



Community Development – Zoning Division

John Pederson – Division Manager

ZONING CASE

Z-77-2022

SITE BACKGROUND

Applicant	Lidl US Operations, LLC - Deborah Pyburn
Phone	703-965-1740
Email	deborah.pyburn@lidl.us
Representative Contact	Robert Martin
Phone	404-425-7100
Email	rmartin@prime-eng.com
Titleholder	Canton Village Associates, L.P.
Property Location	Located on the south side of Piedmont Road, and on the west side of Canton Road
Address	2833 Canton Road, 740 Piedmont Road
Access to Property	Piedmont Road, Bells Ferry Road

QUICK FACTS

Commission District	3-Birrell
Current Zoning	NS, CRC
Current Use of Property	Vacant Commercial
Proposed Zoning	CRC
Proposed Use	Grocery Store
Future Land Use	CAC, NAC
Site Acreage	3.47
District	16
Land Lot	565, 566
Parcel #	16056500170, 16056600070
Taxes Paid	Yes

FINAL ZONING STAFF RECOMMENDATIONS

(Zoning staff member: Margie Vazquez)

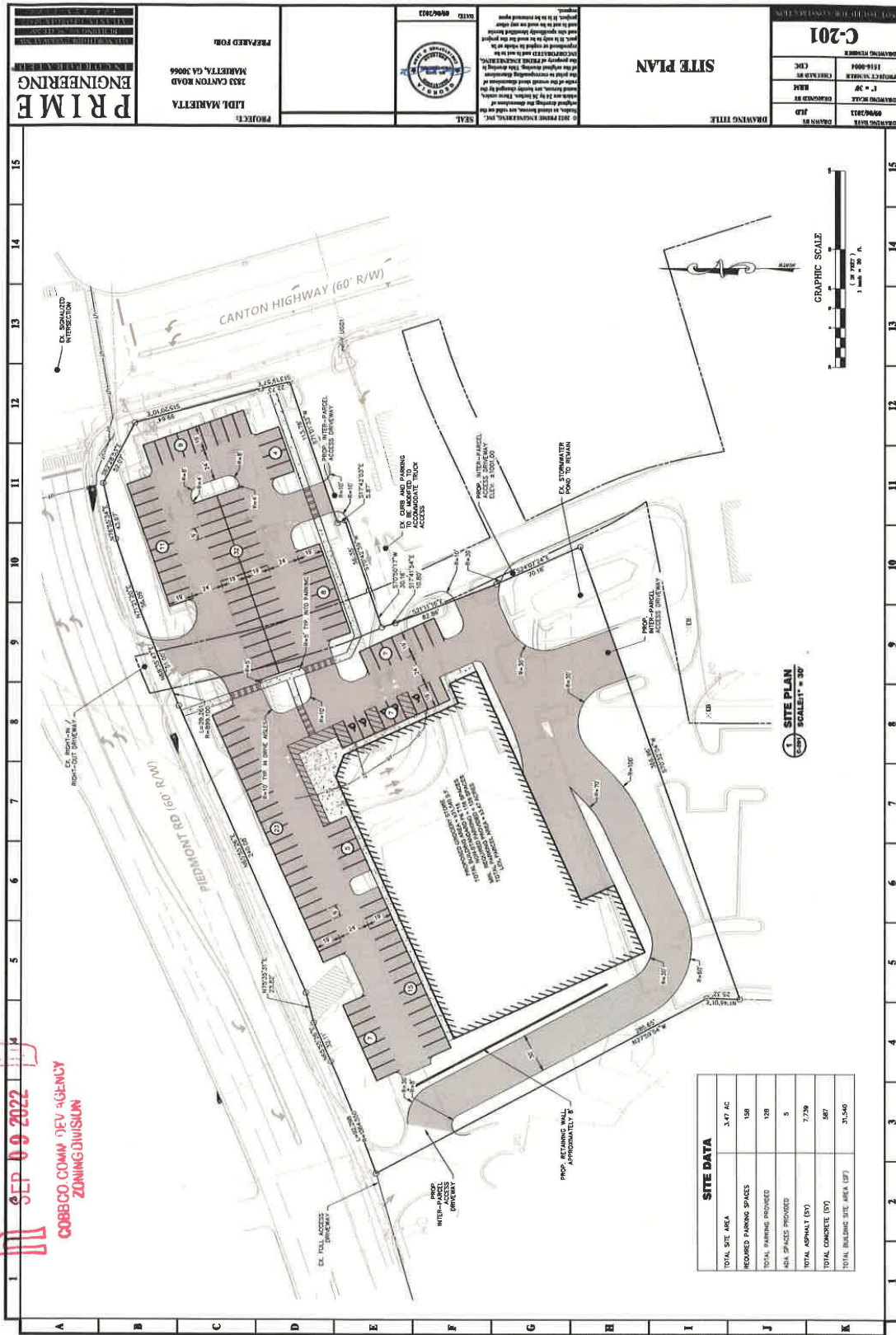
Based on the analysis of the case, staff recommends **APPROVAL** subject to the following:

1. Site plan received September 9, 2022, with The District Commissioner approving final plan;
2. Install an eight (8) foot landscape enhancement strip adjacent to Piedmont Road and Canton Road as required;
3. Adhere to Canton Road guidelines;
4. Fire Department comments and recommendations;
5. Stormwater Management comments and recommendations;
6. Water and Sewer comments and recommendations;
7. Department of Transportation comments and recommendations;
8. Site Plan Review Arborist comments and recommendations.

RECEIVED

SEP 09 2022

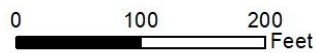
COBB CO. COMM DEV AGENCY
ZONING DIVISION





Z-77 Aerial Map



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



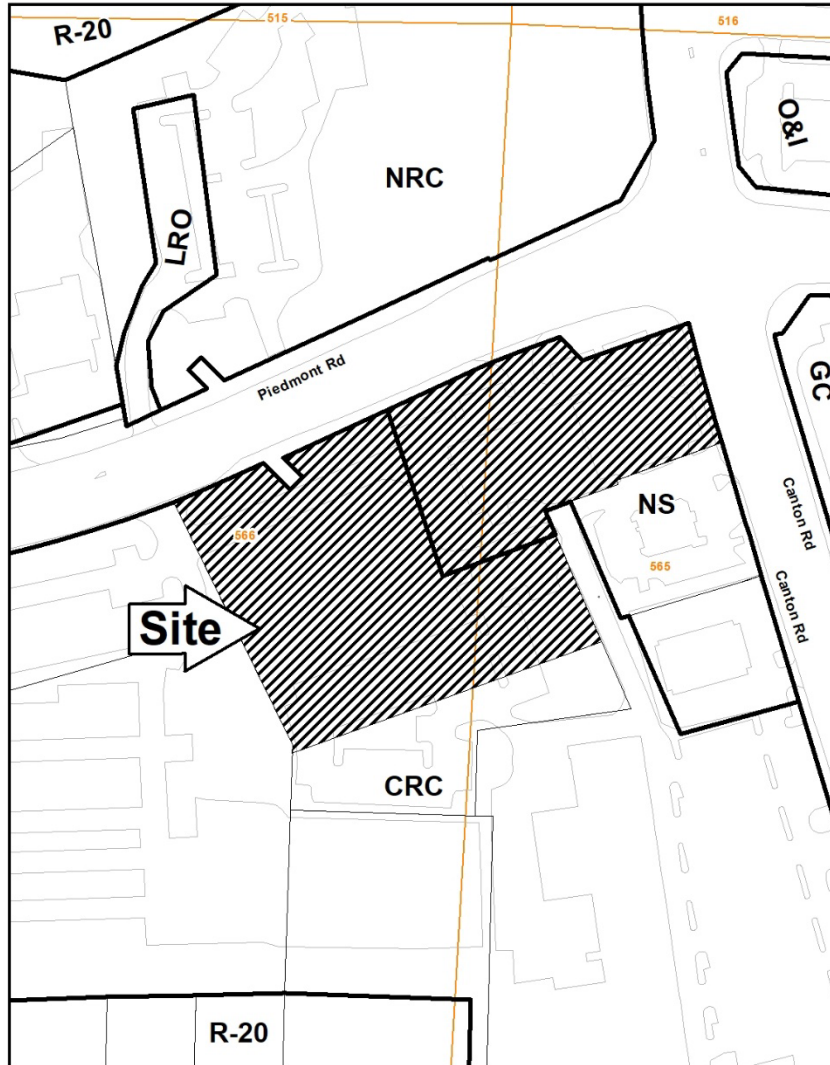
 Zoning Boundary
 City Boundary

North

Zoning: LRO & NRC/Church

Future Land Use: PI

Z-77 2022 GIS



WEST

Zoning:

CRC/Warehouse

Future Land

Use: NAC

EAST

Zoning: NS &
GC/Fast Food
Restaurant and
bank

Future Land
Use: CAC

SOUTH

Zoning: CRC & NS/Restaurants, Strip Center

Future Land Use: CAC & RAC

Current zoning district for the property

The CRC district is established to provide locations for retail commercial and service uses which are designed and oriented to serve several neighborhoods making up a community. Projects developed within the CRC district should be done so as compact unified centers. CRC districts should be located on properties which are delineated within a community activity center and regional activity center as defined and shown on the Cobb County Comprehensive Plan: A Policy Guide, adopted November 27, 1990. Additionally, the desired quadrant location will provide for planned developments and one-destination shopping and service locations to serve the community and will minimize traffic congestion.

The NS district is established to provide locations for retail commercial and services uses which are designed and oriented to serve two to four neighborhoods and are located in areas delineated within a community activity center or regional activity center as defined and shown on the Cobb County Comprehensive Plan: A Policy Guide, adopted November 27, 1990. Commencing January 1, 1991, no new applications for rezoning to the NS district will be accepted by the board of commissioners. Any existing, developed NS zoning/use located outside of a community activity center or regional activity center shall be deemed to be a grandfathered, nonconforming use and subject to those provisions contained in this chapter. Should any undeveloped property zoned as NS outside a community activity center or regional activity center fail to commence development by January 17, 1996, the owner of such property shall be required to bring the property back in for rezoning consistent with the comprehensive plan prior to any development. Obtaining a building or grading permit for such development shall be deemed to be commencing development.

Requested zoning district for the property

The CRC district is established to provide locations for retail commercial and service uses which are designed and oriented to serve several neighborhoods making up a community. Projects developed within the CRC district should be done so as compact unified centers. CRC districts should be located on properties which are delineated within a community activity center and regional activity center as defined and shown on the Cobb County Comprehensive Plan: A Policy Guide, adopted November 27, 1990. Additionally, the desired quadrant location will provide for planned developments and one-destination shopping and service locations to serve the community and will minimize traffic congestion.

Summary of the applicant's proposal

The applicant is requesting the Community Retail Commercial (CRC) zoning district for the purpose of a Lidl grocery store on the property. The hours of operation will be Monday through Sunday from 8:00 am until 8:00 pm. The store will be closed on Holidays. The architectural style and composition of the grocery store will be decorative stone, wood panel, CMU/masonry and glass. The applicant proposes to reface the two (2) existing freestanding pole signs, from the former drug store on the property.

Non-residential criteria

Proposed # of buildings: 1

Proposed # of stories: 1

Total sq. footage of development: 31,540 square feet

Floor area ratio: 0.21

Square footage per acre: 9,089

Required parking spaces: 158

Proposed parking spaces: 128

Acres in floodplain or wetlands: 0

Impervious surface shown: 70% max

Are there any zoning variances?

Yes,

1. Reduction in parking spaces from the required 158 to 128.

10/21/22

The proposed zoning case must address the comments listed below by prescriptive code or equivalency, as approved by the Cobb County Fire Marshal's Office

Approval based on Professional Engineer-stamped plans that signify overall plan conformance to all Georgia State and Cobb County Codes. Design Professional and Developer maintain the sole responsibility for the design and for correcting all errors, omissions, problems, and code violations (if any) exposed during construction AFTER authorization by Cobb County.

IFC 510- EMERGENCY RESPONDER RADIO COVERAGE:

New buildings, building additions, or buildings undergoing substantial renovation are required to provide radio coverage for emergency responders per the International Fire Code. Testing is required by a third party and when deemed necessary amplification systems are required before the building will be issued a certificate of occupancy. This serves as an early notification to owners and developers for budgeting purposes.

FIRE DEPARTMENT ACCESS:

ACCESS: Fire apparatus access roads shall extend to within 150 feet of all portions of the facility or any portion of the exterior wall of the first floor (State Modifications IFC 503.1 2018 Edition and Cobb County Development Standards 402.11).

All access roads shall meet the American Association of State and Highway Transportation Officials (AASHTO) design manual live load standard HS20 (75,000 lbs.) with an unobstructed width of not less than 20 feet, 25 foot inside radius, 50 foot outside turning radius and unobstructed vertical clearance of not less than 13 feet 6 inches. (Cobb County Development Standards 402.11)

Maximum slope of the access road in reference to the apparatus is 10% Front to Back and 5% Side to Side. Maximum grade of roadways leading to Fire Access roads refer to the Cobb County Development Standard Section 400: 14% for Non-Residential. Maximum angle of departure is 8.5%.

Dead-end access roads more than 150 feet shall be provided with a turn-around (IFC Chapter-5, 120-3-3 Rules and Regulations, CCDS Section-401 & 402). Refer to APPENDIX-D for dimensional criteria for turn-arounds in commercial developments.

SPECIFIC FIRE DEPARTMENT ACCESS (INTERNATIONAL FIRE CODE APPENDIX D):

Aerial apparatus access shall be required for all structures over 30 feet in height measured from the lowest level of fire department access to the ceiling height of the highest occupied floor level. Aerial fire apparatus access roads shall have a minimum width of 26 feet and be at least 15 feet but no more than 30 ft from the structure and be positioned parallel to one entire side of the building. No overhead utility and power lines shall be located within the aerial fire apparatus access. (IFC Appendix D105)

(continued)

COMMERCIAL AND INDUSTRIAL DEVELOPMENTS

D104.1 Buildings exceeding three stories or 30 ft in height. A minimum of two remote means of fire department access roads must be provided

D104.3 Remoteness. Where two fire department access road are required, they must be placed a distance apart equal to not less than one half the length of the maximum overall diagonal dimension of the lot or area to be served

CERTIFICATE OF OCCUPANCY:

Plans must be submitted to the Cobb County Fire Marshal's Office to initiate the Certificate of Occupancy process.

FIRE HYDRANT:

The maximum distance of a hydrant to the most remote portion of a structure shall be 500 feet. Distance shall be measured around the structure and from the fire apparatus access road. (Cobb County Development Standards 410.5.2)

SECTION D103**MINIMUM SPECIFICATIONS****D103.1 Access road width with a hydrant.**

Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet, exclusive of shoulders (see Figure D103.1 in Appendix D).

FIRE PROTECTION:

Automatic sprinkler protection must be provided where mandated by the applicable codes.

Cross access easement agreement required for any required access via adjoining property.

Jeff Byrd

(770) 528-8814

Jeffrey.byrd@cobbcounty.org

Z-77-2022 DEPARTMENT COMMENTS – Site Plan Review (Arborist)

10-27-22

The submitted site plan does not appear to satisfy the minimum parking lot tree standards of the Cobb County Tree Ordinance. Additional parking lot peninsulas may be required, as determined by the Cobb County Arborist during the Site Plan Review process.

Z-77-2022 DEPARTMENT COMMENTS – Cemetery Preservation

There is no significant impact on the cemetery site listed in the Cobb County Cemetery Preservation Commission's Inventory Listing which is located in this, or the adjacent land lot.

12/6/22

Approval of this petition will not have an impact on the enrollment of schools.

Z-77-2022 DEPARTMENT COMMENTS – Stormwater Management

10/28/2022

Site Data

1. Address: 2833 Canton road / 740 Piedmont Road
2. District: 3
3. Existing Zoning: NS / CRC Existing Allowable Impervious Coverage: 70%
4. Proposed Zoning: CRC Allowable Future Impervious Coverage: 70%
5. Future Land Use: CAC, NAC

Existing Conditions

Floodplain Information

1. Flood Damage Prevention Designated Flood Hazard: No
2. FEMA Map Number: N/A

Stormwater Information

1. Drainage Basin: Noonday Creek Basin / Little Noonday Creek
2. State Stream Buffers: No
3. County Stream Buffer Ordinance: No
4. Wetlands: No

Topography Information

1. General site Description: The existing consist of a previously developed drug store and a graded outparcel. There are existing upstream and downstream stormwater management ponds controlling the existing stormwater runoff from the site. The existing stormwater runoff from the site is connected to the existing infrastructure under Canton Road.
2. Downstream Description: The project will connect to the stormwater infrastructure under Canton Road. The discharge will be restricted to the capacity of that system.

Project Design Comments and Recommendations

The following comments and recommendations are typically required at the time of plan review and permitting.

Existing Onsite and Offsite Ponds and/or Lakes Design Requirements

1. Existing onsite stormwater management ponds and/or lakes shall be modeled hydrologically to establish and maintain the existing base flow(s) as the pre-developed condition for the site runoff.
2. Existing onsite stormwater management facilities shall be inspected prior to permitting. A current inspection report shall be furnished at the time of plan review and permitting. If deficiencies are discovered; corrective maintenance may be required and included as a part of the project scope and land disturbance permit.

(continued)

Proposed Project Onsite Design Requirements

1. At the time of plan review provide a comprehensive Hydrology Study and Design for the Stormwater Management Design will be required. The design and study shall be in accordance with the Georgia Stormwater Management Manual and the current Cobb County Codes. The design and study shall include but not limited to stormwater detention, runoff reduction and/or water quality, channel protection, and downstream flood prevention.
2. Project Engineer must evaluate the impact of increased volume of runoff generated by the proposed project on existing downstream drainage system(s). Including hydrologic routing of upstream and/or downstream detention ponds or lakes.
3. At the time of plan review calculate and provide the percentage of impervious coverage for the project site. Impervious calculations for residential subdivision design shall be based the maximum allowable percentage per lot based on the zoning category plus all additional impervious areas including but not limited to roads, sidewalks, and amenity areas.
4. Recommend a pre-design concept meeting with Cobb County Stormwater Management Division. At the time of the Concept Meeting a proposed concept stormwater management plan shall be presented.
5. The existing and/or proposed onsite storm drain system and stormwater management facility is considered private. All annual inspections, maintenance and repairs are the responsibility of the property owner. A stormwater facility “Maintenance Agreement and Access Easement” will be required at the time of the land disturbance permit with the Cobb County Stormwater Management Division.
6. Stormwater discharges must be controlled not to exceed the existing capacity of the downstream storm drainage system including drainage swales and roadside ditches.

Special Conditions

1. During plan review it is highly recommended that a pre-design meeting with Cobb County Stormwater Management be scheduled to coordinate the criteria for establishing the existing/allowable base flow from the site.

10/28/2022

Cobb 2040 Comprehensive Plan: The subject tract is within the Community Activity Center (CAC) and Neighborhood Activity Center (NAC) future land use categories. The purpose of the CAC category is to provide for areas that can meet the immediate needs of several neighborhoods or communities. Typical land uses for these areas include low to mid-rise office buildings and department stores. The purpose of the 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.

Comprehensive Plan Designation: Consistent Inconsistent
The proposed CRC zoning is consistent with the CAC future land use guideline but is inconsistent with the NAC future land use guideline.

House Bill 489 Intergovernmental Agreement Zoning Amendment Notification

Is the proposal within one-half mile of a city boundary? Yes No
If yes, which City:
Was the city notified? Yes No N/A

Specific Area Policy Guidelines: Yes No

Masterplan/ Corridor Study: Yes No

Design guidelines area? Yes No

If yes, design guidelines area: Canton Road
Does the proposal plan comply with the design requirements? Yes No N/A

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 for new or existing businesses)

Is the property within an Enterprise Zone? Yes No
(The Canton Road 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 investment)

Is the property eligible for the Façade Improvement Program? Yes No
(The Façade Improvement Program is an incentive for owners and tenants to enhance the appearance of buildings. The CDBG program provides the funding. Properties must be either on the current inventory of redevelopment sites or in a corridor study area and be in a census tract with at least 51% low and

(continued)

moderate income. The program serves to improve the economic viability of these areas.)

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)

Note: For more information on incentives, please call the Community Development Agency- Economic Development Division at 770-528-2018 or find information online at www.cobbcounty.org/econdev.

Special District

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

Dobbins Air Reserve Base Zones

Is the property within the Dobbins Airfield Safety Zone?

Yes No

Is the property within the Clear Zone (CZ)?

Yes No

Is the property within 3000’ of Dobbins ARB?

Yes No

Is the property within the Accident Potential Zone (APZ I)?

Yes No

Is the property within the Accident Potential Zone II (APZ II)?

Yes No

Is the property within the Noise Zone?

Yes No

Is the property within the Bird/Wildlife Air Strike Hazard Area (BASH)?

Yes No

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.

10/26/22 – DATE OPTIONAL

Water comments:

At development: YES NO

Fire flow test required: YES NO

Size/location of existing water main(s): 16" in Piedmont Road

Additional water comments:

Sewer comments:

In the drainage basin: YES NO

At development: YES NO

Approx. distance to nearest sewer: Piedmont Rd and Canton Rd ROWs

Estimated waste generation (in G.P.D.): Average daily flow = 1,260

Peak flow = 3,150

Treatment plant: Noonday WRF

Plant capacity: Yes NO

Projected plant availability: 0-5 years 5-10 years over 10 years

Off-site easement required: YES* NO

Line capacity study 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 sewer comments:

*If off-site easements are required, the developer/owner must submit easements to CCWS for review and 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/owner.

Note: These comments only reflect what facilities were in existence at the time of this review. Developer may be required to install/upgrade water mains based on fire flow test results or Fire Department code. This will be addressed in the Plan Review process. The developer/owner will be responsible for connecting to the existing county water and sewer systems, installing and/or upgrading all outfalls & water mains, obtaining onsite and/or offsite easements, and dedication of onsite and/or offsite water and sewer to Cobb County as may be required. Rezoning does not guarantee water/sewer availability or capacity unless so stated in writing by the Cobb County Water System.

Roadway	Roadway classification	Speed limit (MPH)	Jurisdictional control	Min. R.O.W. requirements
Canton Road	Arterial	45	Cobb County	100'
Piedmont Road	Arterial	45	Cobb County	100'

Roadway	Location	Average daily trips	Level of service
Canton Road	South of Blackwell Lane	24,700	D
Piedmont Road	West of Cajun Drive	16,600	C

Based on 2020 AADT count data taken by GDOT, as published on their website, for Piedmont Road.

Based on 2018 AADT count data taken by GDOT, as published on their website, for Canton Road.

Planning Level of Service based on available Average Daily Trips using GRTA guideline thresholds. Classification thresholds for LOS A and LOS B are not available for arterial roads from this data source.

LOS C or D is acceptable based on GDOT Design Policy Manual criteria.

ITE Land Use	Description	Expected Size (KSF)	AM			PM			Daily (vpd)
			In (vph)	Out (vph)	Total (vph)	In (vph)	Out (vph)	Total (vph)	
850	Supermarket	31.54	53	37	90	141	141	282	2,960

vph = vehicles per hour, vpd = vehicles per day, KSF = 1,000 square feet, N/A = not available

Development gross trip generation based on available development size and rates from the Institute of Transportation Engineers (ITE) Trip Generation, 11th edition.

Comments and observations

Canton Road is classified as an arterial roadway and according to the available information the existing right-of-way does meet the minimum requirements for this classification.

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

This development requires a traffic study submittal based on Cobb County Code 134-121. A traffic study was submitted to Cobb County Community Development on November 8, 2022. This study is currently under DOT review.

Cobb DOT has previously identified the need for an exclusive right turn lane from eastbound Piedmont Road to southbound Canton Road. This recommended intersection improvement is currently unfunded.

Recommendations

1. Recommend applicant consider entering into a development agreement pursuant to 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 Piedmont Road, a minimum of 50' from the roadway centerline or 3' behind the relocated sidewalk, whichever is further.

(continued)

2. Recommend a traffic study. Study assumptions (such as study intersections, trip distribution, future analysis years, and annual growth rate) should be submitted in a memorandum (Submittal 1) and agreed to by Cobb DOT before continuing the full traffic study (Submittal 2). A full traffic study (Submittal 2) was provided to Cobb County Community Development on November 8, 2022 and is currently under review by Cobb DOT. Cobb DOT recommendations may be revised after the review is complete.
3. As necessitated by this development, recommend Piedmont Road deceleration lane to extend along entire development frontage, terminating in an exclusive right-turn lane at the signalized intersection. Recommend final location and design be determined during plan review, subject to Cobb DOT approval.
4. Recommend the first internal intersection south of the westernmost driveway on Piedmont Road be restriped to create a three-way stop condition with the southbound movement maintaining a free flow of entering traffic from Piedmont Road.
5. Recommend a minimum of 50 feet straight-line distance from the edge of the right-of-way line at the easternmost access on Piedmont Road to the first internal parking space or drive aisle per Development Standard 402.8.
6. Recommend replacing disturbed curb, gutter, and sidewalk along the Piedmont Road and Canton Road frontages.
7. Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

STAFF ANALYSIS

Per section 134-122 of the Official Code of Cobb County, below is a written zoning analysis relating to the following (question in bold; the answer is not bold):

A. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;

It is Staff's opinion that the applicant's rezoning proposal will permit a use that is suitable in the view of use and development of adjacent and nearby properties. The property is in an area with neighborhood commercial uses.

B. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;

It is Staff's opinion that the applicant's rezoning proposal will not adversely affect the existing use or usability of adjacent or nearby properties. There are similar uses adjacent to the proposed location. The site, used within the limits of the CRC uses, would represent an intensity that is compatible with the neighboring uses.

C. Whether the zoning proposal will result in a use which will or could cause an excessive burdensome use of existing streets, transportation facilities, utilities, or schools;

It is Staff's opinion that the applicant's rezoning proposal will not result in a use which would cause an excessive burdensome use of existing streets, transportation facilities, utilities, or schools. This opinion is supported by the departmental comments contained in this analysis.

D. Whether the zoning proposal is in conformity with the policies and intent of the comprehensive plan;

It is Staff's opinion that the applicant's rezoning proposal would be in conformity with the policies and intent of the Cobb County Comprehensive Plan. The property is delineated in a Neighborhood Activity Center, NAC future land use category and Community Activity Center, CAC. The requested Community Retail Commercial (CRC) zoning district and proposed use is consistent with both the CAC land use designation.

E. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal;

It is Staff's opinion that there are no existing or changing conditions affecting the use and development of the property which give grounds for approving the applicant's rezoning proposal for the use as a grocery store. The proposal would be consistent with the CAC future land use category, and compatible to other developments in the area.

The staff analysis and recommendation 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.



September 6, 2022

Deborah Pyburn
Development Manager
Deborah.Pyburn@lidl.us
LIDL US, LLC
400 Interstate N. Parkway SE, Suite 550
Atlanta, GA 30339

Re: Lidl Marietta – Cobb County Zoning – Variance Requests

To whom it may concern:

As requested, Prime Engineering is submitting a description of the variances that we are requesting be granted by Cobb County. Applicant is requesting CRC zoning for the purpose of building a 31,000 sf grocery store. Hours of operation are 6 AM to Midnight 7 days a week. The architectural style and composition is shown in the attached renderings. Please see below the specific zoning requirements in question:

Section 134-272 – Traffic and Parking

a. Required parking for a neighborhood retail use listed in the Cobb County Ordinance is one (1) parking space for every 200 sf of building area.

Reason for hardship – The required parking count for the proposed site associated with this application would be 158 spaces based on the Cobb County Ordinance. We are requesting that this number be reduced to 120-135 spaces or 1 space for every 233 to 263 sf of building area. Due to the odd shape of the site and the existing topography on the western portion of the site, we do not anticipate being able to achieve the required 158 parking spaces.

IFC 503.1.1 – Buildings and Facilities

a. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

Reason for hardship – Due to the odd shape and varying existing topography of this site, we are unable to provide a full loop around the building and only provide adequate fire access along 3 sides of the building. However, IFC 503.1.1 has an exception for the fire code official to increase the 150-foot dimension for the access road given that the building will be sprinkled, adequate fire apparatus cannot be designed due to, among other things, non-negotiable grades, and an approved alternative means of fire protection is provided. We are requesting that the 150-foot fire apparatus dimension be increased to 300 feet. IFC

503.1.1 has an exception (1.1) that allows the local official to increase the 150' limit when the building is fully sprinklered (as this one will be). Georgia's amendments align with the model code on this exception.

Section 134-321. - Commercially and industrially-zoned properties.

All freestanding signs must be ground based monument signs except oversized signs authorized by section 134-316 of this article.

And:

Section 134-316. - Oversized signs.

(d) No oversized sign shall be located within 1,000 feet of another oversized sign in any direction;

Also cf: **Sec. 134-313. - Signs requiring a permit;** and **Sec. 134-319. - Nonconforming signs.**

Reason for hardship – Per Sec. 134-321, freestanding signs that are not ground-based monument designs are only allowed per the requirements of Sec. 134-316 governing ‘oversized’ signs. There are two existing non-compliant ‘lollipop’ signs at the proposed site, one at Canton Road on the east side of the property and one at Piedmont Road to the north. The proposed variance would allow for the refurbishment of both of these signs as documented in the attached exhibits.

Per Sec. 134-319, the refurbishment or refacing of these signs must be fully compliant with the ordinance. Due to the existing commercial development along Canton Road, there are multiple existing oversized signs located within 1,000 feet or less of the proposed project site, making compliance with Sec. 134-316 (d) physically impossible.

We are hereby requesting relief from the specific limitations of Sec. 134-316 (d) to allow refurbishment and refacing of the two existing signs. The proposed refurbishment will be compliant with all other requirements of Sec. 134-316 governing new oversized signage. As stated in Sec. 134-316:

“The board of commissioners has considered the need for commercial and noncommercial speech through the medium of oversized signs along major roads, as defined herein. These interests must be weighed against the aesthetic and safety concerns that have been enumerated elsewhere in this article.”

Given the character of existing commercial signage in the area surrounding the proposed site, and furthermore in consideration of the fact that the proposed refurbishments would have no negative impact on the aesthetic or safety concerns of the existing non-compliant signage, we respectfully request a variance be granted for these refurbishments.

Please feel free to contact my office if there any questions or comments regarding this information.
Sincerely,



Craig M. Dupuis, AIA
Department Head - Architecture
Prime Engineering, Inc.

Proposed Rezoning Impacts

- Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;
We are applying for rezoning of a parcel at 2833 Canton Rd. that is currently zoned for NS (neighborhood shopping district) to a CRC (community retail commercial district). The proposed use will be a grocery store which is suitable in view of the use and development of the adjacent nearby properties.
- Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;
The zoning proposal will not adversely affect the existing use or usability of adjacent or nearby properties. With the proposed use being a grocery store, and surrounding properties being retail stores and restaurants, the proposal will have a positive impact on these neighboring properties.
- Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;
We believe that it may have a reasonable economic use as currently zoned, but because the property has been out of use for some time now with no updates or current operation, the zoning proposal that is being submitted will vastly improve the aesthetic and economic use of the property.
- Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;
We do not believe that the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. We believe that this will have a positive impact on 4 concerns respectively.
- Whether the zoning proposal is in conformity with the policy and intent of the land use plan;
The zoning proposal will be in conformity with the policy and intent of the land use plan.
- Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal.
The property is comprised of two parcels with one being zoned for NS and the other being zoned for CRC, through this zoning effort the parcels will be combined as used for a grocery store. The parcels have not been updated in some time, so through this zoning effort the land will be put to proper use and add both aesthetic and economic benefits to the area.





PRELIMINARY CONCEPT RENDERING
VIEW FROM CANTONPIEDMONT INTERSECTION

EXISTING TOLLPOPSIGN
AT CANTON ROAD
(PROPOSED REFIT)



EXISTING TOLLPOPSIGN
AT PIEDMONT ROAD
(PROPOSED REFIT)



EAST ELEVATION (CANTON ROAD)

SCALE: 1/8" = 1'-0"



NORTH ELEVATION (PIEDMONT ROAD)

SCALE: 1/8" = 1'-0"

