



Commissioners:
Phillip Jackson
Lacey Ragus
Rebecca Patterson
Trey Bodenhamer
Todd Vande Zande
Carolyn Greenall
Robert Trim

**Planning Commission
Meeting Agenda
August 7, 2024 6:30 PM
Council Chambers
(2529 J.O. Stephenson Avenue, Kennesaw, GA 30144)**

1. Call to Order / Roll Call

2. Announcements

- A. This public meeting is being conducted via the use of real-time telephonic technology, allowing the public simultaneous access to the public meeting. The meeting may be accessed using Facebook Live via the following link: [www.Facebook.com/City of Kennesaw/](https://www.facebook.com/CityofKennesaw/). However, comments made on Facebook Live will not be visible by City staff. If you would like to provide public comment on a specific agenda item, you can email kennesawcouncil@kennesaw-ga.gov no later than 6:00 p.m. the night of the regular meeting. Your comment will be read aloud or grouped into categories for the record. All interested parties may attend the meeting in person with limited seating available at the City Hall Council Chambers and the Ben Robertson Community Center, if needed. Please note that the Planning Commission serves as an advisory board that makes recommendations to the Mayor and Council unless otherwise noted.
- B. Pending zoning applications may be viewed on an interactive map via the Planning & Zoning webpage or using the following link: <https://arcg.is/1q1ubX0>.
- C. New business items on this agenda will be heard by the Mayor and Council on August 19, 2024.

3. Approval of the Meeting Minutes

- A. Approval of Meeting Minutes: April 3, 2024

4. New Business

A. Rezoning Application: 3045 Cherokee Street

Consideration to rezone property located at 3045 Cherokee St (20012900950) from R-15, Single Family Residential to Central Business District (CBD) as submitted by Jason Kisz. Said request to rezone the property for the development of a mixed-use development consisting of 31 "For Sale" residential units and 1,600 sq. ft. of commercial floor area. Property consists of 1.663 +/- acres and lies in land lot 129 tax parcel 95. Case#RZ2024-03.

5. Staff Comment

6. Adjourn

**MINUTES OF PLANNING COMMISSION MEETING
CITY OF KENNESAW
Council Chambers
(2529 J.O. Stephenson Avenue, Kennesaw, GA 30144)
April 3, 2024
6:30 PM**

1. Call to Order / Roll Call

Chairman Jackson called the meeting to order at 6:30 p.m.

Roll Call: Commissioner Ragus, Commissioner Patterson (partial meeting), Commissioner Bodenhamer, Commissioner Vande Zande, Commissioner Greenall, and Commissioner Trim (partial meeting)

Staff Present: Darryl Simmons (Planning and Zoning Administrator), Chanelle Campbell (Assistant Zoning Administrator and City Planner) and Natalie Faustine (Community Development Administrative Assistant)

2. Announcements

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- B. Pending zoning applications may be viewed on an interactive map via the Planning & Zoning webpage or using the following link: <https://arcg.is/1q1ubX0>.
- C. New business items on this agenda will be heard by the Mayor and Council on April 15, 2024.

3. Approval of the Meeting Minutes

- A. Meeting Minutes from 03-06-24

Motion by Commissioner Bodenhamer to approve the meeting minutes from March 6, 2024

Seconded by Commissioner Greenall

Vote taken, motion approved 3-0. Commissioners Ragus and Vande Zande abstained.

4. New Business

- A. LU2024-02 - Consideration for approval of a land use permit request located at 4299 Brighton Way as submitted by Maria Balzan. Said request is for obtaining a home occupation business license for the creation and sale of floral arrangements. Property is zoned Planned Unit Development - Residential (PUD-R), consists of 0.13 +/- acres and lies in land lot 50 tax parcel 175.

Ms. Channele Campbell introduced this agenda item. This is a land use permit application submitted by Maria Balzan, who resides at 4299 Brighton Way as a renter. She was interested in obtaining a home occupation to create and sell floral arrangements. The property is surrounded by single-family dwelling units and is located in a Planned Unit Development - Residential (PUD-R) zone with a future land use designation of Planned Unit Development (PUD).

The applicant would like to utilize an area in her kitchen to prepare the floral arrangements as illustrated in the agenda packet. Equipment includes fresh flowers, shears, vases, ribbons, and craft paper to create the floral arrangements. Staff believed this use is very low in commercial intensity, as the use will be contained within an enclosed building space. It should not cause a nuisance to the adjacent neighboring properties, as there will be no indication of a commercial business, such as foot traffic from clients or customers. There will be no signage or external display of the products. Staff received correspondence from the Legacy Park property manager and the homeowner, Carissa McConkey, approving the request.

Staff recommended approval with the following conditions.

1. The land use permit is valid for two years starting from the date of final approval.
2. The land use permit is limited to the current applicant, this business and use, and it is not transferable. Any changes would require additional review and approval.
3. There shall be no clients, customers, or employees at this location. Nor shall there be any evidence of a home-based business visible from the right-of-way including no signs and no more than one commercial vehicle dedicated to the business.

This application was advertised in the Marietta Daily Journal on March 15 and a public notice sign was placed on the property.

Chairman Jackson opened the floor for public comment. Given no response, he closed the floor for public comment and opened it up to comments and questions by Commissioners. The Commissioners did not have any comments or questions.

Motion by Commissioner Greenall to approve the land use permit application with conditions outlined by staff

Seconded by Commissioner Bodenhamer

Vote taken, motion approved 6-0. Motion carried.

5. Staff Comment

6. Adjourn

Commissioner Vande Zande made a motion to adjourn

Seconded by Commissioner Greenall

The meeting adjourned at 6:40 p.m.

DRAFT



Item Report

TO: The Planning Commission

FROM: Darryl Simmons, Zoning Administrator

DATE: August 7, 2024

TITLE: **Rezoning Application: 3045 Cherokee Street**
 Consideration to rezone property located at 3045 Cherokee St (20012900950) from R-15, Single Family Residential to Central Business District (CBD) as submitted by Jason Kisz. Said request to rezone the property for the development of a mixed-use development consisting of 31 "For Sale" residential units and 1,600 sq. ft. of commercial floor area. Property consists of 1.663 +/- acres and lies in land lot 129 tax parcel 95. Case#RZ2024-03.

Summary:

Recommendation:

Fiscal Impact:

Attachments:

1. RZ2024-03_3045 Cherokee St_Rezoning Application_All Docs Merged_Redacted_FINAL
2. RZ2024-03_3045 Cherokee St_ORDINANCE DRAFT



Cobb County GIS

CASE NUMBER		LAND USE OR ZONING		3045 Cherokee St NW Land Lot 29, Tax Parcel 95  Subject Property	 CITY OF KENNESAW PLANNING & ZONING DEPT. 770-590-8268 <i>Deirdre Easterday</i> MAJOR <i>Lee Murray</i> CITY CLERK
AV	LU	FROM	TO		
CBD2024-002	RZ 2024-003	LI	CBD		
COA2024-005	AV – Administrative Variance AX – Annexation DX – De-annexation HBR – Historic Board Review LU – Land Use RZ – Re-zoning SLUP – Special Land Use ZV – Variance	 ZONING  KENNESAW CITY LIMITS  COBB COUNTY  LAND LOT			
HBR					
SLUP					
ZV					

Scale: 1" = 238'
 Print Date: 5/28/2024
 RZ2023_000

ZONING ADMINISTRATOR
DARRYL SIMMONS

**ASSISTANT ZONING
ADMINISTRATOR/PLANNER**
CHANELLE CAMPBELL

CONTACT US

OFFICE: (770) 590-8268
WEBSITE: www.kennesaw-ga.gov
EMAIL: zoningdept@kennesaw-ga.gov



Planning and Zoning

2529 J.O. Stephenson Avenue
Kennesaw, GA 30144

MAYOR AND COUNCIL
AUGUST 19, 2024

PLANNING COMMISSION
AUGUST 7, 2024

LEGAL ADVERTISEMENTS
JULY 19, 2024

PUBLIC NOTICE SIGN
JULY 19, 2024

APPLICATION SUBMITTED
MARCH 15, 2024

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2024-03

Property Addresses

3045 Cherokee St

Applicant

Jason Kisz

Representative

N/A

Property Owner

French 3 Investments, LLC

Current Zoning

R-15, Single-Family Residential (15 Units/Acre)

Proposed Zoning

Central Business District (CBD)

Future Land Use Category

Downtown Activity Center (DAC)

Project Request: Rezoning for the construction of a mixed-used development.

[Please see page 4 and 5 for project request](#)

PROPERTY DETAILS

Within 1/2 mi from Unincorporated Cobb Co: No
Historic District: Yes
Cemetery: No **Floodplain:** No **Stream:** Yes
Parcel ID #: 20012900950
Land Lot #: 129 **Tax Parcel #:** 95
Land Area: 1.663 +/- acres
Existing Building Total SQFT: 1,607 sq. ft

RECOMMENDATION

Staff Recommendation

Approval with conditions

[Please see page 20 & 21 for basis for recommendation.](#)



Aerial view of subject property (Cobb Tax Assessor)

ADJACENT PROPERTY DETAILS

Surrounding Zoning Dist. and Future Land Use

North: No Street

Zoning: Central Business District (CBD)

Future Land Use: Downtown Activity Center (DAC)

South: No Street

Zoning: Central Business District (CBD)

Future Land Use: Downtown Activity Center (DAC)

East: Cherokee Street

Zoning: Central Business District (CBD)

Future Land Use: Downtown Activity Center (DAC)

West: No Street

Zoning: R-15, Single Family Residential

Future Land Use: Residential Low/Medium (RL)

[Please see pages 2 for zoning map.](#)

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2024-03

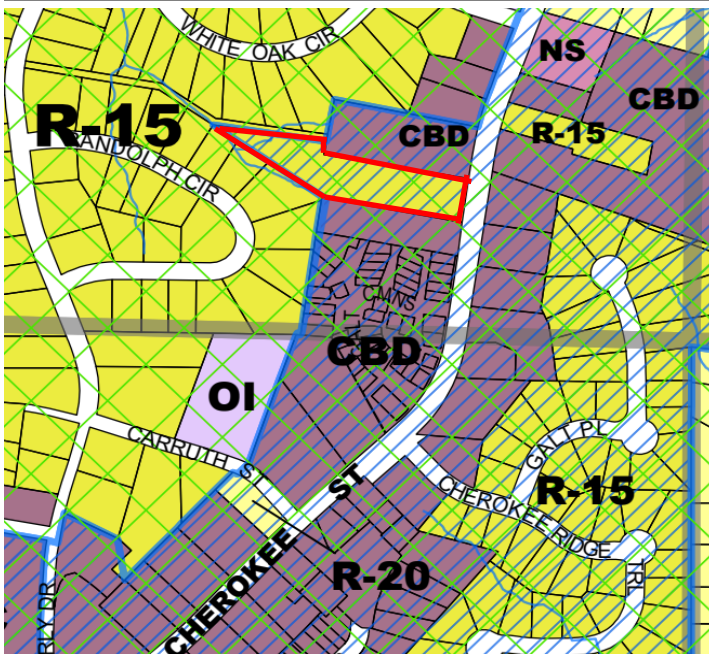
AERIAL MAP

LOCATION:

The 1.663 +/- acre tract is located on Cherokee Street and sits in the Cherokee Street Historic District. Surrounding uses include Kennesaw Heights subdivision to the west zoned R-15, Single Family Residential. To the south the newly completed mixed-used development known as Galt Commons zoned Central Business District (CBD). To the north and east of the subject site are primarily residential structures converted for commercial uses including Mike's Trophies & Award Inc State Farm Insurance to the east; both zoned Central Business District (CBD).



ZONING MAP



LEGEND

Zoning Districts

	CBD		HGB		NRC		PUD-R
	CRC		HI		NS		PVC
	FST		LI		OI		R-10
	GC		MHP		PBSH		R-12
					PSC		R-15

BACKGROUND:

The site is currently zoned R-15, Single Family Residential, with a vacant residential structure. As part of the CBD Expansion Project II initiated in 2023, the property owner was invited to rezone the parcel to Central Business District (CBD) to create continuity of the Downtown Activity Center along Cherokee Street; the owner declined to participate in the rezoning initiative.

On June 21, 2024, the property went before the Historic Preservation Commission (HPC) with a Certificate of Appropriateness application and was granted approval for the demolition of the vacant structure on the property.

AERIAL VIEW

ZONING CASE #: RZ2024-03



= Approximate project location

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2024-03

DESCRIPTION OF ZONING REQUEST

This is a rezoning request to change the zoning designation from R-15, Single Family Residential to Central Business District (CBD) for the construction of a mixed-use development.

PROJECT INTENT

The applicant is requesting to rezone the property to Central Business District to construct the development of 31 "For sale" residential units town-homes and stacked flats condos and approximately 1,600 sq. ft. of commercial floor area.

Number of units proposed: 31

Proposed Density: 12.20 DUA

Proposed parking spaces: 80

New Construction Total SF: +/- 39,225 sq. ft.

Land area (This site): 1.663 +/- acres

Land Area (Entire site): 2.543 +/- acres

Proposed Amenities: Wet Pond and trail, commercial plaza, dog park, hammock area, fire pit area, greenway park connecting to neighboring Galt Commons green.

Pre-Application Meeting

March 15, 2024

Application Submitted

March 15, 2024

Fees Paid

\$375.00

Certified Letters Mailed

July 19, 2024

CBD ZONING DESIGN STANDARDS

Min. lot size: None

Max lot coverage: Not more than 87%

Minimum Setbacks:

Side: None

Rear: None

Max. Height: Subject to Historic District Guidelines

Min floor area:

Condominium: 1,000 sq. ft.

Townhouse: 1,000 sq. ft.

EXISTING SITE CONDITIONS



STAFF ANALYSIS REPORT



ZONING CASE #: RZ2024-03

PROJECT DETAILS

- The applicant proposed thirty-one (31) “For Sale” Residential units; will consist of fourteen (14) townhomes and seventeen (17) stacked flats.

Type	Plan Description	Heated SF	Total #
Townhomes	19 X 21 TH	1,250	9
Townhomes	21 X 28 TH	1,500	3
Townhomes	26 X 21 TH	1,500	2
Flats	Stacked Flats	1,045	15
Flats	Stacked Flats (above commercial)	1,600	2

- The project will include 1,600 sq. ft. of total commercial floor area for retail that would benefit residents and surrounding community members.
- The project will include approximately 39,225 sq. ft. of new construction, with residential units accounting for 37,625 sq. ft. of the construction total.
- Proffered conceptual plan proposes a total of 80 parking spaces are proposed with site accessed by a single point from Cherokee Street and sidewalks a minimum of 5’ wide are shown throughout the development. Plans to mitigate traffic includes commercial parking located in the rear of the business and assessable parking throughout the development.
- Conceptual plans includes pocket courtyards throughout the development to create connectivity and informal public meeting spaces that encourages the gathering of residents and community members.
- Proposed Amenities includes:
 - * Commercial plaza at front of the development
 - * Greenway Park connecting to neighboring Galt Commons green
 - * Wet Pond and Trail
 - * Residential amenities:
 - * Dedicated storage facility section and shared community items
 - * Pre-assigned residential and guest parking spaces
 - * Dog park
 - * Mail kiosk
 - * Fountain
 - * Hammock Area
 - * Fire pit area
 - * Grill area/pizza oven



PROPOSED RENDERING (MATERIAL LIST)

ZONING CASE #: RZ2024-03

Kennesaw Cherokee St

Materials List for Construction:

- Painted and Natural Brick
- Smooth Lap Siding
- Asphalt Shingles
- Standing Seam Metal Roof Accents on
Featured Architectural Elements
- Wood Windows
- Wood or Composite Wood Shutters

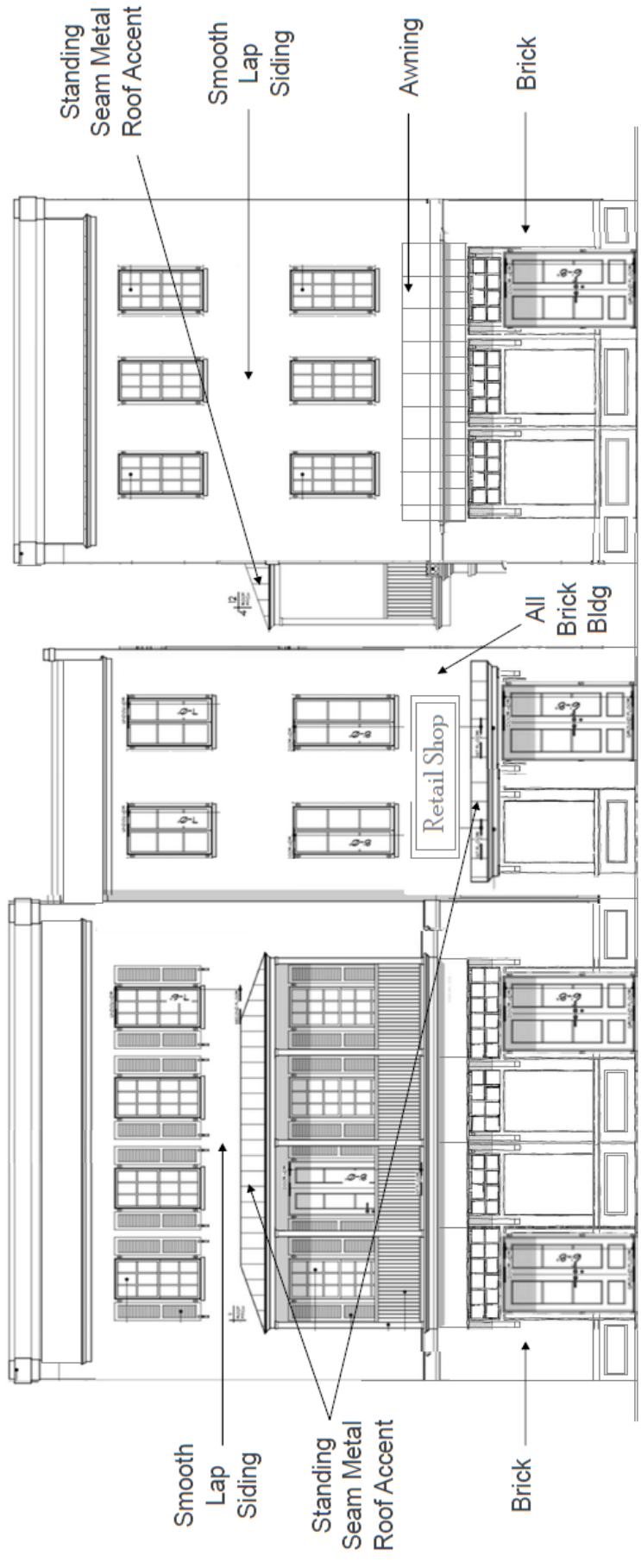


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PROPOSED RENDERING (PAGE 1 OF 6)

ZONING CASE #: RZ2024-03

Kennesaw Cherokee St
Mixed-Use Commercial Plaza
(Residential above Retail)



0 ft 80 ft

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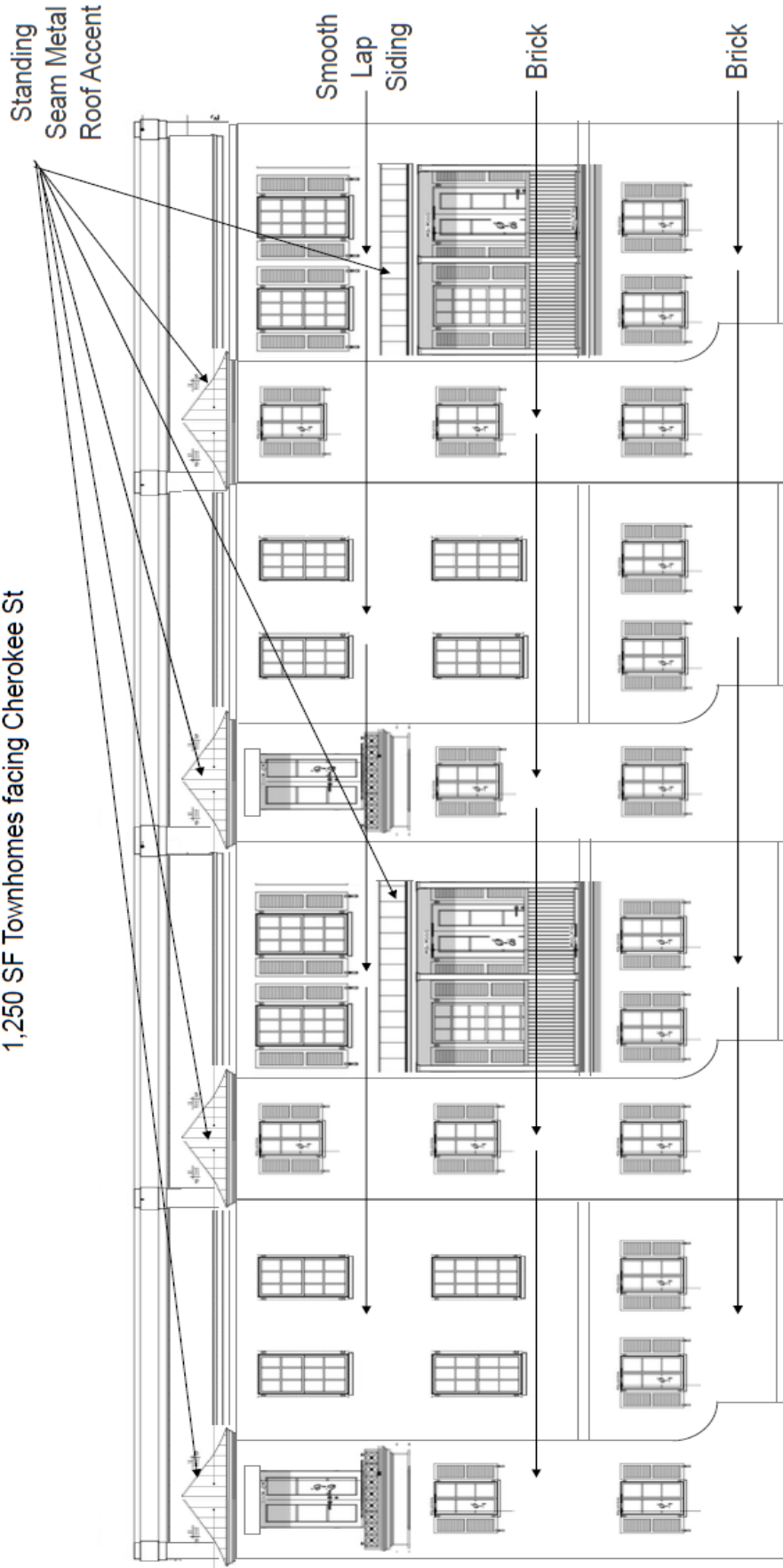


PROPOSED RENDERING (PAGE 2 OF 6)

ZONING CASE #: RZ2024-03

Kennesaw Cherokee St

1,250 SF Townhomes facing Cherokee St



0 ft

80 ft



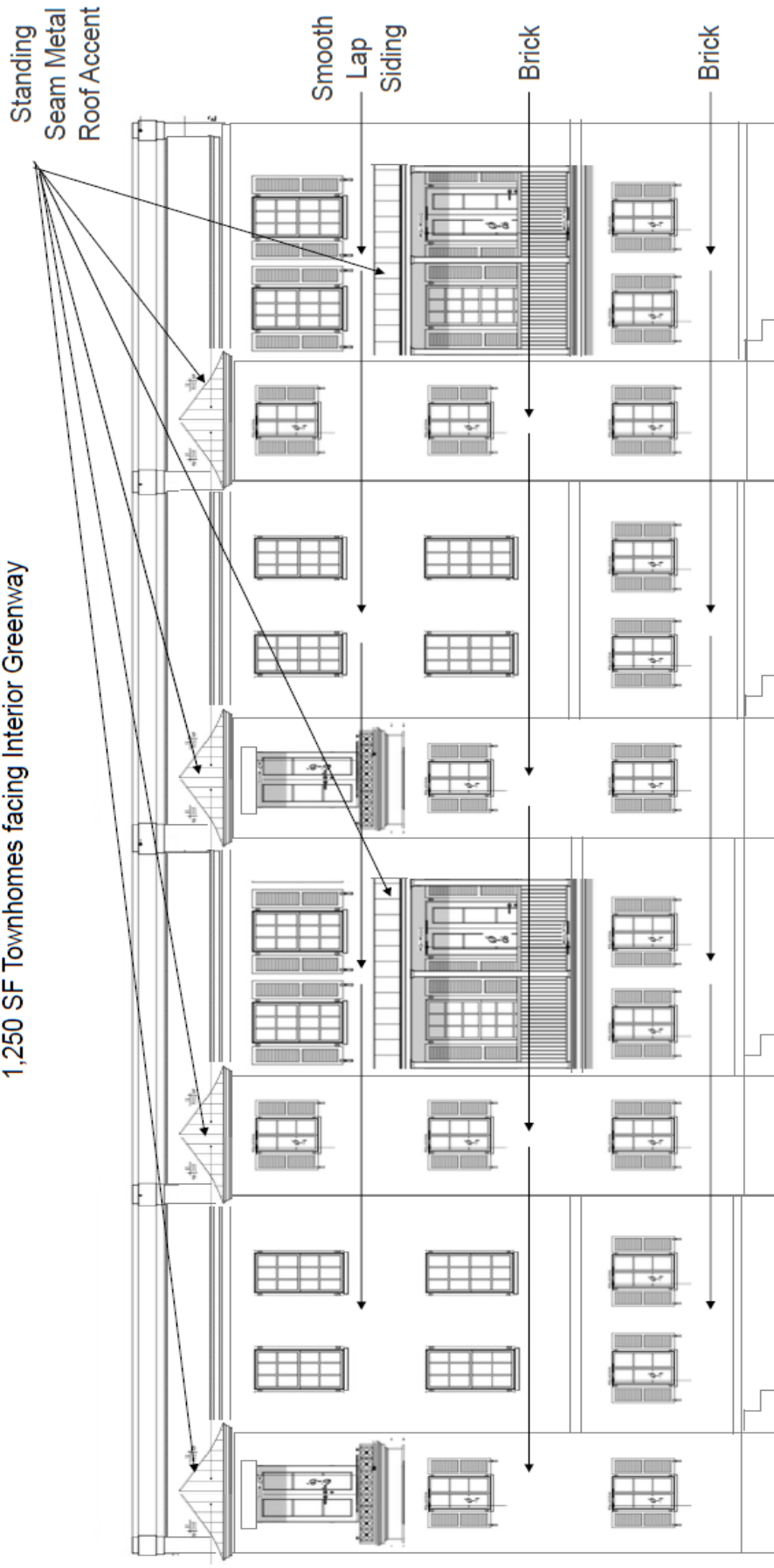
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PROPOSED RENDERING (PAGE 3 OF 6)

ZONING CASE #: RZ2024-03

Kennesaw Cherokee St

1,250 SF Townhomes facing Interior Greenway



0 ft 80 ft

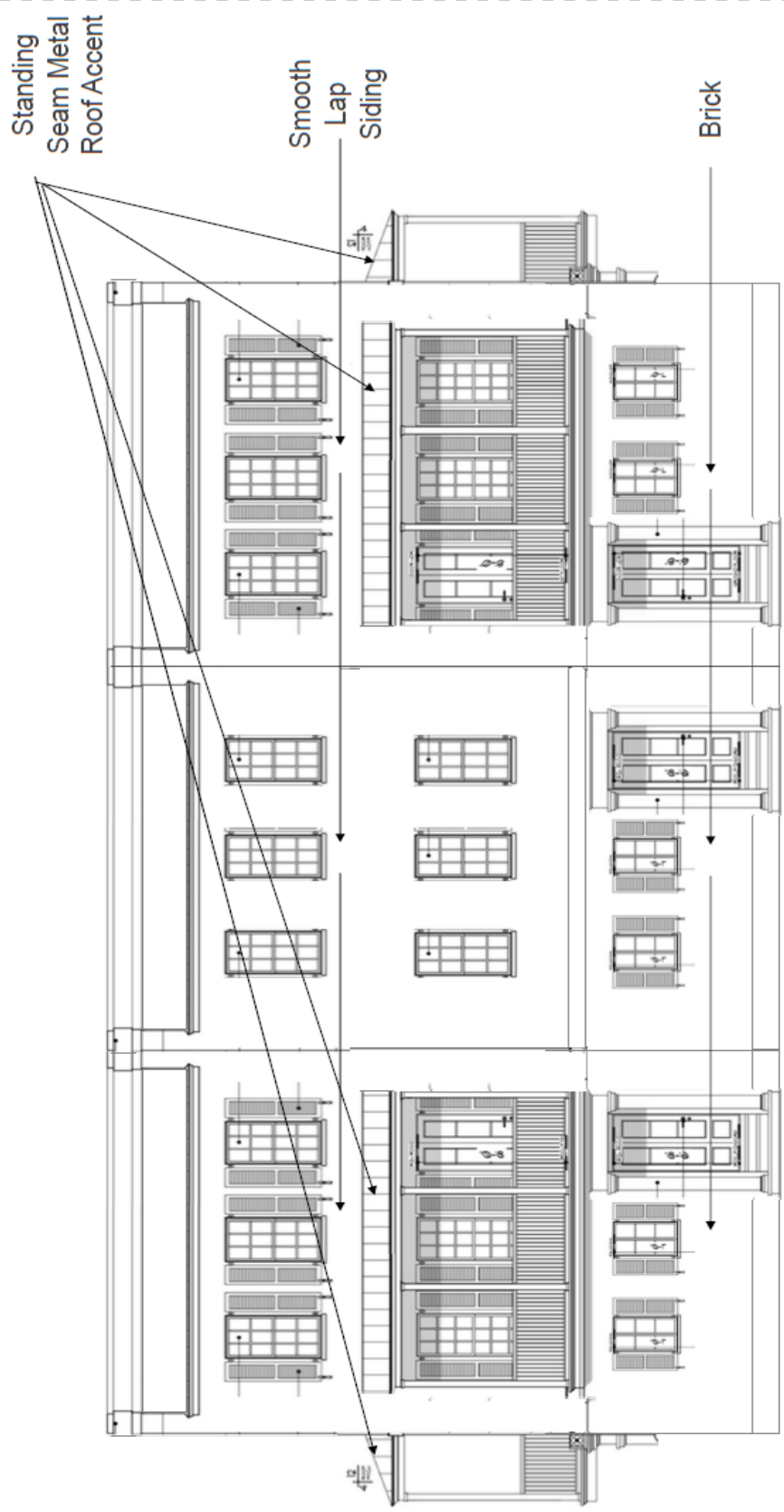


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PROPOSED RENDERING (PAGE 4 OF 6)

ZONING CASE #: RZ2024-03

Kennesaw Cherokee St
1,500 SF Townhomes (Triplet)



0 ft 80 ft

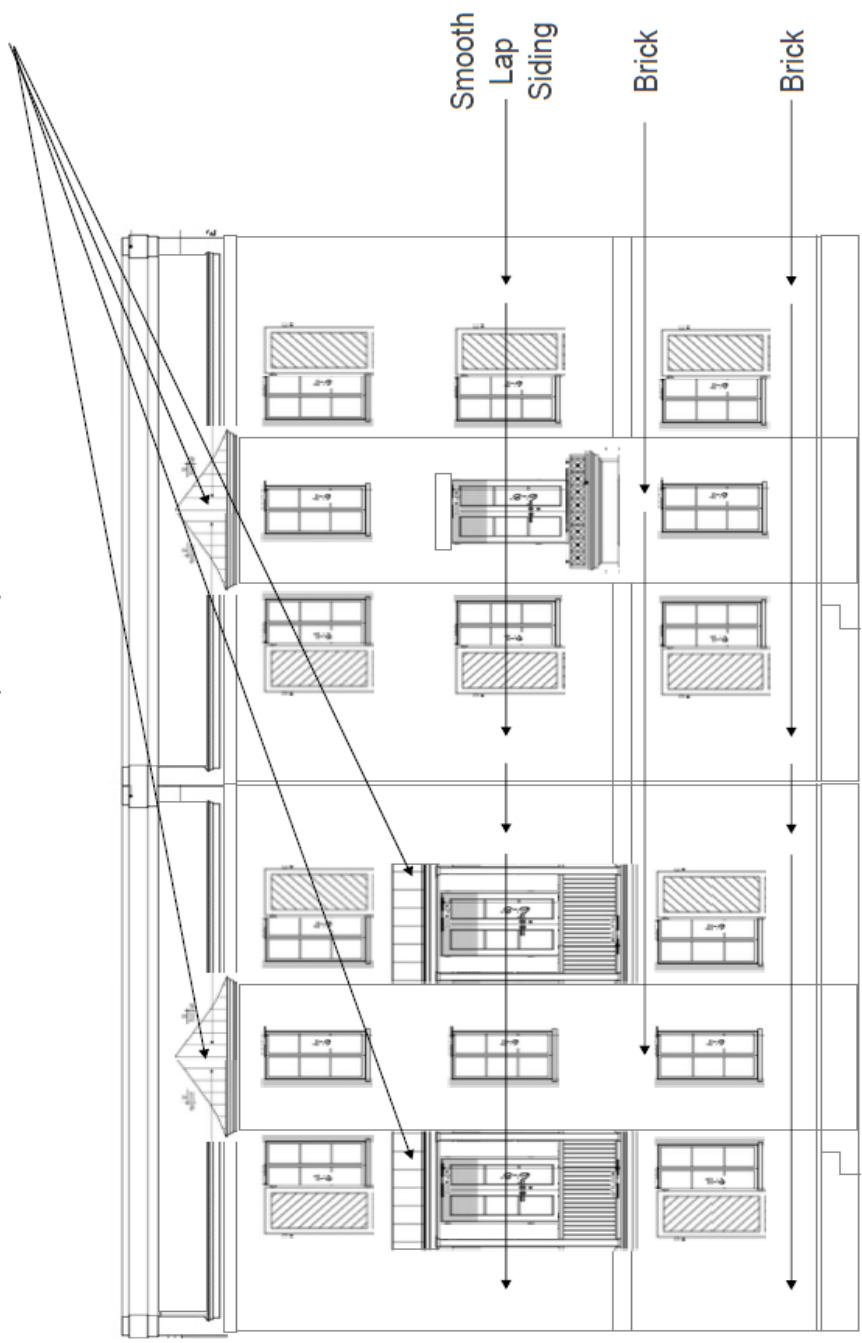
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PROPOSED RENDERING (PAGE 5 OF 6)

ZONING CASE #: RZ2024-03

Kennesaw Cherokee St
1,500 SF Townhomes (Double)



0 ft 80 ft

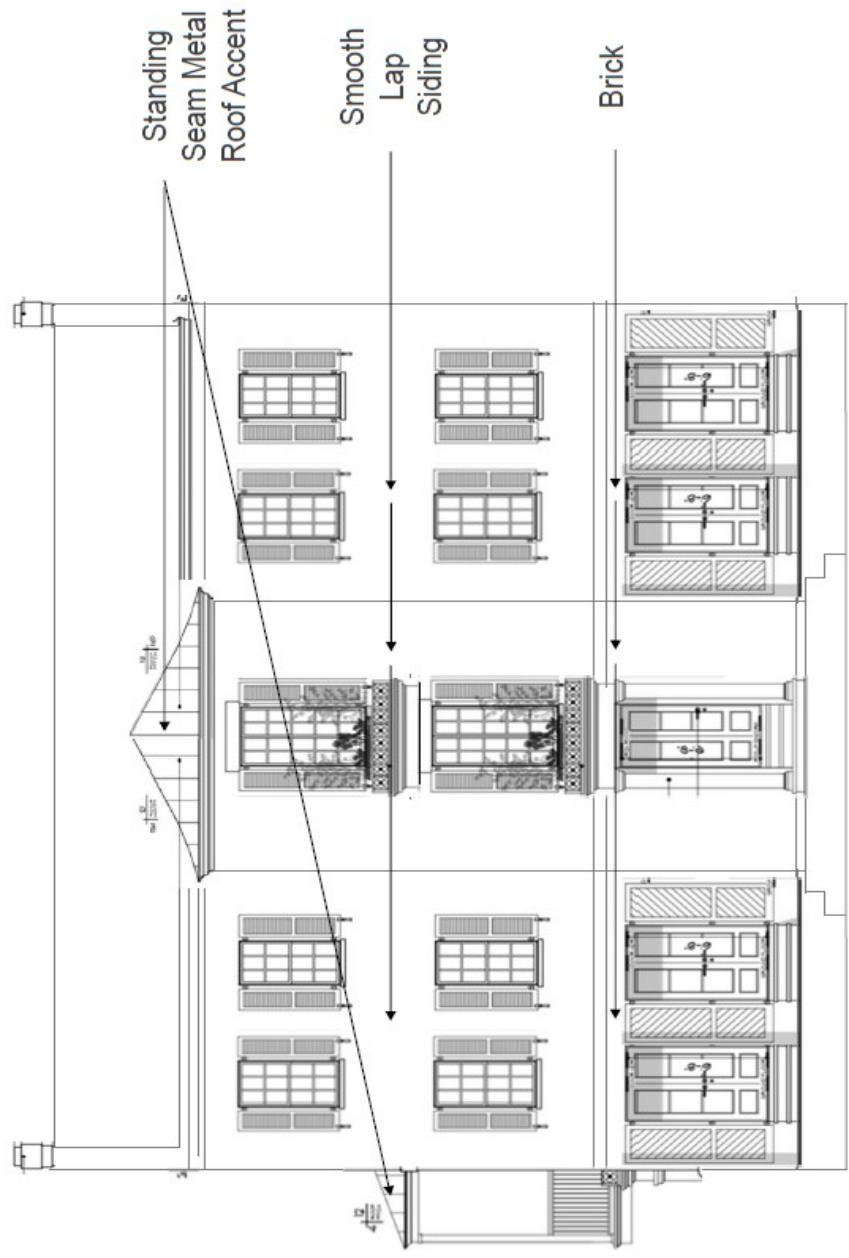


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PROPOSED RENDERING (PAGE 6 OF 6)

ZONING CASE #: RZ2024-03

Kennesaw Cherokee St
Stacked Flats – 4 per Building



0 ft 80 ft

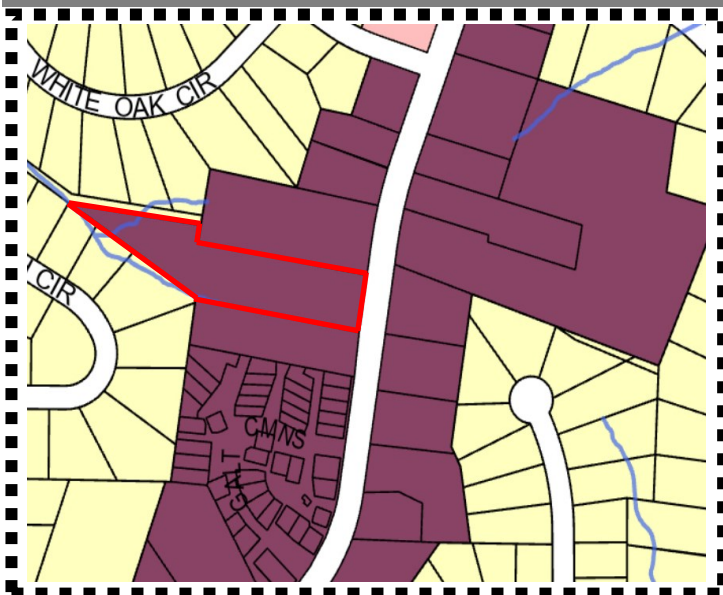


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STAFF ANALYSIS REPORT

ZONING CASE #: RZ2024-03

2022 COMPREHENSIVE PLAN - AREAS



LEGEND

- NAC - Neighborhood Activity Center
- CAC - Community Activity Center
- DAC - Downtown Activity Center
- RAC - Regional Activity Center
- RL - Residential Low/Medium

FUTURE LAND USE CATEGORY

DAC—DOWNTOWN ACTIVITY CENTER

This area is the traditional downtown of Kennesaw. As part of the Livable Centers Initiatives, the goal of this area is to create vibrant, walkable communities that offers increased mobility options, encourages healthy lifestyle and provide improved access to jobs and services.

FUTURE LAND USE ANALYSIS

The Comprehensive Plan designates the subject property to the north along Cherokee Street as Downtown Activity Center (DAC). The land use category consists of the traditional downtown of Kennesaw, that was highlighted as part Livable Center Initiative (LCI) study conducted in 2015. The study aims to create an economically viable and active Downtown Kennesaw that serves a multi-generational and is suitable for residents to live, work, play and shop. The goal of the Central Business District is to facilitate the redevelopment and revitalization of the downtown area. The subject property is located in close proximity to the Downtown Area and the proposal would align with the Comprehensive Plan for economic development by encouraging the creation of local business within the city.

The request to rezone to Central Business (CBD) is consistent with the Comprehensive Plan. The proposed development will offer a mix of commercial and residential use that will serve as catalyst for placemaking at the gateway to central downtown. The close proximity to central downtown would encourage and facilitate pedestrian movement and provide convenient access to the amenities of downtown as outline in the goals of the district.

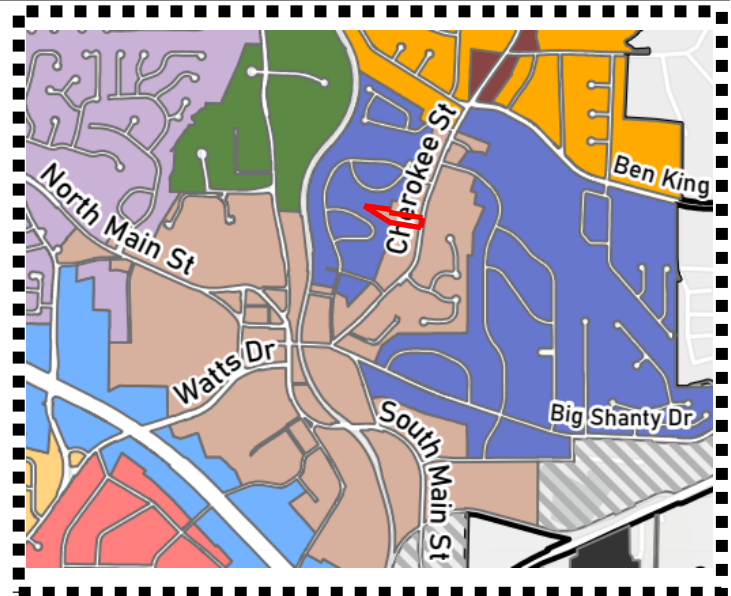
STAFF ANALYSIS REPORT

ZONING CASE #: RZ2024-03

2022 COMPREHENSIVE PLAN UPDATE

Kennesaw Areas

- Barrett and Old 41
- Campus Living
- Cherokee Street Commercial Corridor
- Cobb International Industrial Corridor
- Cobb Parkway Commercial Corridor
- East Pine Mountain Revitalization
- Historic Central Business District
- In-Town Living
- Jiles and Baker
- Kennesaw Due West
- Kennesaw Marketplace
- McCollum Industrial Corridor
- Moon Station Industrial Corridor
- North Cherokee



AREA DESIGNATION

HISTORIC CENTRAL BUSINESS DISTRICT

The Historic CBD area includes the Central Business District, the five historic districts and the study area of the City's Livable Centers Initiative (LCI). The area spans a distance along the northern edge of the Cobb Parkway Commercial Corridor from McCollum Parkway to near Jiles Road, northward to Matlock Drive on Moon Station Road, also northward to Pine Hill Drive on Cherokee Street and to South Main Street at McCollum Parkway. Currently, this area is composed of a mix of land uses, historical and cultural resources, businesses, homes and neighborhoods and architectural styles and elements. Overall, this area is in the process of revitalization and reinvestment.

AREA DESIGNATION ANALYSIS

The site is located within the Historic Central Business District. According to the Area Policy Matrix outlined in the Comprehensive Plan, development in this area should encourage pedestrian access to downtown and requires compatibility of infill development with the surrounding neighborhoods and businesses. The project proposes a blend of uses to create a dynamic and livable space and fulfilling economic and social goals as outlined in the Comprehensive Plan.

SURROUNDING NEIGHBORHOODS

- Galt Commons
- Kennesaw Heights
- Andrews Arbor
- Cherokee Ridge
- Pine Hills
- Kennesaw Woods
- Tara park
- Duvall Place

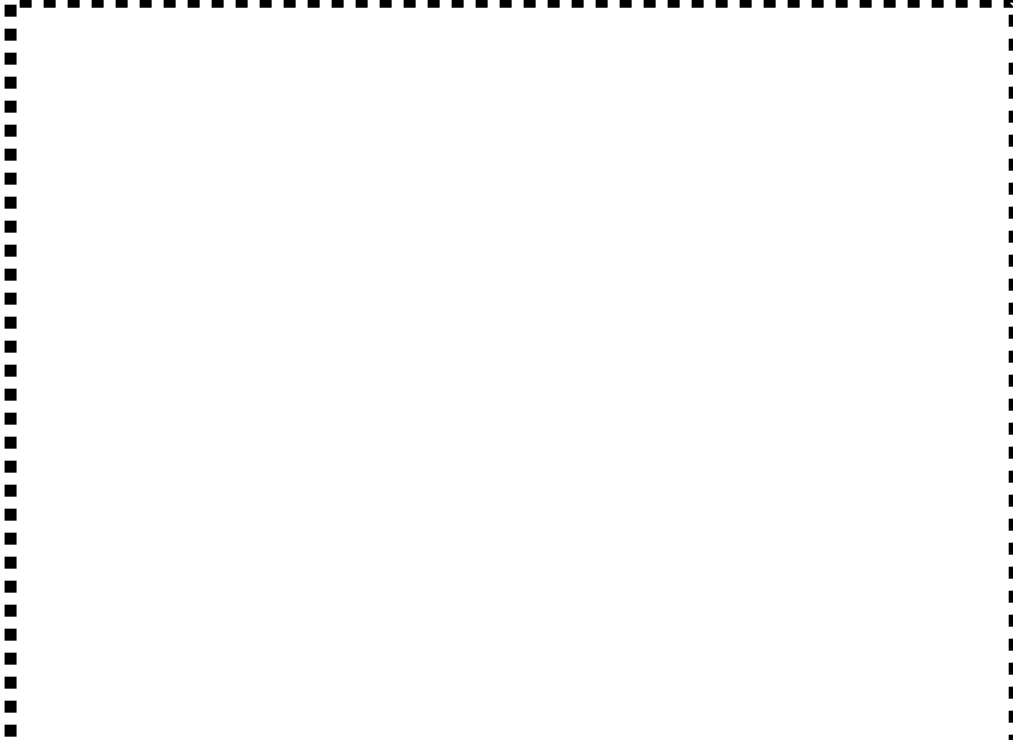
NEARBY PUBLIC SCHOOLS

- Big Shanty Elementary School
- Palmer Middle School
- North Cobb High School

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2023-04/ZV2023-03

TRANSPORTATION DATA

ROAD #1	AERIAL OF ROAD #1
Roadway Name Cherokee Street Roadway Classification Arterials Speed Limit 35 MPH Jurisdictional Control City of Kennesaw Minimum Width of Right-of-Way requirement 100-feet	
ROAD #2	AERIAL OF ROAD #2
Roadway Name N/A Roadway Classification N/A Speed Limit N/A Jurisdictional Control N/A Minimum Right-of-Way Requirement N/A	

STAFF ANALYSIS REPORT



ZONING CASE #: RZ2024-03

ENVIRONMENTAL

Floodplain:

- ☐ Yes
☒ No
☐ Not Verified

Wetlands:

- ☐ Yes
☒ No
☐ Not Verified

Drainage Basin:

- ☒ None
☐ FEMA 100-year floodplain area
☐ Flood Damage Prevention Ordinance¹
☐ Project subject to Cobb County Damage Prevention Requirements
☐ Dam Breach Zone (Upstream)²
☐ Owner/Developer is responsible for obtaining any required wetland permits from the United States Army Corps of Engineers

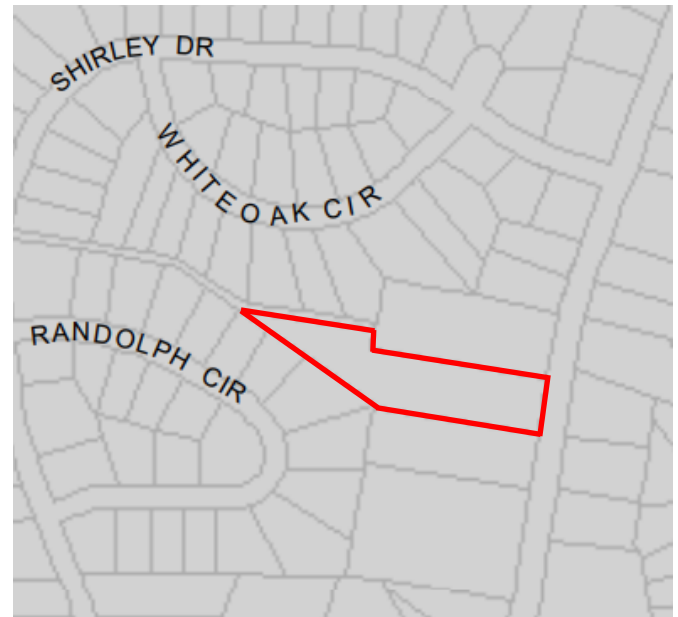
Streams and Creeks:

- ☐ Metropolitan River Protection Area³
☐ Chattahoochee River Corridor Tributary Area⁴
☐ Georgia Erosion-Sediment Control Law and County Ordinance⁵
☐ Georgia DNR Variance for work being done in 25-foot stream bank buffers (may be required)
☐ City Stream Buffer Required
☒ No Stream Buffer Required

Public Works Comments:

See page 20 for comments from Public Works.

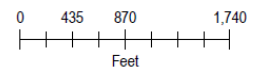
FEMA FLOOD ZONE MAP



Special Flood Hazard Areas

2018 Flood Zones

- AE
- AE, FLOODWAY
- X, 0.2 Pct Annual Chance
- Land Lots
- Kennesaw City Limits
- Subject Property



ADDITIONAL COMMENTS REGARDING PROJECT:

- 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.
- Developer will be responsible for connecting to the existing County water and sewer systems, installing and/or upgrading all outfalls and water mains and obtaining on and/or off site easements, dedication of on and/or off site 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 will be responsible to meet all City of Kennesaw Development & Zoning Ordinance Standards, State, County and applicable Federal regulations as part of the plan review approval process. All conceptual representations submitted with the application and acted on by Mayor and Council does not relieve applicant and property owners from meeting all development standards.

- Designated flood hazard
- Need to keep residential buildings out of hazard.
- Within 2000-feet of the Chattahoochee River. ARC review 35-feet undisturbed buffer each side of waterway.
- Cobb County review (___-feet undisturbed buffer on each side)
- State of Georgia and Cobb County review.

STAFF ANALYSIS REPORT

ZONING CASE #: RZ2024-03

STREAMS ANALYSIS



STREAM ANALYSIS:

While the property does not lie in a flood zone, two (2) streams were identified on the property. A stream analysis consisting of a site reconnaissance was conducted to identify whether the streams located on the subject property would require a variance. Analysis of the property concluded that the upper reaches of the stream area considered ephemeral and do not require a State or County vegetated buffer or impervious surface setback. The extreme lowest reach of the stream is considered intermittent and would require the 50-foot buffer plus additional 25-foot impervious surface setback.

If the stream is to be avoided and clearing/construction activities will be kept out of the 50-foot stream buffer (plus 25-foot impervious setback), then a variance will not be required.

STAFF ANALYSIS REPORT



ZONING CASE #: RZ2024-03

PLANNING AND ZONING

Site Visit:

☒ Yes
☐ No

Staff Member:

Name: Chanelle Campbell
Date of Visit: 05/30/2024

Land Use Recommendation:

Mixed used development is a compatible use

Historic Preservation:

Yes, in the historic district

Cemetery Preservation:

No cemeteries on site

Required Parking: 70 parking spaces

DEPARTMENT COMMENTS

Engineering: No Comments

Public Works:

- Cherokee Steet has a roadway classification as an arterial and requires an addition of 10' of right-of-way.
- Development will need to adhere to the 50' undisturbed buffer requirements for the streams located on site.

Building Services: No Comments

Cobb County Fire: None provided

Cobb County Water: None provided

STAFF ANALYSIS:

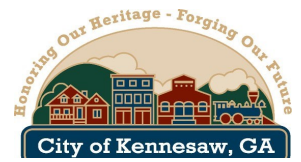
The applicant, Jason Kisz, is requesting to rezone the property located at 3045 Cherokee Street from R-15, Single Family Residential to Central Business District (CBD). In 2023, the subject property was identified as part as the city initiated rezoning known as Central Business District Phase 2 and the owner invited to participate in the rezoning project. The city initiated rezoning intended to rezone parcels located within or directly adjacent to Downtown Kennesaw to CBD to create continuity of uses and design standards throughout the downtown area; the property owner decided not to participate in the rezoning at that time.

Staff has analyzed the request to rezone based on the standard for decision outlined in [section 10.01.02](#) Rezoning Procedures for Amending the Official Zoning Map and the requirement outline in [section 4.02.03](#) for the Central Business District (CBD) with the following observations:

The city's land use policy documents and Comprehensive plan supports the rezoning request. The proposed development will comply with the purpose and intent of the Central Business District as outline in the Unified Development Code [section 4.02.03](#), that states the intent of the Central Business District (CBD) is to not only preserve and protect the cultural and historic aspects of downtown Kennesaw, but to also develop a compact core to encourage and facilitate pedestrian movement and provide convenient access to the amenities of Historic Downtown Kennesaw. The flexibility of the zoning district allows for diverse development that will serve the residential and commercial needs while encouraging walkability and alternative modes of transportation facilitating connectivity throughout the city's downtown.

The proposed development will encompass the idea of "live, work, play" with the proposed commercial aspect that will includes a designated commercial plaza to be utilized by surrounding community members to congregate and create a sense of community. The addition of the proposed amenities such as a dog park, hammock area, wet pond amenities, etc., further creates a shared spaces that promotes a sense of belonging and cohesion among residents and visitors.

STAFF ANALYSIS REPORT



ZONING CASE #: RZ2024-03

Sidewalks a minimum of 5' wide are shown throughout the development and the close proximity to central downtown encourages walkability and promotes alternative modes of transportation such as walking and biking and continues to facilitate pedestrian-friendly environment through the addition of sidewalks throughout the development, the presence of a proposed trail to the rear of the property and the intentional connection to neighboring subdivision such as Galt Commons through the connections of greenspace.

The proposed Charleston-inspired home aligns with the city's goal for the area to incorporate architectural elements from the Central Business District to ensure the development is compatibility with surrounding neighborhoods and development. The proffered conceptual plan illustrates the presence of ground-floor retail and upper-floor residence; proposed building materials include wood windows, painted and natural brick and standing seam metal roof accents on featured architectural elements incorporating compatible designs and improving the built environment along Cherokee Street.

A proffered conceptual plan proposes thirty (31) "For Sale" residential units that will consist of a mix of attached townhomes and stacked flats condos ranging from 1,045 - 1,600 sq. ft and approximately 1,600 sq. ft of total commercial floor area. The proposed project plans contains a unique housing configuration that will increase housing variety and affordability through the blend of stacked flats and townhomes ranging in prices. This meets one of the City of Kennesaw's long range goals for the citizens regarding promotion of accessible housing for purchase.

Per the parking standards per use as outlined in [section 6.06.00](#) Off Street Parking Facilities requires:

- *2 spaces per dwelling unit for Townhouse dwelling units (attached)*
14 units X 2 = 28 parking spaces required
- *2 spaces per dwelling unit for Condominiums*
17 units X 2 = 34 parking spaces required
- *1 space per 200 sq. ft. (net) of floor space for Community retail uses*
1,600 sq. ft / 200 sq. ft. = 8 parking spaces required

Based on the requirements outlined in [section 6.06.00](#), of the Unified Development Code, the proposed project will be required to provide seventy (70) parking spaces; a total of 80 parking spaces are proposed surpassing the required parking with site accessed by a single point from Cherokee Street. The presence of the additional parking will serve as parking for visitors and guests and will assist in eliminating the congestion along Cherokee Street.

The proposed use, density and overall character as submitted by the applicant would be in conformance with the policy and intent of the Comprehensive Plan. The location of the proposed development will also assist with the revitalization along Cherokee Street while keeping the development more concentrated and intentional. The presence of the development will promote a balanced mix of retail, entertainment, residential and community gathering uses facilitating economic growth and viability in the city's downtown.

STAFF ANALYSIS REPORT



ZONING CASE #: RZ2024-03

ZONING ADMINISTRATOR'S RECOMMENDATION: **APPROVAL WITH CONDITIONS**

Based on the findings outlined in the analysis section of this staff report, City staff recommends **approval with conditions** of case #RZ2024-03.

PROPOSED ZONING CONDITIONS:

1. The Subject Property shall be constructed as a mixed-use development consisting of a maximum of thirty-one (31) "For Sale" residential units and a minimum of 1,600 sq. ft. of total commercial area given that the required parking ratio requirements are met.
2. Applicant agrees the minimum floor area of all residential units shall be 1,000 sq. ft. Applicant also agrees that the maximum height of the overall development will adhere to the Historic District Design Guidelines.
3. The architectural style and composition of the buildings to be constructed on the Subject Property shall be in reasonable conformity to the architectural renderings/elevations submitted with the rezoning application.
4. Project design updates must be submitted to the Historic Preservation Commission at 30, 60, and 90 percent completion until the approval of the final project design.
5. Project design updates submitted to the Historic Preservation Commission for review must include landscaping plans and should outline the trees that will be removed from the property prior to the commencement of the project and tree removal on the property.
6. Dedication of approximately 10' of property frontage for right-of-way along Cherokee Street (which includes the sidewalk and parking) after the installation and construction of the required infrastructures.
7. Compliance with the recommendations from the City Engineer and/or the City's Public Works Director regarding detention, water quality and stormwater management.
8. Applicant agrees to the protection of all required stream buffers affecting the Property and shall utilize such areas as a passive amenity for the proposed development; any potential impact to the stream(s) due to revisions to the site plans will require a variance.
9. A minimum of three (3) amenities based on the proposed list by applicant will be included in the final site plan submitted for review and approval; mail kiosk will not be included as one of the required amenities.
10. Prior to the issuance of Certificate of Occupancy for the last twenty (20) percent of residential units, the non-residential portion of the development will be required to obtain a certificate of completion.
11. The site plan shall incorporate public space architectural and urban features consistent with the City wide Architectural Design Standards and the City of Kennesaw Historic District Design Standards including fountains, gardens, squares, courtyards, lighting, signage, and paving that blend the mixed uses.
12. Proposed lighting for signs, parking lots, and entrance ways shall be environmentally sensitive and consistent with lighting styles utilized in the downtown streetscape design and approved under the City of Kennesaw Historic Design Standards and Citywide Design Guidelines.
13. The creation of a mandatory homeowners association ("HOA") to be managed by Applicant or a 3rd party professional HOA management company until such time the HOA is "turned-over" to the homeowners which is typically at 100% buildout. Applicant shall fund any shortfall in the operating budget until such time as the HOA is "turned-over" to the homeowners. Additionally, and in conjunction with the creation of the mandatory homeowners association, Applicant agrees to the recording and enforcement of protective covenants which will contain covenants, rules, and regulations.

STAFF ANALYSIS REPORT



ZONING CASE #: RZ2024-03

PROPOSED ZONING CONDITIONS:

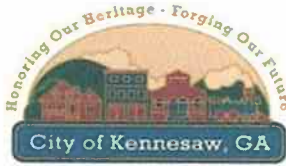
14. The homeowners association shall be solely responsible for the upkeep and maintenance of all common areas, mail kiosk, amenities, and amenity areas; including the entrance areas, boundary landscape buffers, stormwater management systems, driveways and parking lot.
15. Dumpsters shall be positioned consistent with the City of Kennesaw Ordinance regulations with dumpster lids containing rubber cushions to reduce noise and with the enclosure surrounding the dumpster being designed to be complementary to the buildings' architecture while meeting all development Standards. The design and position of said enclosure shall be reviewed and approved by the Zoning Administrator and/or his designee.
16. The proposed community shall utilize the City or Cobb County; utility services as is typical for such residential development.
17. The applicant agrees that construction activity will begin within two years of the approval date of the rezoning. If no land development activity is initiated, then the subject property will automatically revert back to the original zoning and all previously imposed conditions.

PLANNING COMMISSION RECOMMENDATION:

To be determined on August 7, 2024

MAYOR AND COUNCIL DECISION:

To be determined on August 19, 2024



**Community Development
Planning & Zoning Department
2529 J. O. Stephenson Ave.
Kennesaw, GA 30144**

REZONING APPLICATION
Required Fee \$375.00

Darryl Simmons
Planning & Zoning Administrator

Rashida Williamson
Zoning Clerk

*****Note:** If property is identified as being located within the Kennesaw Historic District and there are to be any exterior improvements or changes to be made such as, façade, parking, landscaping, signage, etc. applicant must follow application procedures to the Historic Preservation Commission. Please consult with Planning and Zoning Staff.

For questions, please feel free to contact the Planning and Zoning Department at 770-590-8268. When the application and all checklist items have been properly completed and filed with the Planning and Zoning Department, the applicant will be notified of the date of hearing(s).

- ☐ **Original application completed, signed and notarized.**
- ☐ **A copy of the warranty deed for said property that includes the full legal description/ in word format.**
- ☐ **A copy of the current taxes paid in full for said property from the Cobb County Tax & City Tax Departments**
- ☐ **Rezoning Fee – \$375.00**
- ☐ **Completed application and supporting documents listed on one Flash Drive or email to dsimmons@kennesaw-ga.gov in PDF format**



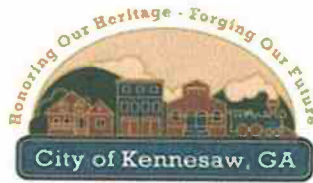
**Community Development
Planning & Zoning Department
2529 J. O. Stephenson Ave.
Kennesaw, GA 30144**

CONSISTENT WITH THE UNITED STATES CONSTITUTION AND THE RELIGIOUS LAND USE AND INSTITUTIONALIZED PERSONS ACT OF 2000, THE CITY OF KENNESAW DOES NOT DISCRIMINATE ON THE BASIS OF RELIGION IN THE APPLICATION OF ITS LAWS, POLICIES, OR PROCEDURES, INCLUDING THE APPLICATION OF ITS LAND USE REGULATIONS AND ZONING LAWS.

Under the Religious Land Use and Institutionalized Persons Act of 2000 (“RLUIPA”), no government, including the City of Kennesaw, may apply its zoning or land use laws in a manner that imposes a substantial burden on the religious exercise of a person, including a religious assembly or institution. RLUIPA also provides that no government, including the City of Kennesaw, may apply a land use regulation in a manner that treats a religious assembly or institution (a church, for example) on less than equal terms than a nonreligious institution or assembly (a day care center or movie theater, for example). Finally, RLUIPA provides that no government, including the City of Kennesaw, may impose or implement a land use regulation in a manner that discriminates against a religious assembly or institution.

If you believe that the City of Kennesaw, or any other local government or municipality, has discriminated against you in the implementation of its zoning or land use laws, please contact the United States Department of Justice at:

**United States Department of Justice
Civil Rights Division
Housing and Civil Enforcement Section
950 Pennsylvania Ave. N.W. –G St.
Washington, DC 2053**



REZONING APPLICATION

Required Fee \$375.00

Date Received 03/15/2024

Staff's Initials CMC

Is this property located within the Kennesaw Historic District (yes) X (no) ?

A MINIMUM OF ONE CONSULTATION WITH PLANNING AND ZONING ADMINISTRATOR AND STAFF PRIOR TO THE SUBMISSION OF THE REQUESTED APPLICATION IS MANDATORY.

Date of Consultation 03/15/24

Staff's Initials CMC

REZONING PROPERTY ADDRESS 3045 Cherokee St.

Land Lot 129 Tax Parcel 20012900950 Lot Size 1.663 acres

Resident Population 0 Housing Units 1 Other Buildings 0

Zoning Request from:

Present Zoning R-15 To: CBD

For the purpose of: developing gateway community to downtown Kennesaw

APPLICANT EMAIL [REDACTED]

Applicant Address 136 SANTA ANITA TRAIL WOODSTOCK GA 30189

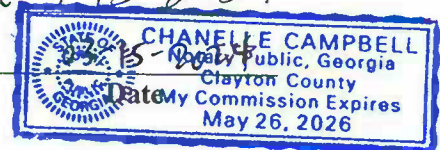
(Phone #) [REDACTED]

Applicant Signature [Signature]

Date 3-15-2024

Signed, sealed and delivered in presence of:

Notary [Signature]



REPRESENTATIVE

(Fax #) (Work#) (Cell#)

Representative Signature Date

Signed, sealed and delivered in presence of:

Notary

Date

TITLEHOLDER: FRENCH 3 INVESTMENTS, LLC (Phone #) [REDACTED]

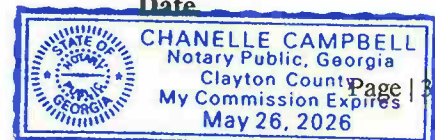
Signature: [Signature]

Address [REDACTED]

Signed, sealed and delivered in presence of:

Notary [Signature]

Date 03-20-24





CAMPAIGN DISCLOSURE REPORT¹ BY APPLICANT²

Each applicant must complete a separate form

Has the applicant made, within two (2) years immediately preceding the filing of this application for rezoning, campaign contributions aggregating two hundred fifty dollars (\$250.00) or more or made gifts having in the aggregate a value of two hundred fifty dollars (\$250.00) or more to a member or members of the Mayor and Council or Planning Commission who will consider the application?

No

If "Yes," the applicant and the attorney representing the applicant must file a disclosure report with the Mayor and Council of the City of Kennesaw within ten (10) days after this application is first filed.

Please supply the following information that will be considered as the required disclosure:

The name of the member(s) of the Mayor and Council or Planning Commission to whom the campaign contribution or gift was made:

The dollar amount of each campaign contribution made by the applicant to the member(s) of the Mayor and Council or Planning Commission during the two (2) years immediately preceding the filing of this application and the date of each such contribution:

An enumeration and description of each gift having a value of two hundred fifty dollars (\$250.00) or more made by the applicant to the member(s) of the Mayor and Council or Planning Commission during the two (2) years immediately preceding the filing of this application:

I certify that the foregoing information is true and correct, this 15 day of March, 2024

[Signature]
Applicants Signature

¹ If the answer to any of the above is "Yes," then the member of the Mayor and Council or Planning Commission must immediately disclose the nature and extent of such interest, in writing, to the Mayor and Council of the City of Kennesaw, Georgia. A copy should be filed with this application. Such disclosures shall be a public record and available for public inspection at any time during normal working hours.

² Applicant means any person who applies for a rezoning action and any attorney or other person representing or acting on behalf of a person who applies for a rezoning action.

May 29, 2024

Subject: Please Take Notice - Notification of Nearby Zoning Application
3045 Cherokee Street, Kennesaw, GA, 30144 – Parcel ID #20012900950

To whom it may concern,

This correspondence is to formally notify you that the City of Kennesaw Planning and Zoning Department has received a zoning application for a parcel of land within two hundred feet of your property. As a nearby property owner, you have the right to be informed of potential zoning changes.

The application details are as follows:

Applicant Name: Jason Kisz

Property Address: 3045 Cherokee Street

Parcel Identification Number: 20012900950

Description of Proposal: Developing gateway community to downtown Kennesaw.

The application will be reviewed and voted on at public hearings by the Planning Commission and the Mayor and Council. The meeting details are as follows:

Planning Commission Meeting

Date: July 3, 2024

Time: 6:30 p.m.

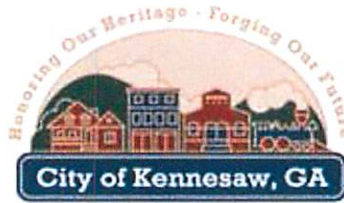
Mayor & Council Meeting

Date: July 15, 2024

Time: 6:30 p.m.

Both meetings occur in the City Hall Council Chambers located at 2529 J. O. Stephenson Avenue, Kennesaw, GA 30144. You may appear in person or be represented by an attorney to present any objections you may have. The application is enclosed for your review. This notice is being sent to you by order of the Planning Commission and the Mayor and Council.

Applicant Signature _____ Date _____



Community Development
Planning & Zoning Department
2529 J. O. Stephenson
Kennesaw, GA 30144

CERTIFICATION AUTHORIZATION

I hereby attest to the fact that a certified mailing to property owners within 200 feet was mailed out on 7/18/2024 in accordance with the application requirements.

7/23/2024

Date

[Signature]

Applicant or Authorized Agent

Sworn and subscribed before me this 23rd day of July 2024

[Signature]

Notary Public



Attach to this document a copy of the property/s that have been served notification along with the documentation supplied in the certified mailing.



Printed: 3/18/2024

Cobb County Online Tax Receipt

Thank you for your payment!

CARLA JACKSON TAX COMMISSIONER
HEATHER WALKER CHIEF DEPUTY
Phone: 770-528-8600
Fax: 770-528-8679

Payer:
Thomas Richards

**RICHARDS THOMAS R SR REVOCABLE
TRUST**

Payment Date: 11/27/2023

Tax Year	Parcel ID	Due Date	Appeal Amount		Taxes Due
2023	20012900950	10/15/2023	Pay:	N/A or	\$0.00
Interest	Penalty	Fees	Total Due	Amount Paid	Balance
\$63.79	\$173.58	\$0.00	\$0.00	\$3,708.96	\$0.00



Scan this code with your
mobile phone to view
this bill!!



City of Kennesaw
PROPERTY TAX DIVISION
2529 J. O. STEPHENSON AVE
KENNESAW, GA 30144-2780
(770) 429-4542

2023 Property Tax Bill

Parcel ID	Tax District	Bill #
20012900950	3/3-BOND - KENNESAW CITY	235288
Property Owner/Location/Description		Taxable Value
RICHARDS THOMAS R SR REVOCABLE TRUST 3045 CHEROKEE ST		115,144

Levies	Taxable Value	-	Exemptions	=	Net Assessment	X	Tax Rate	=	Net Tax
CITY OF KENNESAW	115,144		0		115,144		7.7500000000		\$892.37
BOND	115,144		0		115,144		1.5000000000		\$172.72

Exemptions:

Interest will accrue monthly at a rate of .96% per month, based on an annual calculation of Federal Prime Rate (8.5%) plus 3%. To arrive at the new monthly interest rate, divide the Federal Prime Rate by 12. This annual interest rate will change when the Federal Reserve announces the new bank prime loan rate each January (House Bill 960).

Penalty will accrue at 5% after 120 days with an additional 5% assessed after each successive 120 days to a maximum of 20% of the principle amount due (House Bill 960).

Any questions concerning payment instructions should be directed to the City of Kennesaw Property Tax Department at (770) 429-4542.

Current Year Tax	\$1,065.09
Interest	\$0.00
Penalty	\$0.00
Other Fees	\$0.00
Payments Received	\$1,065.09
Other Amounts Due	\$0.00
Total Due	\$0.00
Due Date	12/01/2023



City of Kennesaw
PROPERTY TAX DIVISION
2529 J. O. STEPHENSON AVE
KENNESAW, GA 30144-2780

Please make check or Money Order Payable to :
City of Kennesaw Property Tax Division and
include the Parcel ID on your check.

For your convenience, you may pay by check,
money order, Discover, Mastercard, AMEX,
VISA.
3% fee and \$3.50 per transaction fee added to
debit/credit card payments. \$1.25 fee per
ECheck transaction paid online.

Parcel ID: 20012900950
Amount Due: \$0.00
Bill#: 235288
Due Date: 12/01/2023

AMOUNT PAID

RICHARDS THOMAS R SR REVOCABLE TRUST
3045 CHEROKEE ST
KENNESAW, GA 30144

City of Kennesaw
PROPERTY TAX DIVISION
2529 J. O. STEPHENSON AVE
KENNESAW, GA 30144-2780

LEGAL DESCRIPTIONS

3045 CHEROKEE ST NW KENNESAW, GA 30144

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 129 OF THE 20TH DISTRICT, 2ND SECTION, OF COBB COUNTY, GEORGIA AS SHOWN ON PLAT OF SURVEY BY THOMAS M. GINN, SR. DATED JUNE 23, 1969, A COPY OF WHICH IS RECORDED IN PLAT BOOK 47, PAGE 198, COBB COUNTY, GEORGIA RECORDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A POINT WHERE WESTERN RIGHT OF WAY OF CHEROKEE STREET (FKA SHILOH ROAD) (60 FOOT RIGHT OF WAY) INTERSECTS WITH SOUTHERN RIGHT OF WAY OF SHIRLEY DRIVE (50 FOOT RIGHT OF WAY), THENCE RUN IN THE SOUTHERLY DIRECTION ALONG WESTERN RIGHT OF WAY OF CHEROKEE STREET DISTANCE 447.00 FEET TO A 0.5"RBF AND THE TRUE POINT OF BEGINNING,

THENCE RUN IN THE SAME DIRECTION ALONG WESTERN RIGHT OF WAY OF CHEROKEE STREET SOUTH 08 DEGREES 43 MINUTES 25 SECONDS WEST A DISTANCE OF 121.07 FEET TO A IPF,

THENCE LEAVING SAID WESTERN RIGHT OF WAY OF CHEROKEE STREET AND RUN IN THE WESTERLY DIRECTION NORTH 79 DEGREES 44 MINUTES 45 SECONDS WEST A DISTANCE OF 388.04 FEET TO A IPF,

THENCE RUN NORTH 56 DEGREES 21 MINUTES 31 SECONDS WEST A DISTANCE OF 176.28 FEET TO A 0.5"RBF,

THENCE RUN NORTH 55 DEGREES 40 MINUTES 13 SECONDS WEST A DISTANCE OF 108.00 FEET TO A 0.5"RBF,

THENCE RUN NORTH 52 DEGREES 01 MINUTES 16 SECONDS WEST A DISTANCE OF 82.27 FEET TO A 0.5"RBS,

THENCE RUN SOUTH 79 DEGREES 35 MINUTES 58 SECONDS EAST A DISTANCE OF 317.50 FEET TO A 1"OTP,

THENCE RUN SOUTH 01 DEGREES 54 MINUTES 45 SECONDS WEST A DISTANCE OF 31.22 FEET TO A 1"OTP,

THENCE RUN SOUTH 79 DEGREES 48 MINUTES 25 SECONDS EAST A DISTANCE OF 396.01 FEET TO A 0.5"RBF, LOCATED ON THE WESTERN RIGHT OF WAY OF CHEROKEE STREET AND THE TRUE POINT OF BEGINNING.

SAID TRACT OR PARCEL CONTAINS 1.663 AC.

23-262
Record and Return to:
Brian M. Douglas & Associates, LLC
900 Circle 75 Pkwy SE, Suite 800
Atlanta, GA 30339

Parcel ID#: 20012900950

TRUSTEE'S DEED

State of GEORGIA
County of COBB

THIS INDENTURE, made this 15 day of DECEMBER, 2023 between

**THOMAS R. RICHARDS, JR., AS TRUSTEE OF THE THOMAS R. RICHARDS, SR.,
REVOCABLE TRUST, DATED MARCH 18, 2016**

as party or parties of the first part, hereinafter called Grantor, and

FRENCH 3 INVESTMENTS, LLC

as party or parties of the second part, hereinafter, called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH: That said Grantor for and in consideration of the sum of TEN AND 00/100 (\$10.00) DOLLARS in hand paid, at and before me sealing and delivery of these presents (the receipt of which is hereby acknowledged), Grantor (acting under and by virtue of the power and authority granted to Trustee under that certain Thomas R. Richards, Sr., Revocable Trust dated March 18, 2016), has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said grantee:

EXHIBIT "A"

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee, forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the lawful claims and demands of all persons claiming by, through or under the above named Grantor, but against none other.

IN WITNESS WHEREOF, Grantor has signed and sealed this deed, the day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]
Unofficial Witness

[Signature]
Notary Public



GRANTOR:

[Signature] AS TRUSTEE
(Seal)
**THOMAS R. RICHARDS, JR., AS TRUSTEE
OF THE THOMAS R. RICHARDS, SR.,
REVOCABLE TRUST, DATED MARCH 18,
2016**

EXHIBIT A

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 129 OF THE 20TH DISTRICT, 2ND SECTION, COBB COUNTY, GEORGIA AS SHOWN ON PLAT OF SURVEY BY THOMAS M. GINN, SR. DATED JUNE 23, 1969, A COPY OF WHICH IS RECORDED IN PLAT BOOK 47, PAGE 198, COBB COUNTY, GEORGIA RECORDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A MARBLE MARKER ON THE WESTERLY RIGHT-OF-WAY OF CHEROKEE STREET FOUR HUNDRED FORTY-SEVEN (447) FEET SOUTHERLY FROM THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY OF CHEROKEE STREET WITH THE SOUTHERLY RIGHT-OF-WAY OF SHIRLEY DRIVE AS MEASURED ALONG THE WESTERLY RIGHT-OF-WAY OF CHEROKEE STREET; THENCE SOUTH 6 DEGREES 07 MINUTES 30 SECONDS WEST ONE HUNDRED TWENTY AND TEN HUNDREDTHS (120.10) FEET ALONG THE WESTERLY RIGHT-OF-WAY OF CHEROKEE STREET TO AN IRON PIN; THENCE NORTH 81 DEGREES 08 MINUTES 30 SECONDS WEST THREE HUNDRED NINETY SIX AND EIGHTY HUNDREDTHS (396.80) FEET TO AN IRON PIN; THENCE NORTH 56 DEGREES 51 MINUTES 00 SECONDS WEST THREE HUNDRED FIFTY-SEVEN AND FOURTEEN HUNDREDTHS (357.14) FEET TO AN IRON PIN AT A BRANCH; THENCE SOUTH 81 DEGREES 45 MINUTES 30 SECONDS EAST THREE HUNDRED SEVENTEEN AND FIFTY HUNDREDTHS (317.50) FEET TO AN IRON PIN; THENCE SOUTH 0 DEGREES 19 MINUTES 50 SECONDS WEST THIRTY-ONE AND EIGHTEEN HUNDREDTHS (31.18) FEET TO AN IRON PIN; THENCE SOUTH 81 DEGREES 12 MINUTES 30 SECONDS EAST THREE HUNDRED NINETY FOUR AND FIFTY HUNDREDTHS (394.50) FEET TO A MARBLE MARKER AND THE POINT OF BEGINNING.

SUBJECT TO ALL COVENANTS, CONDITIONS, ZONING ORDINANCES, RESTRICTIONS, AND EASEMENTS OF RECORD.

BEING SAME PROPERTY CONVEYED IN THAT CERTAIN QUITCLAIM DEED BETWEEN THOMAS R. RICHARDS, SR. AND THOMAS R. RICHARDS, JR., AS TRUSTEE OF THE THOMAS R. RICHARDS, SR., REVOCABLE TRUST, DATED MARCH 18, 2016, FILED MARCH 30, 2016 IN DEED BOOK 15323, PAGE 4240, COBB COUNTY, GEORGIA RECORDS.

Re: 3045 Cherokee Street

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 129 OF THE 20TH DISTRICT, 2ND SECTION, COBB COUNTY, GEORGIA AS SHOWN ON PLAT OF SURVEY BY THOMAS M. GINN, SR. DATED JUNE 23, 1969, A COPY OF WHICH IS RECORDED IN PLAT BOOK 47, PAGE 198, COBB COUNTY, GEORGIA RECORDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A MARBLE MARKER ON THE WESTERLY RIGHT-OF-WAY OF CHEROKEE STREET FOUR HUNDRED FORTY-SEVEN (447) FEET SOUTHERLY FROM THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY OF CHEROKEE STREET WITH THE SOUTHERLY RIGHT-OF-WAY OF SHIRLEY DRIVE AS MEASURED ALONG THE WESTERLY RIGHT-OF-WAY OF CHEROKEE STREET; THENCE SOUTH 6 DEGREES 07 MINUTES 30 SECONDS WEST ONE HUNDRED TWENTY AND TEN HUNDREDTHS (120.10) FEET ALONG THE WESTERLY RIGHT-OF-WAY OF CHEROKEE STREET TO AN IRON PIN; THENCE NORTH 81 DEGREES 08 MINUTES 30 SECONDS WEST THREE HUNDRED NINETY SIX AND EIGHTY HUNDREDTHS (396.80) FEET TO AN IRON PIN; THENCE NORTH 56 DEGREES 51 MINUTES 00 SECONDS WEST THREE HUNDRED FIFTY-SEVEN AND FOURTEEN HUNDREDTHS (357.14) FEET TO AN IRON PIN AT A BRANCH; THENCE SOUTH 81 DEGREES 45 MINUTES 30 SECONDS EAST THREE HUNDRED SEVENTEEN AND FIFTY HUNDREDTHS (317.50) FEET TO AN IRON PIN; THENCE SOUTH 0 DEGREES 19 MINUTES 50 SECONDS WEST THIRTY-ONE AND EIGHTEEN HUNDREDTHS (31.18) FEET TO AN IRON PIN; THENCE SOUTH 81 DEGREES 12 MINUTES 30 SECONDS EAST THREE HUNDRED NINETY FOUR AND FIFTY HUNDREDTHS (394.50) FEET TO A MARBLE MARKER AND THE POINT OF BEGINNING.

SUBJECT TO ALL COVENANTS, CONDITIONS, ZONING ORDINANCES, RESTRICTIONS, AND EASEMENTS OF RECORD.

BEING SAME PROPERTY CONVEYED IN THAT CERTAIN QUITCLAIM DEED BETWEEN THOMAS R. RICHARDS, SR. AND THOMAS R. RICHARDS, JR., AS TRUSTEE OF THE THOMAS R. RICHARDS, SR., REVOCABLE TRUST, DATED MARCH 18, 2016, FILED MARCH 30, 2016 IN DEED BOOK 15323, PAGE 4240, COBB COUNTY, GEORGIA RECORDS.



VERTICAL DATUM NAVD88

FLOOD NOTE:

I HAVE THIS DATE, EXAMINED THE "FIA FLOOD HAZARD MAP" AND FOUND IN MY OPINION REFERENCED PARCEL IS NOT IN AN AREA HAVING SPECIAL FLOOD HAZARDS, WITHOUT AN ELEVATION CERTIFICATION SURVEYOR IS NOT RESPONSIBLE FOR ANY DAMAGE DUE ITS OPINION FOR SAID PARCEL.

MAP ID 13067C003BH

EFFECTIVE DATE: 3/4/2013

FUTURE FLOOD DISCLAIMER:

THE FLOOD DATA SHOWN HEREON IS PER FEMA ACTIVE PANEL MAP WITH EFFECTIVE DATE, AS SHOWN. THERE MAY BE FUTURE FLOOD ELEVATION INFORMATION STUDIED INTERNALLY BY THE LOCAL GOVERNING MUNICIPALITY IN THE FUTURE. HOWEVER, THE FLOOD DATA SHOWN HEREON IS THE BEST AVAILABLE TO THE PUBLIC, THEREBY NOT REFLECTED ON THE CURRENT FEMA ACTIVE PANEL MAP ON THE DATE OF THIS SURVEY. WE REQUEST ANY AND ALL FUTURE FLOOD INFORMATION FROM ANY APPLICABLE MUNICIPALITIES AND SHOW THAT INFORMATION HEREON WHENEVER POSSIBLE. IT IS THE RESPONSIBILITY OF THE END USER OF THIS SURVEY TO VERIFY THE APPLICABLE FLOOD INFORMATION DURING THE DEVELOPMENT PHASE, OR OTHER FUTURE USE,

LOT	BLOCK	
SUBDIVISION	UNIT	
LAND LOT 129	20TH DISTRICT	2ND SECTION
COBB COUNTY, GEORGIA	DB.16158/PG.648	PB.29/PG.96
COBB COUNTY, GEORGIA	DB.16178/PG.2234	PB.47/PG.198
FIELD WORK DATE FEBRUARY 01, 2024	PRINTED/SIGNED	FEBRUARY 09, 2024
ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED		PAPER SIZE: 22" x 34"

BY _____
COORD #20240089
DWG #20240089

SURVEY LAND EXPRESS, INC
LAND SURVEYING SERVICES

PROPERTY ADDRESS:
3033 & 3045 CHEROKEE ST NW
KENNESAW, GA 30144

IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION
OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY
WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.

IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION
OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY
WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.

SCALE 1" = 30'

ZONING NOTE:
BEFORE DEVELOPMENT OF THIS PROPERTY,
DEVELOPER AND ARCHITECT TO CONFIRM
ZONING DISTRICT, PER ZONING DEPARTMENT.

* L E G E N D *

[illegible]

* LINE INDICATORS *

INDICATES EASEMENT

INDICATES FENCE LINE

INDICATES POWER LINE

INDICATES SANITARY SEWER LINE

INDICATES DRAINAGE LINE

INDICATES WATER LINE

YELLOW LINE (FUEL/GAS/OIL)

RED LINE (ELECTRICAL)

ORANGE LINE (TELECOMM)

* SYMBOLS *

	ELECTRIC PANEL/METER
	WATER METER
	AIR CONDITIONER
	GAS METER
	WATER VALVE
	SANITARY SEWER MANHOLE
	STORM MANHOLE
	TRAFFIC/INFO SIGN
	GAS MARKER
	LAMP POST
	FIRE HYDRANT
	DRAINAGE INLET

Professional Service Industries, Inc.
95 Chastain Road, Suite 301
Kennesaw, Georgia 30144
Phone: 770.424.6200

Bailey Civil Group, LLC
650 Henderson Drive, Suite 431
Cartersville, Georgia 30120

Matt Bailey, P.E.

Email: [REDACTED]

Re: Report of Stream Identification Services
Proposed Cherokee Street Woodstock Project
±2.7-acres Residential/Wooded Land
3033/3045 Cherokee Street, Kennesaw, Cobb County, GA

Dear Mr. Bailey:

Professional Service Industries, Inc. (PSI), an Intertek company, is pleased to inform you of our findings for the above-referenced project. The project was conducted at the subject property and included a Stream Identification, including site observations, online research, interpretations, and a letter report. The work was conducted in accordance with PSI Proposal 0517-4298188, dated June 17, 2024.

SITE DESCRIPTION AND PURPOSE

The subject property includes two residential lots (3033 and 3045 Cherokee Street) totaling 2.7-acres identified by the Cobb County Tax Assessor as Parcel IDs 20012900950 and 20012900960. The subject property consists of wooded land in the west and residential land (two residences) in the east. See the attached tax parcel maps and Site Plan.

PSI conducted a Stream Identification study to identify whether a stream system in the western portion of the property (identified on the Cobb County GIS website) is a wet-weather conveyance (i.e. ephemeral stream) or a flowing stream (i.e. intermittent or perennial). Ephemeral streams typically do not require a vegetative buffer, while flowing streams do. We understand that the client is not requesting an official wetland and waters of the United States (WUS) delineation of the study area.

STATE WATERS REVIEW

A records review and a site reconnaissance were conducted to determine the presence of state waters, on the subject property. The records review is intended to provide information on the potential occurrence of WUS on the subject property. The review is not intended to establish the definitive presence or absence of wetlands. Research for potential WUS areas was performed by reviewing appropriate source documents, as available, for the property, including U.S. Fish and Wildlife Service (USFWS) National Wetland Inventory (NWI) maps, United States Geological Survey (USGS) rainfall data, Natural Resources Conservation Service (NRCS) maps, or information available from the United States Army Corps of Engineers (USACE).

A Wetlands Delineation was not included in this scope of work.



DATA COLLECTION METHODOLOGY

The distribution of distinctive vegetative communities, combined with topographic and hydrologic data, were used to determine if streams are present within the study area. The subject property and suspect areas were photographed to provide the client with visual information regarding the stream characteristics, as necessary.

PSI conducted the stream assessment in general accordance with the methods and procedures described in the United States Army Corps of Engineers' 1987 Wetland Delineation Manual (USACE Manual) and regional supplements; however, no state waters or WUS were flagged in the field and no delineation data forms were completed. No other warranty, expressed or implied, is made. The specific methods used and the results of the assessment are presented in this report.

Additionally, PSI followed the Georgia Department of Natural Resources (GADNR) "Field Guide for Determining the Presence of State Waters That Require a Buffer, September 2006".

Suspect areas within the study area were examined in accordance with the procedures set forth in the 1987 Manual and GADNR Guide. The upper soil profile was probed, and samples were examined to determine the soil's consistency, color, and moisture content. The soil color, value and chroma, as well as consistency, were used to characterize sampled soils. The soil moisture condition was used to determine the potential saturation or other wetland hydrology characteristics. Random soil probe samples were taken to a depth of approximately 6-12 inches.

After the field inspection was completed, the following sources were consulted to prepare the report:

- The List of Hydric Soils (National Resource Conservation Service (NRCS 2007)
- The National List of Plant Species that Occur in Wetlands: 1988 National Summary (Reed)
- National Wetland Plant List (USACE, 2020)
- The Soil Survey of Cobb County, GA (online NRCS Web Soil Survey)
- USDA/NRCS PLANTS database (<http://plants.usda.gov/>)

Site Investigation

Mr. Andrew Peiken, Principal Scientist/Certified Ecologist with PSI, conducted a site assessment on July 5, 2024 to identify the dry-weather baseline conditions. Weather during the site investigation was sunny with temperatures in the low 90s (F). According to the USGS stream gauge GA02392920 at Chastain Meadows Pkwy, the last measurable rainfall in the area was on July 4, 2024 (trace, ~0.02-inches) and June 28, 2024 (~0.42-inches). PSI investigated the subject property for indications of WUS. Stormwater sheet flows on the property from the east to the west southwest toward a low area in the wooded area. Mr. Peiken observed an ephemeral stream channel in the wooded area behind the 3045 Cherokee St. NW residence. The beginning of the ephemeral channel is depicted in Figure 2 and is consistent with the Cobb County GA GIS Web Map included in the appendix. PSI observed indicators typical of an ephemeral feature, and did not exhibit indications of an intermittent/perennial stream. The ephemeral feature continued westerly where it left the subject property boundaries and entered the southwest adjoining residential property at 2090 Randolph Circle NW. A second ephemeral feature was observed in the western portion of the 3045 Cherokee St. NW property. It entered the subject property from the residential properties from the north. The ephemeral feature continued southwesterly where it merged with the first ephemeral feature discussed above. The merger point is located at approximately 34° 1'41" N, -84° 36'42" W. From this merger point the stream became intermittent in nature. PSI observed pools of water and very slight stream flow in some areas. It is likely that this segment of the stream has more consistent flow of water during the rainy, cold season when the groundwater table is higher. This intermittent portion of the stream never



actually enters the subject property boundaries, but rather flows westerly behind the residences at 2098/2116 Randolph Circle NW where it continues west into the residential neighborhood to the west.

Hydrophytic Vegetation

The indicator status of each plant species, assigned by the United States Department of the Interior, Fish and Wildlife Service (USFWS), is a measure of how often a species is located in a wetland area. Obligate Wetland (OBL) plant species are found in a wetland >99% of the time. Facultative Wetland (FACW) plant species are found in a wetland 67-99% of the time. Facultative (FAC) plant species are found in a wetland 34-66% of the time. Facultative Upland (FACU) plant species are found in a wetland 1-33% of the time. Obligate Upland (UPL) plant species are found in a wetland <1% of the time. Modifiers (“+” and “-”) are used to further modify the indicator status, so that a FAC+ species is more likely to occur in a wetland than a FAC- species.

The wooded areas behind the two residences contained blackberry (*Rubus argutus*, FACU), honeysuckle (*Lonicera jamonica*, FACU), Chinese privet (*Ligustrum sinense*, FACU), loblolly pine (*Pinus taeda*, FAC), sweetgum (*Liquidambar styraciflua*, FAC), American Beech (*Fagus grandifolia*, FACU), black walnut (*Juglans nigra*, FACU), English ivy (*Hedera helix*, FACU), kudzu (*Pueraria montana*, UPL), pokeweed (*Phytolacca americana*, UPL), muscadine (*Vitis rotundifolia*, FAC), and Virginia Creeper (*Parthenocissus quinquefolia*, FACU). These plant types are typical of non-wetland/upland areas.

The stream bed and bank contained English ivy (*Hedera helix*, FACU), pokeweed (*Phytolacca americana*, UPL), Chinese privet (*Ligustrum sinense*, FACU), boxelder (*Acer negundo*, FAC), muscadine (*Vitis rotundifolia*, FAC), water oak (*Quercus nigra*, FAC), flowering dogwood (*Cornus florida*, FACU), Christmas fern (*Polystichum acrostichoides*, FACU), and southern lady fern (*Athyrium splenioides*, FAC). Some of the pooled areas that contained water also had bullrush (*Juncus effusus*, OBL). Most of these plant types (the FAC plants) grow equally well in upland areas as well as moist stream beds and bottom lands with a lack of consistent, year-round moisture or stream flow. The only true wetland obligate (OBL) plant, the bullrush, was found in the scattered pools of water in the intermittent portion of the stream.

Based on plant communities found on the property, the upper portion of the stream segments would be considered ephemeral, while the lower, more moist portions, would be considered intermittent.

Hydric Soils

A soil map and description of the soil acronyms are included in the figures section of the Appendix.

The Cobb County soil survey map indicated that the soils mapped on the property are composed of four (4) soil types: MsD3 Madison and Pacolet soils, 10 to 15 percent slopes, severely eroded; MsE2 Madison and Pacolet soils, 15 to 25 percent slopes, eroded; PgC3 Pacolet sandy clay loam, 6 to 10 percent slopes, severely eroded; and UfC Urban land-Cecil complex, 2 to 10 percent slopes. According to the USDA’s Natural Resources Conservation Service (NRCS), none of the four soils are considered to be hydric.

On-site soils probed in the ephemeral stream bed indicated non-hydric indicators. On-site soils probed in the intermittent stream bed indicated partial hydric indicators and moisture in the upper 10”.

Soil maps are appended.

NWI Map

The USFWS National Wetlands Inventory (NWI) map does not indicate any streams or other wetlands in the



subject property. The NWI map is appended.

Topographical Maps

According to the USGS topographical map ("Kennesaw, GA 2020"), no blue-lined streams are identified on the subject property or on the adjoining properties. The closest blue-lined stream is Proctor Creek located approximately 2,500-ft to the northwest.

The topographical map is appended as Figure 1.

Aerial Photographs

The 4/2023 aerial photograph (Google Earth) indicated the majority of the property as wooded land, with two residences with grassed lawns in the eastern boundary. No indications of streams and/or wetlands were apparent on the aerial photograph. See Figure 2.

Hydrologic Conditions

Hydrology is a dynamic characteristic in wetlands or streams and is often not present during periods of minimal seasonal precipitation. Indirect indicators are used to determine if wetland hydrology such as extended saturation or ponding has been present during the growing season. Examples of indirect hydrology indicators include water staining, flow patterns, wrested vegetation, defined bed/bank structures, buttressing of trees, and moss growth on trees near the ground surface. Water staining in leaves occurs when they are saturated or inundated for extended periods, causing the tannins or brown coloring in the leaves to leach out, leaving a grayish hue to the leaves. Mosses tend to colonize trees in wet, damp wooded areas.

The upper reaches of the stream (that would be considered ephemeral) appeared to have poorly defined bed/bank structure and no water was observed. No pools were observed, and PSI observed evidence of leaf litter and/or rooted plants in the stream bed, indicating no consistent flow of water.

After the two ephemeral stream branches merged, PSI observed a more defined bed/bank structure. PSI observed pools of water, with minimal flow of water between them. PSI observed the presence of an ordinary high-water mark and a point of wrested vegetation; however, invasive species such as English Ivy and kudzu was able to grow onto the stream bed. Portions of the intermittent reach were deeply incised due to storm flows. No fish, crawfish, or aquatic insects were observed.

See Figure 2 for locations of the ephemeral and intermittent stream reaches. See the appendices for site photographs.

CONCLUSIONS

Based on the presence of a well-defined stream bed and bank, the observed ordinary high-water mark/wrested vegetation indicative of a relatively normal flow of water, and pools of water with slight stream flow approximately 7-days after the last appreciable rain event, PSI considers the lower stream reach to be intermittent in nature.

The upper reaches of the intermittent segment, upstream of the merger of the two branches, appeared to be ephemeral in nature. A poorly defined bed and bank, no water flow, and vegetation/leaf litter present in the stream bed indicate its ephemeral nature. Typically, ephemeral streams only flow in direct response to a rain event, and only flow for 24-hours at most after a rain event has ceased. They do not flow intermittently or consistently throughout the year.



Additionally, USFWS NWI maps and USGS topographical maps do not plot a blue-line stream at that subject property, further supporting the identification of the streams as non-perennial. It should be noted that the intermittent portion of the stream would be considered jurisdictional to the USACE and would require a Federal wetlands permit to fill or alter it. The upper, ephemeral reaches would be considered non-jurisdictional and do not require a permit to fill. However, only the USACE can make the final determination whether a stream is jurisdictional or not.

PSI did not observe indications of wetlands on the subject property.

Based on the Georgia Department of Natural Resources (GADNR) "Field Guide for Determining the Presence of State Waters That Require a Buffer, September 2006", intermittent streams require a 25-foot state mandated vegetative buffer. This Field Guide is appended.

Based on the Cobb County Code of Ordinances (Chapter 50 Environment, Article III Land Disturbing Activities), an undisturbed vegetative buffer shall be maintained for 50 feet measured horizontally, on both banks (as applicable) of intermittent or perennial stream as measured from the top of the stream bank. An additional setback shall be maintained for 25 feet, measured horizontally, beyond the undisturbed natural vegetative buffer, in which all impervious cover shall be prohibited. Grading, filling, and earthmoving shall be minimized within the setback." A Variance may be provided by the County; however, the Client would need to prove that the "property's shape, topography or other physical conditions existing at the time of the adoption of this article prevents land development unless a buffer variance is granted; and unusual circumstances when strict adherence to the minimal buffer requirements in the ordinance would create an extreme hardship." If the stream and its buffers can be avoided and the property still be developed, then the project would not qualify for a Variance.

RECOMMENDATIONS

The upper reaches of the stream area considered ephemeral and do not require a State or County vegetated buffer or impervious surface setback. The extreme lowest reach of the stream is considered intermittent and would require the 50-foot buffer plus additional 25-foot impervious surface setback.

If the stream is to be avoided and clearing/construction activities will be kept out of the 50-foot stream buffer (plus 25-foot impervious setback), then PSI recommends no further assessment at this time.

If the stream or its buffer is to be impacted in any way, PSI would recommend a full Wetland Delineation be performed and the USACE be consulted for a Jurisdictional Determination and recommendation for a wetland permit (which would likely require potentially expensive compensatory mitigation). Additionally, the County would need to be consulted to determine whether a Variance would be permitted.

WARRANTY

The information contained in this report is based upon the information furnished by the Client and observations and research provided by PSI. These observations and results are time dependent, are subject to changing site conditions, and revisions to Federal, State and local regulations. The findings are preliminary in nature and include site observations conducted by qualified person(s).

This report was prepared pursuant to the contract PSI has with Bailey Civil Group, LLC. That contractual relationship included an exchange of information about the subject site that was unique and between PSI and its client and serves as the basis upon which this report was prepared. Because of the importance of



communication between PSI and its client, reliance or any use of this report by anyone other than Bailey Civil Group, LLC, for whom it was prepared, is prohibited and therefore not foreseeable to PSI.

Reliance on or use by any such third party without explicit authorization in the report does not make said third party a third party beneficiary to PSI's contract with Bailey Civil Group, LLC. Any such unauthorized reliance on or use of this report, including any of its information or conclusions, will be at third party's risk. For the same reasons, no warranties or representations, expressed or implied in this report, are made to any such third party.

No other warranties are implied or expressed.

UNIDENTIFIABLE CONDITIONS

This report is necessarily limited to the conditions observed and to the information available at the time of the work. Due to the nature of the work, there is a possibility that there may exist conditions which could not be identified within the scope of work or which were not apparent at the time of our site work. This report is also limited to information available from the client at the time it was conducted. The report may not represent all conditions at the subject site as it only reflects the information gathered from specific locations.

PSI appreciates the opportunity to have been of service to you. If you have any questions regarding our findings, please do not hesitate to contact us at (770) 424-6200.

Sincerely,

PROFESSIONAL SERVICE INDUSTRIES, INC.

Eric Lowe
Department Manager

Andrew Peiken
Principal Consultant

Enclosures: Appendices

APPENDICES

Legend



Study Area



Intermittent Stream



Ephemeral Stream



95 Chastain Road, NW
Suite 301
Kennesaw, Georgia
30144
Tel +1 770.424.6200
Fax +1 770.424.0199
intertek.com/building

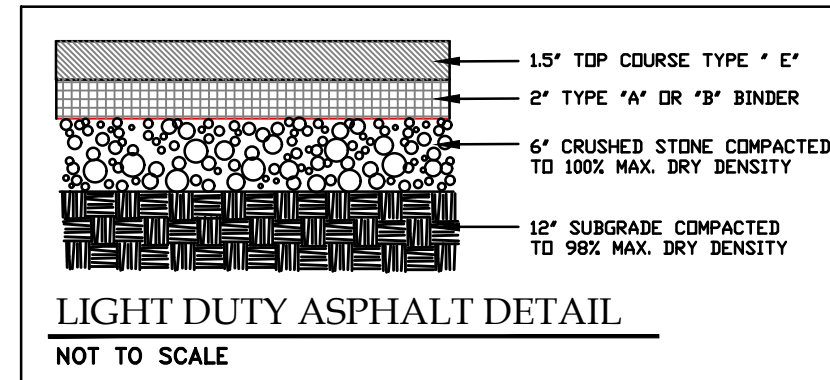
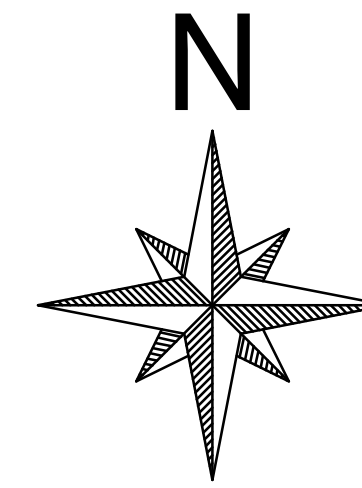
Aerial Photograph with Site
Observations
Proposed Cherokee St. Woodstock
Project
3033/3045 Cherokee Street, Kennesaw,
Cobb County, GA

Project No.:
05171779-1

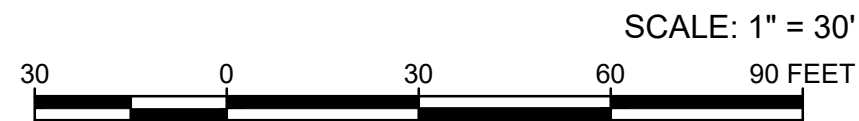
Drawn by: ASP
Checked by: EL

Date:
6/24/2024

Source: Google
Earth 2023



24 HOUR CONTACT
JASON KISZ
678-616-5221



SITE PLAN

Group

BAILEY CIVIL

P.O. Box 4392
Cartersville, Ga 30120
678.925.6003
baileycivilgroup.com

FOR

KISZ CONSTRUCTION INC
136 SANTA ANITA TRAIL
WOODSTOCK, GA 30189

PROJECT

CHEROKEE ST WOODSTOCK
303 CHEROKEE ST NW
KENNESAW, GA 30144

SHEET TITLE

SITE PLAN

SHEET NUMBER

C201

PROJECT NUMBER

24114

DATE

JUNE 10TH, 2024

REVISIONS

Cobb County Web Map



6/24/2024, 1:54:27 PM

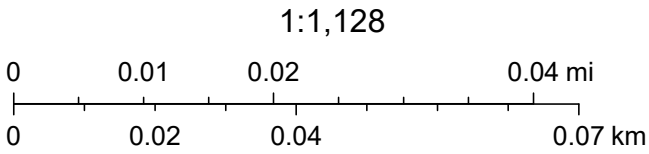
- Cobb Parcels

Rivers
- ORTHOS

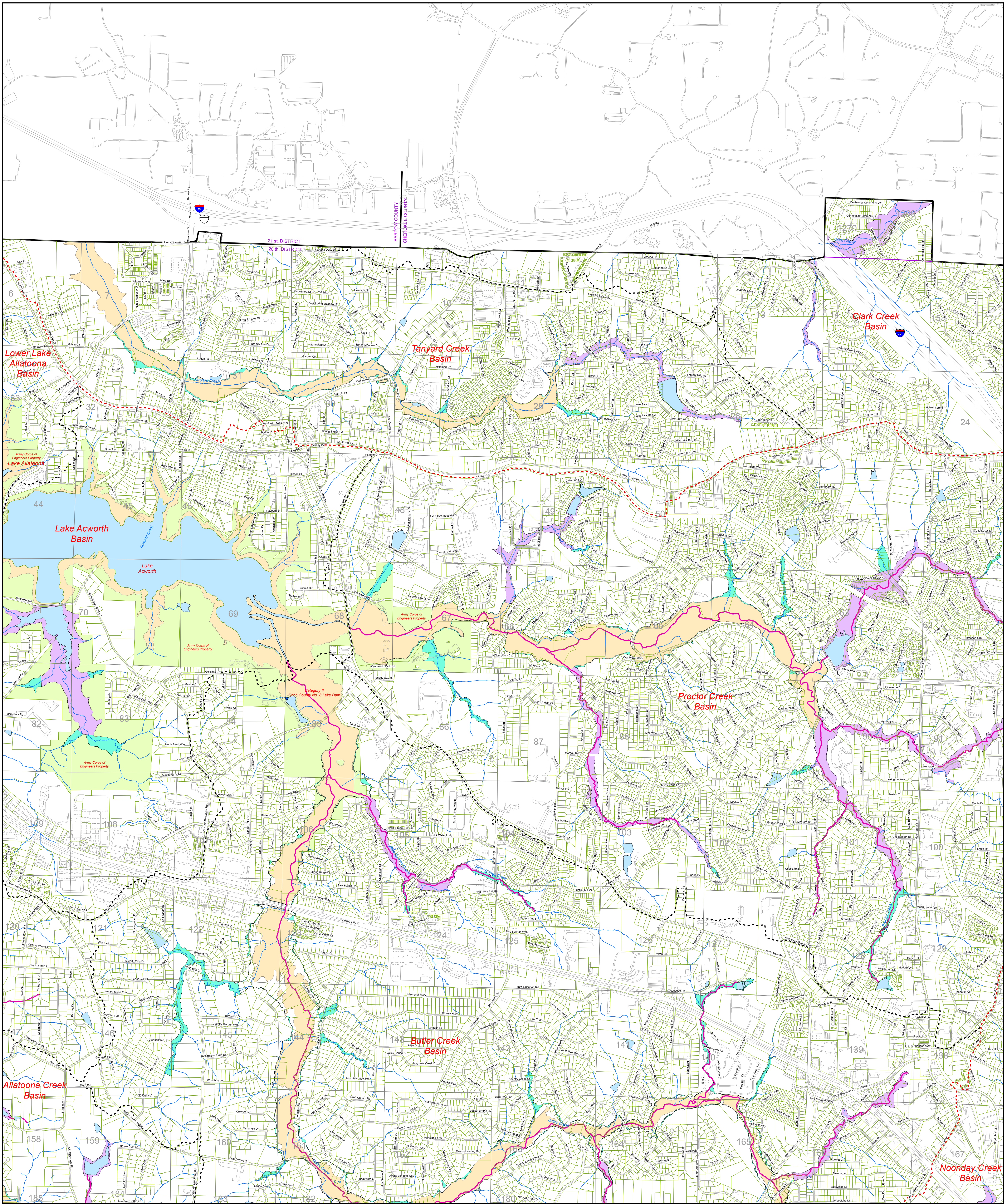
Red: Band_1

Green: Band_2

Blue: Band_3



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Print August 1, 2018



Cobb County Water System
680 South Cobb Drive
Marietta, GA 30060-3113
Phone: (770) 419-6435 - Fax: (770) 419-6444

Counter Map
Scale: 1" = 1,000 feet

FEMA FIRM Flood Plains
- - - - - Cobb County Basins
- - - - - 7 Mile Limits
Zone AE : October 5, 2018
Zone A : October 5, 2018
Zone X : October 5, 2018

Stream Buffer Classification
Stream: 50 ft. Buffer with 25 ft. Impervious Buffer
Stream: 75 ft. Buffer
Stream: 100 ft. Buffer
Stream: 200 ft. Buffer
7 mile Water Intake: 100 ft. Buffer with 50 ft. Impervious Buffer
Chattahoochee River 50 ft. Buffer with 100 ft. Impervious Buffer

Legend
Georgia Safe Dam Classification
Category I Dam
Category II Dam
2000 ft. Limit of Chattahoochee River Corridor (Metropolitan River Protection Act)

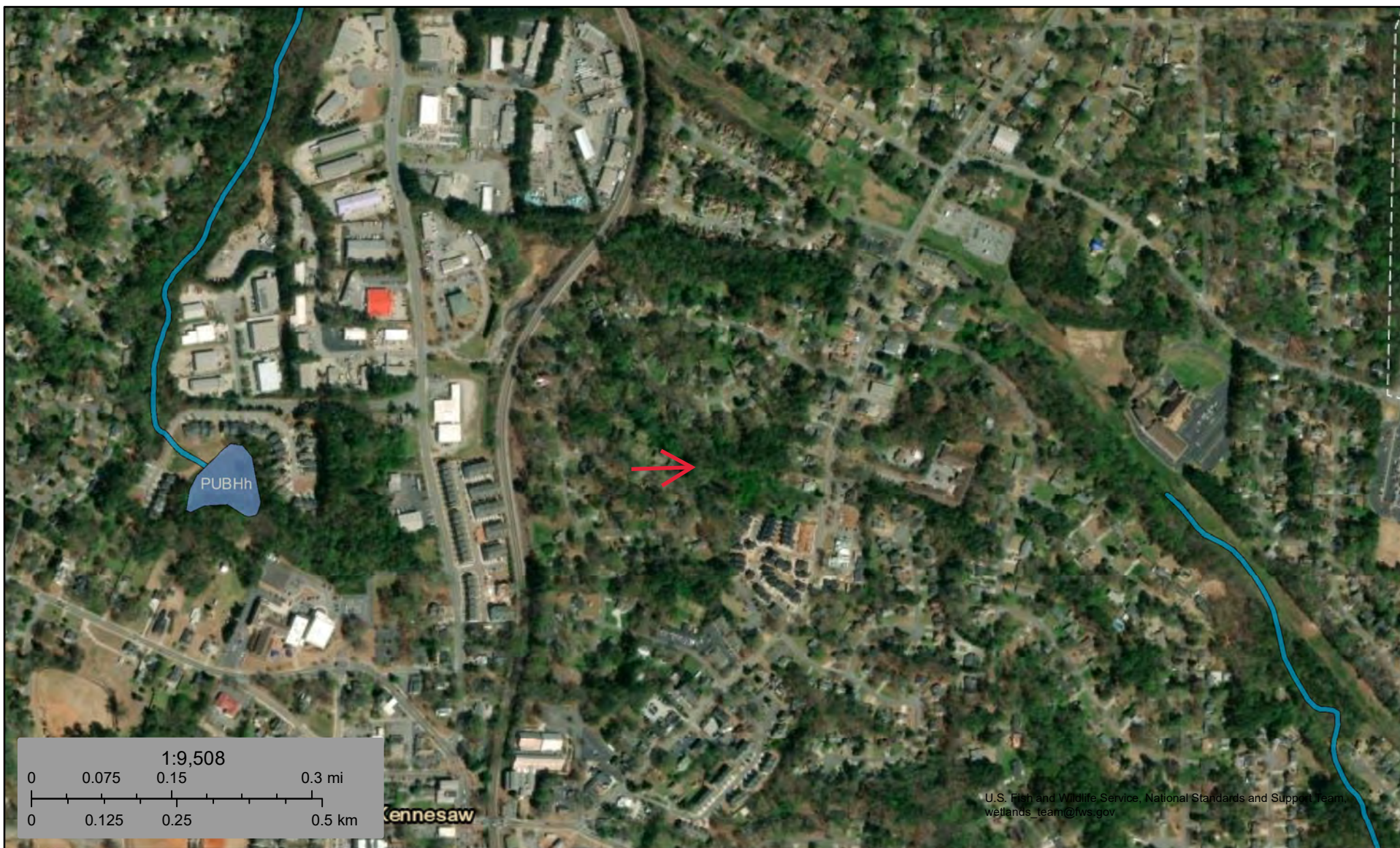
2



U.S. Fish and Wildlife Service

National Wetlands Inventory

3033/3045 Cherokee St.



June 24, 2024

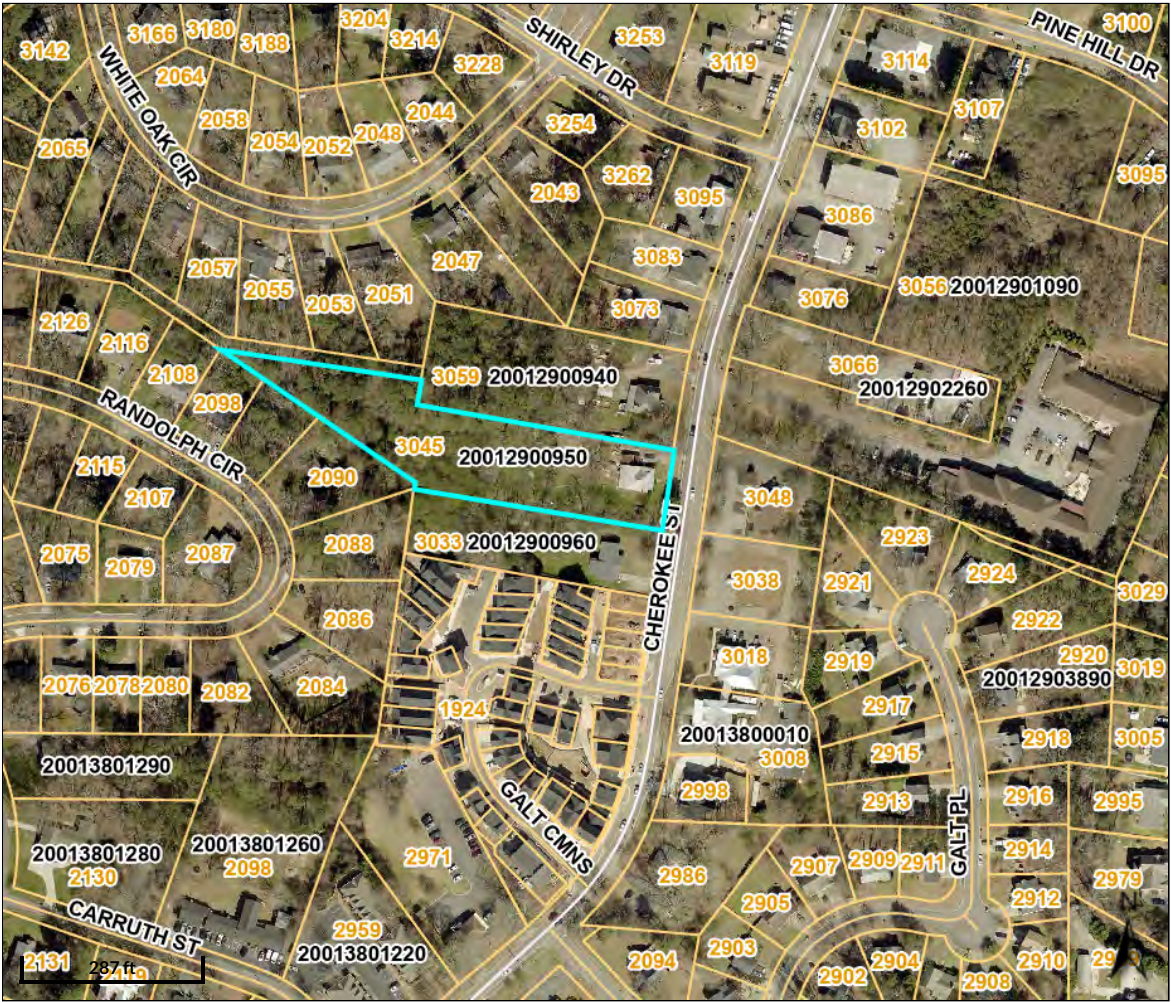
Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland

- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond

- Lake
- Other
- Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

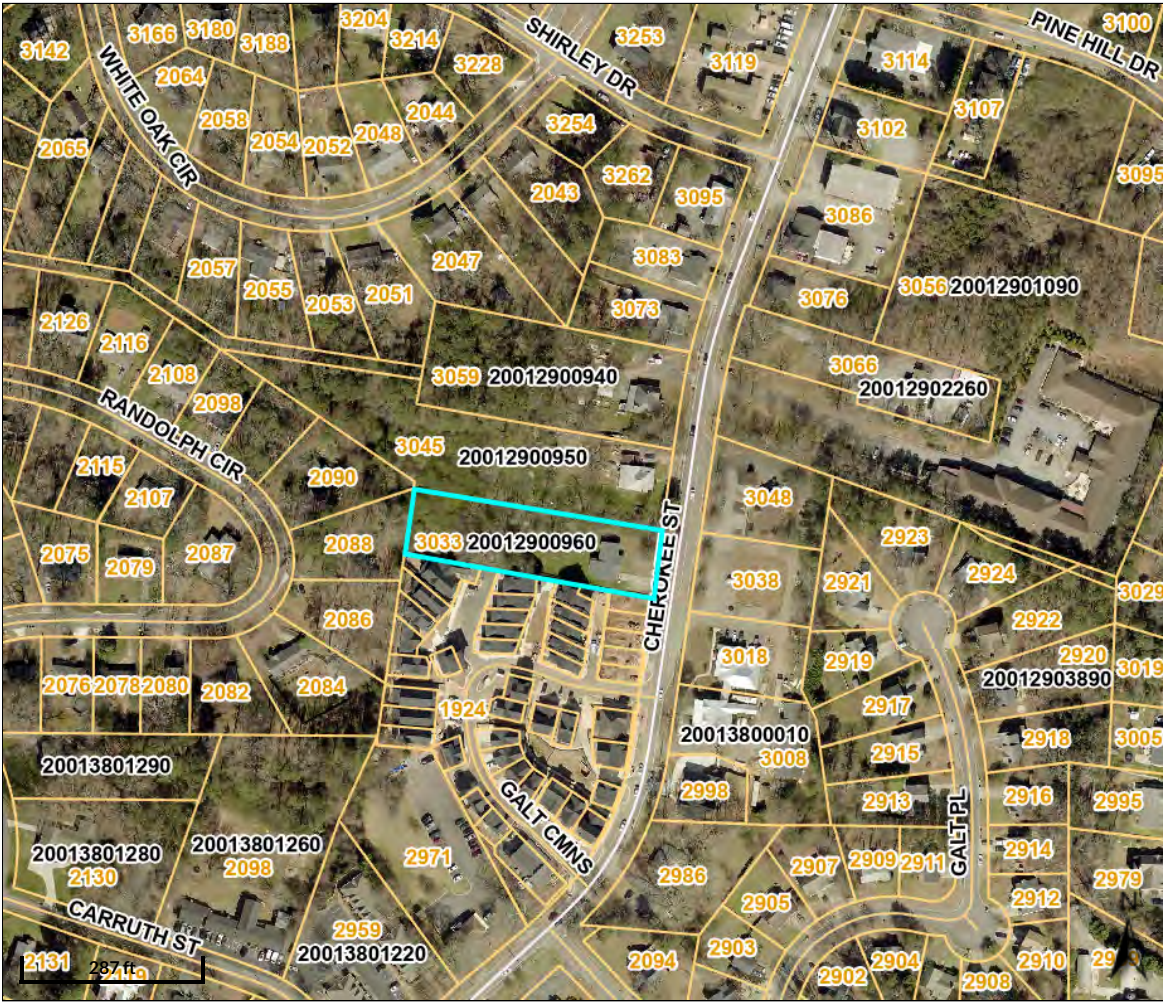


- Legend**
- Administrative Facilities
 - Libraries
 - Police Stations
 - Fire Stations
 - County Parks
 - Federal Parks
 - House Number Labels
 - Parcels
 - Roads
 - ARTERIAL
 - INTERSTATE
 - LOCAL
 - MAJOR
 - MINOR
 - PRIVATE
 - RAMP

Parcel ID	20012900950	Physical Address	3045 CHEROKEE ST	Last 2 Sales				
Class Code	R4 - Residential Small Tracts	Address		Date	12/15/2023	Price	\$495000	Reason
Taxing	(3) KENNESAW	Owner	FRENCH 3 INVESTMENTS LLC		n/a		0	VALID SALE
District			4905 VILLAGE GREEN DR					Q
Acres	1.9		ROSWELL GA 30075					n/a

Date created: 6/17/2024
Last Data Uploaded: 6/16/2024 7:36:38 AM

Developed by Schneider GEOSPATIAL



Overview



Legend

-  Administrative Facilities
-  Libraries
-  Police Stations
-  Fire Stations
-  County Parks
-  Federal Parks
-  House Number Labels
-  Parcels
- Roads**
 -  ARTERIAL
 -  INTERSTATE
 -  LOCAL
 -  MAJOR
 -  MINOR
 -  PRIVATE
 -  RAMP

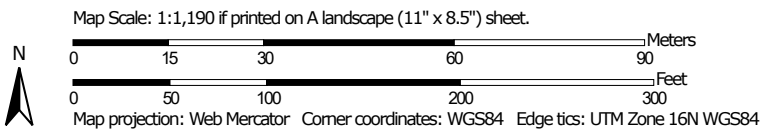
Parcel ID	20012900960	Physical Address	3033 CHEROKEE ST	Last 2 Sales			
Class Code	C3 - Commercial Lots	Owner	FRENCH 3 INVESTMENTS LLC	Date	Price	Reason	Qual
Taxing District	(3) KENNESAW		4905 VILLAGE GREEN DR	12/29/2023	\$625000	n/a	U
Acres	0.8		ROSWELL GA 30075	9/1/2023	\$545000	n/a	U

Date created: 6/17/2024

Last Data Uploaded: 6/16/2024 7:36:38 AM

Developed by  Schneider
GEOSPATIAL

Soil Map—Cobb County, Georgia (Bailey)



**Natural Resources
Conservation Service**

Web Soil Survey
National Cooperative Soil Survey

MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

Water Features



Streams and Canals

Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

Background



Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Cobb County, Georgia

Survey Area Data: Version 14, Aug 30, 2023

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Mar 14, 2022—Jun 21, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

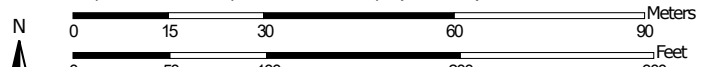
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
MsD3	Madison and Pacolet soils, 10 to 15 percent slopes, severely eroded	0.8	29.5%
MsE2	Madison and Pacolet soils, 15 to 25 percent slopes, eroded	0.0	0.4%
PgC3	Pacolet sandy clay loam, 6 to 10 percent slopes, severely eroded	1.2	44.5%
UfC	Urban land-Cecil complex, 2 to 10 percent slopes	0.7	25.7%
Totals for Area of Interest		2.7	100.0%

Hydric Rating by Map Unit—Cobb County, Georgia (Bailey)



Soil Map may not be valid at this scale.

Map Scale: 1:1,190 if printed on A landscape (11" x 8.5") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 16N WGS84



**Natural Resources
Conservation Service**

Web Soil Survey
National Cooperative Soil Survey

Hydric Rating by Map Unit—Cobb County, Georgia (Bailey)

MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

Soil Rating Polygons

-  Hydric (100%)
-  Hydric (66 to 99%)
-  Hydric (33 to 65%)
-  Hydric (1 to 32%)
-  Not Hydric (0%)
-  Not rated or not available

Soil Rating Lines

-  Hydric (100%)
-  Hydric (66 to 99%)
-  Hydric (33 to 65%)
-  Hydric (1 to 32%)
-  Not Hydric (0%)
-  Not rated or not available

Soil Rating Points

-  Hydric (100%)
-  Hydric (66 to 99%)
-  Hydric (33 to 65%)
-  Hydric (1 to 32%)
-  Not Hydric (0%)
-  Not rated or not available

Water Features

 Streams and Canals

Transportation

-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads

Background

 Aerial Photography

MAP INFORMATION

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Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Cobb County, Georgia
Survey Area Data: Version 14, Aug 30, 2023

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Mar 14, 2022—Jun 21, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Hydric Rating by Map Unit

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
MsD3	Madison and Pacolet soils, 10 to 15 percent slopes, severely eroded	0	0.8	29.5%
MsE2	Madison and Pacolet soils, 15 to 25 percent slopes, eroded	0	0.0	0.4%
PgC3	Pacolet sandy clay loam, 6 to 10 percent slopes, severely eroded	0	1.2	44.5%
UfC	Urban land-Cecil complex, 2 to 10 percent slopes	0	0.7	25.7%
Totals for Area of Interest			2.7	100.0%

Description

This rating indicates the percentage of map units that meets the criteria for hydric soils. Map units are composed of one or more map unit components or soil types, each of which is rated as hydric soil or not hydric. Map units that are made up dominantly of hydric soils may have small areas of minor nonhydric components in the higher positions on the landform, and map units that are made up dominantly of nonhydric soils may have small areas of minor hydric components in the lower positions on the landform. Each map unit is rated based on its respective components and the percentage of each component within the map unit.

The thematic map is color coded based on the composition of hydric components. The five color classes are separated as 100 percent hydric components, 66 to 99 percent hydric components, 33 to 65 percent hydric components, 1 to 32 percent hydric components, and less than one percent hydric components.

In Web Soil Survey, the Summary by Map Unit table that is displayed below the map pane contains a column named 'Rating'. In this column the percentage of each map unit that is classified as hydric is displayed.

Hydric soils are defined by the National Technical Committee for Hydric Soils (NTCHS) as soils that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part (Federal Register, 1994). Under natural conditions, these soils are either saturated or inundated long enough during the growing season to support the growth and reproduction of hydrophytic vegetation.

The NTCHS definition identifies general soil properties that are associated with wetness. In order to determine whether a specific soil is a hydric soil or nonhydric soil, however, more specific information, such as information about the depth and duration of the water table, is needed. Thus, criteria that identify those estimated soil properties unique to hydric soils have been established (Federal Register, 2002). These criteria are used to identify map unit components that normally are associated with wetlands. The criteria used are selected estimated soil properties that are described in "Soil Taxonomy" (Soil Survey Staff, 1999) and "Keys to Soil Taxonomy" (Soil Survey Staff, 2006) and in the "Soil Survey Manual" (Soil Survey Division Staff, 1993).

If soils are wet enough for a long enough period of time to be considered hydric, they should exhibit certain properties that can be easily observed in the field. These visible properties are indicators of hydric soils. The indicators used to make onsite determinations of hydric soils are specified in "Field Indicators of Hydric Soils in the United States" (Hurt and Vasilas, 2006).

References:

Federal Register. July 13, 1994. Changes in hydric soils of the United States.

Federal Register. September 18, 2002. Hydric soils of the United States.

Hurt, G.W., and L.M. Vasilas, editors. Version 6.0, 2006. Field indicators of hydric soils in the United States.

Soil Survey Division Staff. 1993. Soil survey manual. Soil Conservation Service. U.S. Department of Agriculture Handbook 18.

Soil Survey Staff. 1999. Soil taxonomy: A basic system of soil classification for making and interpreting soil surveys. 2nd edition. Natural Resources Conservation Service. U.S. Department of Agriculture Handbook 436.

Soil Survey Staff. 2006. Keys to soil taxonomy. 10th edition. U.S. Department of Agriculture, Natural Resources Conservation Service.

Rating Options

Aggregation Method: Percent Present

Component Percent Cutoff: None Specified

Tie-break Rule: Lower



Photo 1: East adjoining property



Photo 2: Northwest adjoining property



Photo 3: Southwest adjoining property



Photo 4: South adjoining property



Photo 5: 3033 Cherokee St. NW



Photo 6: 3045 Cherokee St. NW



Photo 7: Main ephemeral stream structure behind 3033/3045 Cherokee St. NW. Note: poorly defined bed and bank.



Photo 8: Another view of the main ephemeral stream structure. Note: poorly defined bed and bank, vegetation growing in stream bed, no OHWM.



Photo 9: Point where the ephemeral stream (left side) becomes an intermittent stream (right side).



Photo 10: Another view, point where the ephemeral stream (top) becomes an intermittent stream (bottom).



Photo 11: Northern fork of the ephemeral stream as it merges with the main ephemeral stream. Note undefined bed/bank structure; leaf litter in stream bed.

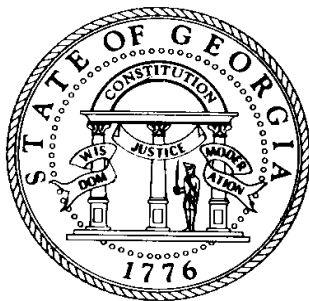


Photo 12: Pools of water in the intermittent portion of the stream. Note: wetland rush plants along with invasive English Ivy.



Photo 13: Hydric soils (greyish) in intermittent stream bank.

Field Guide for Determining The Presence of State Waters That Require a Buffer



Georgia Department of Natural Resources
Environmental Protection Division
Watershed Protection Branch
NonPoint Source Program

This guidance is based on the Georgia Erosion and Sedimentation Control Rules (Rules), 391-3-7, promulgated under the Georgia Erosion and Sedimentation Act (Act), O.C.G.A. 12-7.

The Act defines State Waters as “any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells and other bodies of surface or subsurface water, natural or artificial, lying within or forming a part of the boundaries of the State, which are not entirely confined and retained completely upon the property of a single individual, partnership, or corporation.”

This guidance only addresses the identification of rivers, streams, creeks and branches that require a buffer. The State-mandated buffer requirements apply to all State Waters that require a buffer (i.e., have wrested vegetation by normal stream flow).

The definition of Normal Stream Flow that is used in this document is found in the definition of Stream Bank in the Rules, and only applies to non-trout streams. Streams that have Normal Stream Flow as defined in the Rules have characteristics that are not normally associated with ephemeral streams.

STEPS FOR DETERMINING THE PRESENCE OF STATE WATERS AND BUFFER REQUIREMENTS ON A SITE

Please note that this guidance is primarily written to assist local issuing authorities with their determinations of State Waters and buffer requirements. However, it is also a tool for plan preparers and environmental consultants to use in the preparation of accurate Erosion, Sedimentation and Pollution Control Plans.

- Step 1 Review the topography of the Erosion, Sedimentation and Pollution Control Plan for natural or artificial features that may indicate the presence of State Waters.
- Step 2 Walk the site in order to identify State Waters as defined.
- Step 3 Begin the inspection at one end of the potential State Waters and walk the entire length of the State Waters until it exits the property.
- Step 4 Examine the drainage feature using this field guide to determine whether the feature is perennial, intermittent or ephemeral. If the drainage feature is determined to be perennial or intermittent, then a State-mandated buffer exists. If the drainage feature appears to be ephemeral then go to Step 5 to make a final determination. If the identified feature is a salt marsh, then Georgia Department of Natural Resources (DNR), Coastal Resources Division should be contacted for the delineation of the DNR jurisdictional line (point from which the buffer is measured).
- Step 5 If base flows are present during the site inspection, the stream is either perennial or intermittent and will require a buffer. If the site is visited during a dry phase and base flows are not evident, the drainage may be ephemeral or intermittent. If there is no flowing water within 24 hours of a rain event, then the drainage feature is probably ephemeral. **NOTE:** Ephemeral non-trout streams do not require buffers so great care should be exercised when conducting field investigations for ephemeral and intermittent stream determinations. In such conditions inspections must be accomplished by professionals trained or otherwise familiar with methods used to determine whether the stream is in a season when base flows may not be observable, or if the stream is ephemeral and simply flows in direct response to precipitation. The ephemeral stream guidance should be used to make the final determination as to whether the stream is ephemeral.
- Step 6 If there is still a question about base flow after Step 5 is completed, then the “North Carolina Division of Water Quality Stream Identification Method, Version 3.0” (or most current version) should be used to verify whether or not base flow is present.
- Step 7 The determination should be documented in writing.

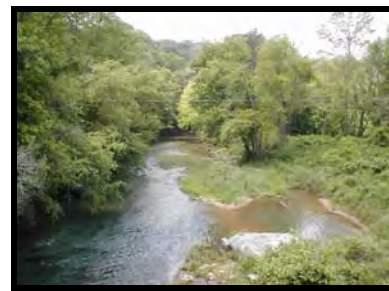
DEFINITIONS

- a. "Base Flow" means the discharge that enters a stream channel mainly from groundwater, but also from lakes during periods when no precipitation occurs.
- b. "Buffer" means the area of land immediately adjacent to the banks of State Waters in its natural state of vegetation, which facilitates, when properly vegetated, the protection of water quality and aquatic habitat (O.C.G.A. 12-7-3(2)).
- c. "Ephemeral Stream" means a stream that typically has no well-defined channel, and which flows only in direct response to precipitation with runoff.
- d. "Intermittent Stream" means a stream that flows in a well-defined channel during wet seasons of the year but not for the entire year.
- e. "Land Disturbing Activity" means any activity which may result in soil erosion and the movement of sediments into State Waters or onto lands within the State, including but not limited to grubbing, dredging, grading, excavating, transporting, and filling of land, but not including those practices to the extent described in O.C.G.A. 12-7-17 (O.C.G.A. 12-7-3(9)).
- f. "Normal Stream Flow" for non-trout waters only, means any stream flow that consists solely of base flow or consists of both base flow and direct runoff during any period of the year. Base flow results from groundwater that enters the stream channel through the soil. This includes spring flows into streams. Direct runoff is the water entering stream channels promptly after rainfalls or snow melts (Rule 391-3-7-.01(w)).
- g. "Perennial Stream" means a stream that flows in a well-defined channel throughout most of the year under normal climatic conditions.
- h. "State Waters" include any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, and other bodies of surface or subsurface water, natural and artificial, lying within or forming a part of the boundaries of the State which are not entirely confined and retained completely upon the property of a single individual, partnership, or corporation, except as may be defined in O.C.G.A. 12-7-17(8) (O.C.G.A. 12-7-3(16)).
- i. "Stream Bank" means the confining cut of a stream channel and is usually identified as the point where the normal stream flow has wrested the vegetation (Rule 391-3-7-.01(w)).
- j. "Typical/Average Year" means a year in which the observed base flow and rainfall quantity is approximately equal to the long-term average.
- k. "Wrested Vegetation" means movement of water that removes soil, debris and vegetation, creating a clear demarcation between water flow and vegetative growth.

Please note the following:

- The definition of Normal Stream Flow that appears in this guidance applies only to non-trout streams. **Ephemeral trout streams are not exempt from buffer requirements, but may be eligible for the General Stream Buffer Variance in 391-3-7-.05(9) of the Erosion and Sedimentation Control Rules.** Refer to the Georgia Water Quality Control Rules (391-3-6-.03) for a listing of trout streams.
- Buffer requirements are included in the General NPDES Permit for Storm Water Discharges from Construction Activities.
- Contact DNR, Coastal Resources Division for guidance involving any land disturbing activity in marshland areas.
- State Waters may also be classified as Waters of the U.S., and may require a U.S. Army Corps of Engineers Section 404 permit.

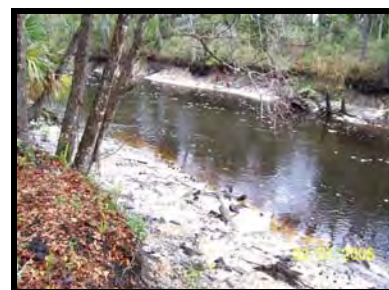
PERENNIAL STREAM CHARACTERISTICS



North Georgia Perennial



Piedmont Perennial



Coastal Perennial

All perennial streams flow throughout the year in a normal climatic year. Site inspections should result in visually discernible stream flows as evidence of base flow contribution between rain events, even in low flow conditions. After confirming perennial flow regimes, the presence of one or more of the following characteristics indicates that the drainage feature is a **perennial stream**:

1. Base flow that maintains stream flow throughout the year under normal circumstances.
2. Well-developed stream banks and channels include riffles/pools.
3. A channel that is almost always sinuous (winding, snake-like, etc.). The degree of sinuosity is specific to physiographic regions. For example, in geographic regions that have mountainous terrain, or in the coastal plain where many streams have been channelized, the channels are less sinuous.
4. Evidence of fluctuating high water marks (flood prone width) and/or sediment stained leaves, bare ground, and/or drift lines.
5. Evidence of soil and debris movement (scouring) in the stream channel. Leaf litter is usually transient or temporary in the flow channel.
6. Wetland or hydrophytic vegetation is usually associated with the stream channel. However, perennial streams with deeply incised or "down-cut" channels will usually have wetland vegetation present along the banks or flood-prone zone. Examples include sedges, rushes, mosses, ferns, and the riparian grasses, shrubs and other woody species.
7. Stream bank soils with hydric conditions, including dominant black/gray colors evident in the exposed stream bank profiles at or above the low flow conditions.
8. Exposure of rock or gravel or sand in a continuous or nearly continuous low lying channel.

INTERMITTENT STREAM CHARACTERISTICS



North Georgia Intermittent



Piedmont Intermittent



Coastal Intermittent

EPHEMERAL STREAM CHARACTERISTICS



North Georgia Ephemeral



Piedmont Ephemeral



Coastal Ephemeral

After confirming whether base flows are seasonally present, one or more of the following characteristics indicates that the drainage feature is an **intermittent stream**:

1. Well-developed stream bank and defined channel. Riffles/pools channel morphology is evident.
2. Evidence of fluctuating high water marks (flood prone width) and/or sediment deposits, sediment stained leaves, bare ground and/or drift lines.
3. Evidence of soil and debris movement (scouring) in the stream channel. Leaf litter is usually transient or temporary in the flow channel.
4. Wetland or hydrophytic vegetation is usually associated with the stream channel or flow area. Intermittent streams with deeply incised or "down-cut" channel will usually have wetland vegetation present along the banks or flood prone zone. Examples include sedges, rushes, mosses, ferns, and the riparian grasses, shrubs and other woody species.
5. Exposure of rock or gravel or sand in a continuous or nearly continuous low lying channel.
6. In the coastal plain, the soils may be sandy with veins of black.
7. Presence of crayfish burrows or chimneys.
8. The presence of aquatic insects (in any life phase) or fish. (For help identifying insects as aquatic, use the GA Adopt-A-Stream Aquatic Macroinvertebrate Field Guide, www.georgiaadoptastream.com)
9. Presence of buttressed trees.

The most reliable method for differentiating between intermittent and ephemeral stream types during drier conditions requires investigation of the stream bank (i.e., from the stream bed to the top of the bank).

Intermittent stream banks typically are dominated by soils with hydric indicators, such as: visually confirmed oxidized rhizospheres in the stream bank, matrix of gray or black soils, reducing conditions present and confirmed by a redox meter, or the stream banks otherwise include indicators of hydric soils as determined by the most current list of *Regional Indicators of Soil Saturation* as produced by the National Technical Committee for Hydric Soils.

Ephemeral streams usually have poor channel development and lack groundwater-induced base flows that normally result in hydric soils dominating the banks of intermittent and perennial streams.

EPHEMERAL STREAM CHARACTERISTICS

The prerequisite for a drainage feature to be classified as ephemeral is there must be no evidence of base flows in the stream bank (see methods discussed in intermittent stream characteristics).

After meeting the prerequisite above, the presence of one or more of the following characteristics indicates that the drainage feature is an **ephemeral stream**:

1. Poorly developed stream banks.
2. Absence of riffles/pools.
3. A flow area that is almost always straight and either "flattens" out at the bottom of the slope or grades into intermittent or perennial streams.
4. Fluctuating high water marks (flood prone width) and/or sediment transport are usually absent.
5. Evidence of leaf litter and/or small debris jams in the flow areas.
6. Usually sparse or no wetland (hydrophytic) vegetation present.
7. Side slope soils with characteristics typical of the surrounding landscape. Soil texture usually more loamy than the surrounding upslope landscape and usually has a clay subsurface.

Braided Channels



Buffers for braided channels such as those pictured above are measured from the point where vegetation is wrested from the outside channel of the braided system.

Concrete Channel



Concrete channels are examples of drainage features that usually do not require a buffer due to lack of "wrested vegetation."

NOTES

- This guidance does not change or modify any requirements in the Erosion and Sedimentation Act of 1975 O.C.G.A. 12-7 or DNR Rules on Buffer Variance Procedures and Criteria 391-3-7-05, as amended.
- Copies of the Georgia Erosion and Sedimentation Act (O.C.G.A. 12-7), the Erosion and Sedimentation Control Rules (391-3-7) and the Water Quality Control Rules (391-3-6) can be found at www.gaepd.org.



Contact Information:

Georgia Department of Natural Resources
Environmental Protection Division
Watershed Protection Branch
NonPoint Source Program
4220 International Parkway, Suite 101
Atlanta, GA 30354

Telephone: (404) 675-6240

FAX: (404) 675-6245

www.gaepd.org



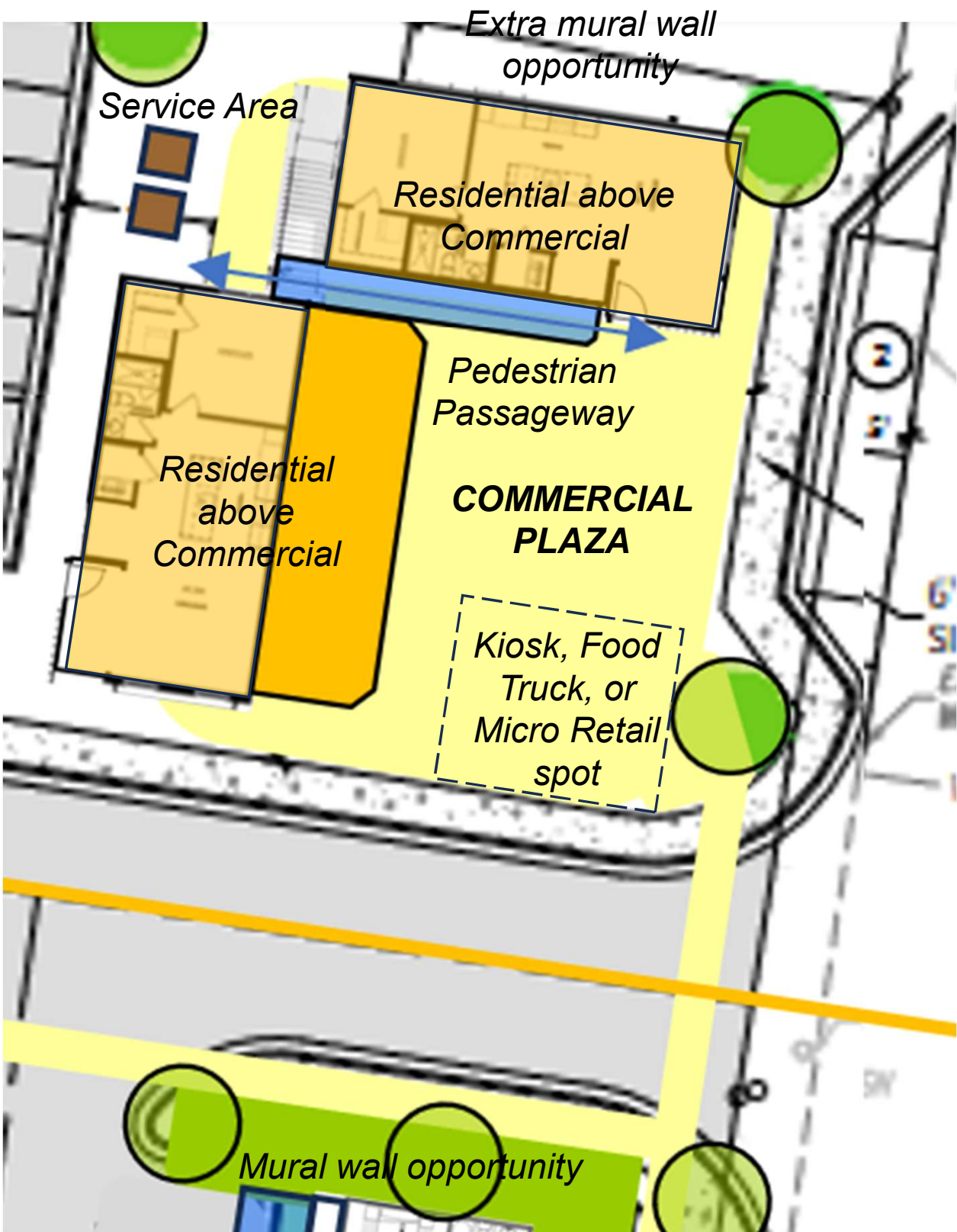
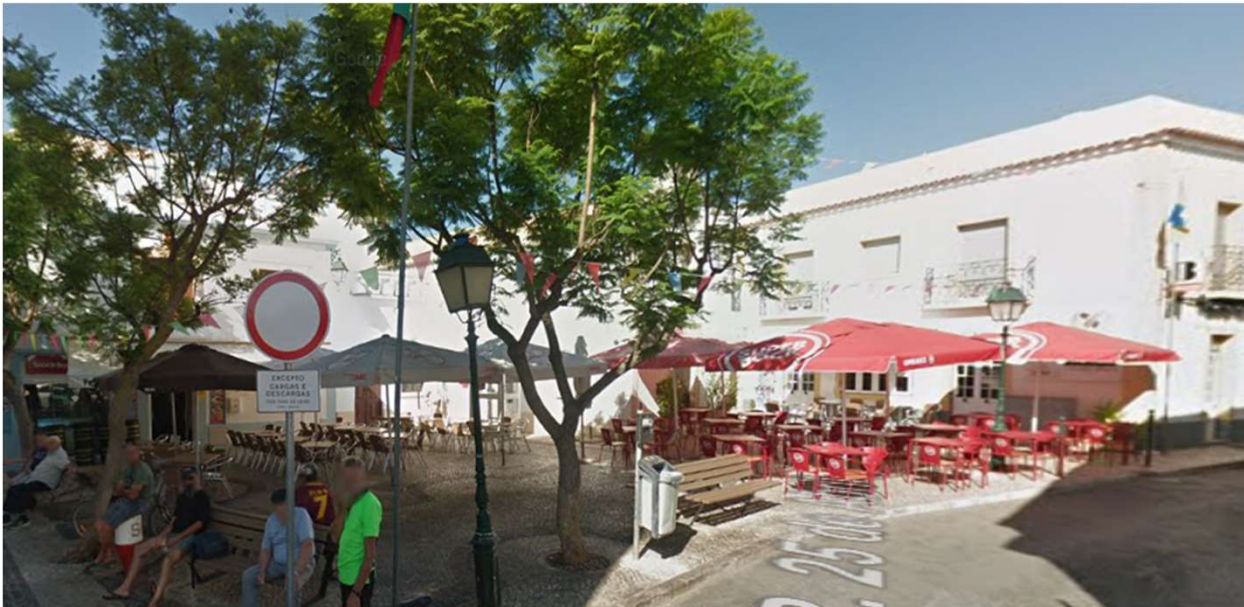
The publication of this document was supported by the Georgia Department of Natural Resources, Environmental Protection Division and was financed in part through a grant from the U.S. Environmental Protection Agency under the provisions of Section 319(h) of the Federal Clean Water Act of 1987, as amended, at a cost of \$1.00 per field guide. **September 2006.**

Exhibit B :: Inspiration for Development

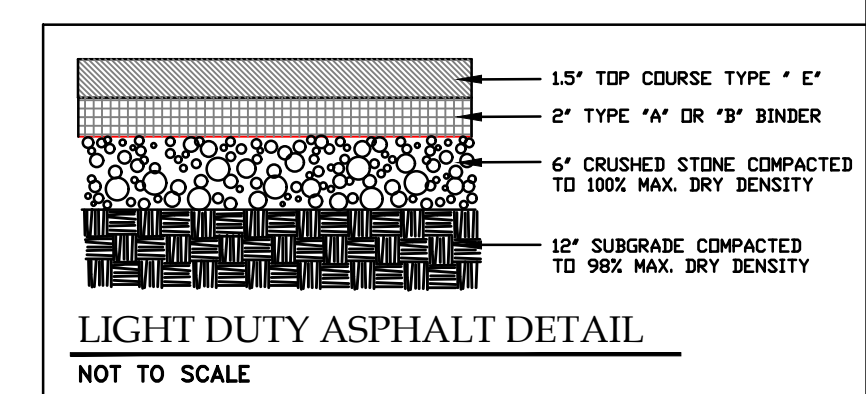
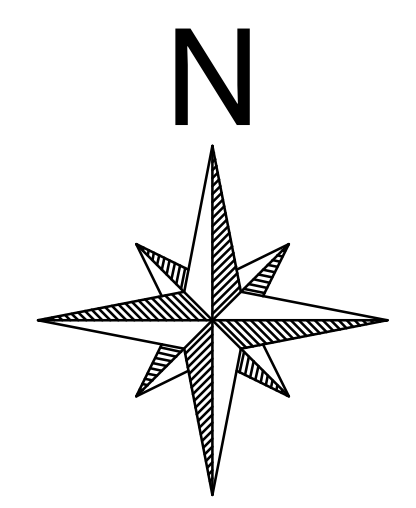


SCALE OF COMMERCIAL PLAZA

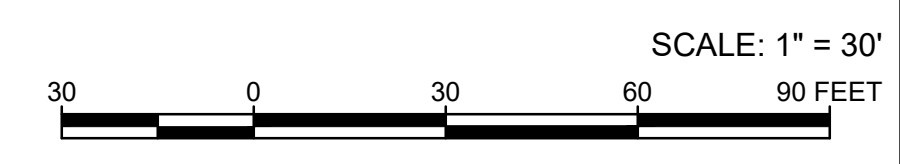
*almost identical to Adair Park Plaza in Woodstock (above)
and the Central Square in Alvor, Portugal (below)*



Please note that this is a Conceptual Plan only and has been prepared for conceptual purposes only; and is subject to withdrawals, additions and changes as a result of final architectural and engineering reviews and approvals. Illustrations are provided for conceptual purposes only and approved architectural and landscape plans may differ substantially from images and examples provided here within.



24 HOUR CONTACT
JASON KISZ
678-616-5221



SITE PLAN

Group

BAILEY CIVIL

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Cartersville, Ga 30120
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FOR

KISZ CONSTRUCTION INC
136 SANTA ANITA TRAIL
WOODSTOCK, GA 30189

PROJECT

CHEROKEE ST WOODSTOCK
303 CHEROKEE ST NW
KENNESAW, GA 30144

SHEET TITLE

SITE PLAN

SHEET NUMBER

C201

PROJECT NUMBER

24114

DATE

JUNE 10TH, 2024

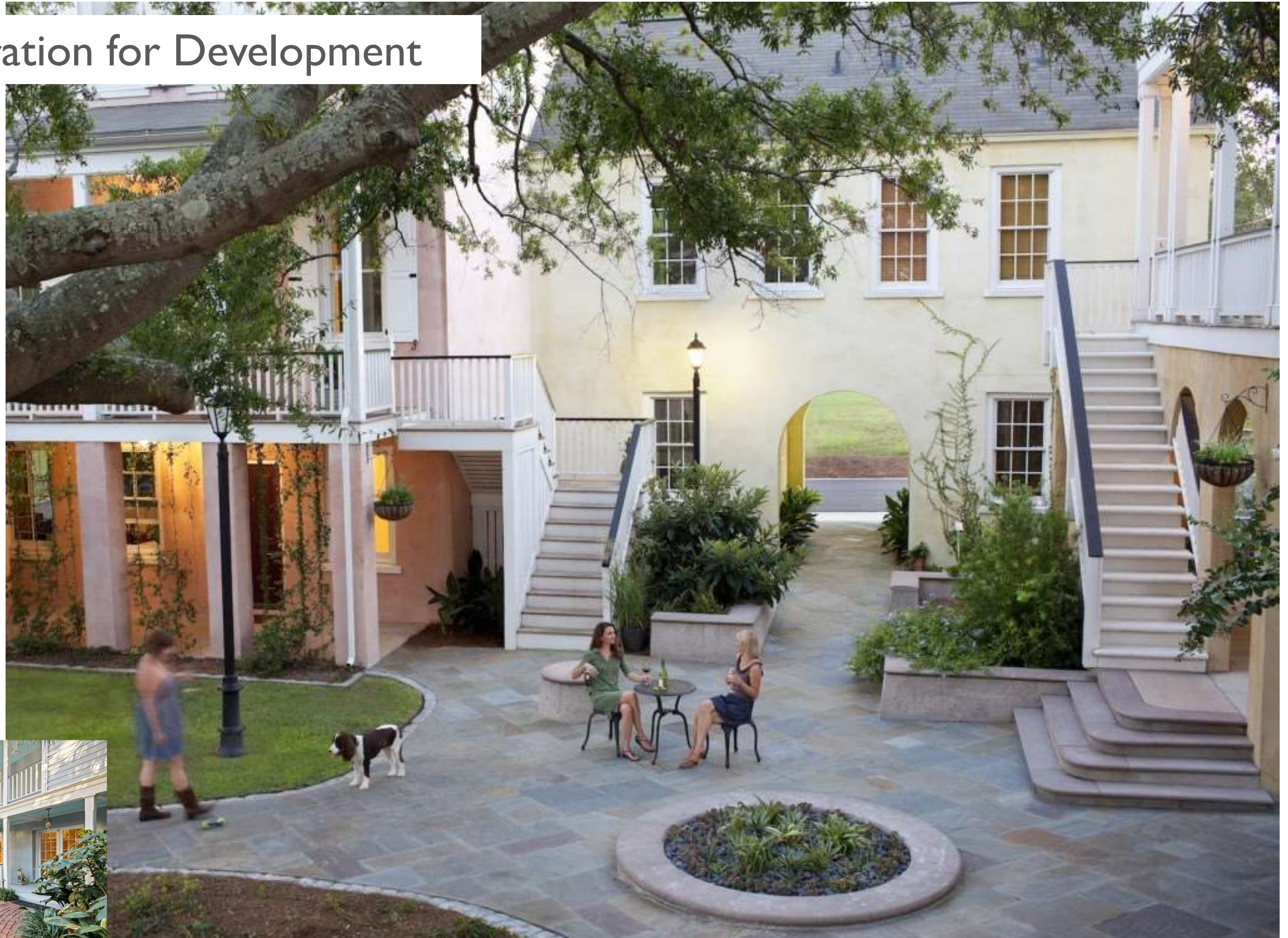
REVISIONS

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	Kennesaw Galt North Concept Plan 6/1/2024					
	<i>Includes new 3 story stacked flats</i>					
	<i>Spreadsheet updated 7/24/2024</i>					
	Lot	Type	Plan Description	Heated SF	BR	BA
	COMMERCIAL					
	C1	MUB	Commercial Building 1 (Ground Floor Only)	800		
	C2	MUB	Commercial Building 2 (Ground Floor Only)	800		
			Commercial Total	1,600		
	RESIDENTIAL					
	1	Flat	Stacked Flat Above Commercial (No Garage)	1,600	3	2.5
	2	Flat	Stacked Flat Above Commercial (No Garage)	1,600	3	2.5
			Total	3,200		
	3	Townhome	19 x 21 TH	1,250	2	2.5
	4	Townhome	19 x 21 TH	1,250	2	2.5
	5	Townhome	19 x 21 TH	1,250	2	2.5
	6	Townhome	19 x 21 TH	1,250	2	2.5
			Total	5,000		
	7	Townhome	19 x 21 TH	1,250	2	2.5
	8	Townhome	19 x 21 TH	1,250	2	2.5
	9	Townhome	19 x 21 TH	1,250	2	2.5
	10	Townhome	19 x 21 TH	1,250	2	2.5
			Total	5,000		
	11	Townhome	21 x 28 TH	1,500	3	3
	12	Townhome	21 x 28 TH	1,500	3	3
	13	Townhome	21 x 28 TH	1,500	3	3
			Total	4,500		
	14	Flat	Stacked Flat	1,045	2	2
	15	Flat	Stacked Flat	1,045	2	2
	16	Flat	Stacked Flat	1,045	2	2
	17	Flat	Stacked Flat	1,045	2	2
	18	Flat	Stacked Flat	1,045	2	2
	19	Flat	Stacked Flat	1,045	2	2
	20	Townhome	19 x 21 TH	1,250	2	2.5
			Total	7,520		
	21	Flat	Stacked Flat	1,045	2	2.5
	22	Flat	Stacked Flat	1,045	2	2.5

	23	Flat	Stacked Flat	1,045	2	2.5
	24	Flat	Stacked Flat	1,045	2	2.5
	25	Flat	Stacked Flat	1,045	2	2.5
	26	Flat	Stacked Flat	1,045	2	2.5
	27	Flat	Stacked Flat	1,045	2	2.5
	28	Flat	Stacked Flat	1,045	2	2.5
	29	Flat	Stacked Flat	1,045	2	2.5
			Total	9,405		
	30	Townhome	26 x 21 TH	1,500	3	3.5
	31	Townhome	26 x 21 TH	1,500	3	3.5
			Total	3,000		
			Residential Total	37,625		
			New Construction Total SF	39,225		

Exhibit B :: Inspiration for Development



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Exhibit B :: Inspiration for Development



Cherokee St Development ::

A curated collection of compact courtyard homes |
Just steps from downtown Kennesaw | Attainable
urbanism -- stacked flats potentially starting at 300k

Charleston-inspired homes carefully arranged
amongst intimate urban spaces

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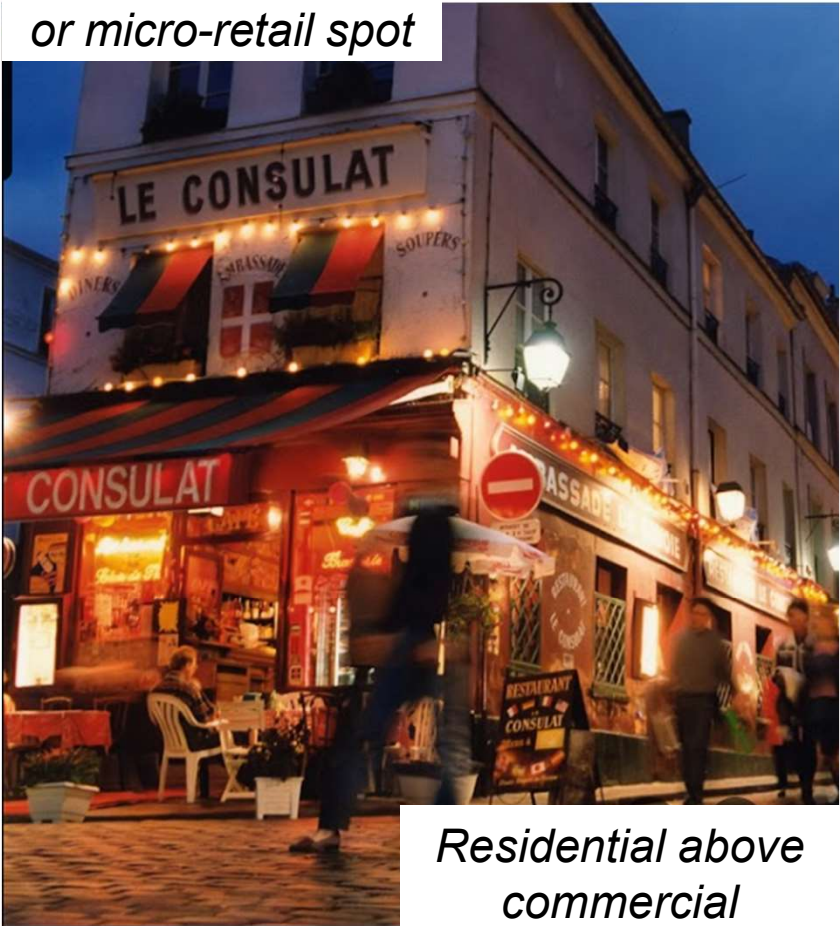
Exhibit B :: Inspiration for Development



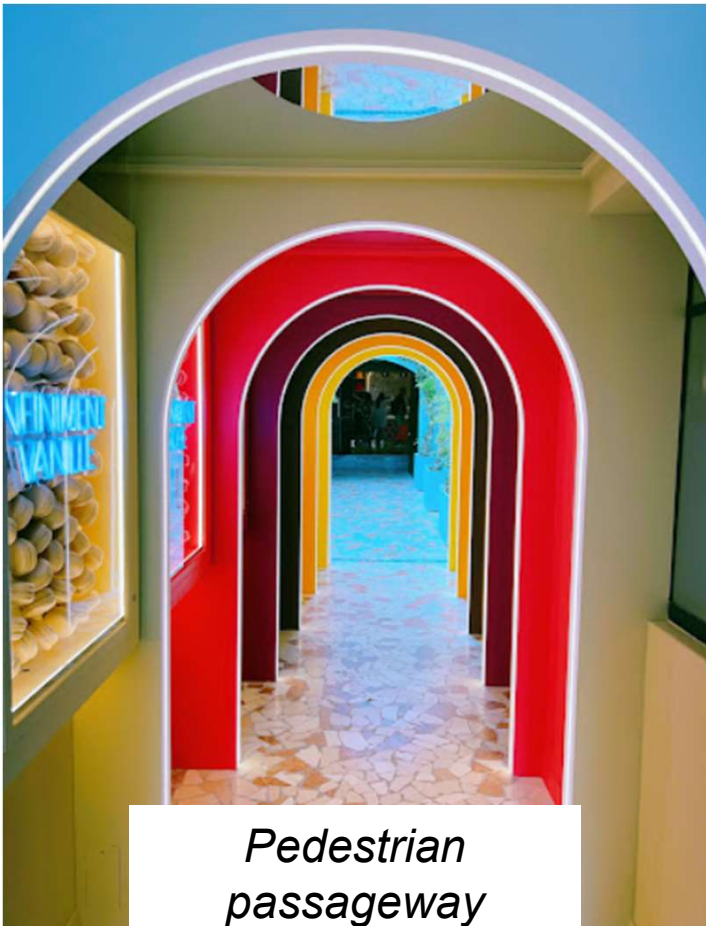
*Inviting gateway to
Downtown Kennesaw*



*Kiosk, food truck,
or micro-retail spot*



*Residential above
commercial*



*Pedestrian
passageway*

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Exhibit B :: Inspiration for Development



Colorful exteriors



[View Gallery](#)



Tasteful amenity spaces

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Kennesaw Cherokee St

Materials List for Construction:

Painted and Natural Brick

Smooth Lap Siding

Asphalt Shingles

Standing Seam Metal Roof Accents on
Featured Architectural Elements

Wood Windows

Wood or Composite Wood Shutters



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Kennesaw Cherokee St

Mixed-Use Commercial Plaza
(Residential above Retail)



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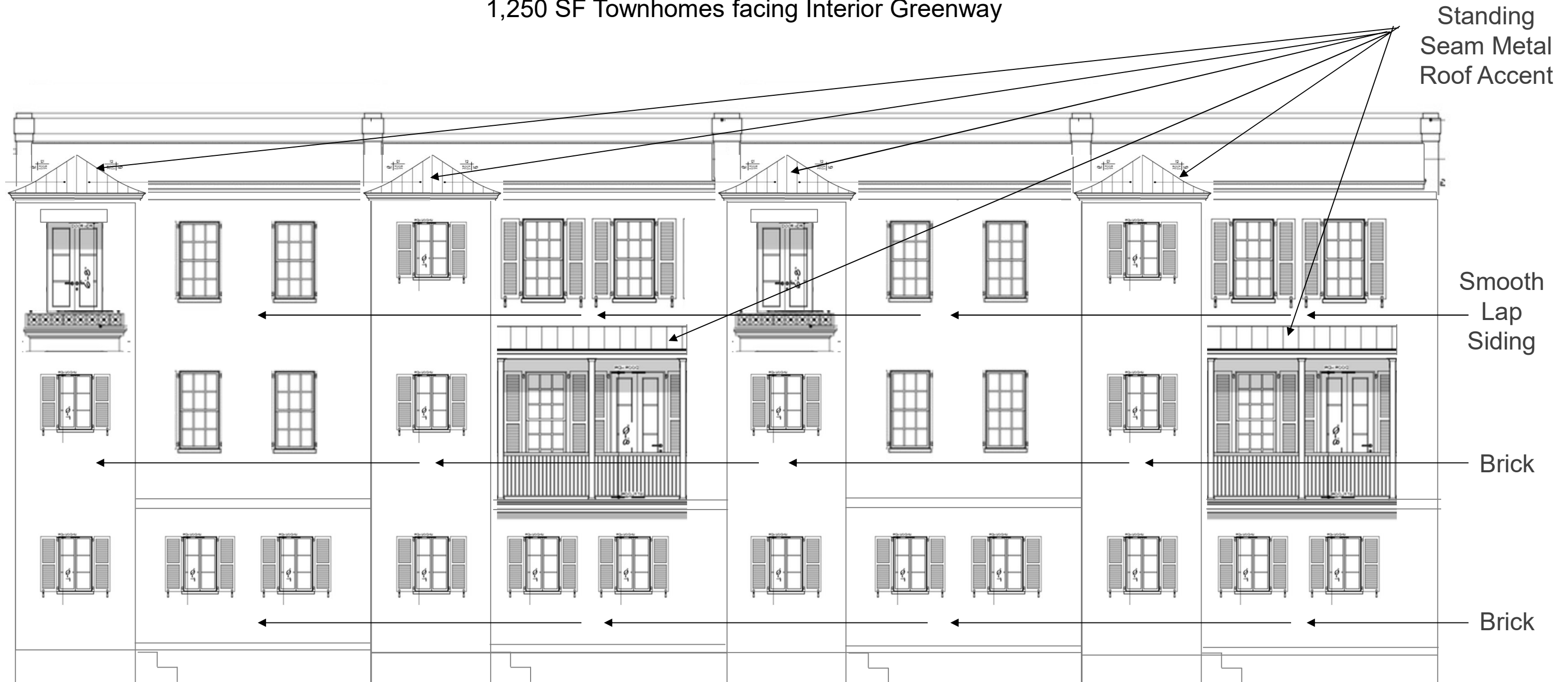
Kennesaw Cherokee St
1,250 SF Townhomes facing Cherokee St



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Kennesaw Cherokee St

1,250 SF Townhomes facing Interior Greenway



0 ft

80 ft



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Kennesaw Cherokee St

1,500 SF Townhomes (Triplet)

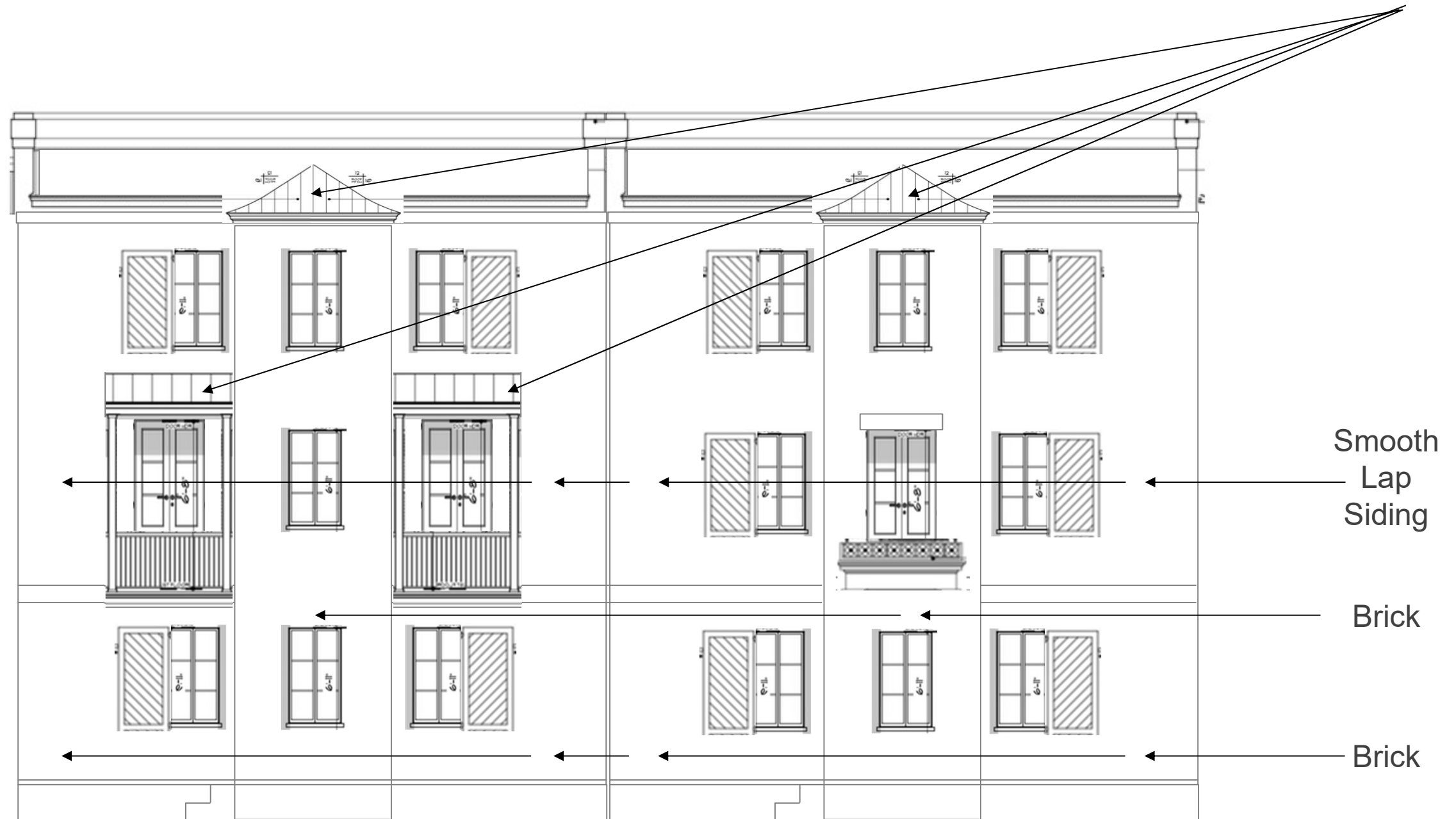


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Kennesaw Cherokee St

1,500 SF Townhomes (Double)

Standing
Seam Metal
Roof Accent



Smooth
Lap
Siding

Brick

Brick

0 ft

80 ft



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Kennesaw Cherokee St

1,250 SF Townhomes
2 BR / 2.5 BA



0 ft

80 ft



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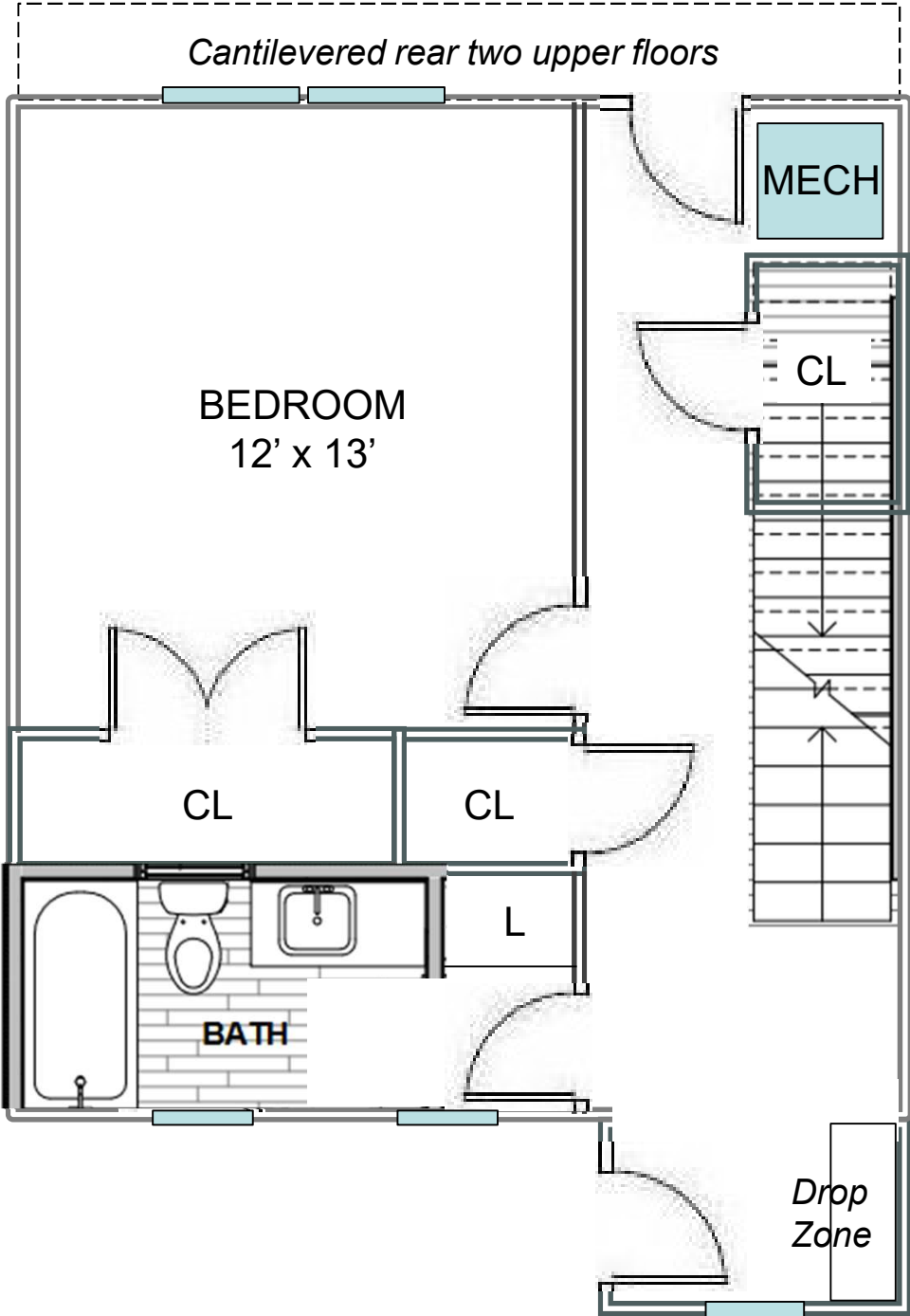
CHEROKEE ST FRONT FOUR
GROUND FLOOR OPTION A – REAR BEDROOM

SLAB OR BASEMENT
VERSION COMPATIBLE

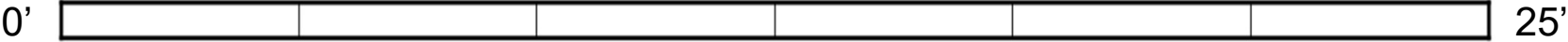
19' x 21' Footprint
19' x 23' Cantilevered
Floors
Front Foyer and Rear
Deck extensions

APPROX 1,200
HEATED SF

Four (4) that front
Cherokee St



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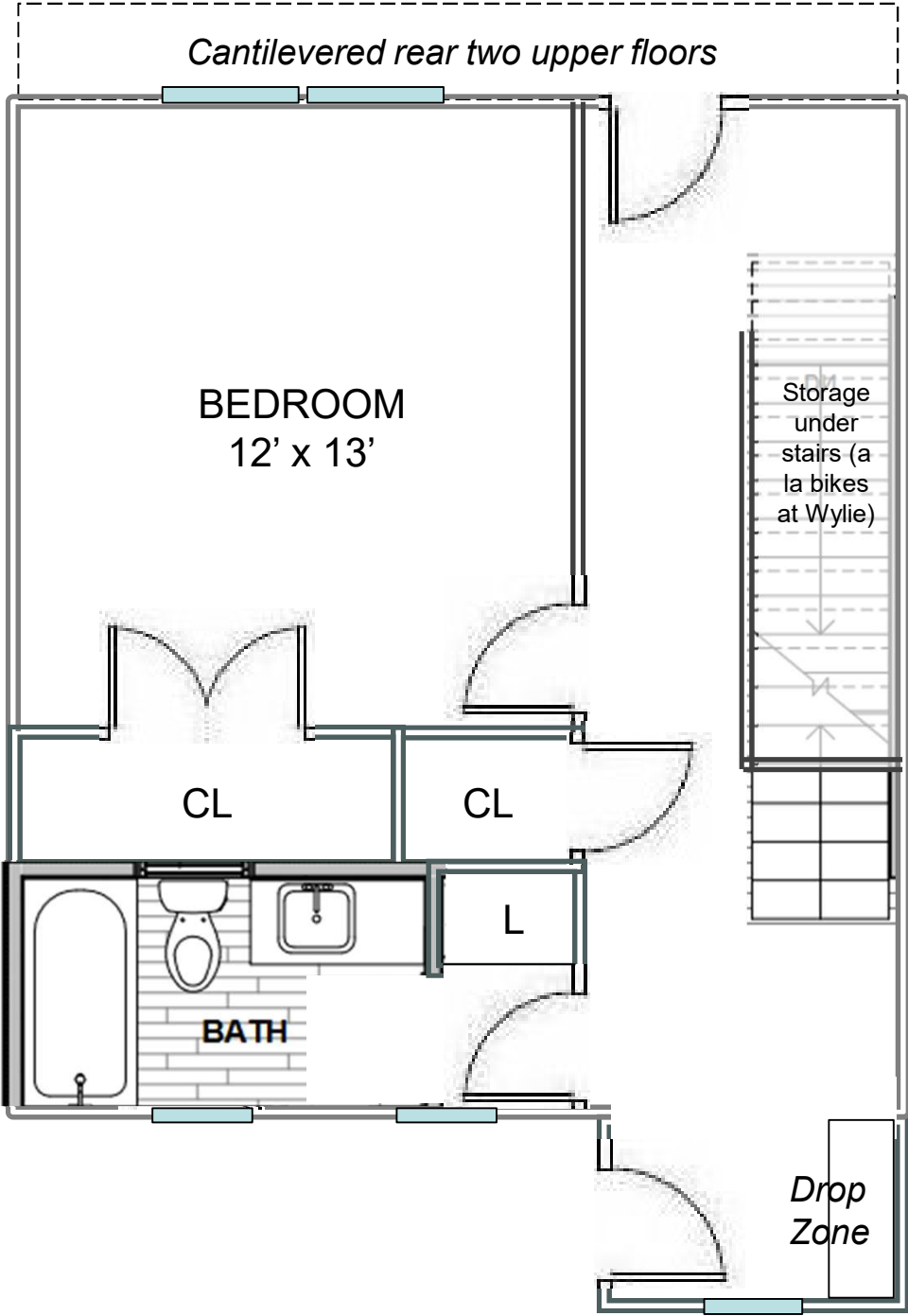
CHEROKEE ST FRONT FOUR
GROUND FLOOR OPTION A – REAR BEDROOM

SLAB OR BASEMENT
VERSION COMPATIBLE

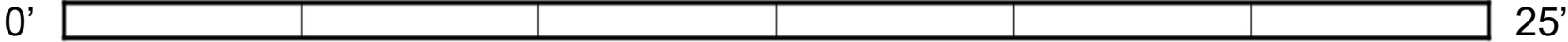
19' x 21' Footprint
19' x 23' Cantilevered
Floors
Front Foyer and Rear
Deck extensions

APPROX 1,200
HEATED SF

Four (4) that front
Cherokee St



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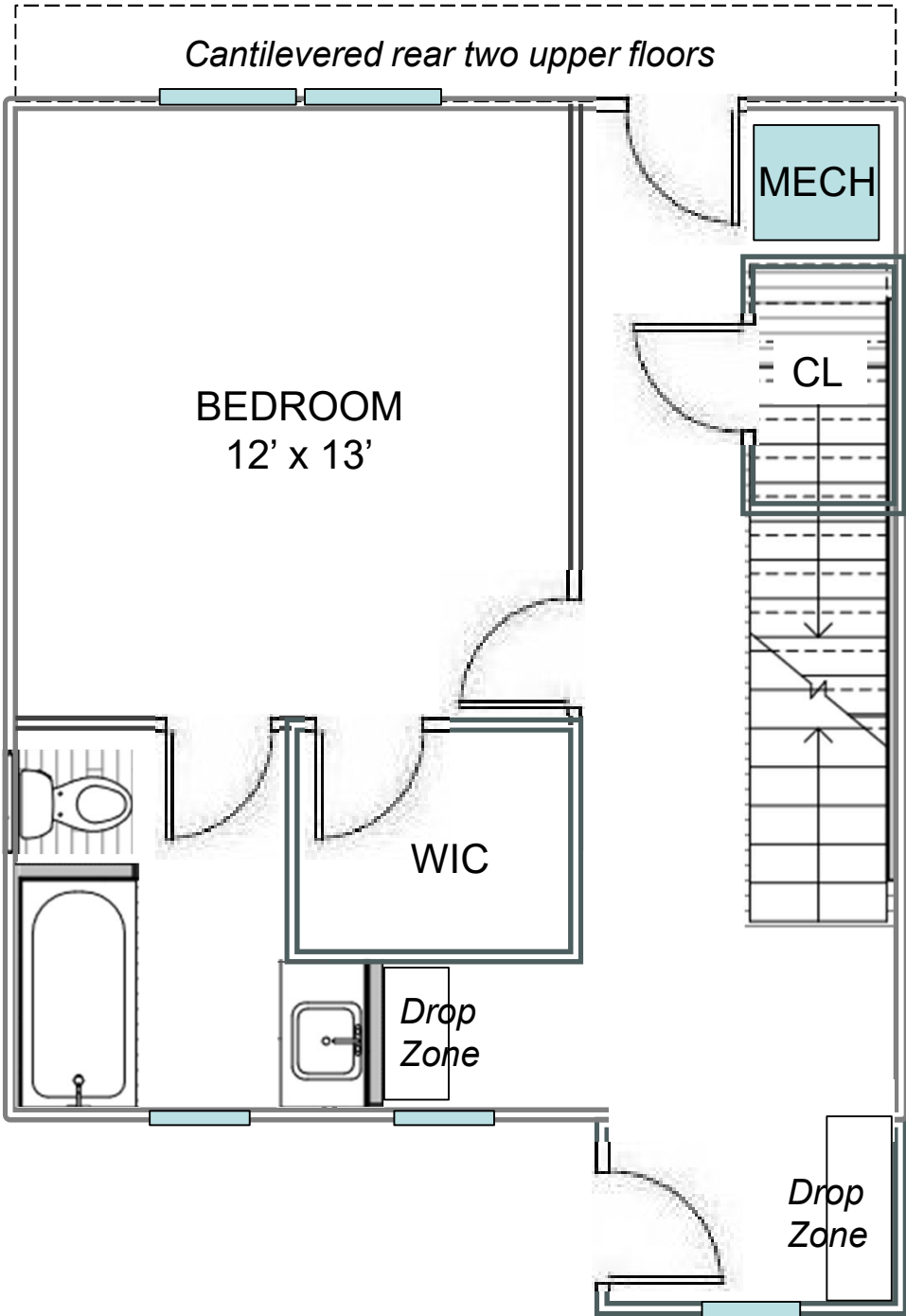
CHEROKEE ST FRONT FOUR
GROUND FLOOR OPTION B1 – REAR BEDROOM

SLAB OR BASEMENT
VERSION COMPATIBLE

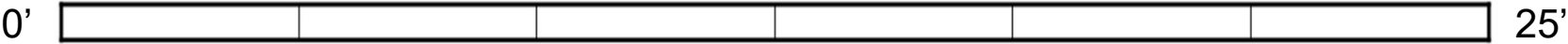
19' x 21' Footprint
19' x 23' Cantilevered
Floors
Front Foyer and Rear
Deck extensions

APPROX 1,200
HEATED SF

Four (4) that front
Cherokee St



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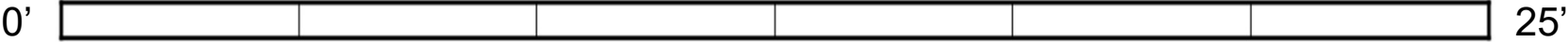
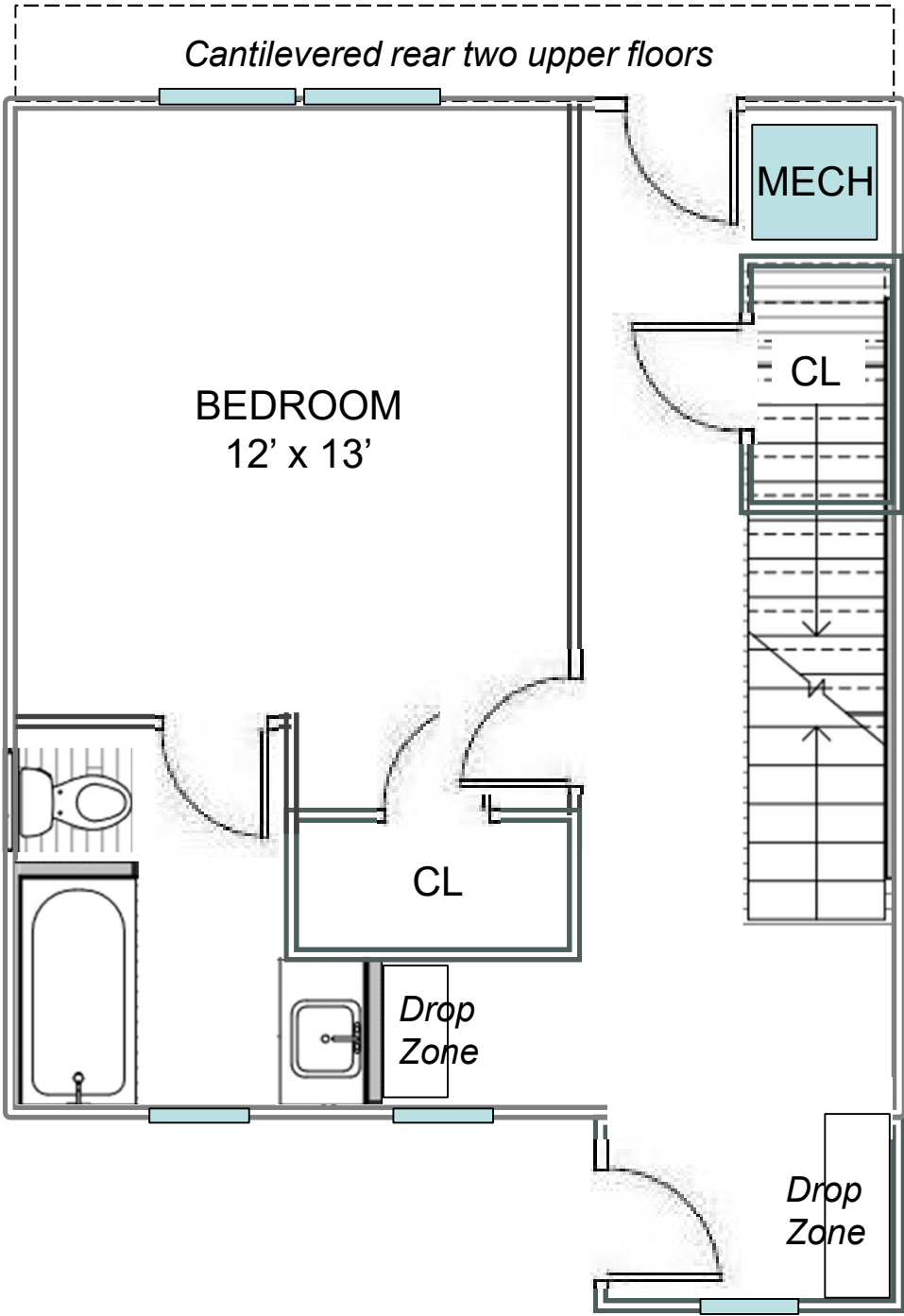
CHEROKEE ST FRONT FOUR
GROUND FLOOR OPTION B2 – REAR BEDROOM

SLAB OR BASEMENT
VERSION COMPATIBLE

19' x 21' Footprint
19' x 23' Cantilevered
Floors
Front Foyer and Rear
Deck extensions

APPROX 1,200
HEATED SF

Four (4) that front
Cherokee St



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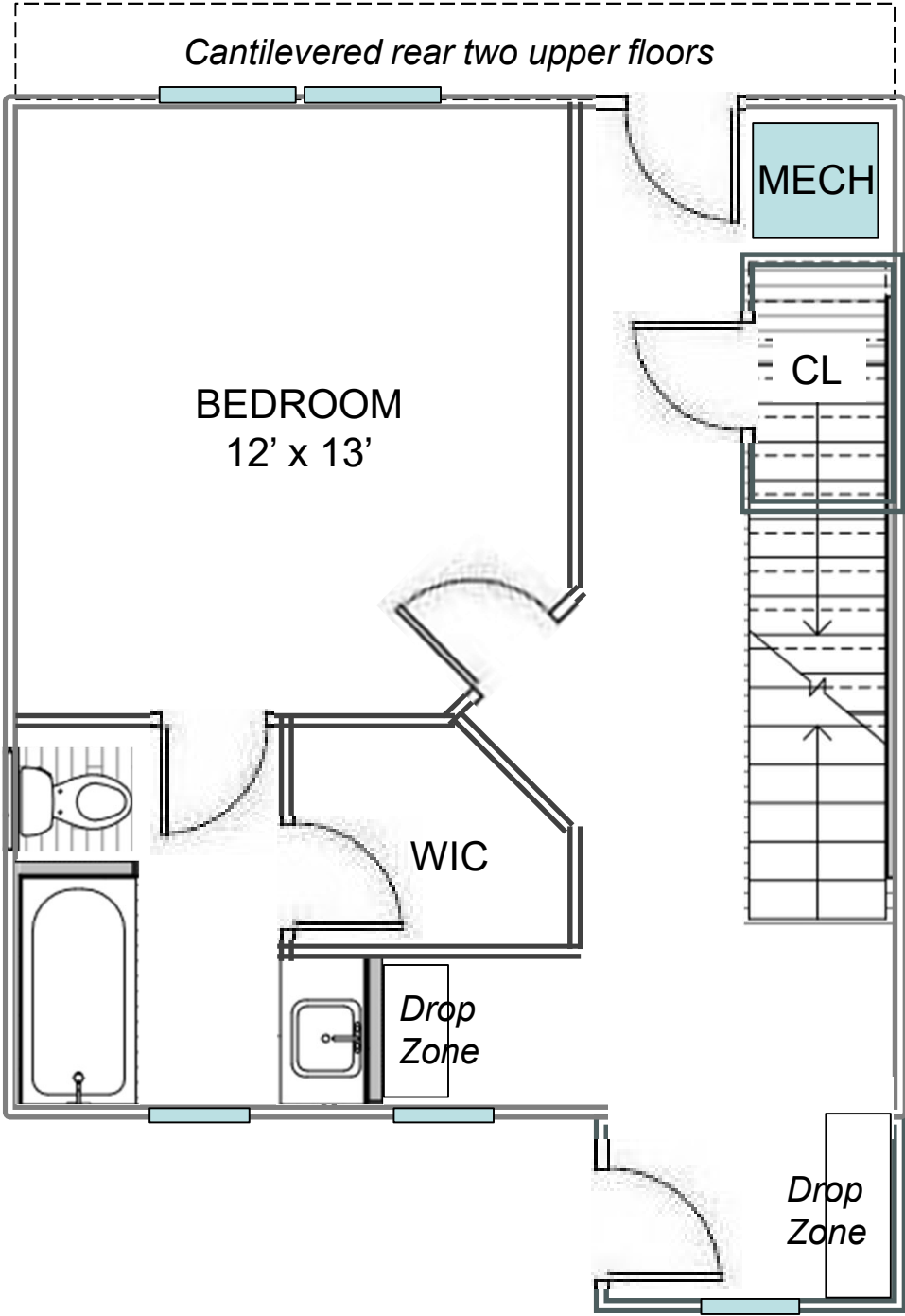
CHEROKEE ST FRONT FOUR
GROUND FLOOR OPTION B3 – REAR BEDROOM

SLAB OR BASEMENT
VERSION COMPATIBLE

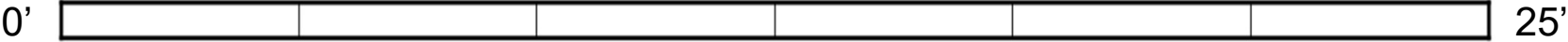
19' x 21' Footprint
19' x 23' Cantilevered
Floors
Front Foyer and Rear
Deck extensions

APPROX 1,200
HEATED SF

Four (4) that front
Cherokee St



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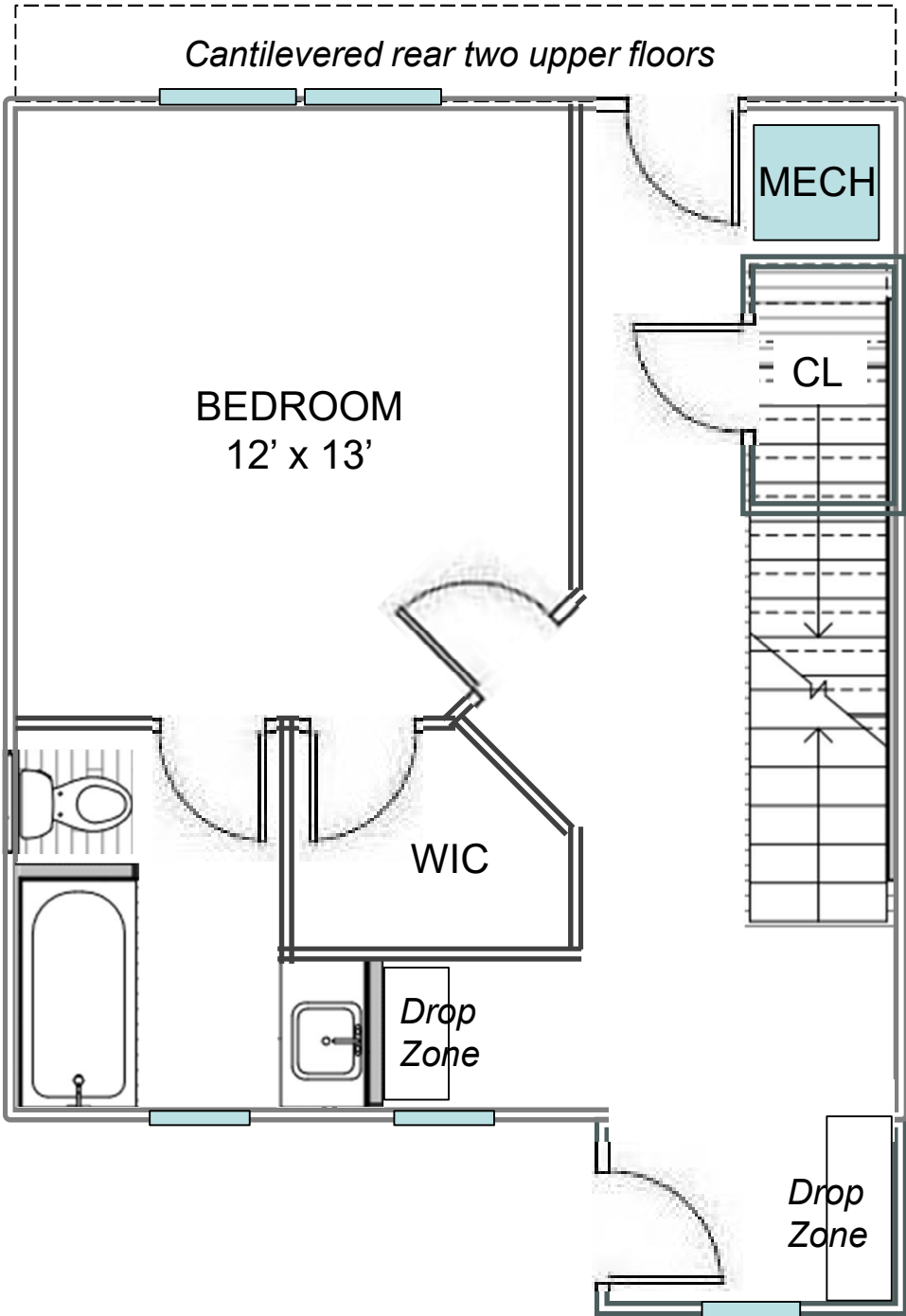
CHEROKEE ST FRONT FOUR
GROUND FLOOR OPTION B4 – REAR BEDROOM

SLAB OR BASEMENT
VERSION COMPATIBLE

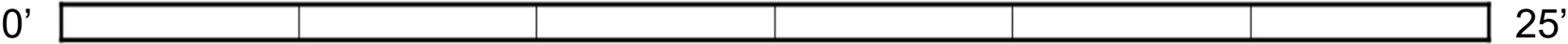
19' x 21' Footprint
19' x 23' Cantilevered
Floors
Front Foyer and Rear
Deck extensions

APPROX 1,200
HEATED SF

Four (4) that front
Cherokee St



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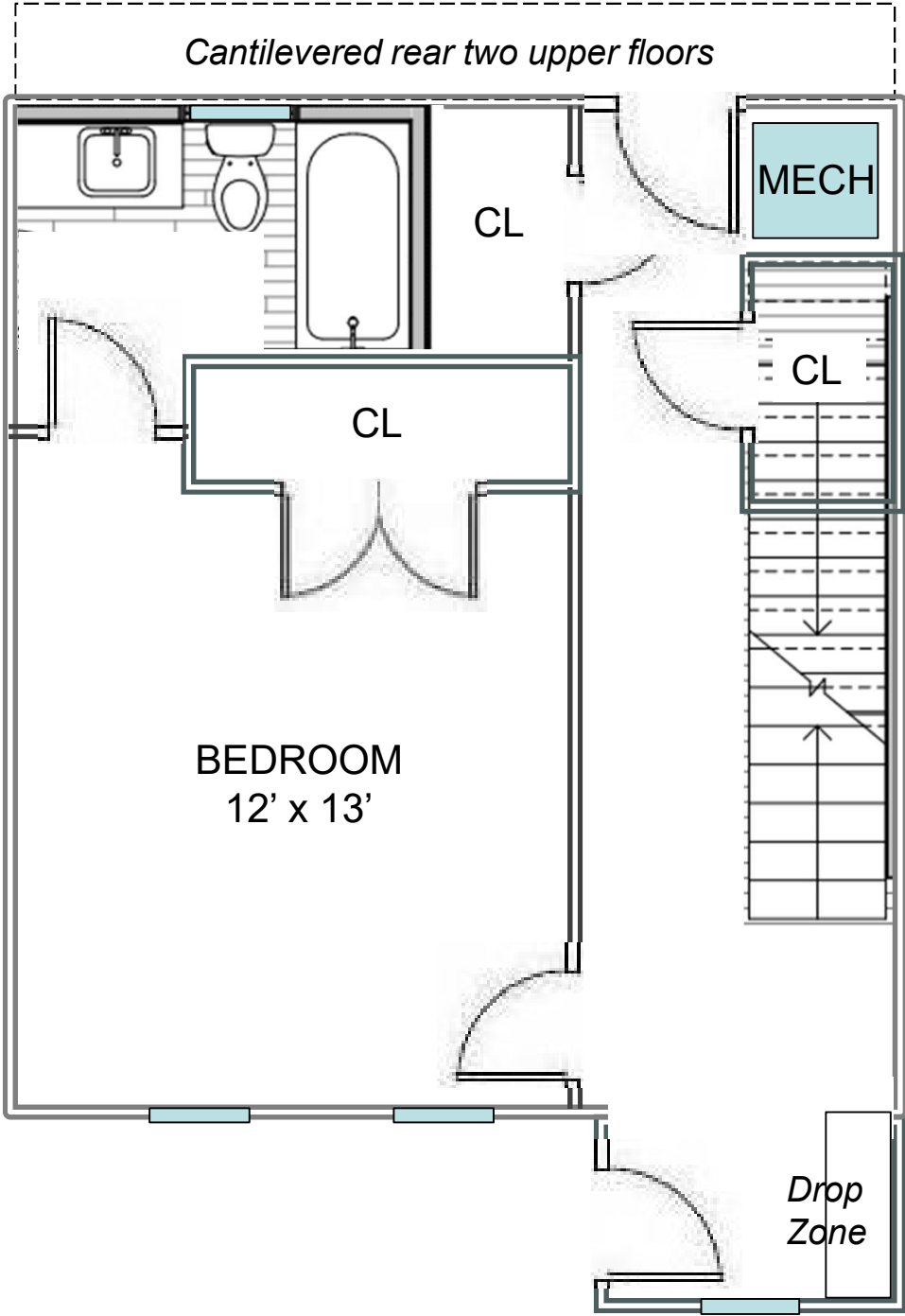
CHEROKEE ST FRONT FOUR
GROUND FLOOR OPTION C – FRONT BEDROOM

SLAB OR BASEMENT
VERSION COMPATIBLE

19' x 21' Footprint
19' x 23' Cantilevered
Floors
Front Foyer and Rear
Deck extensions

APPROX 1,200
HEATED SF

Four (4) that front
Cherokee St



0' 25'

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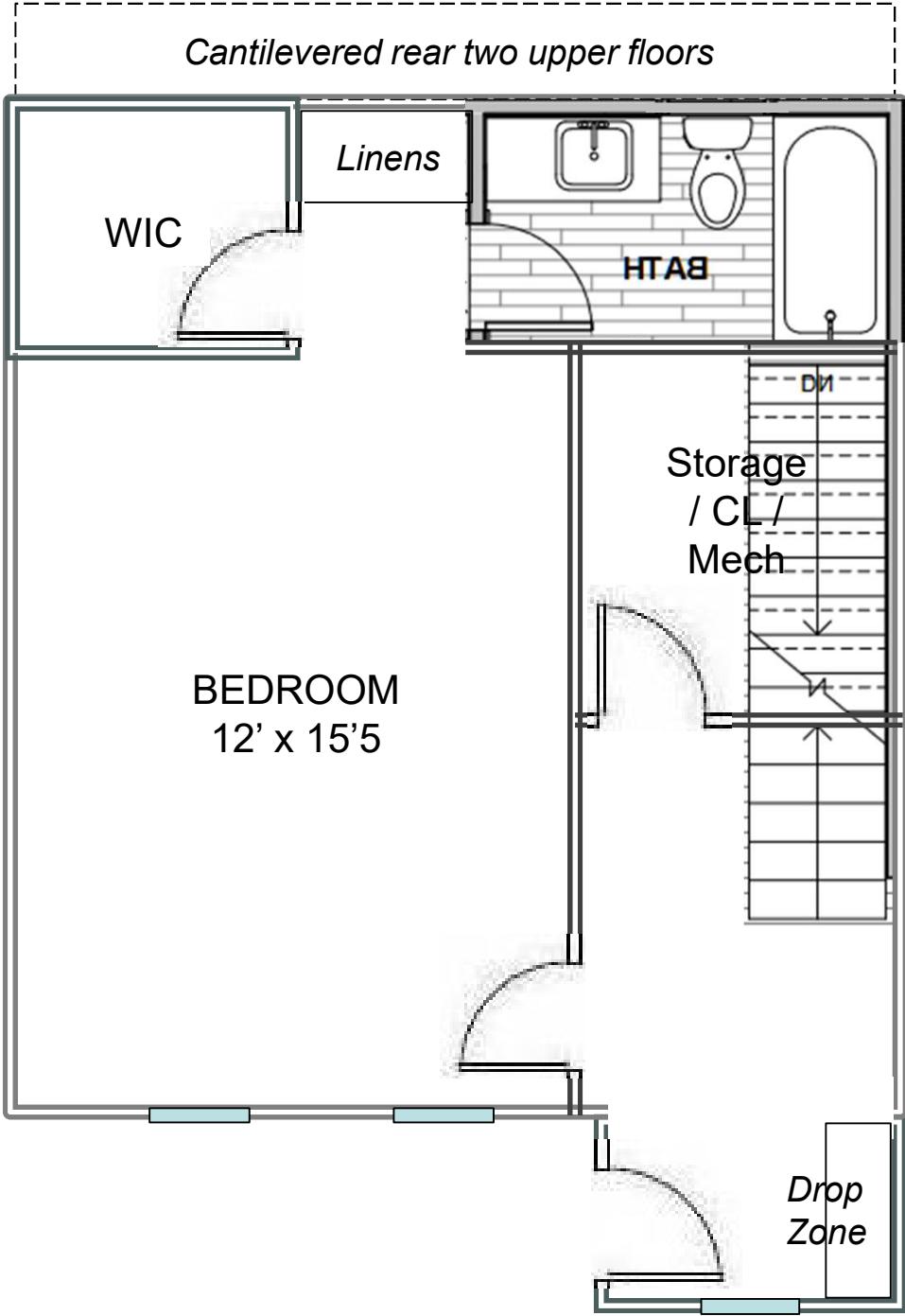


GREENWAY REAR FOUR
GROUND FLOOR – FRONT BEDROOM

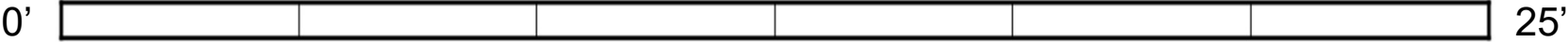
SLAB OR BASEMENT
VERSION COMPATIBLE

19' x 21' Footprint
19' x 23' Cantilevered
Floors
Front Foyer and Rear
Deck extensions

APPROX 1,200
HEATED SF



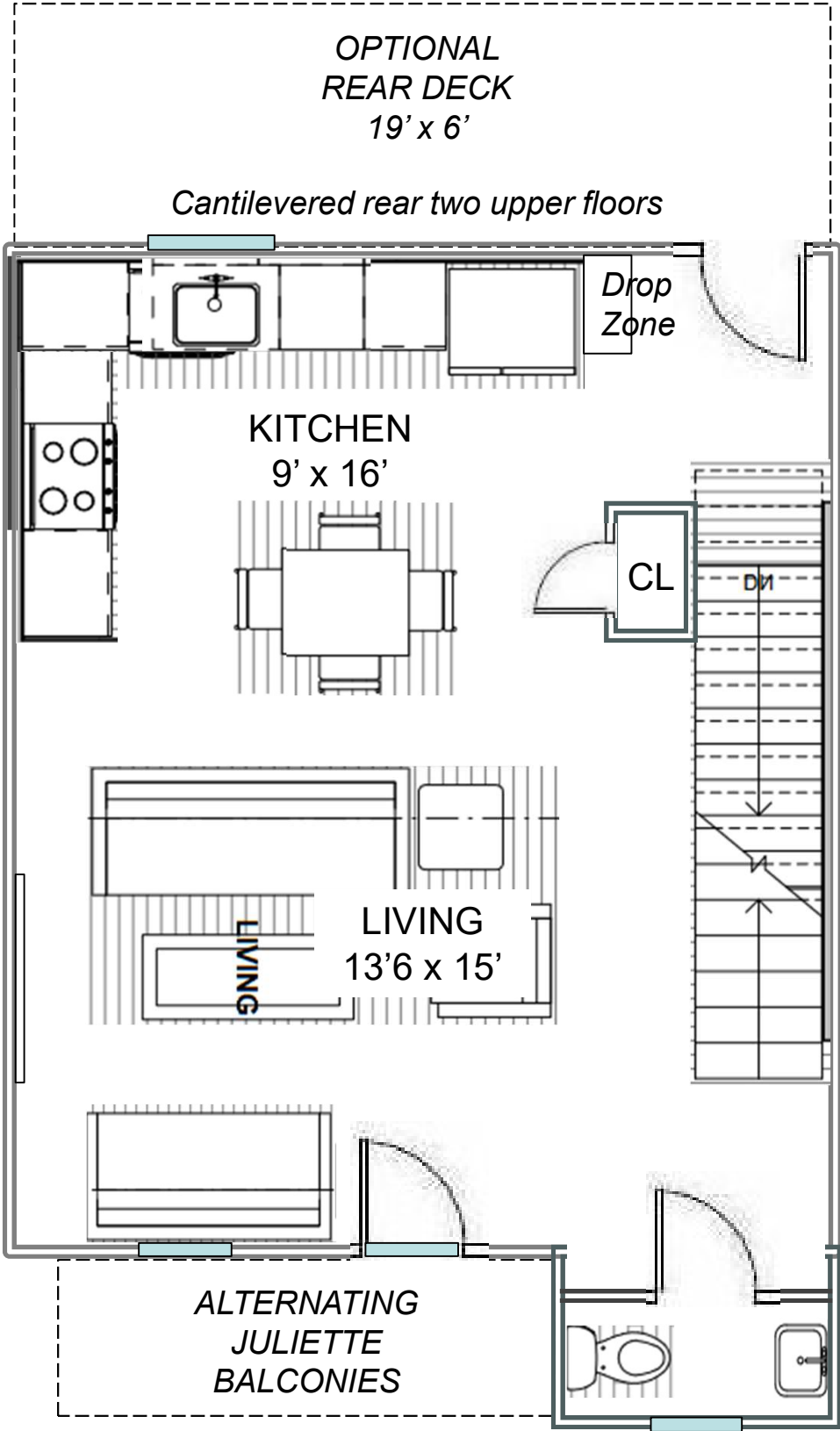
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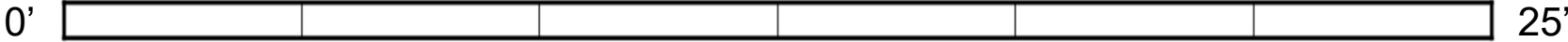
SLAB OR BASEMENT
VERSION COMPATIBLE

19' x 21' Footprint
19' x 23' Cantilevered
Floors
Front Foyer and Rear
Deck extensions

APPROX 1,200
HEATED SF



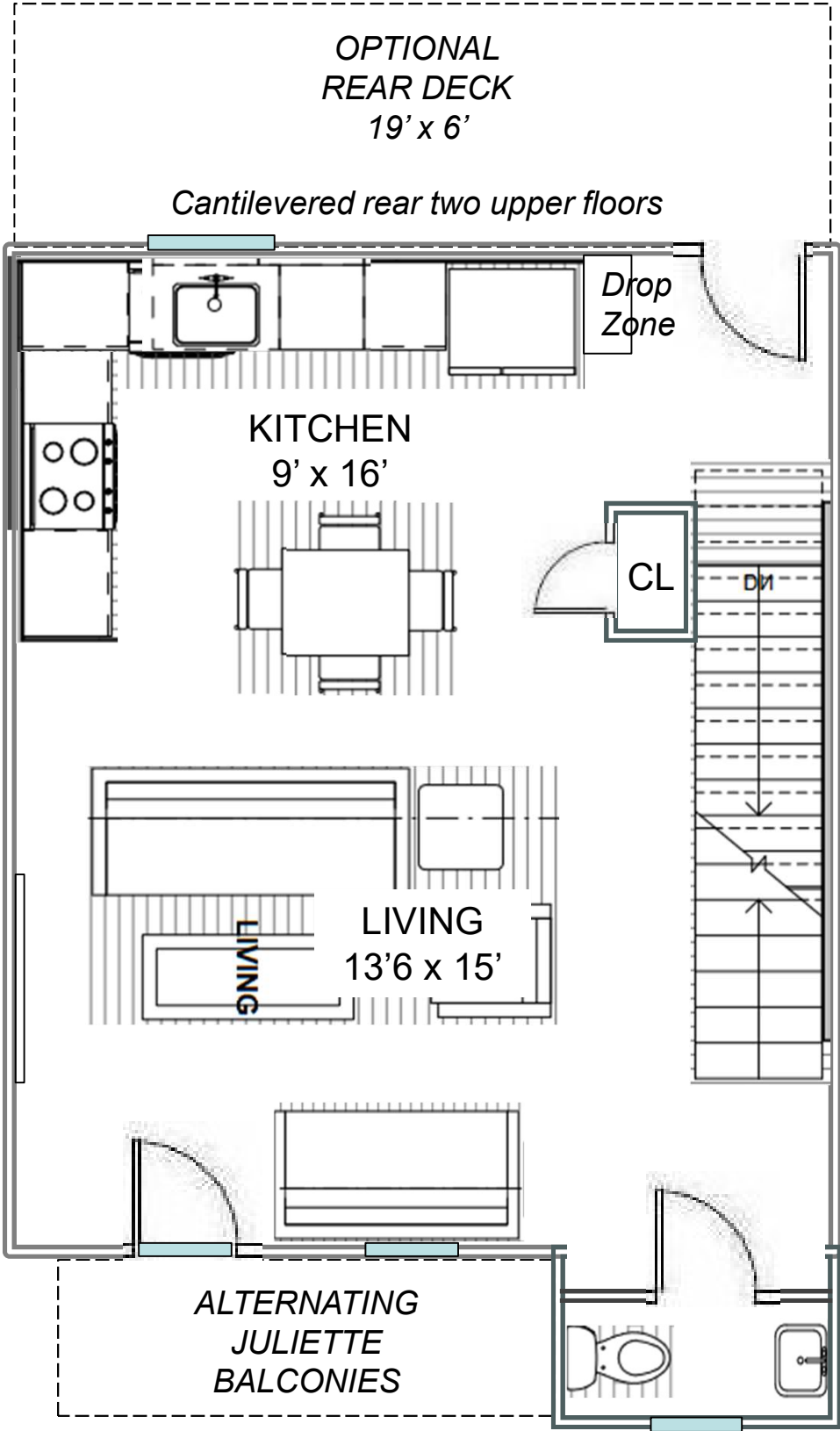
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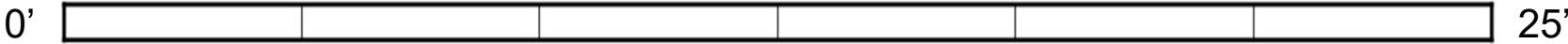
SLAB OR BASEMENT
VERSION COMPATIBLE

19' x 21' Footprint
19' x 23' Cantilevered
Floors
Front Foyer and Rear
Deck extensions

APPROX 1,200
HEATED SF



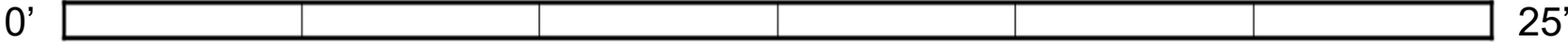
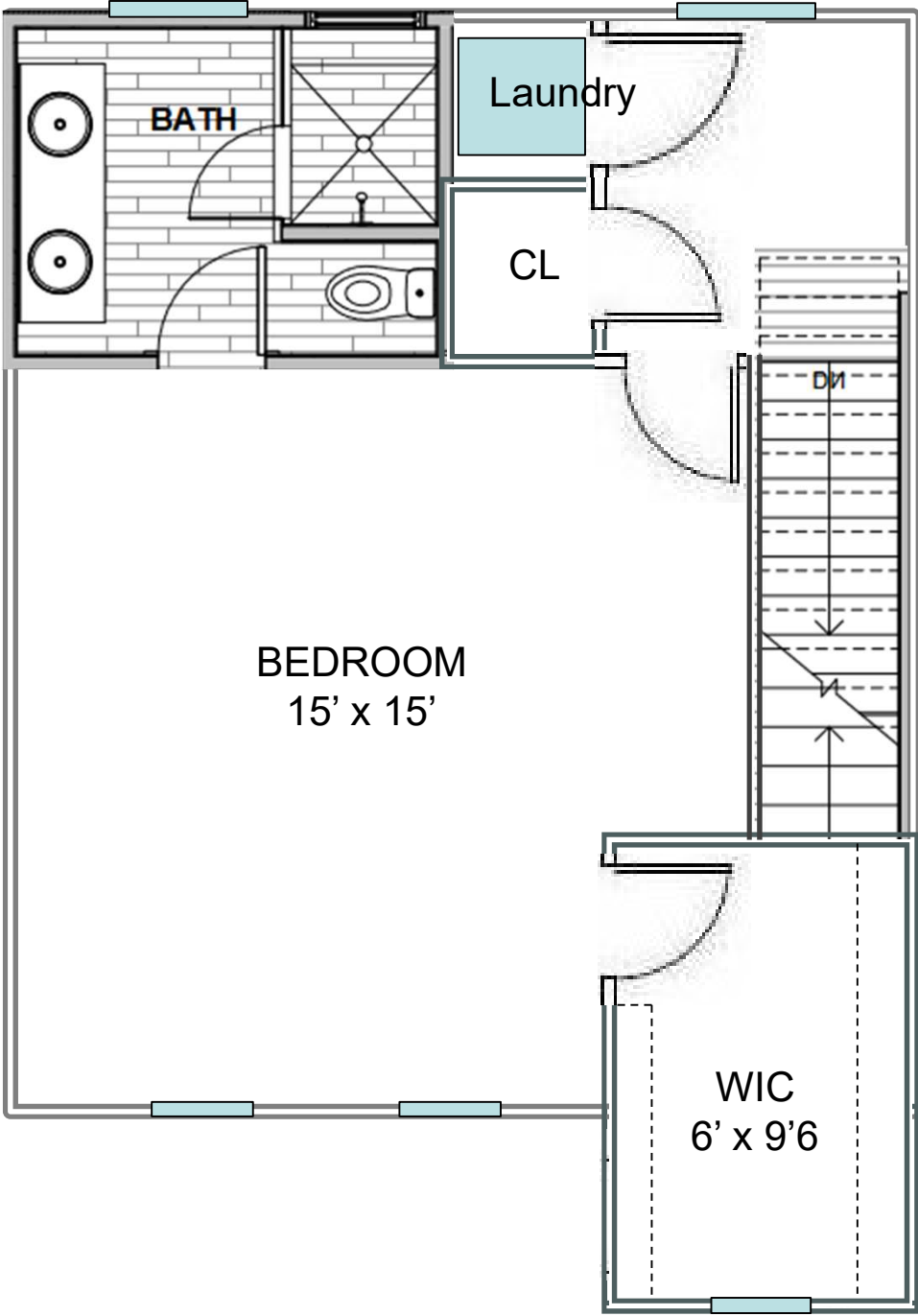
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SLAB OR BASEMENT
VERSION COMPATIBLE

19' x 21' Footprint
19' x 23' Cantilevered
Floors
Front Foyer and Rear
Deck extensions

APPROX 1,200
HEATED SF



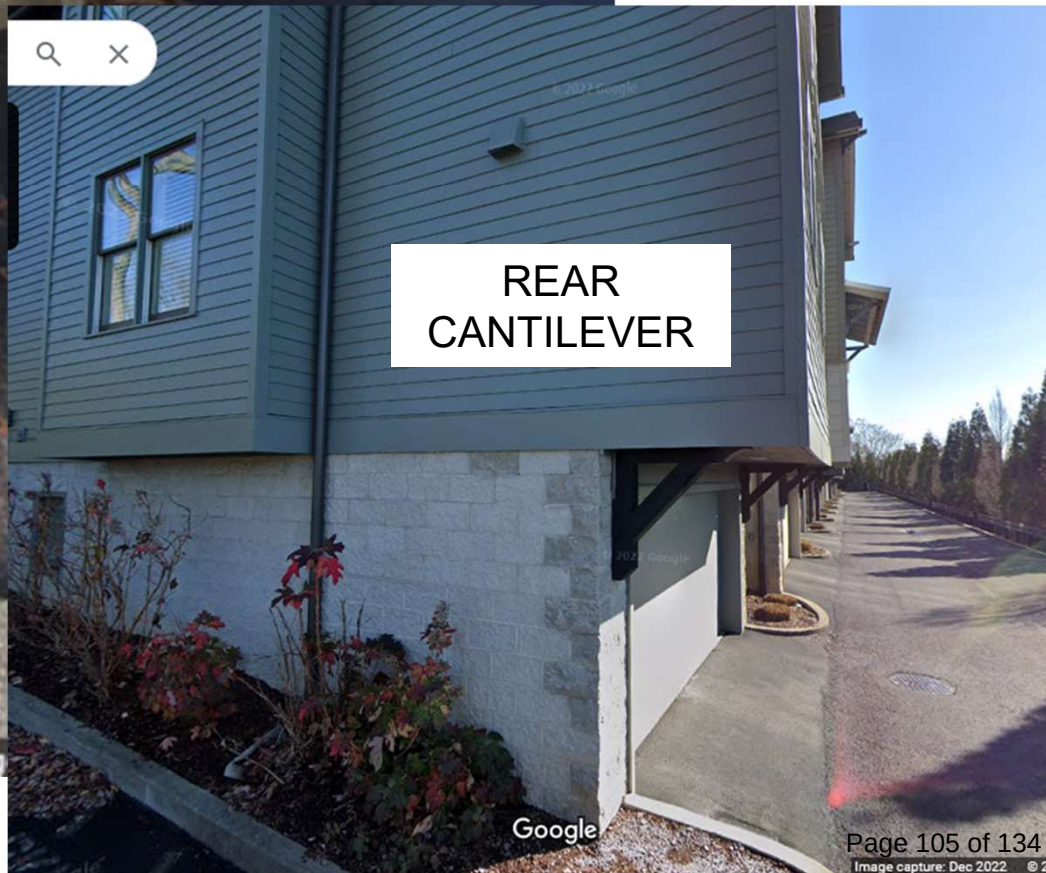
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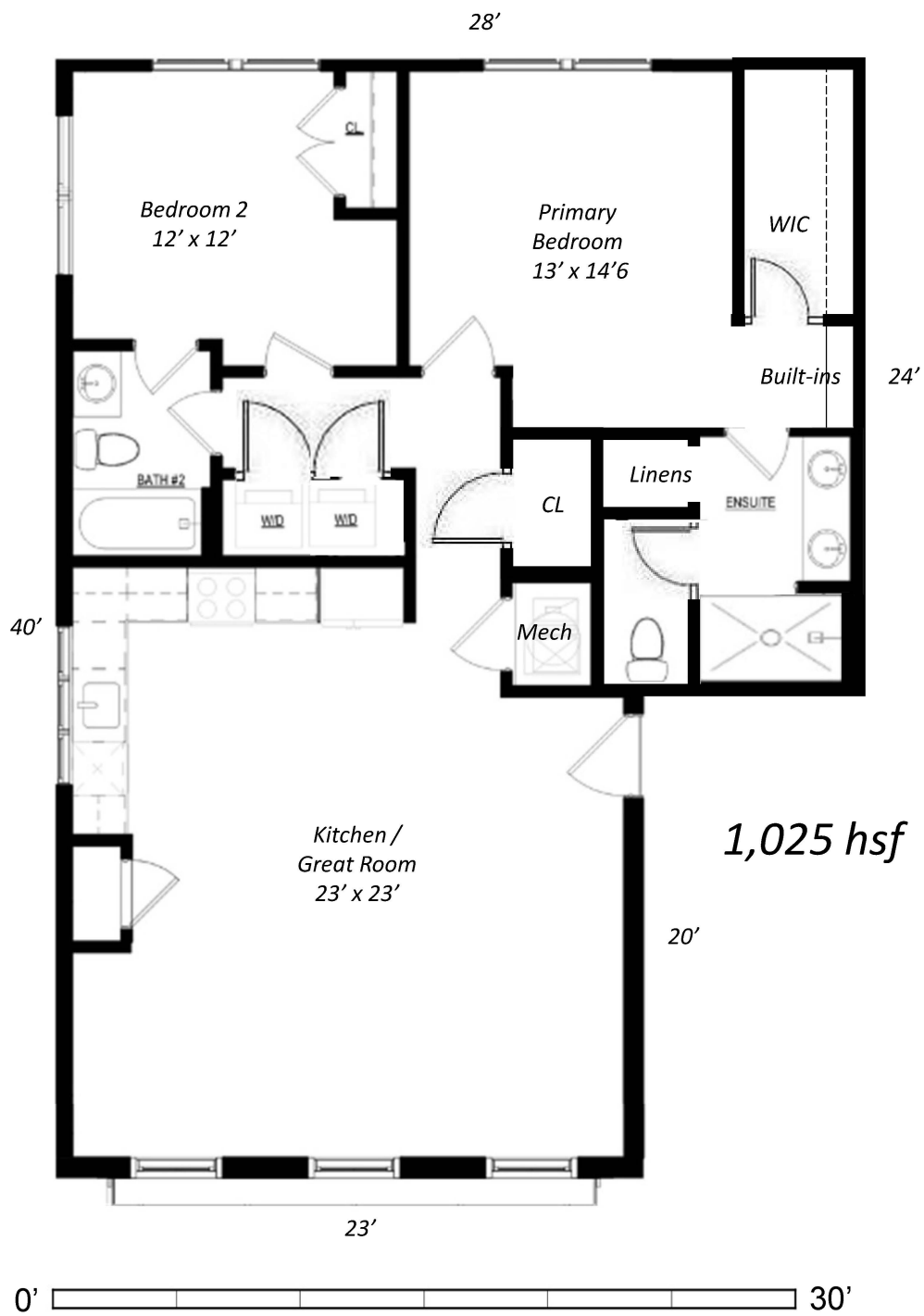
REAR
CANTILEVER

Google



REAR
CANTILEVER

Google



Kennesaw Cherokee St

1,500 SF Townhomes (Double)
3 BR / 3.5 BA



0 ft



80 ft



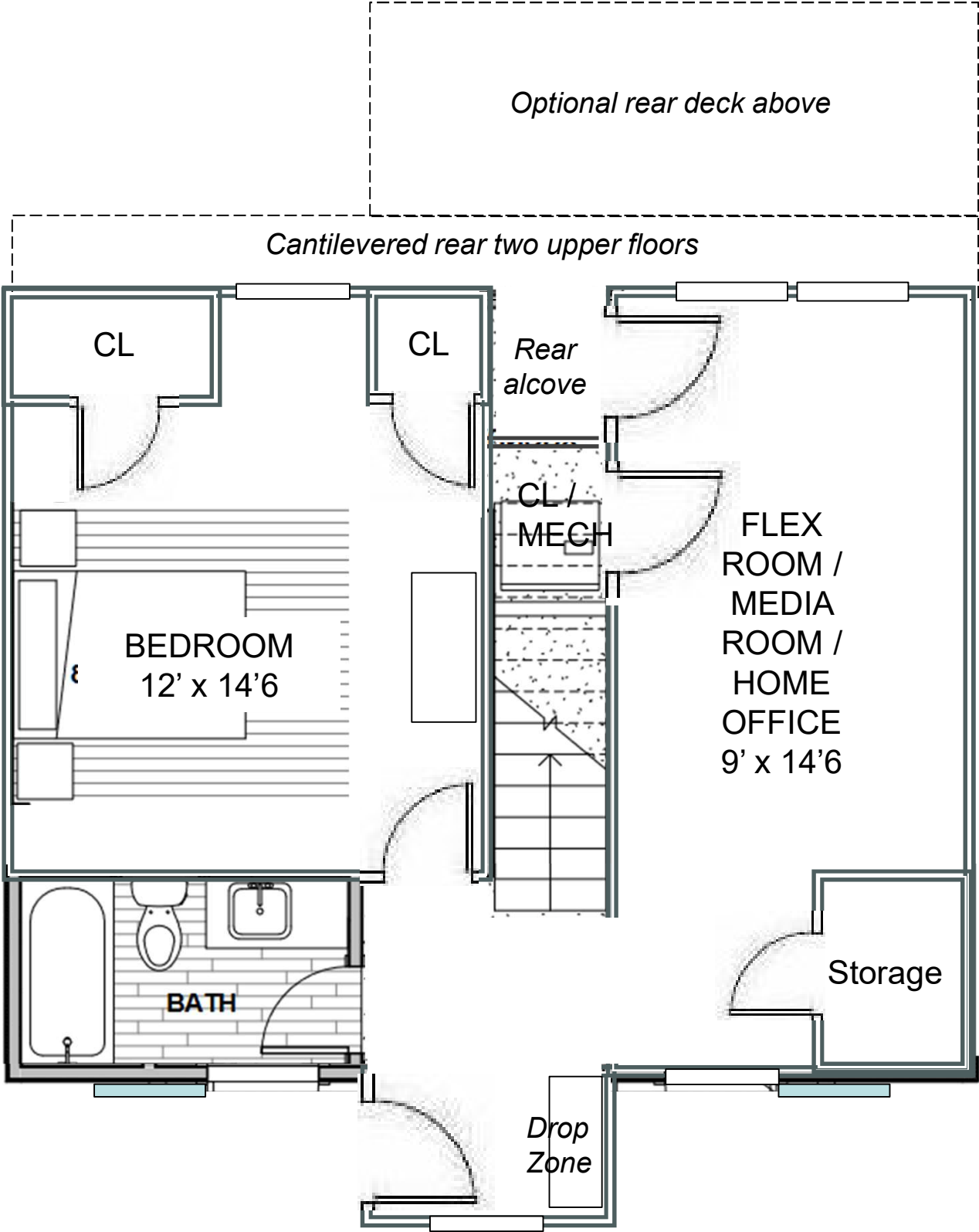
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SLAB OR BASEMENT
VERSION COMPATIBLE

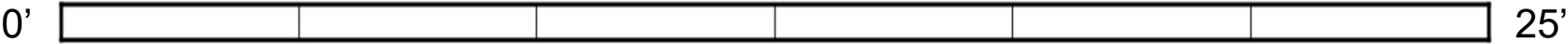
21' x 26' Footprint
23' x 26' Cantilevered
Floors
Front Foyer and Rear
Deck extensions

APPROX 1,500
HEATED SF

BOTTOM FLOOR
SLAB VERSION



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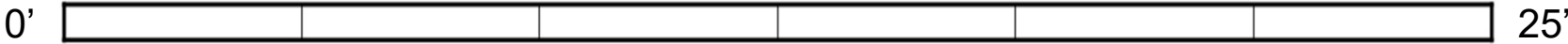
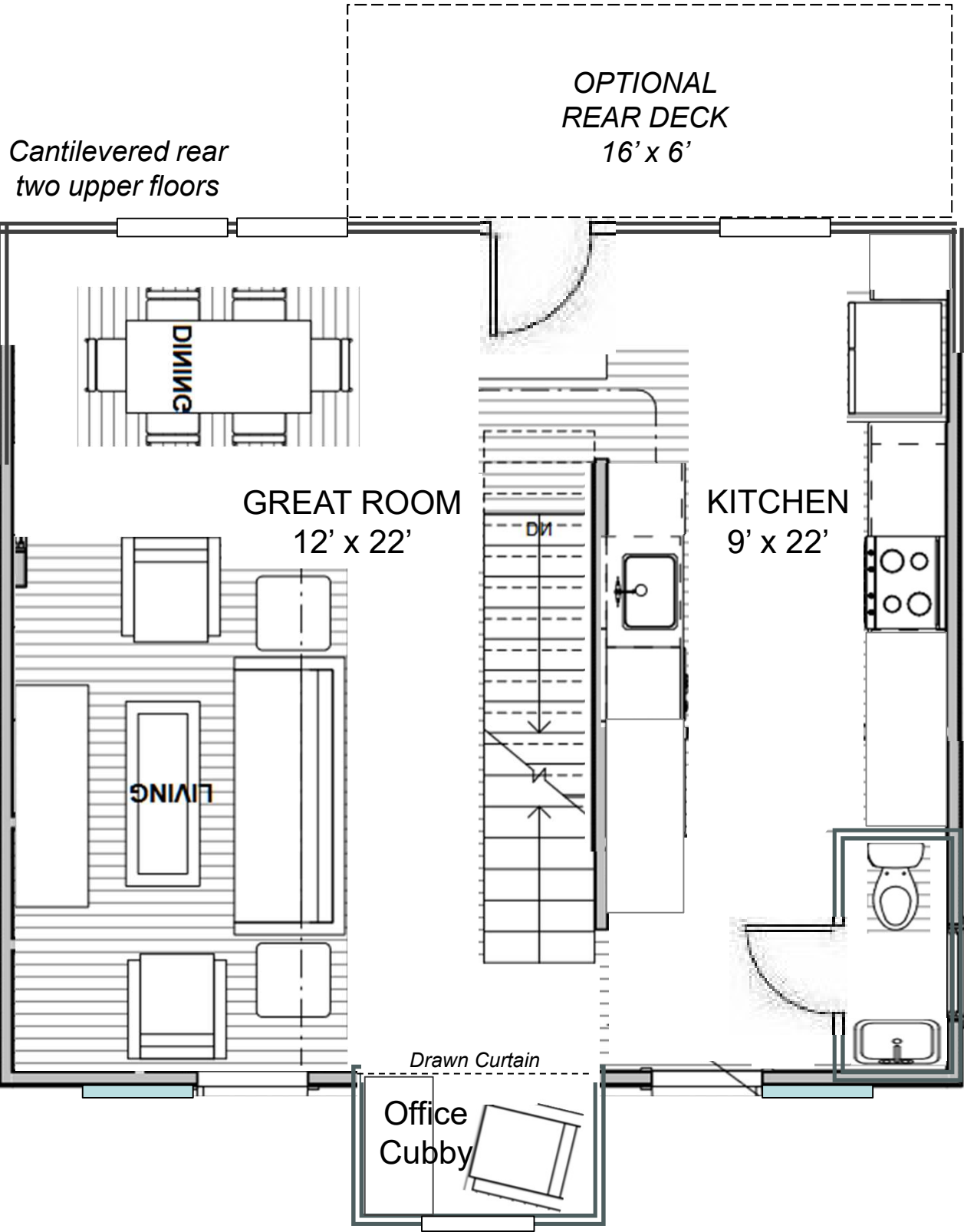


SLAB OR BASEMENT
VERSION COMPATIBLE

21' x 26' Footprint
23' x 26' Cantilevered
Floors
Front Foyer and Rear
Deck extensions

APPROX 1,500
HEATED SF

MIDDLE FLOOR
SLAB VERSION



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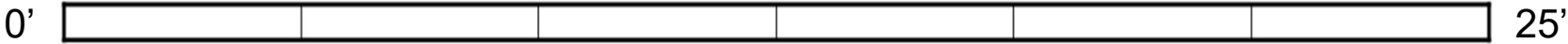
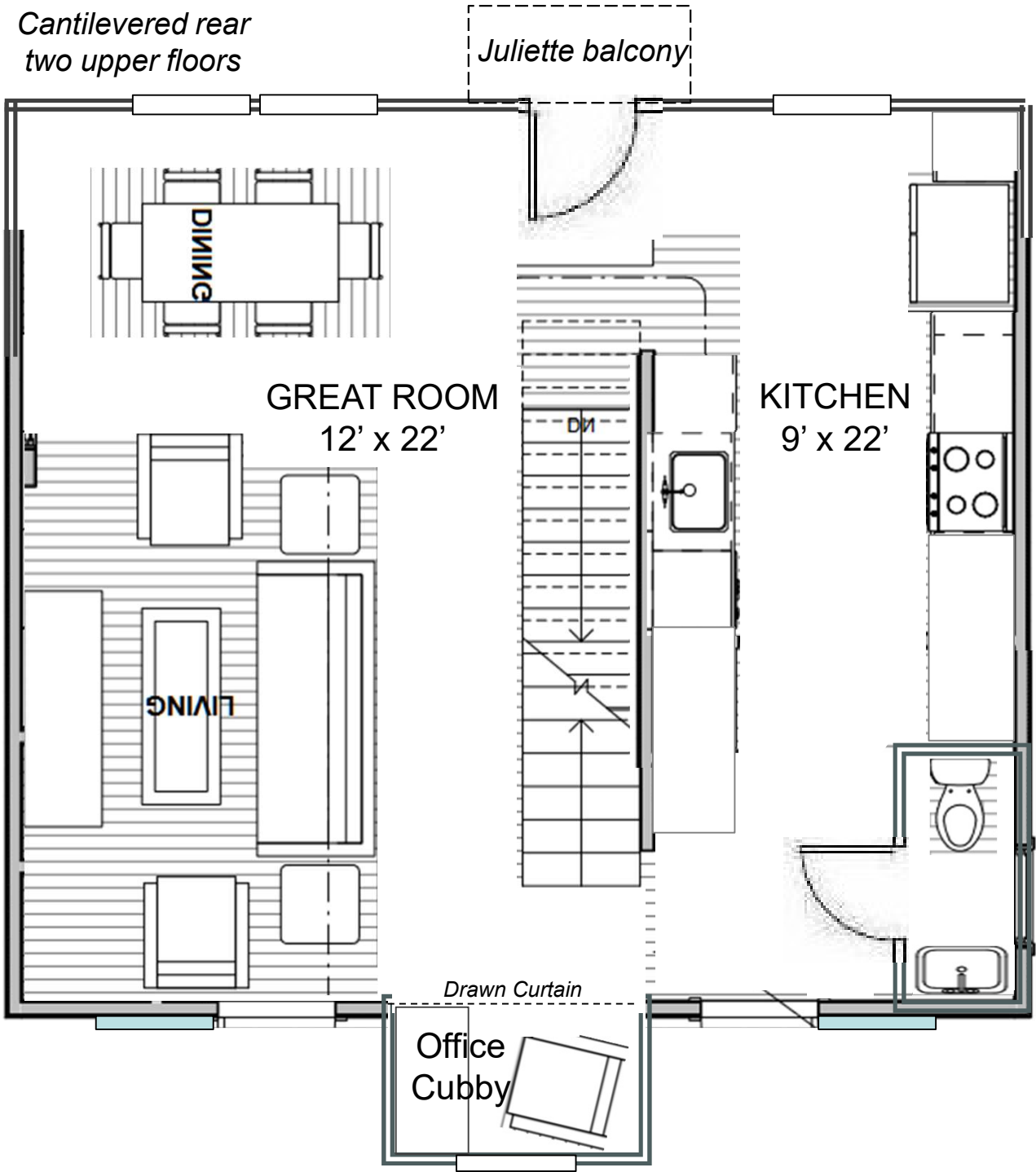


SLAB OR BASEMENT
VERSION COMPATIBLE

21' x 26' Footprint
23' x 26' Cantilevered
Floors
Front Foyer and Rear
Deck extensions

APPROX 1,500
HEATED SF

MIDDLE FLOOR
SLAB VERSION



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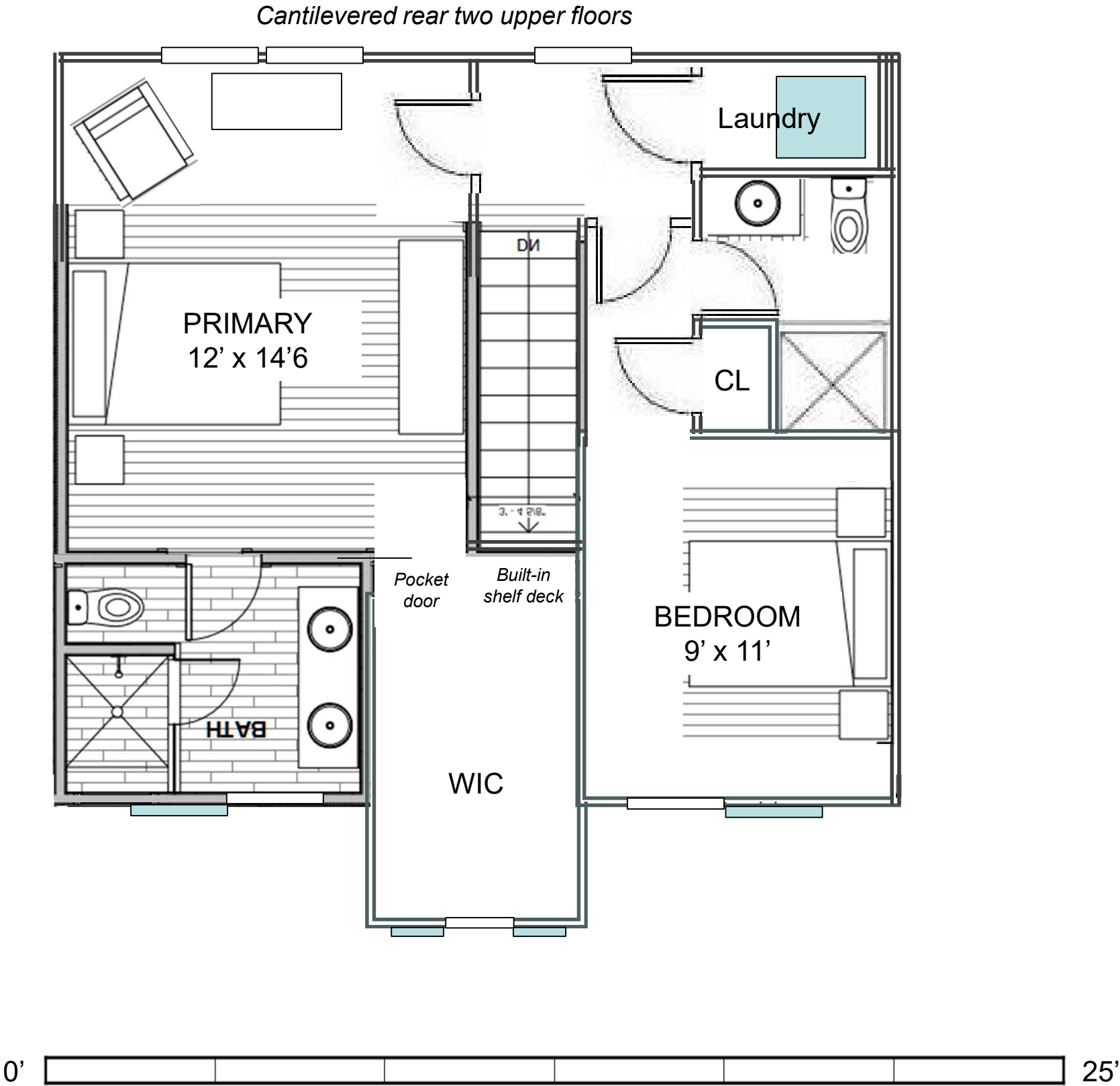


SLAB OR BASEMENT
VERSION COMPATIBLE

21' x 26' Footprint
23' x 26' Cantilevered
Floors
Front Foyer and Rear
Deck extensions

APPROX 1,500
HEATED SF

UPPER FLOOR
SLAB VERSION



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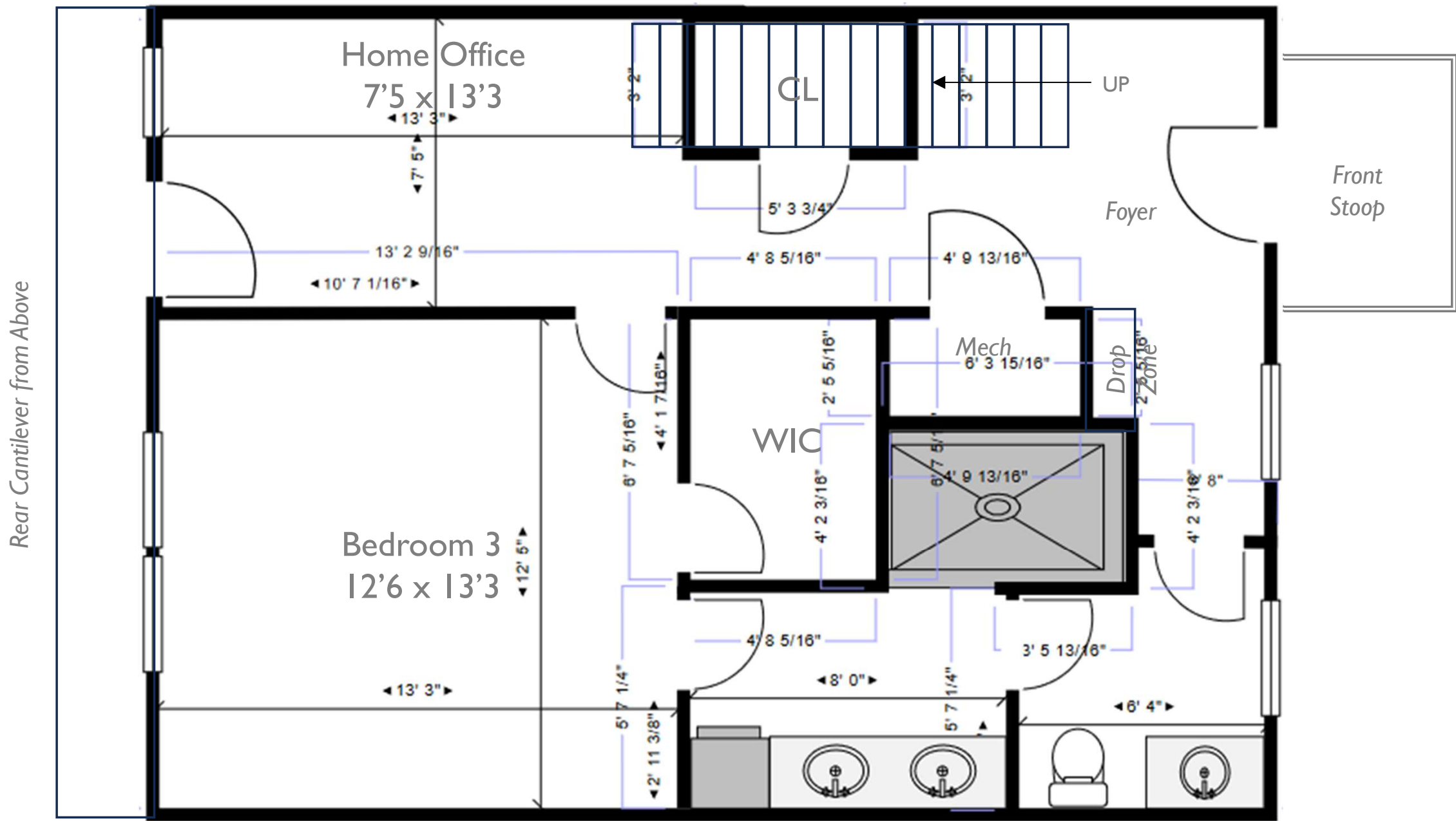
Kennesaw Cherokee St

1,500 SF Townhomes (Triplet)
3 BR / 3 BA



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I,500 SF Plan :: 20' x 28' Townhomes

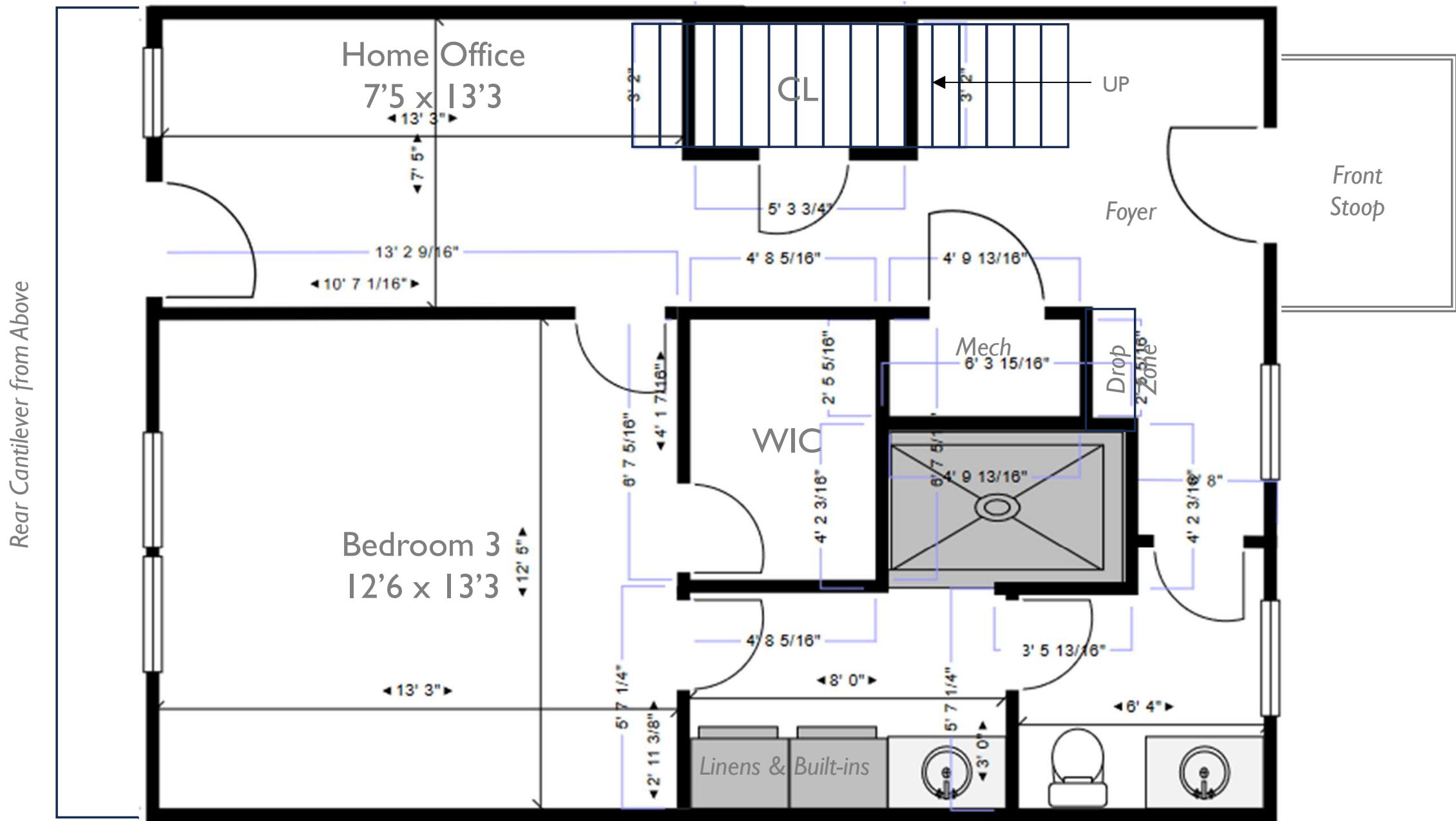


Ground Floor :: Rear Bedroom A

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Scheidt at 404-304-0439
or at jscheidt@gmail.com.



I,500 SF Plan :: 20' x 28' Townhomes

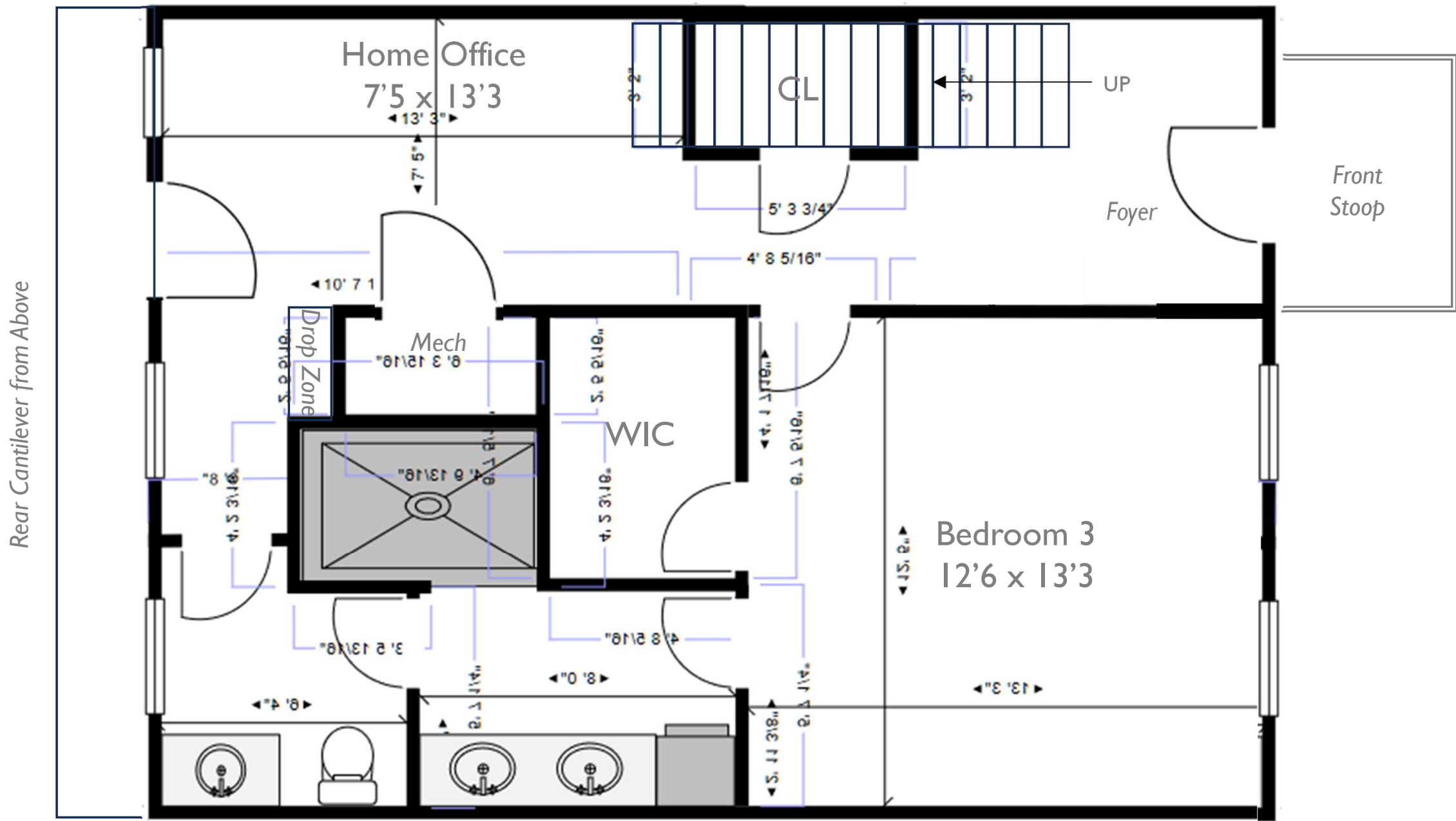


Ground Floor :: Rear Bedroom B

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Scheidt at 404-304-0439
or at jscheidt@gmail.com.



I,500 SF Plan :: 20' x 28' Townhomes

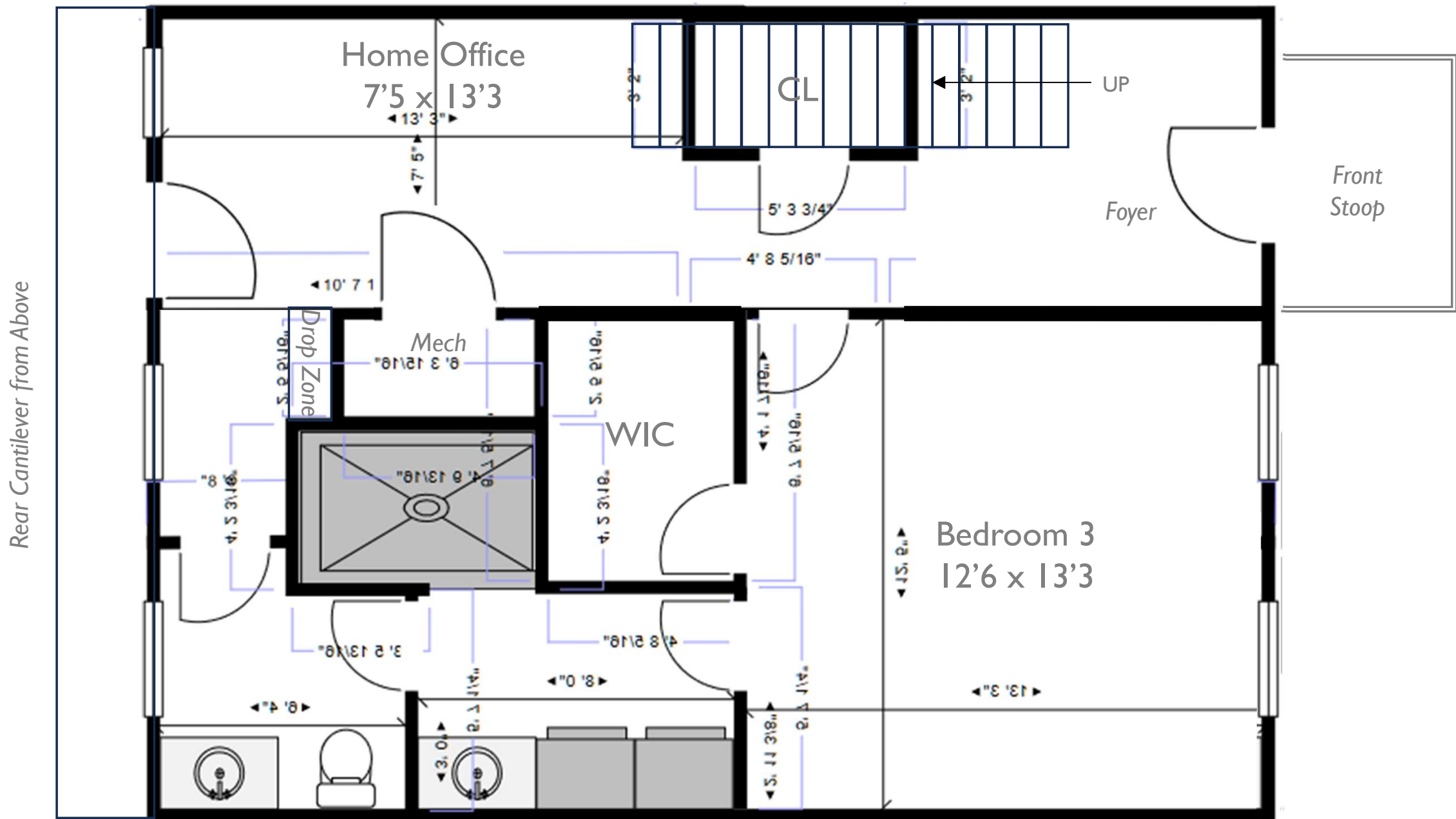


Ground Floor :: Front Bedroom A

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Scheidt at 404-304-0439
or at jscheidt@gmail.com.



I,500 SF Plan :: 20' x 28' Townhomes

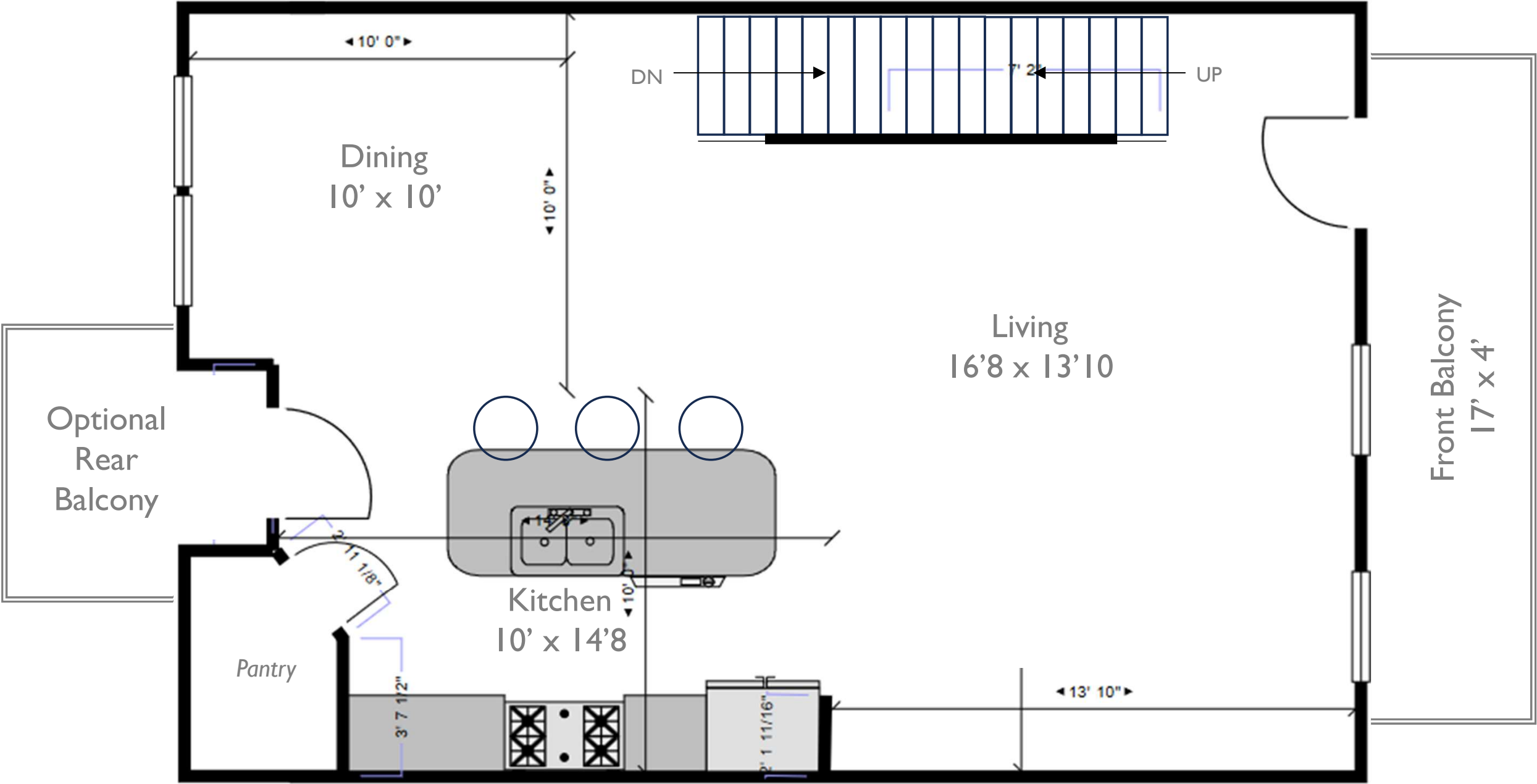


Ground Floor :: Front Bedroom B

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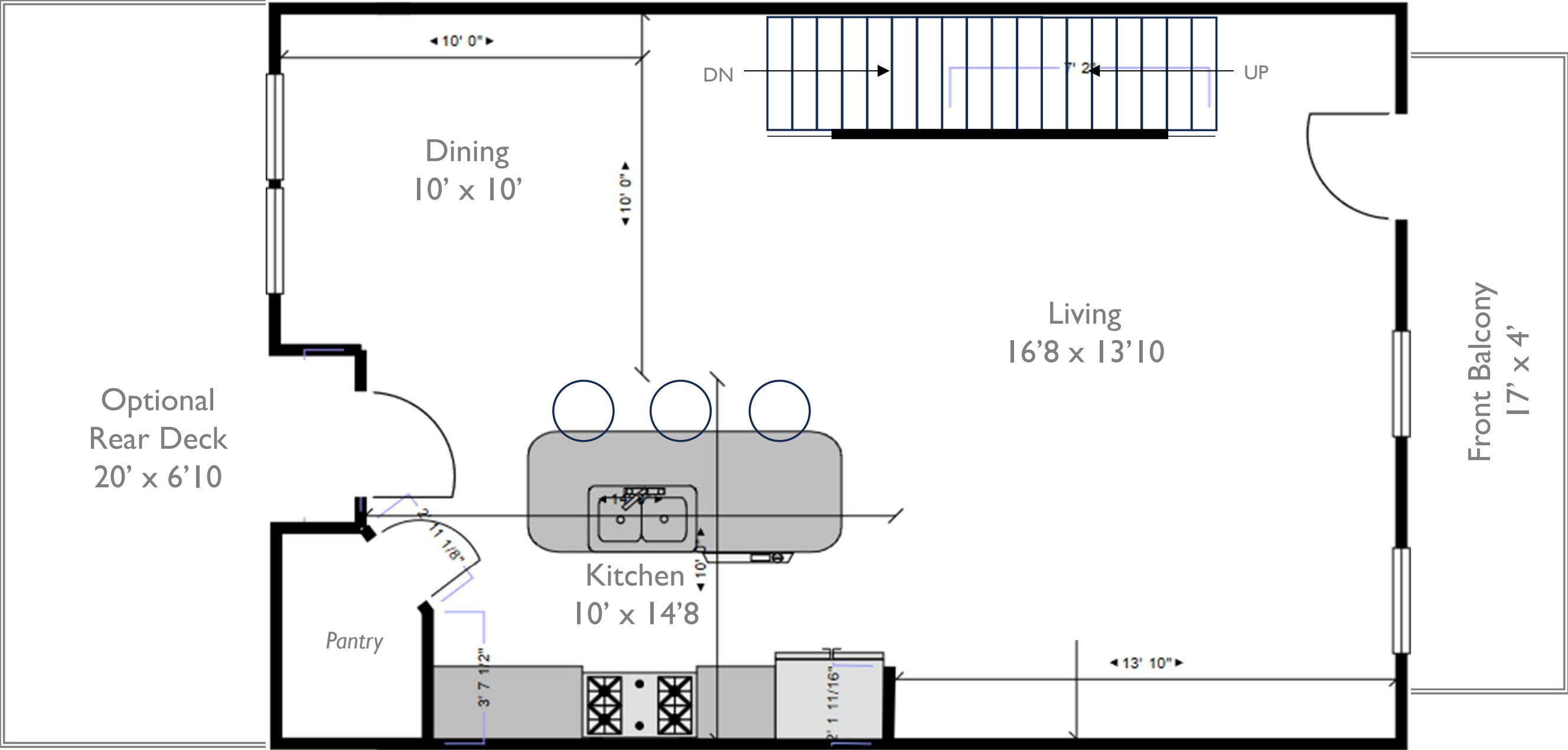
I,500 SF Plan :: 20' x 28' Townhomes



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Scheidt at 404-304-0439
or at jscheidt@gmail.com.



I,500 SF Plan :: 20' x 28' Townhomes

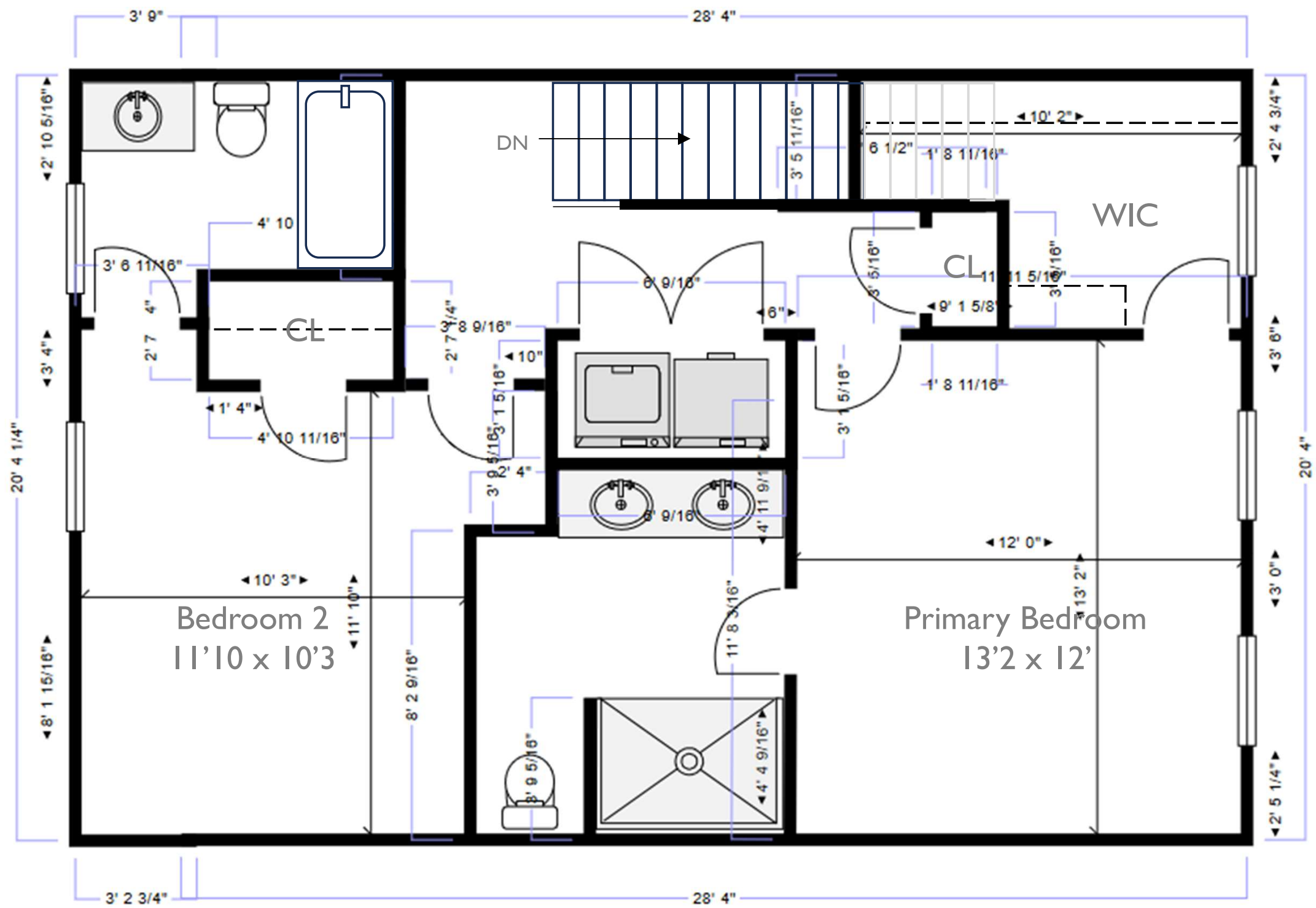


Second Floor B

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changes as a result of
final architectural and
engineering reviews and
approvals. For more info,
please contact Jason
Scheidt at 404-304-0439
or at jscheidt@gmail.com.



I,350 SF Plan :: 20' x 28' Townhomes



Third Floor

All rights reserved.
Recivilize Properties LLC,
2024. Please note that
this is a Conceptual Plan
only and has been
prepared for conceptual
purposes only; it is
subject to withdrawals,
additions and other
changes as a result of
final architectural and
engineering reviews and
approvals. For more info,
please contact Jason
Scheidt at 404-304-0439
or at jscheidt@gmail.com.



To: kennesawcouncil <kennesawcouncil@kennesaw-ga.gov>

Subject: Public Comment Submission

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Submitted by: Leigh Moss

Email Address: [REDACTED]

Commented on event: <https://kennesawga.portal.civicclerk.com/event/372/overview>

If you are having trouble viewing the URL above, cut and paste the string into your browser window.

User comment: As a resident of Galt Commons, I am extremely excited to see this type of development next door. It's just what my husband and I had envisioned ,and hoped for, when we moved back to Kennesaw and specifically to the Historic District.

The future is looking bright for our area! [REDACTED]



**CITY OF KENNESAW
LAND USE NOTICE**

APPLICATION # **RZ2024-03**

PURPOSE Rezoning from R-15 to
Central Business District (CBD)

DATE OF PUBLIC MEETING: 8/7/2024 TIME: 6:30PM

DATE OF PUBLIC MEETING: 8/19/2024 TIME: 6:30PM

PLACE: CITY HALL KENNESAW, GA

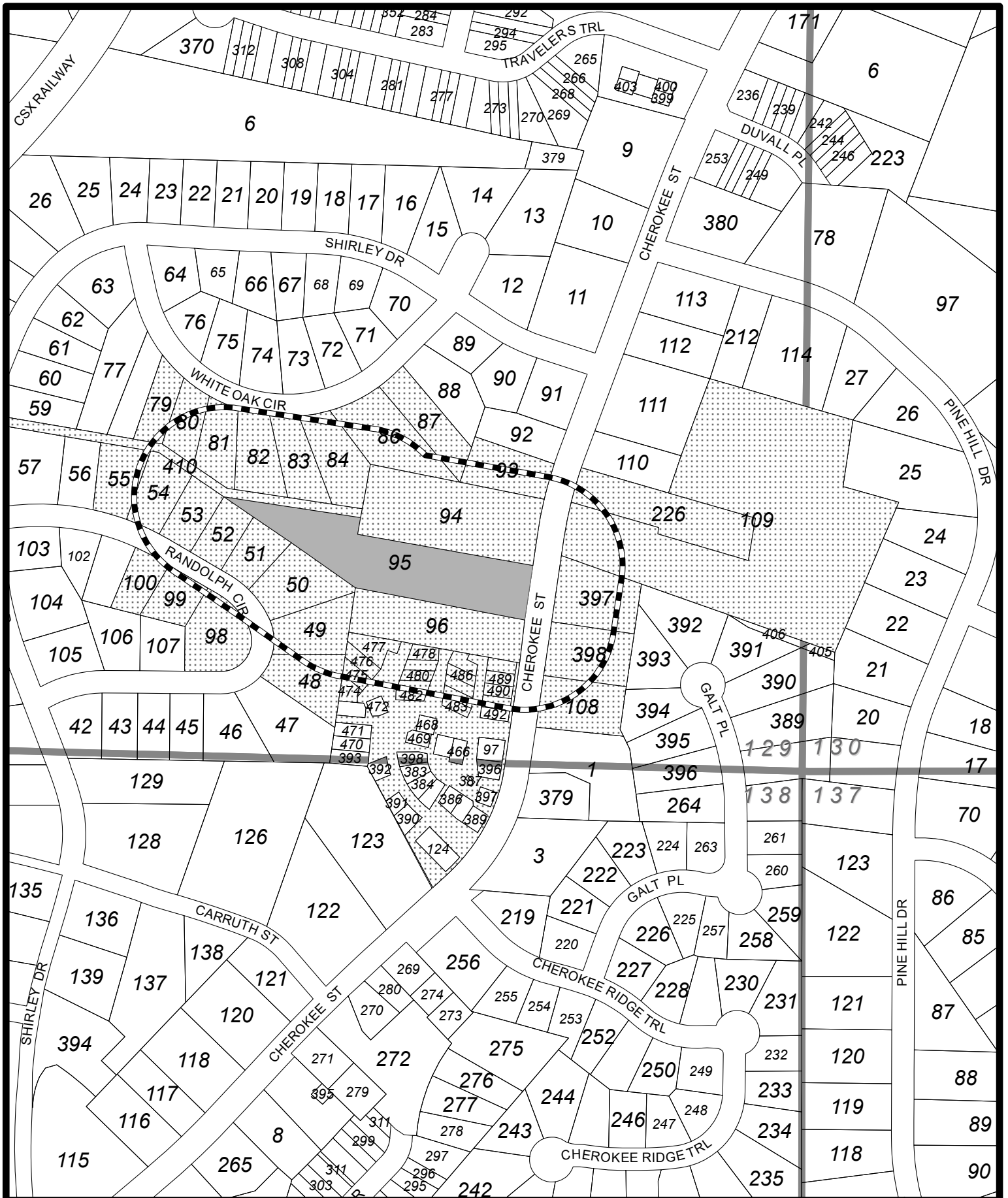
Due to the priority for public health and safety,
the City of Kennesaw will implement a public meeting
protocol / system for community participation
in compliance to social distancing protocol.
For specific public meeting guidelines and access to all
application information please visit our website

[HTTP://WWW.KENNESAW-GA.GOV](http://www.kennesaw-ga.gov)

FOR FURTHER INFORMATION PLEASE CALL :
PLANNING AND ZONING DEPARTMENT 770-590-8268

07.19.2024 09:15

7:19,26,2024
MDJ5721
9pm17
CITY OF KENNESAW
PUBLIC NOTICE
Notice is hereby given that the City of Kennesaw shall hold public hearings to give consideration for a rezoning request submitted by Jazon Kisz. Said request is to rezone a parcel located at 3045 Cherokee Street (20012900950) from Single-Family Residential (R-15) to Central Business District (CBD). The Planning Commission shall hold a meeting on August 7, 2024, at 6:30 p.m. with a final scheduled hearing and adoption by the Mayor and Council to be considered on August 19, 2024, at 6:30 p.m. Meetings will be held in the Kennesaw City Council Chambers, 2529 J.O. Stephenson Avenue, Kennesaw, GA. All interested persons may attend and be heard relative there to. Mayor and Council will be conducting their meeting in person and you can access the meeting via the following link: <https://www.facebook.com/City-ofKennesaw/> Any interested citizens are invited to email kennesawcouncil@kennesaw-ga.gov.
7:19,2024



Subject Parcel

200' Radius

Properties Notified

3045 Cherokee St
Land Lot 129,
Tax Parcel 95

RZ2024-003
200' PROPERTY NOTIFICATION



CITY OF KENNESAW
 PLANNING & ZONING DEPT.
 770-590-8268

Derek Easton
 MANOR
Lee Moore
 CITY CLERK

Date: 3/25/2024

RZ2024-003



Tax Parcel - 20012900990
CHAUVIN REVOCABLE TRUST
4553 CHATSWORTH OVERLOOK NE
ROSWELL GA 30075

Tax Parcel - 20012904770
GIBSON DELLE
1925 NW GALT COMM LOT 28
KENNESAW GA 30144

Tax Parcel - 20012900830
MCJILES LLC
1275 SHILOH RD NW STE 2310
KENNESAW GA 30144

Tax Parcel - 20012901000
THE ESTATE OF GUY DONALD
2115 RANDOLPH CIR
KENNESAW GA 30144-2856

Tax Parcel - 20012900480
PRADELLA JESSE & G BATTISTA
97 COUNTY RD
TEWSKBURY MA 01876

Tax Parcel - 20012904840
CRUZ BUSTAMANTE MARTHA PATRICIA
1939 GALT CMNS
KENNESAW GA 30144

Tax Parcel - 20012904100
UNKNOWN
SHIRLEY DR

Tax Parcel - 20012900490
PRADELLA JESSE & G BATTISTA
97 COUNTY RD
TEWSKBURY MA 01876

Tax Parcel - 20012904850
MACE WILLIAM
1941 GALT CMNS
KENNESAW GA 30144

Tax Parcel - 20012900550
HOGAN DONNA
2126 RANDOLPH CIR NW
KENNESAW GA 30144

Tax Parcel - 20012900500
BUTLER LAUREN ASHLEY
2090 RANDOLPH CIR NW
KENNESAW GA 30144

Tax Parcel - 20012904760
MITCHAM JAMES & MARTHA
1923 GALT CMNS
KENNESAW GA 30144

Tax Parcel - 20012904740
TARULLI WILLIAM THOMAS & FAUX ROBERT J
1919 GALT CMNS
KENNESAW GA 30144

Tax Parcel - 20012904780
LUSCRE KELLY & MICHAEL R JR
1935 GALT COMM
KENNESAW GA 30144

Tax Parcel - 20012904750
ADAMS GINA A
1921 GALT COMMONS
KENNESAW GA 30144

Tax Parcel - 20012900520
BRAMLETT WAYNE E
100 MOUNT CALVARY RD
MARIETTA GA 30064

Tax Parcel - 20012903970
BCKC PROPERTIES LLC
2095 ADAMS DR
ATLANTA, GA 30318

Tax Parcel - 20012900790
LEONARD KATHLEEN BENNETT
2058 WHITE OAK CIR
KENNESAW GA 30144

Tax Parcel - 20012904790
MCCRAINE RODNEY E & SARAH L
31329 VIA NUBES
TEMECULA, CA 92592

Tax Parcel - 20012900510
THREE R REALTY TRUST
2759 DELK RD SUITE 1294
MARIETTA GA 30067

Tax Parcel - 20012900930
THE JUDY I WHEELER REVOCABLE TRUST
28522 WHARTON DR
BONITA SPRINGS FL 34135

Tax Parcel - 20012903980
ROSE KENNESAW PROPERTIES LLC
3008 CHEROKEE ST
KENNESAW GA 30144

Tax Parcel - 20012904800
RIVERSBEND CONTRUCTION INC
3018 CHEROKEE ST NW
KENNESAW GA 30144

Tax Parcel - 20012900810
CAMPOS CECILIA
115 STONEWOOD CREEK CT
DALLAS GA 30132

Tax Parcel - 20013801250
OLD CHEROKEE JV LLC
3008 CHEROKEE ST NW
KENNESAW GA 30144

Tax Parcel - 20012904810
NEWCOMER DANIEL & KORNWEIBEL KAREN
RUTH
1929 GALT CMNS
KENNESAW GA 30144

Tax Parcel - 20012900530
BERUMEN ARMANDO & LUCIA
2108 RANDOLPH CIR
KENNESAW GA 30144

Tax Parcel - 20012904820
SHEEHAN TANYA
1927 GALT CMNS
KENNESAW GA 30144

Tax Parcel - 20012900540
ZHILAKZADEH RAY
2116 RANDOLPH CIR NW
KENNESAW GA 30144

Tax Parcel - 20012901080
ROSE KENNESAW PROPERTIES LLC
3008 CHEROKEE ST
KENNESAW GA 30144

Tax Parcel - 20012901090

ABL REAL ESTATE HOLDINGS LLC
210 W MAIN ST
CARTERSVILLE GA 30120

Tax Parcel - 20012904900

OLD CHEROKEE JV LLC
3008 CHEROKEE ST NW
KENNESAW GA 30144

Tax Parcel - 20012904830

MOSS GARY WAYNE & LEIGH ANN
1937 GALT CMNS
KENNESAW GA 30144

Tax Parcel - 20012904910

OLD CHEROKEE JV LLC
3008 CHEROKEE ST NW
KENNESAW GA 30144

Tax Parcel - 20012900840

JAIMES TERESA
2051 WHITE OAK CIR NW
KENNESAW GA 30144

Tax Parcel - 20012900820

PECK KATHY ELLEN & PATTERSON REBECCA
JUNE
2055 WHITE OAK CIR NW
KENNESAW GA 30144

Tax Parcel - 20012900860

LUNA ALBERTO & JAIMES TERESA
2047 WHITE OAK CIR NW
KENNESAW GA 30144

Tax Parcel - 20012900800

HEYING RICHARD
2059 WHITE OAK CIR NW
KENNESAW GA 30144

Tax Parcel - 20012900870

COUNTS GURDON W & MOORE SCOTT J
2996 NORTH MAIN ST
KENNESAW GA 30144-0000

Tax Parcel - 20012900940

ALLATOONA PROPERTY INVESTMENTS LLC
PO BOX 156
KENNESAW GA 30156

Tax Parcel - 20012902260

VARELA JOSE BICET MURILLO
3066 CHEROKEE ST NW
KENNESAW GA 30144

Tax Parcel - 20012900960

JEFF GRUBB THE FAMILY LIMITED PARTNERSHI
234 KIRK RD
WHITE GA 30184

Tax Parcel - 20012904860

RIVERSBEND CONTRUCTION INC
3018 CHEROKEE ST NW
KENNESAW GA 30144

Tax Parcel - 20012900980

JOHNSON JERRY R & PATRICIA W
2087 RANDOLPH CIR
KENNESAW GA 30144

Tax Parcel - 20012904870

RIVERSBEND CONSTRUCTION INC
3018 CHEROKEE ST NW
KENNESAW GA 30144

Tax Parcel - 20012904880

OLD CHEROKEE JV LLC
3008 CHEROKEE ST NW
KENNESAW GA 30144

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OLD CHEROKEE JV LLC
3008 CHEROKEE ST NW
KENNESAW GA 30144

9589 0710 5270 1594 7503 85	U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only For delivery information, visit our website at www.usps.com®. 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☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.73
Total Postage and Fees \$9.60

Postmark Here 07/18/2024

Sent To MITCHAM JAMES & MARTHA
1923 GALT CMNS
Kennesaw GA 30144

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Postage \$0.73
Total Postage and Fees \$9.60

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Sent To HEYING RICHARD
2059 WHITE OAK CIR NW
Kennesaw GA 30144

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Postage \$0.73
Total Postage and Fees \$9.60

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2051 WHITE OAK CIR NW
Kennesaw GA 30144

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2126 RANDOLPH CIR NW
Kennesaw GA 30144

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☐ Adult Signature Required \$0.00
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Total Postage and Fees \$9.60

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Sent To MCJILES LLC
1275 SHILOH RD NW STE 2310
Kennesaw GA 30144

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☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.73
Total Postage and Fees \$9.60

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Sent To MOSS GARY WAYNE & LEIGH ANN
1937 GALT CMNS
Kennesaw GA 30144

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☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.73
Total Postage and Fees \$9.60

Postmark Here 07/18/2024

Sent To NEWCOMER DANIEL & KORNWEIBEL
KAREN RUTH
1929 GALT CMNS
Kennesaw GA 30144

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Postage \$0.73
Total Postage and Fees \$9.60

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Sent To OLD CHEROKEE JV LLC
3008 CHEROKEE ST NW
Kennesaw GA 30144

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Postage \$0.73
Total Postage and Fees \$9.60

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Sent To PECK KATHY ELLEN &
2055 WHITE OAK CIR NW
Kennesaw GA 30144

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TEWSKBURY, MA 01876

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☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.73
Total Postage and Fees \$9.60

Postmark Here 07/18/2024

Sent To PRADELLA JESSE & G BATTISTA
97 COUNTY RD
TEWSKBURY MA 01876

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☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.73
Total Postage and Fees \$9.60

Postmark Here 07/18/2024

Sent To RIVERSBEND CONTRUCTION INC
3018 CHEROKEE ST NW
Kennesaw GA 30144

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☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.73
Total Postage and Fees \$9.60

Postmark Here 07/18/2024

Sent To GIBSON DELLE
1925 NW GALT COMM LOT 28
Kennesaw GA 30144

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9589 0710 5270 1594 7502 79

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT <i>Domestic Mail Only</i>		
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Marietta, GA 30064		
Certified Mail Fee \$4.85	0257	Postmark Here
\$4.10	27	
Extra Services & Fees (check box, add fee as appropriate)		
☐ Return Receipt (hardcopy) \$0.00		
☐ Return Receipt (electronic) \$0.00		
☐ Certified Mail Restricted Delivery \$0.00		
☐ Adult Signature Required \$0.00		
☐ Adult Signature Restricted Delivery \$0.00		
Postage \$0.73		
Total Postage and Fees \$9.68		
Sent To		
Street and Apt	BRAMLETT WAYNE E	
City, State, Zip	100 MOUNT CALVARY RD MARIETTA GA 30064	
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions		

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U.S. Postal Service™ CERTIFIED MAIL® RECEIPT <i>Domestic Mail Only</i>		
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Kennesaw, GA 30144		
Certified Mail Fee \$4.85	0257	Postmark Here
\$4.10	74	
Extra Services & Fees (check box, add fee as appropriate)		
☐ Return Receipt (hardcopy) \$0.00		
☐ Return Receipt (electronic) \$0.00		
☐ Certified Mail Restricted Delivery \$0.00		
☐ Adult Signature Required \$0.00		
☐ Adult Signature Restricted Delivery \$0.00		
Postage \$1.01		
Total Postage and Fees \$9.96		
Sent To		
Street and Apt	CRUZ BUSTAMANTE MARTHA	
City, State, Zip	PATRICIA 1939 GALT CMNS KENNESAW GA 30144	
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions		

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U.S. Postal Service™ CERTIFIED MAIL® RECEIPT <i>Domestic Mail Only</i>		
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Dallas, GA 30132		
Certified Mail Fee \$4.85	0257	Postmark Here
\$4.10	74	
Extra Services & Fees (check box, add fee as appropriate)		
☐ Return Receipt (hardcopy) \$0.00		
☐ Return Receipt (electronic) \$0.00		
☐ Certified Mail Restricted Delivery \$0.00		
☐ Adult Signature Required \$0.00		
☐ Adult Signature Restricted Delivery \$0.00		
Postage \$0.73		
Total Postage and Fees \$9.68		
Sent To		
Street and Apt	CAMPUS CECILIA	
City, State, Zip	115 STONEWOOD CREEK CT DALLAS GA 30132	
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions		

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Kennesaw, GA 30144		
Certified Mail Fee \$4.85	0257	Postmark Here
\$4.10	27	
Extra Services & Fees (check box, add fee as appropriate)		
☐ Return Receipt (hardcopy) \$0.00		
☐ Return Receipt (electronic) \$0.00		
☐ Certified Mail Restricted Delivery \$0.00		
☐ Adult Signature Required \$0.00		
☐ Adult Signature Restricted Delivery \$0.00		
Postage \$0.73		
Total Postage and Fees \$9.68		
Sent To		
Street and Apt	BERUMEN ARMANDO & LUCIA	
City, State, Zip	2108 RANDOLPH CIR KENNESAW GA 30144	
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Atlanta, GA 30318		
Certified Mail Fee \$4.85	0257	Postmark Here
\$4.10	74	
Extra Services & Fees (check box, add fee as appropriate)		
☐ Return Receipt (hardcopy) \$0.00		
☐ Return Receipt (electronic) \$0.00		
☐ Certified Mail Restricted Delivery \$0.00		
☐ Adult Signature Required \$0.00		
☐ Adult Signature Restricted Delivery \$0.00		
Postage \$1.01		
Total Postage and Fees \$9.96		
Sent To		
Street and Apt	BORG PROPERTIES LLC	
City, State, Zip	2095 ADAMS DR ATLANTA, GA 30318	
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions		

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Kennesaw, GA 30144		
Certified Mail Fee \$4.85	0257	Postmark Here
\$4.10	74	
Extra Services & Fees (check box, add fee as appropriate)		
☐ Return Receipt (hardcopy) \$0.00		
☐ Return Receipt (electronic) \$0.00		
☐ Certified Mail Restricted Delivery \$0.00		
☐ Adult Signature Required \$0.00		
☐ Adult Signature Restricted Delivery \$0.00		
Postage \$0.73		
Total Postage and Fees \$9.68		
Sent To		
Street and Apt	COUNTS GURDON W & MOORE	
City, State, Zip	SCOTT J 2996 NORTH MAIN ST KENNESAW GA 30144-0000	
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions		

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For delivery information, visit our website at www.usps.com ®.		
Temecula, CA 92592		
Certified Mail Fee \$4.85	0257	Postmark Here
\$4.10	27	
Extra Services & Fees (check box, add fee as appropriate)		
☐ Return Receipt (hardcopy) \$0.00		
☐ Return Receipt (electronic) \$0.00		
☐ Certified Mail Restricted Delivery \$0.00		
☐ Adult Signature Required \$0.00		
☐ Adult Signature Restricted Delivery \$0.00		
Postage \$0.73		
Total Postage and Fees \$9.68		
Sent To		
Street and Apt	MCCRANE RODNEY E & SARAH L	
City, State, Zip+4®	31329 VIA NUBES TEMECULA, CA 92592	
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions		

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For delivery information, visit our website at www.usps.com ®.		
Kennesaw, GA 30156		
Certified Mail Fee \$4.85	0257	Postmark Here
\$4.10	74	
Extra Services & Fees (check box, add fee as appropriate)		
☐ Return Receipt (hardcopy) \$0.00		
☐ Return Receipt (electronic) \$0.00		
☐ Certified Mail Restricted Delivery \$0.00		
☐ Adult Signature Required \$0.00		
☐ Adult Signature Restricted Delivery \$0.00		
Postage \$1.01		
Total Postage and Fees \$9.96		
Sent To		
Street and Apt	ALLATOONA PROPERTY	
City, State, Zip	INVESTMENTS LLC PO BOX 156 KENNESAW GA 30156	
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For delivery information, visit our website at www.usps.com ®.		
Roswell, GA 30075		
Certified Mail Fee \$4.85	0257	Postmark Here
\$4.10	74	
Extra Services & Fees (check box, add fee as appropriate)		
☐ Return Receipt (hardcopy) \$0.00		
☐ Return Receipt (electronic) \$0.00		
☐ Certified Mail Restricted Delivery \$0.00		
☐ Adult Signature Required \$0.00		
☐ Adult Signature Restricted Delivery \$0.00		
Postage \$0.73		
Total Postage and Fees \$9.68		
Sent To		
Street and Apt	CHAUVIN REVOCABLE TRUST	
City, State, Zip	4553 CHATSWORTH OVERLOOK NE ROSWELL GA 30075	
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions		

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☐ Adult Signature Required \$0.00		
☐ Adult Signature Restricted Delivery \$0.00		
Postage \$0.73		
Total Postage and Fees \$9.68		
Sent To		
Street and Apt	MACE WILLIAM	
City, State, Zip	1941 GALT CMNS KENNESAW GA 30144	
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\$4.10	74	
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☐ Return Receipt (electronic) \$0.00		
☐ Certified Mail Restricted Delivery \$0.00		
☐ Adult Signature Required \$0.00		
☐ Adult Signature Restricted Delivery \$0.00		
Postage \$0.73		
Total Postage and Fees \$9.68		
Sent To		
Street and Apt	BUTLER LAUREN ASHLEY	
City, State, Zip	2090 RANDOLPH CIR NW KENNESAW GA 30144	
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Cartersville, GA 30120		
Certified Mail Fee \$4.85	0257	Postmark Here
\$4.10	74	
Extra Services & Fees (check box, add fee as appropriate)		
☐ Return Receipt (hardcopy) \$0.00		
☐ Return Receipt (electronic) \$0.00		
☐ Certified Mail Restricted Delivery \$0.00		
☐ Adult Signature Required \$0.00		
☐ Adult Signature Restricted Delivery \$0.00		
Postage \$1.01		
Total Postage and Fees \$9.96		
Sent To		
Street and Apt	ABL REAL ESTATE HOLDINGS LLC	
City, State, Zip	210 W MAIN ST CARTERSVILLE GA 30120	
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions		

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\$4.85

\$

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy)

\$

☐ Return Receipt (electronic)

\$

☐ Certified Mail Restricted Delivery

\$

☐ Adult Signature Required

\$

☐ Adult Signature Restricted Delivery

\$

Postage

\$0.73

\$

Total Postage and Fees

\$9.68

Sent To

Street and A

City, State, Z

ADAMS GINA A
1921 GALT COMMONS
KENNESAW GA 30144

Page 129 of 134

**CITY OF KENNESAW
GEORGIA**

ORDINANCE NO. 2024-, 2024

**AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE
CITY OF KENNESAW, GEORGIA SO AS TO CHANGE THE ZONING DISTRICT
DESIGNATION FROM CITY R-15, SINGLE FAMILY RESIDENTIAL DISTRICT TO
CITY CENTRAL BUSINESS DISTRICT (CBD) FOR THE PROPERTY LOCATED AT
3045 CHEROKEE STREET**

**BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF KENNESAW,
COBB COUNTY, GEORGIA, AS FOLLOWS:**

WHEREAS, JASON KISZ made an application to amend the Official Zoning Map of the City of Kennesaw, Georgia so as to change the zoning designation from **CITY R-15, SINGLE FAMILY RESIDENTIAL DISTRICT to CITY CENTRAL BUSINESS DISTRICT (CBD)**; for property located at 3045 Cherokee Street (Parcel Number 20012900950), identified as 20th District, Land Lot 129 Tax Parcel 95 containing +/- 1.663 acres (as more particularly described below); and

WHEREAS, notice was advertised in the Marietta Daily Journal on July 19, 2024 of a public hearing before the Kennesaw Planning Commission held on August 7, 2024 and the Mayor and Council on August 19, 2024; and

WHEREAS, the Kennesaw Planning Commission held a public hearing on this proposal at a meeting held August 7, 2024; and

WHEREAS, the Mayor and Council held a public hearing to consider this proposal at a meeting held August 19, 2024; and

WHEREAS, the Mayor and Council have determined that the proposed amendment to the Official Zoning Map is in the public interest and meets the standards established in the Kennesaw Zoning Code.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE
CITY OF KENNESAW, COBB COUNTY, GEORGIA, AS FOLLOWS.**

SECTION 1. The Official Zoning Map of the City of Kennesaw, Georgia is hereby amended so as to change the zoning district designation from **CITY R-15 SINGLE FAMILY RESIDENTIAL DISTRICT to CITY CENTRAL BUSINESS DISTRICT (CBD)** for the following described property:

3045 CHEROKEE STREET
LEGAL DESCRIPTION

PARCEL NUMBER: 20012900950

EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 129 OF THE 20TH DISTRICT, 2ND SECTION, OF COBB COUNTY, GEORGIA AS SHOWN ON PLAT OF SURVEY BY THOMAS M. GINN, SR. DATED JUNE 23, 1969, A COPY OF WHICH IS RECORDED IN PLAT BOOK 47, PAGE 198, COBB COUNTY, GEORGIA RECORDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A POINT WHERE WESTERN RIGHT OF WAY OF CHEROKEE STREET (FKA SHILOH ROAD) (60 FOOT RIGHT OF WAY) INTERSECTS WITH SOUTHERN RIGHT OF WAY OF SHIRLEY DRIVE (50 FOOT RIGHT OF WAY), THENCE RUN IN THE SOUTHERLY DIRECTION ALONG WESTERN RIGHT OF WAY OF CHEROKEE STREET DISTANCE 447.00 FEET TO A 0.5"RBF AND THE TRUE POINT OF BEGINNING,

THENCE RUN IN THE SAME DIRECTION ALONG WESTERN RIGHT OF WAY OF CHEROKEE STREET SOUTH 08 DEGREES 43 MINUTES 25 SECONDS WEST A DISTANCE OF 121.07 FEET TO A IPF,

THENCE LEAVING SAID WESTERN RIGHT OF WAY OF CHEROKEE STREET AND RUN IN THE WESTERLY DIRECTION NORTH 79 DEGREES 44 MINUTES 45 SECONDS WEST A DISTANCE OF 388.04 FEET TO A IPF,

THENCE RUN NORTH 56 DEGREES 21 MINUTES 31 SECONDS WEST A DISTANCE OF 176.28 FEET TO A 0.5"RBF,

THENCE RUN NORTH 55 DEGREES 40 MINUTES 13 SECONDS WEST A DISTANCE OF 108.00 FEET TO A 0.5"RBF,

THENCE RUN NORTH 52 DEGREES 01 MINUTES 16 SECONDS WEST A DISTANCE OF 82.27 FEET TO A 0.5"RBS,

THENCE RUN SOUTH 79 DEGREES 35 MINUTES 58 SECONDS EAST A DISTANCE OF 317.50 FEET TO A 1"OTP,

THENCE RUN SOUTH 01 DEGREES 54 MINUTES 45 SECONDS WEST A DISTANCE OF 31.22 FEET TO A 1"OTP,

THENCE RUN SOUTH 79 DEGREES 48 MINUTES 25 SECONDS EAST A DISTANCE OF 396.01 FEET TO A 0.5"RBF, LOCATED ON THE WESTERN RIGHT OF WAY OF CHEROKEE STREET AND THE TRUE POINT OF BEGINNING.

SAID TRACT OR PARCEL CONTAINS 1.663 AC.

SECTION 2. BE IT FURTHER ORDAINED THAT the amendment to the Official Zoning Map outlined in Section 1 above is adopted to change the zoning district designation from **CITY R-15, SINGLE FAMILY RESIDENTIAL** to **CITY CENTRAL BUSINESS DISTRICT (CBD)** +/- 1.663 acres with stipulations below:

ZONING CONDITIONS

1. The Subject Property shall be constructed as a mixed-use development consisting of a maximum of thirty-one (31) "For Sale" residential units and a minimum of 1,600 sq. ft. of total commercial area given that the required parking ratio requirements are met.
2. Applicant agrees the minimum floor area of all residential units shall be 1,000 sq. ft. Applicant also agrees that the maximum height of the overall development will adhere to the Historic District Design Guidelines.
3. The architectural style and composition of the buildings to be constructed on the Subject Property shall be in reasonable conformity to the architectural renderings/elevations submitted with the rezoning application.
4. Project design updates must be submitted to the Historic Preservation Commission at 30, 60, and 90 percent completion until the approval of the final project design.
5. Project design updates submitted to the Historic Preservation Commission for review must include landscaping plans and should outline the trees that will be removed from the property prior to the commencement of the project and tree removal on the property.
6. Dedication of approximately 10' of property frontage for right-of-way along Cherokee Street (which includes the sidewalk and parking) after the installation and construction of the required infrastructures.
7. Compliance with the recommendations from the City Engineer and/or the City's Public Works Director regarding detention, water quality and stormwater management.
8. Applicant agrees to the protection of all required stream buffers affecting the Property and shall utilize such areas as a passive amenity for the proposed development; any potential impact to the stream(s) due to revisions to the site plans will require a variance.
9. A minimum of three (3) amenities based on the proposed list by applicant will be included in the final site plan submitted for review and approval; mail kiosk will not be included as one of the required amenities.

10. Prior to the issuance of Certificate of Occupancy for the last twenty (20) percent of residential units, the non-residential portion of the development will be required to obtain a certificate of completion.
11. The site plan shall incorporate public space architectural and urban features consistent with the City wide Architectural Design Standards and the City of Kennesaw Historic District Design Standards including fountains, gardens, squares, courtyards, lighting, signage, and paving that blend the mixed uses.
12. Proposed lighting for signs, parking lots, and entrance ways shall be environmentally sensitive and consistent with lighting styles utilized in the downtown streetscape design and approved under the City of Kennesaw Historic Design Standards and Citywide Design Guidelines.
13. The creation of a mandatory homeowners association ("HOA") to be managed by Applicant or a 3rd party professional HOA management company until such time the HOA is "turned-over" to the homeowners which is typically at 100% buildout. Applicant shall fund any shortfall in the operating budget until such time as the HOA is "turned-over" to the homeowners. Additionally, and in conjunction with the creation of the mandatory homeowners association, Applicant agrees to the recording and enforcement of protective covenants which will contain covenants, rules, and regulations.
14. The homeowners association shall be solely responsible for the upkeep and maintenance of all common areas, mail kiosk, amenities, and amenity areas; including the entrance areas, boundary landscape buffers, stormwater management systems, driveways and parking lot.
15. Dumpsters shall be positioned consistent with the City of Kennesaw Ordinance regulations with dumpster lids containing rubber cushions to reduce noise and with the enclosure surrounding the dumpster being designed to be complementary to the buildings' architecture while meeting all development Standards. The design and position of said enclosure shall be reviewed and approved by the Zoning Administrator and/or his designee.
16. The proposed community shall utilize the City or Cobb County; utility services as is typical for such residential development.
17. The applicant agrees that construction activity will begin within two years of the approval date of the rezoning. If no land development activity is initiated, then the subject property will automatically revert back to the original zoning and all previously imposed conditions.

SECTION 3. BE IT FURTHER ORDAINED THAT it is hereby declared to be the intention of this Ordinance that its sections, paragraphs, sentences, clauses, and phrases are severable, and if any section, paragraph, sentence, clause, and phrase is

declared to be unconstitutional or invalid, it shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Ordinance.

SECTION 4. BE IT FURTHER ORDAINED THAT this Ordinance shall become effective from and after its adoption and execution by the Mayor, pursuant to Section 2.11 of the City Charter of the City of Kennesaw.

PASSED AND ADOPTED by the Kennesaw City Council on this ____ day of August, 2024.

ATTEST:

CITY OF KENNESAW:

Lea Alvarez, City Clerk

Derek Easterling, Mayor