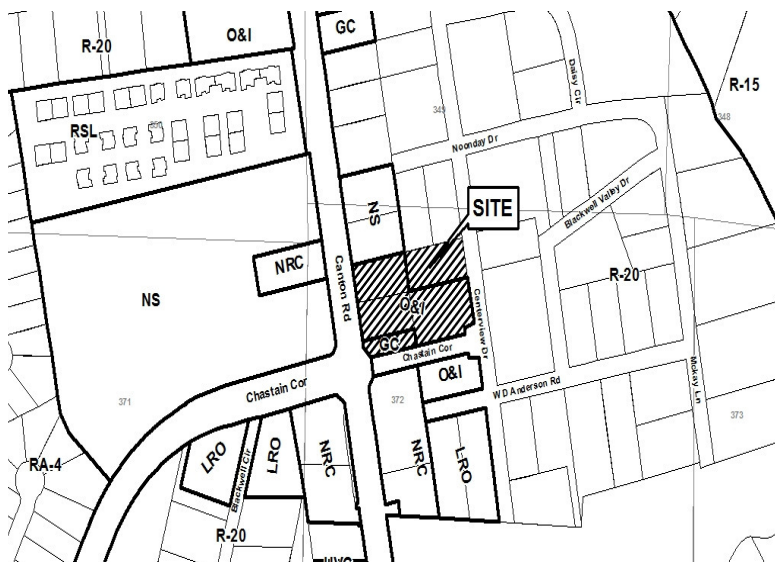
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

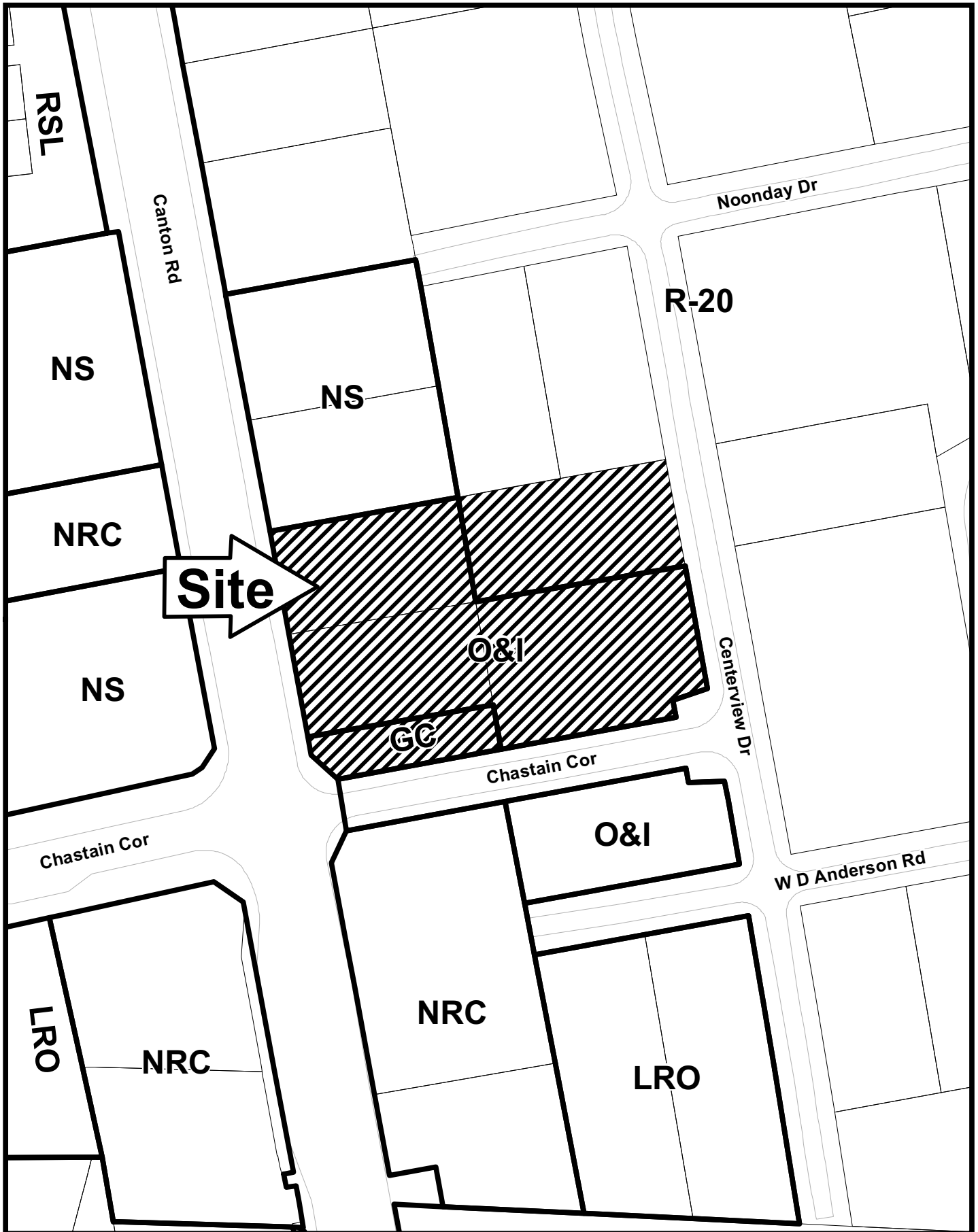
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

STIPULATIONS:



Z-81



This map is provided for display and planning purposes only. It is not meant to be a legal description.

0 100 200 Feet



City Boundary
Zoning Boundary

APPLICANT: Aldi, Inc.

PETITION NO.: Z-81

PRESENT ZONING: O&I, R-20, GC

PETITION FOR: NRC

ZONING COMMENTS:

Staff Member Responsible: Jason A. Campbell

Land Use Plan Recommendation: Neighborhood Activity Center (NAC) & Low Density Residential (1-2.5 upa)

Proposed Number of Buildings: 1 **Total Square Footage of Development:** 17,825

F.A.R.: 0.188 **Square Footage/Acre:** 8,191

Parking Spaces Required: 89 **Parking Spaces Provided:** 76

Applicant is requesting the Neighborhood Retail Commercial (NRC) zoning category for the purpose of developing a grocery store. The hours of operation will be Monday through Sunday from 9 a.m. until 8 p.m. The proposed building will have brick veneer with stone water table and block. The proposed development involves a combination of five parcels, three that are zoned O&I and GC and one zoned R-20. The commercial parcels were from zonings from the 1970s and 1980s. The R-20 parcel fronts Centerview Drive and is part of the Noonday Subdivision. The parcels fronting Canton Road at the northeast corner of Canton Road and Chastain Corner are in the Neighborhood Activity Center (NAC) land use category and the parcels at the northwest corner of Centerview Drive and Chastain Corner are in the Low Density Residential (LDR) land use category. The proposed plan indicates the required 20-foot landscape buffer abutting the residentially zoned properties on the back half of the northern property line.

The proposed site plan will require a contemporaneous variance to waive the required number of parking spaces from 89 to 76.

Cemetery Preservation:

No comment.

FIRE COMMENTS:

After analyzing the information presented for a Preliminary Review, the Cobb County Fire Marshal's Office is confident that all other items can be addressed during the Plan Review Stage.

APPLICANT: Aldi, Inc.

PETITION NO.: Z-81

PRESENT ZONING: O&I, R-20, GC

PETITION FOR: NRC

PLANNING COMMENTS:

The applicant is requesting a rezoning from O&I, R-20 and GC to NRC for purpose of a grocery store. The 2.176 acre site is located on the northeast corner of Canton Road and Chastain Corners, west side of Centerview Drive.

Comprehensive Plan

The parcels are within the Low Density Residential (LDR) and Neighborhood Activity Center (NRC) future land use category, with O&I, R-20 and GC zoning designation.

The purpose of the Low Density Residential (LDR) category is to provide for areas that are suitable for low density housing between one (1) and two and one-half (2.5) dwelling units per acre.

The purpose of the Neighborhood Activity Center (NAC) category is to provide for areas that serve neighborhood residents and businesses. Typical land uses for these areas include small offices, limited retail and grocery stores.

Adjacent Future Land Use

North: Neighborhood Activity Center (NAC), Low Density Residential (LDR)

East: Low Density Residential (LDR)

South: Neighborhood Activity Center (NAC) – across Chastain Corner

West: Neighborhood Activity Center (NAC) – across Canton Road

Master Plan/Corridor Study

The property is located within the Canton Road Corridor Study area.

Historic Preservation

After consulting various county historic resources surveys, historic maps, archaeology surveys and Civil War trench location maps, staff finds that no known significant historic resources appear to be affected by this application. No further comment. No action by applicant requested at this time.

Design Guidelines

Is the parcel in an area with Design Guidelines? Yes No

If yes, design guidelines area Canton Road Design Guidelines

Does the current site plan comply with the design requirements?

- Pedestrian access to buildings
 Yes No Not applicable
- Streetscape elements
 Yes No Not applicable
- Building Frontage
 Yes No Not applicable
- Parking Standard
 Yes No Not applicable
- Architecture standard
 Yes No Not applicable

APPLICANT: Aldi, Inc.

PETITION NO.: Z-81

PRESENT ZONING: O&I, R-20, GC

PETITION FOR: NRC

PLANNING COMMENTS: Continued

Incentive Zones

Is the property within an Opportunity Zone? Yes No

The Opportunity Zone is an incentive that provides \$3,500 tax credit per job in eligible areas if two or more jobs are being created. This incentive is available for new or existing businesses.

Is the property within an Enterprise Zone? Yes No

The Enterprise Zone is an incentive that provides tax abatements and other economic incentives for qualifying businesses locating or expanding within designated areas for new jobs and capital investments.

Is the property eligible for incentives through the Commercial and Industrial Property Rehabilitation Program? Yes No

The Commercial and Industrial Property Rehabilitation Program is an incentive that provides a reduction in ad valorem property taxes for qualifying redevelopment in eligible areas.

For more information on incentives, please call the Community Development Agency, Planning Division at 770.528.2018 or find information online at <http://economic.cobbcountyga.gov>.

Special Districts

Is this property within the Cumberland Special District #1 (hotel/motel fee)?

Yes No

Is this property within the Cumberland Special District #2 (ad valorem tax)?

Yes No

Is this property within the Six Flags Special Service District?

Yes No

APPLICANT Aldi, Inc.

PETITION NO. Z-081

PRESENT ZONING O&I, R-20, GC

PETITION FOR NRC

WATER COMMENTS: NOTE: Comments reflect only what facilities were in existence at the time of this review.

Available at Development: Yes No

Fire Flow Test Required: Yes No

Size / Location of Existing Water Main(s): 8" DI / E side of Canton Road

Additional Comments:

Developer may be required to install/upgrade water mains, based on fire flow test results or Fire Department Code. This will be resolved in the Plan Review Process.

SEWER COMMENTS: NOTE: Comments reflect only what facilities were in existence at the time of this review.

In Drainage Basin: Yes No

At Development: Yes No

Approximate Distance to Nearest Sewer: In Canton Rd ROW along property frontage

Estimated Waste Generation (in G.P.D.): A D F= 742 Peak= 1854

Treatment Plant: Noontday

Plant Capacity: Available Not Available

Line Capacity: Available Not Available

Projected Plant Availability: 0 - 5 years 5 - 10 years over 10 years

Drv Sewers Required: Yes No

Off-site Easements Required: Yes* No *If off-site easements are required, Developer must submit easements to CCWS for review/approval as to form and stipulations prior to the execution of easements by the property owners. All easement acquisitions are the responsibility of the Developer

Flow Test Required: Yes No

Letter of Allocation issued: Yes No

Septic Tank Recommended by this Department: Yes No

Subject to Health Department Approval: Yes No

Additional Comments:

Developer will be responsible for connecting to the existing County water and sewer systems, installing and/or upgrading all outfalls and water mains, obtaining on and/or offsite easements, dedication of on and/or offsite water and sewer to Cobb County, as may be required. Rezoning does not guarantee water/sewer availability/capacity unless so stated in writing by the Cobb County Water System. Permit issuances subject to continued treatment plant compliance with EPD discharge requirements.

APPLICANT: Aldi, Inc.

PETITION NO.: Z-81

PRESENT ZONING: O&I, R-20, GC

PETITION FOR: NRC

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Little Noonday Creek FLOOD HAZARD INFO: Zone X

- FEMA Designated 100 year Floodplain Flood.
- Flood Damage Prevention Ordinance DESIGNATED FLOOD HAZARD.
- Project subject to the Cobb County Flood Damage Prevention Ordinance Requirements.
- Dam Breach zone from (upstream) (onsite) lake - need to keep residential buildings out of hazard.

WETLANDS: YES NO POSSIBLY, NOT VERIFIED

Location: _____

- The Owner/Developer is responsible for obtaining any required wetland permits from the U.S. Army Corps of Engineer.

STREAMBANK BUFFER ZONE: YES NO POSSIBLY, NOT VERIFIED

- Metropolitan River Protection Area (within 2000' of Chattahoochee River) ARC (review 35' undisturbed buffer each side of waterway).
- Chattahoochee River Corridor Tributary Area - County review (_____ undisturbed buffer each side).
- Georgia Erosion-Sediment Control Law and County Ordinance - County Review/State Review.
- Georgia DNR Variance may be required to work in 25 foot streambank buffers.
- County Buffer Ordinance: 50', 75', 100' or 200' each side of creek channel.

DOWNSTREAM CONDITIONS

- Potential or Known drainage problems exist for developments downstream from this site.
- Stormwater discharges must be controlled not to exceed the capacity available in the downstream storm drainage system.
- Minimize runoff into public roads.
- Minimize the effect of concentrated stormwater discharges onto adjacent properties.
- Developer must secure any R.O.W required to receive concentrated discharges where none exist naturally
- Existing Lake Downstream _____.
Additional BMP's for erosion sediment controls will be required.
- Lake Study needed to document sediment levels.
- Stormwater discharges through an established residential neighborhood downstream.
- Project engineer must evaluate the impact of increased volume of runoff generated by the proposed project on the existing Centerview Drive culvert.

APPLICANT: Aldi, Inc.

PETITION NO.: Z-81

PRESENT ZONING: O&I, R-20, GC

PETITION FOR: NRC

STORMWATER MANAGEMENT COMMENTS – Continued

SPECIAL SITE CONDITIONS

- Provide comprehensive hydrology/stormwater controls to include development of out parcels.
- Submit all proposed site improvements to Plan Review.
- Any **spring activity** uncovered must be addressed by a qualified geotechnical engineer (PE).
- Structural fill _____ must be placed under the direction of a qualified registered Georgia geotechnical engineer (PE).
- Existing facility.
- Project must comply with the Water Quality requirements of the CWA-NPDES-NPS Permit and County Water Quality Ordinance.
- Water Quality/Quantity contributions of the existing lake/pond on site must be continued as baseline conditions into proposed project.
- Calculate and provide % impervious of project site.
- Revisit design; reduce pavement area to reduce runoff and pollution.

INSUFFICIENT INFORMATION

- No Stormwater controls shown _____
- Copy of survey is not current – Additional comments may be forthcoming when current site conditions are exposed.
- No site improvements showing on exhibit.

ADDITIONAL COMMENTS

1. This site is located just north of Chastain Corner, between Canton Road and Centerview Drive. The entire site discharges to the east through an existing culvert under Centerview Drive, through the surrounding Noonday Subdivision to Little Noonday Creek.
2. There is an existing detention pond located on this site that provides stormwater management for the commercial office parcel at 850 Chastain Corner across the street. The proposed underground stormwater management for the Aldi site must continue to provide adequate storage for this development. The allowable site discharge must account for the existing limited capacity of the existing downstream culvert.

APPLICANT: Aldi, Inc.

PETITION NO.: Z-81

PRESENT ZONING: O&I, R-20, GC

PETITION FOR: NRC

TRANSPORTATION COMMENTS

The following comments and recommendations are based on field investigation and office review of the subject rezoning case:

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Canton Road	28,300	Arterial	45 mph	Cobb County	100'
Chastain Corners	N/A	Local	25 mph	Cobb County	50'

Based on traffic counting data taken by Cobb County DOT for Canton Road (2012).

COMMENTS AND OBSERVATIONS

Canton Road is classified as an arterial and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

Chastain Corners is classified as a local and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

RECOMMENDATIONS

Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

Recommend applicant consider entering into a development agreement pursuant of O.C.G.A. 36-71-13 for dedication of the following system improvements to mitigate traffic concerns: a) donation of right-of-way on the east side of Canton Road, a minimum of 50' from the roadway centerline.

Recommend applicant consider entering into a development agreement pursuant of O.C.G.A. 36-71-13 for dedication of the following system improvements to mitigate traffic concerns: a) donation of right-of-way on the south side of Chastain Corners, a minimum of 25' from the roadway centerline.

Recommend replacing disturbed curb, gutter, and sidewalk along the Canton Road frontage.

Recommend relocating the driveway on Chastain Corners a minimum of 250 feet from the intersection of Canton Road.

Recommend restricting the left out of the driveway on Canton Road.

Recommend curb, gutter, and sidewalk along Chastain Corners frontage.

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STAFF RECOMMENDATIONS

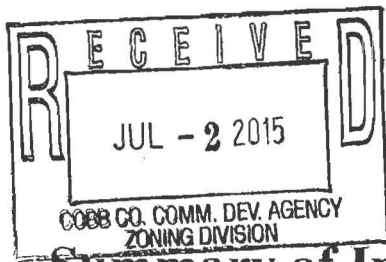
Z-81 ALDI, INC.

- A. It is Staff's opinion that the applicant's rezoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. Properties in this area include retail, offices, residential senior living condominiums and single-family houses.
- B. It is Staff's opinion that the applicant's rezoning proposal will not have an adverse affect on the usability of adjacent or nearby property. The proposed grocery store will combine five parcels into one concise development under one zoning category, as opposed to its current five-parcel, three-zoning category status.
- C. It is Staff's opinion that the applicant's rezoning proposal will not result in a use which would cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. This opinion can be supported by the departmental comments contained in this analysis.
- D. It is Staff's opinion that the front half along Canton Road of the applicant's rezoning proposal is in conformity with the policy and intent of the *Cobb County Comprehensive Plan*, which delineates that portion as being in the Neighborhood Activity Center (NAC) land use category. It is also Staff's opinion that the back half of the property at the northwest corner of Centerview Drive and Chastain Corner is not in conformity with the policy and intent of the *Cobb County Comprehensive Plan*, which delineates this portion as being in the Low Density Residential (LDR) land use category. The parcel at the immediate corner of Centerview Drive and Chastain Corner, in the LDR land use category was rezoned to O&I in 1981 for four office buildings and was not developed. The NRC zoning category and the proposed grocery store use are both compatible with the NAC land use category. The proposed neighborhood retail use of a grocery store will serve members of the neighborhood in which it is located. A considerable portion of the subject property is within the NAC land use category and the entirety of the subject property is at or near an intersection that is within the NAC land use category.
- E. It is Staff's opinion that there are existing and changing conditions affecting the use and development of the property which give supporting grounds for approving the applicant's rezoning proposal. The proposal will provide a unified development under one zoning category for some properties that were previously rezoned for office buildings, some of which were never developed. Other properties in this area include a mixture of retail, office, residential senior living and single-family houses. The proposed neighborhood retail use of a grocery store is a permitted use under the NRC zoning category for a use that will serve members of a neighborhood.

Based on the above analysis, Staff recommends APPROVAL subject to the following conditions:

- Site plan received by the Zoning Division on July 2, 2015, with the District Commissioner approving minor modifications;
- Water and Sewer Division comments and recommendations;
- Stormwater Management Division comments and recommendations;
- Department of Transportation comments and recommendations; and
- Owner/developer to enter into a Development Agreement pursuant to O.C.G.A. §36-71-13 for dedication of system improvements to mitigate traffic concerns.

The recommendations made by the Planning and Zoning Staff are only the opinions of the Planning and Zoning Staff and are by no means the final decision. The Cobb County Board of Commissioners makes the final decisions on all Rezoning and Land Use Permits at an advertised public hearing.



Application No. Z-81

Sept. 2015

Summary of Intent for Rezoning

.....
Part 1. Residential Rezoning Information (attach additional information if needed)

- a) Proposed unit square-footage(s): n/a
 - b) Proposed building architecture: n/a
 - c) Proposed selling prices(s): n/a
 - d) List all requested variances: n/a
- _____
- _____
- _____

.....
Part 2. Non-residential Rezoning Information (attach additional information if needed)

- a) Proposed use(s): Aldi Inc. Grocery Store
 - b) Proposed building architecture: Brick veneer with stone water table and block
 - c) Proposed hours/days of operation: Mon - Sun 9AM - 8PM
 - d) List all requested variances: N/A
- _____
- _____
- _____

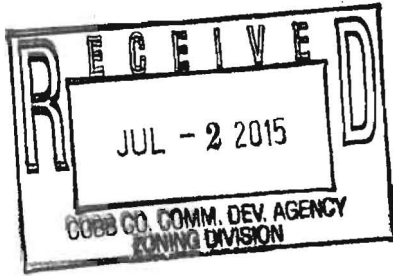
.....
Part 3. Other Pertinent Information (List or attach additional information if needed)

Site design will meet Canton Road Design Guidelines and proposed NRC zoning meets the Future Land Use Map.

.....
Part 4. Is any of the property included on the proposed site plan owned by the Local, State, or Federal Government?

(Please list all Right-of-Ways, Government owned lots, County owned parcels and/or remnants, etc., and attach a plat clearly showing where these properties are located).

n/a



July 2, 2015
ZONING APPLICATION REPORT

This Zoning Application Report is for the combination and re-zoning of four tracts (listed below). The rezoning request is for the four tracts to be combined into one property and to Neighborhood Retail Commercial (NRC), with a modification to the future development map for Tracts 1 and 4 (rear). If approved, the parcel will be developed into a 18,539 sf ALDI grocery store (Canopy sf: 714 and Building sf: 17,825) parking and loading areas, and associated infrastructure for water, sewer, storm, gas and power.

- (a) This zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property. There are commercially developed properties adjacent to this parcel. Also, there are many residential households within the local vicinity that would benefit from the convenience of the grocery store development.
- (b) The zoning proposal will not affect the existing use or usability of adjacent or nearby property.
- (c) The existing parcels as a whole do not have a reasonable economic use as currently zoned.
- (d) The zoning proposal will not result in a use which will cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
- (e) The zoning proposal is partially in conformity with the Future Land Use Plan. The front parcels abutting Canton Hwy are shown as NAC (Neighborhood Activity Center) which is in conformity while the rear lots abutting Centerview Drive are shown as Low Density Residential and will require a modification to the Future Land Use Plan to NAC.
- (f) If this rezoning is approved, Aldi will be a benefit to the surrounding community. Aldi has historically proven itself to be a stable business and a good neighbor. This development will provide an attractive commercial development that will not add additional impacts to Cobb County infrastructure. The development will add jobs and economic development to the market.