

**MINUTES OF PLANNING COMMISSION MEETING
CITY OF KENNESAW
Council Chambers
(2529 J.O. Stephenson Avenue, Kennesaw, GA 30144)
August 7, 2024
6:30 PM**

1. Call to Order / Roll Call

The meeting was called to order by Chairman Jackson at 6:30 p.m.

Roll Call: Commissioner Bodenhamer, Commissioner Patterson, Commissioner Vande Zande, and Commissioner Trim

Absent: Commissioner Ragus and Commissioner Greenall

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

Speakers: Jason Kisz (Applicant), Jason Scheidt (Project Designer) and Leigh Ann Moss (Property Owner)

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

Chairman Jackson called for a motion.
Motion to approve by Commissioner Trim
Seconded by Commissioner Vande Zande
Chairman Jackson proceeded with a roll call for approval.
Vote taken, motion unanimously approved 4-0. Motion carried.

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.

Mr. Simmons presented an application submitted by Jason Kisz to rezone 3045 Cherokee Street from Single-Family Residential (R-15) to Central Business District (CBD). The proposed rezoning was intended to allow the construction of a mixed-use development, which would include 31 for-sale townhomes and stacked flats, as well as approximately 1,600 square feet of commercial space. The total land area of the subject property is approximately 1.663 acres. Mr. Simmons briefly went over the meeting procedures before inviting the applicant to speak.

Commissioners Vande Zande and Patterson recused themselves due to the proximity of their properties to the subject property.

Applicant Jason Kisz (Applicant, Kisz Construction) introduced himself and explained that they would like to rezone the property to CBD to allow the desired density. He highlighted key aspects of the site plan, such as the stormwater detention pond, green space, and walking trail. He stated that all units exceed the minimum square footage requirements, with 31 two- and three-bedroom units ranging from 1,045 to 1,600 square feet. He introduced Jason Scheidt, who had designed the proposed development, to give further details.

Jason Scheidt (Applicant, Recivilize Properties) shared his vision for the development, aiming to create a gateway into the downtown district. He described plans for a commercial plaza at the front of the property, featuring restaurants or retail tenants on the first floor with residential units above. Emphasizing the courtyard space in front of the mixed-use building, he noted that parking is situated behind the buildings to foster a pedestrian-friendly environment and enhance curb appeal. The residential buildings also have parking located behind them. Mr. Scheidt highlighted the green space at the back of the property, which was designed to provide a pedestrian walkway away from the road. He presented the proposed elevations, showcasing a southern architectural style. He reiterated that the development would include 31 units, with two buildings offering commercial space on the first floor and residential units above, featuring the largest units at approximately 1600 square feet, while the remaining units range from 1045 to 1500 square feet.

Chairman Jackson opened the floor for public comment.

Ms. Leigh Moss, a resident of Galt Commons, approached the podium and expressed the residents' excitement about the proposal.

Chairman Jackson closed the floor for public comment.

Commissioner Bodenhamer inquired whether the detention pond would be used solely for water runoff or if it would consistently remain filled with water. Additionally, he asked about the parking ratio for the commercial area.

Mr. Simmons responded that the parking ratios for the residential and commercial buildings would require a minimum of 70 parking spaces, and the site plan has 80.

Chairman Jackson inquired about the impact of on-street parking on road visibility, particularly given the road curve near the development. He also commented on the speed limit. Mr. Simmons responded that the plan had been reviewed by the Public Works Director and the City Engineer, who required the applicant to provide additional right-of-way for the upcoming Cherokee Street improvements. He added that they will continue to ensure the street parking meets all safety standards and will discuss the speed limit with the appropriate staff.

Chairman Jackson asked whether the detention pond would require an exception due to its location in the Central Business District. Mr. Simmons explained that the detention pond would function as a water amenity, which is permitted in the Central Business District. He added that the area surrounding the pond is designed to serve as a passive recreation space for residents and pedestrians.

Commissioner Bodenhamer asked whether the development would be a gated community or open to the public. Mr. Scheidt replied that the entire development would be open to the public. He highlighted a piece of property behind the detention pond, known as the pony path, which they are interested in acquiring to integrate into the walking trail and improve connectivity to the residential neighborhood behind the proposed development.

Mr. Scheidt mentioned that approaching from the north, the commercial building and plaza would be visible from approximately half a mile away due to the road's curvature. This visibility might also help to slow down traffic naturally.

Commissioner Trim inquired whether the Homeowner's Association would be responsible for maintaining the water feature. Mr. Simmons confirmed this, noting that it is part of the approval conditions.

Mr. Simmons outlined the 17 approval conditions in the staff analysis, which are as follows.

- 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 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 those required amenities.
- 10) Prior to the issuance of the 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 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 Kennesaw Historic Design Standards and Citywide Design Guidelines.
- 13) The creation of a mandatory homeowner's 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 HOA, Applicant agrees to the recording and enforcement of protective covenants which will contain covenants, rules, and regulations.
- 14) The HOA 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.

Chairman Jackson called for a motion.

Motion by Commissioner Bodenhamer to approve the request to rezone with the conditions as outlined by staff

Seconded by Commissioner Trim

Chairman Jackson proceeded with a roll call for approval.

Vote taken, Vote 2-0. Chairman Jackson voted to approve. Motion carried.

Commissioner Vande Zande and Commissioner Patterson were recused.

5. Staff Comment

6. Adjourn

Chairman Jackson adjourned the meeting at 7:02 p.m.