



Commissioners:

Kevin Whipple - Chairman
Patrick Gallagher - Vice
Chairman
Sharon Blandford
Andrew Bramlett
Rachel Butler
Zach Buffington

**Historic Preservation Commission
Meeting Agenda
March 15, 2024 8:00 AM
Council Chambers
(2529 J.O. Stephenson Avenue, Kennesaw, GA 30144)**

This meeting may be accessed in-person or by using the following
link: [www.Facebook.com/City of Kennesaw/](https://www.Facebook.com/CityofKennesaw/). Comments on this video feed are not monitored.

HPC Application Acronyms:

Certificate of Appropriateness (COA), Certificate of Appropriateness Administrative (COAA),
Central Business District (CBD) project and Public Arts Exhibit (PA)

- 1. Call to Order / Roll Call**
- 2. Approval of the Meeting Minutes**
 - A. Approval of Meeting Minutes: February 16, 2024
- 3. Financial Report**
- 4. Old Business**
- 5. New Business - Certificate of Appropriateness (COA) or Central Business District (CBD) Applications**
 - A. **CBD2024-01** Applicant is Jackson Webb - Consideration for Central Business District (CBD) project approval to remodel the vacant property located at 2573 Summers St NW for a proposed Sherwin-Williams retail store.
- 6. COAA Approval by City Staff and HPC Chair**
 - A. COAA2024-04 - 2940 Dallas St
 - B. COAA2024-05 - 1930 Galt Commons
- 7. Discussion**
- 8. Public Comment**

9. Staff Comment

10. Adjourn

The next scheduled meeting of the Historic Preservation Commission will be Friday, April 19, 2024 at 8:00 a.m.

NOTICE: Any person who desires to appeal any decision from this meeting will need a record of the proceedings, and for the purpose may need to ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which the appeal is based. The Agenda is designed to make more efficient use of the HPC's time. It is not designed to curtail discussion or input. If you need special accommodation to attend or participate in our meetings, please contact City Hall at least 24 hours in advance of the specific meeting you are planning to attend.

**MINUTES OF HISTORIC PRESERVATION COMMISSION MEETING
CITY OF KENNESAW
Council Chambers
(2529 J.O. Stephenson Avenue, Kennesaw, GA 30144)
February 16, 2024
8:00 AM**

1. Call to Order / Roll Call

The meeting was called to order by Chairman Whipple at 8:00 a.m.

Roll Call: Commissioner Butler, Commissioner Bramlett, Commissioner Gallagher, and Commissioner Blandford

Absent: Commissioner Buffington

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

2. Approval of the Meeting Minutes

A. Approval of Meeting Minutes: January 19, 2024

Commissioner Butler noted an error in the previous meeting minutes, stating that Commissioner Buffington nominated Commissioner Gallagher for Chairman, but it was, in fact, Commissioner Butler who did so.

Commissioner Bramlett mentioned another error, where the minutes stated Commissioner Gallagher was voted in as Chairman instead of Vice Chairman.

Mr. Simmons acknowledged these errors and stated they would be corrected.

Chairman Whipple called for a motion to approve meeting minutes with recommended amendments.

Motion to approve by Commissioner Blandford.

Seconded by Commissioner Butler.

Vote taken, motion unanimously approved 4-0. Motion carried.

3. Financial Report

Mr. Darryl Simmons reported that as of January 31, the fund balance was \$23,378 from settlements and actions taken over the last few years that were put into one account for future utilization as approved by the HPC. He also reported \$1,000 in the Planning and Zoning budget, which remained unchanged. He added that there is a budget line item for travel under the HPC expenses, which was \$1,200 and remains unchanged. A combined education and training budget line item shared between staff, HPC, and the Planning Commission had a balance of \$3,775.

Mr. Simmons informed commissioners that the \$1,000 budget line item could be used for any initiatives, marketing, or other types of programs that they wish to pursue collectively.

Chairman Whipple called for a motion to approve the financial report as presented.
Motion to approve by Commissioner Blandford.
Seconded by Commissioner Gallagher.
Chairman Whipple proceeded with a roll call for approval.
Vote taken, motion unanimously approved 4-0. Motion carried.

4. Old Business

5. New Business

A. Public Arts Exhibit: 2871 North Main Street

Consideration of approval for the renewal of a public arts exhibit application submitted by Sean Mills for property located at 2871 North Main Street. Case #PA2023-01.

Mr. Simmons explained that this agenda item is for consideration of the renewal of a public art exhibit approved in 2023. The original application approval was for six months, and since that time had lapsed, staff reached out to the property owner and the artist. The staff received a written reply that the owner was pleased with the art and the artist and wished to continue the exhibit for another six months at this location. There have been no physical changes to the art exhibit, and the staff has not received any complaints about it. Mr. Simmons noted that staff had received positive feedback on how the art has improved the appearance of the vacant property. Staff recommended approval as part of the renewal process. As required, this application went before the Art and Culture Commission and was unanimously approved for renewal. It is now before the HPC because the art exhibit is in the historic district. It will go before the Mayor & Council for a final vote on February 19, 2024.

Chairman Whipple asked if the Commissioners had any questions or comments regarding this agenda item.

Commissioner Butler brought up a comment she received regarding the content of the art.

Commissioner Gallagher wanted to confirm that this application is for another six-month renewal. Mr. Simmons affirmed and stated that the property owners were given the option to rotate the art but decided to keep the existing art. Commissioner Gallagher asked if anyone had expressed interest in redeveloping that property. Mr. Simmons responded that the property owner is working towards getting a tenant for the property to encourage revitalization downtown.

Chairman Whipple reiterates that the HPC's responsibility is to review whether the proposed art installations would impact the historical structures and ensure that the appropriate materials are used to protect the historic structures. Mr. Simmons discusses the subjectivity of art with the Commissioners. He informs them that the city has an adopted ordinance dealing with what is inappropriate for public display, such as obscenity, anything that encourages illegal or unlawful acts, and things of that nature. Chairman Whipple and Commissioner Butler discuss the materials used on the backside of the window where the art is displayed.

Chairman Whipple called for a motion regarding the public art exhibit application for renewal. Commissioner Blandford calls for a motion to approve the application for a six-month renewal. Seconded by Commissioner Gallagher.
Vote taken, motion unanimously approved 4-0. Motion carried.

6. COAA Approval by City Staff and HPC Chair

A. COAA2024-01 - 3096 Cherokee Street

Mr. Simmons explained that this Certificate of Appropriateness request is for a panel sign repair for a new business on an existing monument sign structure. There were no proposed changes to the structural portion of the sign or the location. The application was administratively approved on January 16, 2024.

B. COAA2024-02 - 3048 Cherokee Street

Mr. Simmons explained that this Certificate of Appropriateness application was to change the face of an existing monument sign at 3048 Cherokee Street. He noted that the sign is within the property's boundaries and does not impact the right of way. He described the sign as a double-faced, sandblasted 8-inch by 8-inch sign attached to a post in the ground surrounded by concrete and decorative rock. It was administratively approved on January 16, 2024.

C. COAA2024-03 - 2986 N. Main Street

Mr. Simmons explained the Certificate of Appropriateness application to remove diseased trees at 2986 N Main St. He pointed out that we are seeing a lot of property owners proactively removing diseased trees before they become a public issue or destroy the historic structure. This applicant had a third-party arborist confirm that the tree was deceased. Mr. Simmons explained that with the removal of diseased trees, the property owner is asked to present a recovery plan to maintain the tree density on the property. He discusses some of the common issues houses have had with trees and their root systems, as well as some ways homeowners are encouraged to prevent these issues from occurring.

Chairman Whipple asked if the Commissioners had any questions or comments, but there was no response.

7. Discussion

Mr. Simmons gave an update on the ongoing project with New South Associates regarding the historical boundaries of the city. He explained that staff had trouble reaching someone at the organization for an update, but Ms. Chanelle Campbell recently got a response. She found out that we are on a waiting list to be assisted in entering our data in a format approved by the state. It is noted that staff has not received a timeline on the project, and the Commissioners will be updated once a timeline is received.

In the meantime, the staff is putting together a timeline for public outreach in 2024 to get feedback on the changes to the HPC standards and CBD ordinance proposed by Ethos Preservation. Mr. Simmons described what kind of feedback would be beneficial for this project. Chairman Whipple asked if new guidelines would be created for public comment or if the public would solely comment on the proposed redaction of the current code submitted by Ethos Preservation. Mr. Simmons responds that the additional guidelines should be created with the redaction from Ethos Preservation, the city's unique traits, and property owner feedback in mind. He emphasizes the importance of ensuring that the city can support property owners who do not have the resources they need to maintain their historic property.

Commissioner Butler asks about a previous art installation for a bell tower and whether the HPC previously discussed its location. Mr. Simmons responded that there were logistics issues with installing the bell tower at the location proposed by the HPC, so it had to be changed. Commissioner Butler and Mr. Simmons discussed the location of the bell tower and its impact on the visibility of the art. They also discussed how the downtown area and its art will change as the city evolves.

Commissioner Bramlett updated the Commissioners on his work with the Atlanta Preservation Center regarding the walking tour of Kennesaw. It is scheduled for April 13, 2024, at 10:00 a.m. It

will cost \$35 for people who are members of the Atlanta Preservation Center and \$45 for those who are not. The walking tour will be about a mile and a half long. The route will mostly be the same as the previous walking tour in September, the only difference being it will go down Sardis Street instead of J. O. Stephenson. He asked about advertising opportunities, and Mr. Simmons responded that our Communications Department is in charge of advertising on the city's website and social media pages. Commissioner Bramlett was asked what website would sell the tickets, and he answered that it would be the Atlanta Preservation Center's website.

8. Public Comment

Chairman Whipple asked if there is any public comment. With no response, he moved on to staff comment.

9. Staff Comment

A. Training Opportunities

Ms. Chanelle Campbell presented a list of upcoming training sessions that the staff knows of. She explains that training is essential, but it is also required as a part of the DCA approval process for future funding. She told Commissioners to e-mail Planning and Zoning staff if they want to register for any training. She pointed out that one of the training opportunities will be reviewing meeting procedures at City Hall with the City Clerk, which will benefit new Commissioners.

10. Adjourn

Chairman Whipple adjourned the meeting at 8:33 a.m.



Item Report

TO: The Historic Preservation Commission

FROM: Darryl Simmons, Zoning Administrator

DATE: March 15, 2024

TITLE: **CBD2024-01** Applicant is Jackson Webb - Consideration for Central Business District (CBD) project approval to remodel the vacant property located at 2573 Summers St NW for a proposed Sherwin-Williams retail store.

Summary:

Recommendation:

Fiscal Impact:

Attachments:

1. CBD2024-01_2573SummersSt_ApplicationPacket_Redacted
2. RZ2024-02_2573SummersSt_Project Photos - Peachtree City GA



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

**CENTRAL BUSINESS DISTRICT
REZONING CHECKLIST**
Required Fee \$0

Darryl Simmons
Planning & Zoning Administrator

Chanelle Campbell
Assistant Zoning Administrator/Planner

For questions, please feel free to contact the Planning and Zoning Department at (770) 590-8268 or zoningdept@kennesaw-ga.gov.

CHECKLIST ITEMS

☒ Application completed, signed and notarized

☒ A copy of the deed for said property with full legal description.

Please note: Copy of the deed is needed to verify the name of the property owner

☐ Total Rezoning Fee – \$0

☐ The above items can be submitted in one of the following ways:

1. Scan and email to zoningdept@kennesaw-ga.gov in PDF format.
2. Submit in person at 2529 J O Stephenson Avenue, Kennesaw, GA 30144
3. Mail to ATTN: Zoning, 2529 J O Stephenson Avenue, Kennesaw, GA 30144
 - a. For your convenience, a pre-paid postage envelope has been enclosed



CENTRAL BUSINESS DISTRICT PROJECT APPROVAL

Date Received 2/21/24
Staff's Initials NF

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

A minimum of one consultation to review project concept and factors to consider in the planning & design phase prior to initial site plan and architectural review, submission and hearing before the Mayor and Council is mandatory.

Date Received 1/11/24

Staff's Initials NF

Procedures for filing for CBD Approval:

1. Original application completed, signed and notarized
2. Application must be filled out completely, signed and returned to the Zoning Administrator
3. Copy of Business Plan
4. Copy of warranty deed that reflects the current property owner
5. Copy of site plan with proposed project consistent with the Kennesaw Design Guidelines
6. Completed application and supporting documents listed on one Flash Drive or email to dsimmons@kennesaw-ga.gov in PDF format

CBD Approval Process:

1. Submittal to KDDA for review and comment
2. Submittal to HPC for Certificate of Appropriateness (if in HPC district) not in HPC district comments only required from HPC
3. Review/ Approval by Mayor and Council

PROPERTY ADDRESS 2573 Summers ST NW

Land Lot 167 Tax Parcel 20016700410 Lot Size 1.107 Acres Present Zoning LI

Proposed Project for Property
Sherwin Williams Paint Store

Add additional sheet if necessary

APPLICANT Jackson Webb Tom Webb

APPLICANT EMAIL [REDACTED]

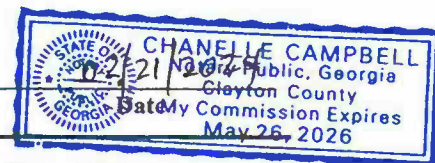
Applicant address [REDACTED]

(Fax #) _____ (Work #) _____ (Cell #) [REDACTED]

Applicant Signature [Signature]

Signed, sealed and delivered in presence of: _____

Notary



TITLEHOLDER: 2573 Summers St LLC

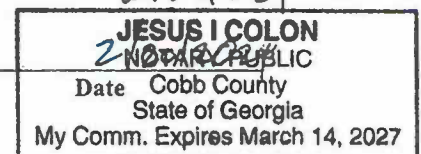
Telephone: [REDACTED]

Address: 300 BELL PARK DR Woodstock GA 30188

Signature [Signature]

Signed, sealed and delivered in presence of: _____

Notary



CBD Project Administratively approved by:

Date: _____

- ☐ APPROVED
- ☐ REQUIRES KDDA APPROVAL
- ☐ REQUIRES HPC APPROVAL
- ☐ MAYOR AND COUNCIL

Hearing Date: _____

Recommendation: see attached minutes

Signature Kennesaw Downtown Development Authority:

Hearing Date: _____

Recommendation: see attached minutes

Signature Historic Preservation Commission

Hearing Date: _____ see attached minutes



CAMPAIGN DISCLOSURE REPORT¹ BY APPLICANT²

A separate form must be completed by each applicant

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.

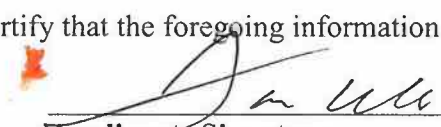
Please supply the following information that will be considered as the required disclosure:

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 21 day of Feb, 2021



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.



CENTRAL BUSINESS DISTRICT PROJECT

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.

United States Department of Justice
Civil Rights Division
Housing and Civil Enforcement Section
950 Pennsylvania Ave. N.W. –G St.
Washington, DC 20530

Sherwin Williams

2573 Summers St NW

Kennesaw, GA 30144

Business Plan:

Business Plan: Sherwin Williams Paint Store

1. Type of Business: The proposed business is a Sherwin Williams paint store, specializing in retail sales of paints, coatings, and related products. Sherwin Williams is a Fortune 200 Company with a renewal rate among the strongest in the nation. The store will offer a comprehensive range of high-quality paints, stains, primers, and painting supplies for both residential and commercial customers although this location will focus more of its attention to commercial contractors. Additionally, the store will provide expert advice, color matching services, and customized solutions to meet the diverse needs of its clientele.

2. Projected Market Targeted: The primary target market for the Sherwin Williams paint store will be large paint contractors and commercial painting firms operating in Kennesaw and the surrounding area. The store's layout and offerings will be specifically tailored to meet the unique needs of professional contractors, providing them with convenient access to bulk quantities of paints, coatings, and supplies essential for their projects.

3. Projected Customer Generation: Customer generation will be driven by strategic marketing efforts, including digital advertising, local promotions, and partnerships with contractors and interior designers. The store will leverage Sherwin Williams' brand recognition and reputation for quality to attract customers. Moreover, exceptional customer service and personalized recommendations will foster repeat business and positive word-of-mouth referrals.

4. Plan on Traffic Control for Ingress/Egress of Property: To manage traffic flow around the store property, the store will have designated parking spaces with clear signage to direct customers. It is also important to note that similar stores focusing on servicing larger contractors typically see reduced customer volume and peak at 3-4 customers at any given time. This would mean that with employees included the store will see an expected max average of 9-11 vehicles on the premises.

5. Study on Similar Uses in Area: A thorough study of similar paint stores and home improvement retailers in the Kennesaw area reveals a growing demand for paint products and services. However, there are currently limited options for paint contractors to streamline the procurement of product and we feel like this store fills a large void for that client base.

6. Projected Economic Impact to City of Kennesaw: The establishment of a Sherwin Williams paint store in Kennesaw is expected to have several positive economic impacts on the city:

- **Job Creation:** The store will generate employment opportunities for local residents.

- **Increased Revenue:** The store will contribute to the city's tax base through sales tax revenues generated from retail transactions.
- **Property Value Enhancement:** By providing a convenient shopping option for homeowners and contractors, the presence of the store may positively impact property values in the surrounding area.
- **Community Development:** This store will add instant curb appeal to Summers St as a whole.

In conclusion, the proposed Sherwin Williams paint store represents a promising business opportunity that aligns with the growing demand for paint products and services in the Kennesaw area. Through strategic positioning and exceptional customer service the store aims to become a valued contributor to the local economy and a trusted partner for customers seeking quality paint solutions.

AFTER RECORDING RETURN TO:
Geiger Legal Group, LLC
157 Reinhardt College Parkway, Suite 400
Canton, GA 30114

FILE NO. 2111471

Parcel ID: 20016700410

QUIT CLAIM DEED

STATE OF GEORGIA.

FULTON/DEKALB COUNTY:

THIS INDENTURE, made this 21ST day of March, in the year of our Lord Two Thousand and Twenty Two between

DW RBJ, LLC, LIMA AIRS, LLC and RANDALL M. LIPSHUTZ, as

Executor of the ESTATE OF ROBERT J. LIPSHUTZ

party or parties of the first part, hereinafter referred to as "Grantor", and

2573 SUMMERS STREET LLC

party or parties of the second part, hereinafter referred to as "Grantee", the words "Grantor" and "Grantee" to include the neuter, masculine and feminine genders, the singular and the plural.

WITNESSETH for and in consideration of the sum of One (\$1.00) Dollar and other good and valuable considerations delivered to Grantor by Grantee at and before the execution, sealing and delivery hereof, the receipt and sufficiency of which is hereby acknowledged, the Grantor has and hereby does remise, release, convey and forever quitclaim unto Grantee, and the heirs, legal representative, successors, and assigns of Grantee, all the right, title, interest, claim or demand Grantor has or may have had in and to

All that tract or parcel of land lying and being in Land Lot 167 of the 20th District, 2nd Section, Cobb County, Georgia Records and being more particularly described on Exhibit "A" attached hereto and made a part hereof.

The above described property is subject to the Permitted Exceptions shown on Exhibit B" attached hereto and made a part hereof.

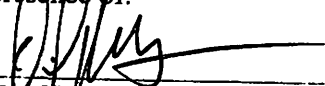
TO HAVE AND HOLD said tract or parcel of land in order that neither the Grantor nor any person claiming under Grantor shall at any time, by any means or ways, have claim or demand any right or title to said land or any of the rights, members and appurtenances thereof.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and

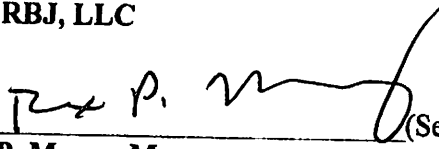
year first above written.

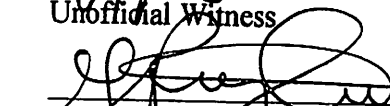
Signed, sealed and delivered in the presence of:

DW RBJ, LLC


Unofficial Witness

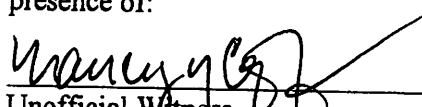


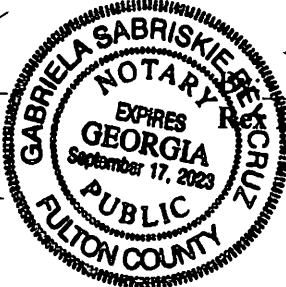
By:  (Seal)
Rex P. Macey, Manager

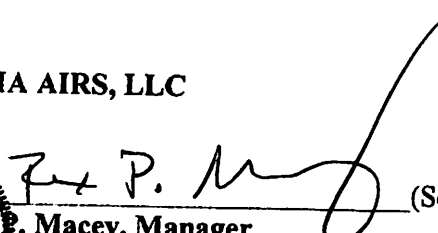

Notary Public
My Commission Expires:

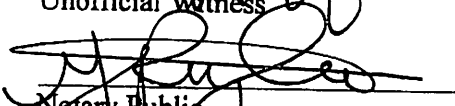
Signed, sealed and delivered in the presence of:

LIMA AIRS, LLC


Unofficial Witness



 (Seal)
Rex P. Macey, Manager


Notary Public
My Commission Expires:

Signatures continued on the next page

Signed, sealed and delivered in the presence of:

Christina Hazelte
Unofficial Witness

LIMA AIRS, LLC

By: Randall M. Lipshutz (Seal)
Randall M. Lipshutz, Manager

Steven Luper
Notary Public
My Commission Expires: December 22, 2024
NOTARY PUBLIC
STEVENS COUNTY, GEORGIA

Signed, sealed and delivered in the presence of:

Christina Hazelte
Unofficial Witness

ESTATE OF ROBERT J. LIPSHUTZ
a/k/a ROBERT JEROME LIPSHUTZ

By: Randall M. Lipshutz (Seal)
Randall M. Lipshutz, Executor

Steven Luper
Notary Public
My Commission Expires: December 22, 2024
NOTARY PUBLIC
STEVENS COUNTY, GEORGIA

EXHIBIT "A"

All of that tract or parcel of land lying and being in Land Lot 167 of the 20th District, 2nd Section, City of Kennesaw, Cobb County, Georgia and being more particularly described as follows:

To find the **Point of Beginning**, commence at the intersection formed by the northeasterly right-of-way line of North Cobb Parkway a/k/a U.S. Highway #41(variable r/w) with the northwesterly right-of-way line of Summers Street, (variable r/w) (f/k/a Kennesaw Due West Road & Power Springs Road) and proceed in a northeasterly direction along said right-of-way line of Summers Street for a distance of 329.16 feet to a PK nail set and the **Point of Beginning**.

From the **Point of Beginning** thus established, depart said right-of-way line of Summers Street and proceed North 59°25'04" West for a distance of 75.29 feet to a point; thence North 59°34'30" West for a distance of 35.02 feet to a point; thence North 44°08'06" West for a distance of 66.38 feet to a PK nail set; thence North 31°31'39" East for a distance of 8.88 feet to a point; thence North 56°03'51" West for a distance of 50.00 feet to PK nail set; thence North 31°32'06" East for a distance of 232.58 feet to an iron pin found (#5 rebar); thence South 40°38'15" East for a distance of 235.00 feet to a PK nail set on the northwesterly right-of-way line of Summers Street (variable r/w); thence South 31°16'18" West along said right-of-way line of Summers Street for a distance of 186.12 feet to the **Point of Beginning**.

Said tract or parcel containing 1.107acres +/- or 48,241square feet +/-.

EXHIBIT "B" **Permitted Exceptions**

1. All taxes and special assessments, including water, sanitary and other utility bills for the year 2022 and subsequent years, which are not yet due and payable, together with any and all taxes and special assessments, which may become due and payable for the current or previous year, due to, but not limited to, reassessments, rebillings, or errors by tax officials or their agents.
2. Property is subject to any protective covenants and easements of record.
3. Those matters disclosed on plat of survey prepared for Sean Jergusson by Centerline Surveying and Land Planning on January 4, 2022 and revised February 23, 2022, including but not limited to:
 - a. 50 foot front building set back line.
 - b. 20 foot side building set back lines.
 - c. 40 foot rear building set back line.
 - d. One story brick and block building encroaches into the rear building line and into the side building line along the Southwest side of said building.
 - e. Over head power pole with connecting service line show at the West side of said property.
 - f. Chain link fence runs along the West and Northwest lines of said property and is located within the boundaries of said property along the Northeast line.
 - g. A sign is located within the right of way Summers Street along the Southeast line of said property.
 - h. A lamp post base is located with the right of way Summers Street along the Southeast line of said property.









Certificate of Appropriateness



*Is hereby granted by Approval by the
Historic Preservation Commission*

to: Kathy Clark

For: 2940 Dallas Street

Scope of Work: Signs

Approval

Darryl Simmons

*Darryl Simmons, Administrator
Planning & Zoning Department*

02/12/2024

Date

Kevin Whipple

*Kevin Whipple, Chairperson
Historic Preservation Commission*

02/12/2024

Date

*Expires
02/12/2025*

1. NAME OF APPLICANT: Kathy Clark
☐ Owner
☐ Other
☒ Other, please specify Renter

APPLICANT MAILING ADDRESS: 1484 Falkirk Ln. NW
Kennesaw, GA 30152

(Home#) _____ (Cell#) _____ (Email) _____

PROPERTY ADDRESS: 2940 Dallas Street, Kennesaw, GA 30144

Land Lot _____ Tax Parcel _____ Lot Size _____

Current zoning on property: Commercial

2. NAME OF ATTORNEY OR REPRESENTATIVE:

(Home#) _____ (Cell#) _____ (Email) _____

NAME OF OWNER:

William Craig Clark

(Home#) _____ (Cell#) _____ (Email) _____

3. ACTIVITY

- ☐ New Construction
- ☐ Demolition
- ☐ Awnings
- ☐ Fence
- ☐ Repairs or Alterations
- ☐ Landscaping

- ☐ Exterior Architectural Features
- ☐ Exterior Environmental Feature Change
- ☐ Moving a Building
- ☒ Sign Erection
- ☒ Sign Placement *

* (NOTE – Business License required before signage installation)

Please describe your proposed work as simply and accurately as possible. Use the attached submittal criteria checklist to guide you in your description. Be sure to indicate materials to be used. Accurate drawings and photographs are required. (Use extra sheet, if necessary.) **Signed and sealed drawings from an architect, engineer or other design professional are required when construction of a new building, alterations and/or additions to existing structures are being made (Code 800.14.1).**

1 sign topper above existing sign
1 canopy sign
1 new erected sign on Dallas Street

Important: This form must be completed before the Historic Preservation Commission will consider the approval of any material change to a property within a Historic District. This form, along with supporting documents must be filed with 1 Original (4) copies including color photos (excluding models, material and color samples, where one (1) is sufficient). The application and supporting documents are to be placed on a **CD in a PDF format**.

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Kathy Clark 2/12/24
Signature of Applicant Date

William Craig Clark 2/12/24
Signature of Owner Date
(If different from applicant, consenting to work to be performed on said property.)

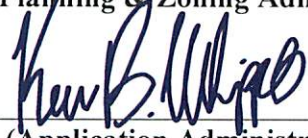


CERTIFICATE OF APPROPRIATENESS

APPROVAL SIGNATURES


Darryl Simmons (Application Deemed Complete)
Planning & Zoning Administrator

Date: 2-12-24


(Application Administratively Approved)
HPC Chair

Date: 02/12/2024



- ☒ GRANTED
- ☐ DENIED Reason for denial _____
- ☐ REQUIRES HPC APPROVAL

Historic Preservation Commission consideration:

HEARING DATE: _____

ACTION BY COMMISSION:

- ☐ GRANTED
- ☐ DENIED

APPROVED WITH CONDITIONS:

DENIED: Reason for denial

(May re-submit within 60 days)

POSTPONED/TABLED _____

Signature, Historic Preservation Commission Date

Upon Administrative Approval scan and send document to Commission for review

City of Kennesaw
Code Enforcement
2529 J.O. Stephenson Ave.
Kennesaw, GA 30144
770-590-8268



SIGN PERMIT APPLICATION

Date Received: 2/5/23
Staff Initials: NF

SIGN PERMIT # _____

Type of Sign – Check One

- ☒ Free Standing Sign
☒ Canopy/Wall/Awning Sign
☐ Residential Subdivision/Development Sign
☐ Non-residential Used in Residential District Sign
☐ Semi-Permanent Directional Signs (SPDS)
☐ Other _____

All Applications Must Include:

- ☐ Copy of Site Plan with Sign Location and Dimensions
☐ Copy of Sign Quote
☐ Permission Letter from Property Owner
☐ Copy of Tenant's City Business License & Certificate of Occupancy
☐ HPC Approval (If Applicable)

NOTE: CITY BUSINESS LICENSE REQUIRED BEFORE SIGNAGE INSTALLATION

Business Name/Wording on Sign: The Brain Station

Address of Sign: 2940 Dallas Street Location of Sign: See Attached

Land Lot #: _____ Parcel #: _____ Zoning: _____ Historical District: YES NO _____

Property Owner: E & H Investment Properties Phone #: _____

Business/Sign Owner: Kathy Clark Phone #: _____

Address: 2940 Dallas Street City/State: Kennesaw, GA

Installing Contractor: High Stakes Creative Phone #: _____

Address: 2000 Cobb International Blvd. Business License #: _____

Cost of Sign: \$ 5020.22 Material of Sign: ☐ Metal ☐ Wood ☐ Neon
☐ Plastic ☐ Other _____

SIGN:
Height Attached ft Width Attached ft Base Height Attached ft
Store Frontage Attached ft Lot Size Attached acres Road Frontage Attached ft

The owner/agent agrees to conform to the City of Kennesaw Sign Ordinance effective 4/19/04 as amended.

Signature of owner/agent: Kathy Clark Date: 2/5/2024

FOR OFFICIAL USE ONLY

Footing Inspection: YES ☐ NO ☐ **Electrical Permit:** YES ☐ NO ☐

If YES Footing structure plans required UL # _____

Building Official: _____

Permit Fee: \$ _____ Tech Fee \$ _____ Total \$ _____ Cash: ☐ Credit Card ☐ Check: ☐ # _____

Issued/Denied: _____ City Zoning Staff Date: _____

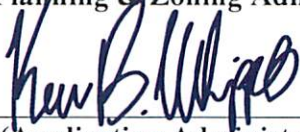


CERTIFICATE OF APPROPRIATENESS

APPROVAL SIGNATURES


Darryl Simmons (Application Deemed Complete)
Planning & Zoning Administrator

Date: 2-12-24


(Application Administratively Approved)
HPC Chair

Date: 02/12/2024



- ☒ GRANTED
- ☐ DENIED Reason for denial _____
- ☐ REQUIRES HPC APPROVAL _____

Historic Preservation Commission consideration:

HEARING DATE: _____

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- ☐ GRANTED
- ☐ DENIED

APPROVED WITH CONDITIONS:

DENIED: Reason for denial

(May re-submit within 60 days)

POSTPONED/TABLED _____

Signature, Historic Preservation Commission

Date

Upon Administrative Approval scan and send document to Commission for review

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, INCL

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 20530**



2000 Cobb International Blvd
Suite E
Kennesaw, GA 30152
678-861-7446

 www.HighStakesCreative.com

 [/High_Stakes_Creative](https://www.instagram.com/High_Stakes_Creative)

 [/HighStakesCreative](https://www.facebook.com/HighStakesCreative)

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Job Information

Revision By:
Order Taken By:
Order Date:
Delivery Date:
Terms:
Comments:
Description:

Customer Information

Customer Name:
Company:
Street:
City:
State:
Country:
Phone:
Fax:
E-mail:
Zip:

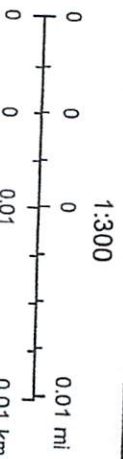
2940 Dallas Street



9/14/2021, 11:25:08 AM

Cobb Parcels

Cobb County Georgia Boundary





Sign face to be made of 2 layers of 3mm ACM
with Aluminum L-Bracket supports in between

Lettering to be layered HDU and/or Acrylic



2000 Cobb International Blvd
Suite E
Kennesaw, GA 30152
678-861-7446

 www.HighStakesCreative.com

 /High_Stakes_Creative

 /HighStakesCreative

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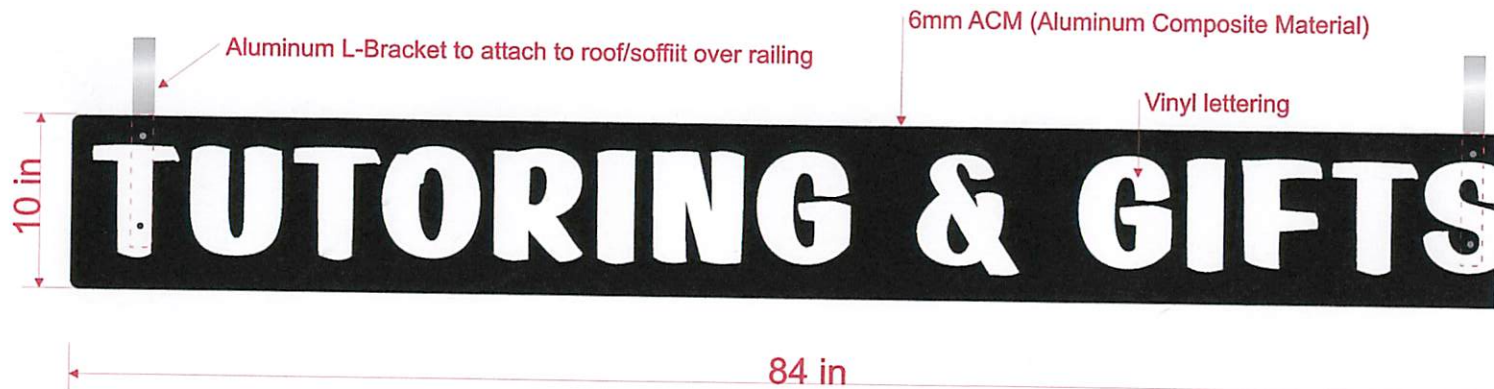
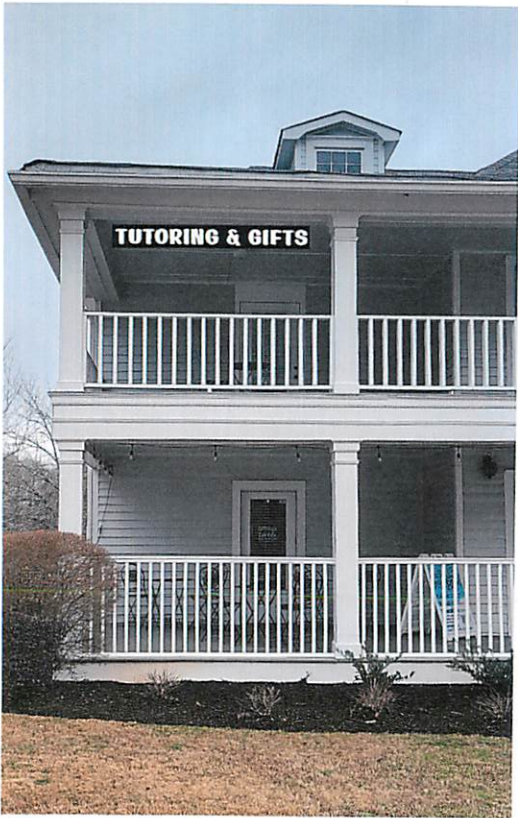
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Job Information

Revision By:
Order Taken By:
Order Date:
Delivery Date:
Terms:
Comments:
Description:

Customer Information

Customer Name:
Company:
Street:
City:
State: Zip
Country:
Phone:
Fax:
E-mail address:



2000 Cobb International Blvd
Suite E
Kennesaw, GA 30152
678-861-7446

 www.HighStakesCreative.com

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Order Date:
Delivery Date:
Terms:
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Description:

Customer Information

Customer Name:
Company:
Street:
City:
State: Zip
Country:
Phone:
Fax: Page 33 of 49
E-mail address:

From: High Stakes Creative [REDACTED]
Subject: New payment request | Pay online - invoice 42315 - The Brain
Station Signage
Date: Jan 31, 2024 at 6:08:20 PM
To: [REDACTED]

INVOICE 42315 DETAILS



DUE 01/31/2024

\$5,020.22

[Review and pay](#)

Powered by QuickBooks

The Brain Station,

Thank you for your order. Attached is your invoice.

Click the link to pay the deposit through ACH with your checking account info. If you would rather us pick up the check, we can do that as well. We are asking our clients to not mail payments, as we have not been receiving our mail in a timely manner or at all. :(

We are looking forward to this project and appreciate you trusting us with your project.

Sincerely,

Katie
Co-Owner
High Stakes Creative

Bill to The Brain Station

Ship to The Brain Station

Terms Due on receipt

Hanging Road Sign \$3,167.21

Routed HDU Letters and Shapes
1.5" Coffee Cup Shape
1" Letters/Shapes
Logo Lettering/Tracks
Custom Paint - Client to provide PMS colors

1 X \$3,167.21

\$625.00

General Labor \$025.00

General Labor

5 X \$125.00

Hardware \$385.00

Square Aluminum Post - 8'

1 X \$385.00

Sign Permitting \$0.00

HSC to provide docs, Client to file for permit

**HSC Fee to file - \$300

1 X \$0.00

Field Install - Each \$300.00

Sign Installation

1 X \$300.00

Rigid Sign w/ Cut Vinyl Graphics \$143.01

"TUTORING & GIFTS"

Height: 12 Inches, Width: 84 Inches, Number of Colors: 1

Labor - Rigid Sign w/ Vinyl Graphics

Aluminum/Composite: ACP - 6mm White

Opaque Plotter Vinyl: Orafol 651 Intermediate Vinyl

1 X \$143.01

Field Install - Each	\$125.00
-----------------------------	-----------------

Sign Installation

1 X \$125.00

Monument Sign	\$150.00
----------------------	-----------------

Monument Topper

1 X \$150.00

Field Install - Each	\$125.00
-----------------------------	-----------------

Monument Topper

Sign Installation

1 X \$125.00

Subtotal	\$5,020.22
----------	------------

Tax	\$0.00
-----	--------

Total	\$5,020.22
-------	------------

Balance due	\$5,020.22
-------------	------------

Please click the payment link attached to pay through ACH. Save money, save time and keeping things safe!

We appreciate your business.

Prices here reflect cash/check discount. A 3.5% processing fee will be added for all card payments.

Orders under \$500 require pre-payment in full. 50% deposit required on all orders over \$500. Balance will be due at pick-up or upon installation.

The quotes listed here are good for 60 days

[Review and pay](#)

High Stakes Creative

2000 Cobb International Blvd NW Ste E Kennesaw, GA 30152

www.HighStakesCreative.com

If you receive an email that seems fraudulent, please check with the business owner before paying.



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Invoice_42315_from_High_
Stakes_Creative.pdf

88 KB



E&H Investment Properties
1484 Falkirk Lane NW
Kennesaw, Ga. 30152

February 5, 2024,

To whom it may concern,

This letter serves as authorization for The Brain Station LLC to install new signage as requested in sign permitting documents. Please provide your approval as soon as possible for this business.

Regards,



Craig Clark
E&H Investment Properties



Honoring Our Heritage - Forging Our Future

LOC:
2940 DALLAS ST

Tax Certificate Professional - Occupational

THE BRAIN STATION LLC
[LOC: 2940 DALLAS ST]
2940 DALLAS ST
KENNESAW GA 30144

No.: 2023 030638

Date of Issue: 07/18/2023

THE BRAIN STATION LLC Owner

in consideration of which City of Kennesaw, Georgia, has granted a certificate for carrying
on the business of

EXAM PREPARATION AND TUTORING

This Certificate Expires On December 31, 2023

0.00

Witness my hand and seal with day and year above written

Clerk

This Certificate is not transferable and is subject to be revoked if abused.

POST IN A CONSPICUOUS PLACE

INVOICE FOR TAX CERTIFICATE

REMIT TO:

CITY OF KENNESAW
2529 J.O. STEPHENSON AVE.
KENNESAW, GEORGIA 30144

LICENSE #: 30638

TYPE OF LICENSE:

EXAM PREPARATION AND TUTORING

BASED ON: CLASS 3 AMOUNT DUE: 0.00

TO: Volume of 0.00

THE BRAIN STATION LLC
[LOC: 2940 DALLAS ST]
2940 DALLAS ST
KENNESAW GA 30144

City of Kennesaw Building and Fire Certificate of Occupancy

DISTRICT: 20 LAND LOT: _____ BUILDING PERMIT NUMBER: 220601

NAME OF BUILDING OR SPACE THE BRAIN STATION

LOCATION 2940 DALLAS STREET, KENNESAW GA 30144

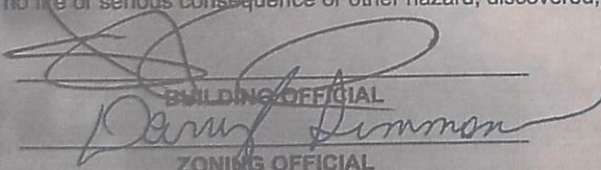
OCCUPANCY MERCANTILE OCCUPANCY LOAD LIMITATION 73 BUILDING CODE ICC

TYPE CONSTRUCTION _____ NUMBER OF STORIES 2 FLOOR AREA 2677

COMMENTS _____

This certifies that to the best of the city's knowledge and belief at the time of issuance the structure has been erected in substantial compliance with applicable city codes. No oversight by the office of the Building Inspector shall excuse violation of any ordinance of Kennesaw.

This certificate of occupancy certifies the facility listed hereon to the best of the city's knowledge complies with the minimum standards required by Standard Fire Laws as enforced by the city governing authority and the 101 Life Safety Code and Cobb County Fire Prevention Code on the date issued. This certificate of occupancy shall run for the life of the building, provided the internal or external features of the building are not materially altered, the types of occupancy remains unchanged or there has been no fire or serious consequence or other hazard, discovered, or unless voided by any future law.


BUILDING OFFICIAL

ZONING OFFICIAL

NICK DAWE, COBB COUNTY FIRE MARSHAL

FIRE OFFICIAL OR AUTHORIZED REPRESENTATIVE

July 18, 2023

DATE



Certificate of Appropriateness



*Is hereby granted by Approval by the
Historic Preservation Commission*

to: Kathy Clark

For: 2940 Dallas Street

Scope of Work: Signs

Approval

Darryl Simmons

*Darryl Simmons, Administrator
Planning & Zoning Department*

02/27/2024

Date

Kevin Whipple

*Kevin Whipple, Chairperson
Historic Preservation Commission*

02/27/2024

Date

*Expires
02/27/2025*



COAA2024-05

CERTIFICATE OF APPROPRIATENESS APPLICATION

☒ Application Fee: \$50.00 ☐ Demolition Fee: \$150.00

All new construction and exterior remodeling of buildings within the Kennesaw Historic District shall be subject to the architectural review and approval of the Historic Preservation Commission (**HPC**). HPC approval is also required for Kennesaw Downtown Development Authority (KDDA) Façade and Signage Grants.

Darryl Simmons, Planning and Zoning Administrator for the City of Kennesaw will meet with you to direct your application process. To make an appointment, please call 770-590-8268.

A Certificate of Appropriateness (COA) shall be obtained from the **HPC** prior to the issuance of a building permit. The **HPC** shall consider a variety of issues in rendering its decision including, but not limited to the following:

- a. The surrounding development
- b. The best interest of the community
- c. Previous studies undertaken by the City as well as the standards contained herein.

Application for signage to include

- ☒ Material Specifications
- ☒ Drawing of Sign with Dimensions and Colors to be used
- ☒ Façade detail of fonts

Application for landscaping to include

- | Variety of trees and shrubs
- | Indicate size and location of plantings

Application for exterior renovations and additions to include

- | Existing conditions site plan depicting location of addition in relation to the existing property
- ☐ Existing floor plan of building
- ☐ Proposed floor plan of building including portions not to be altered
- ☐ Elevations of all exterior façade of addition including relationship to existing building
- | Detail of trim to be utilized on façade
- | Manufacturer's specifications for windows, doors and lighting that will be installed-including a photograph or sketch
- | Photographs of all existing facades; existing structures adjacent to property; and views from the façade to be altered



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United States Department of Justice
Civil Rights Division
Housing and Civil Enforcement Section
950 Pennsylvania Ave. N.W. –G St.
Washington, DC 20530

1. NAME OF APPLICANT: Riversbend Construction Inc.☒ Owner☐ Other☐ Other, please specify _____**APPLICANT MAILING ADDRESS:** 3018 Cherokee Street NWKennesaw, GA 30144(Home#) (Cell#) (Email) **PROPERTY ADDRESS:** 1930 Galt Commons Kennesaw, GA 30144Land Lot 129 Tax Parcel 20012900970 Lot Size .01Current zoning on property: CBD**2. NAME OF ATTORNEY OR REPRESENTATIVE:**N/A(Home#) (Cell#) (Email) **NAME OF OWNER:**Riversbend Construction Inc.(Home#) (Cell#) (Email) **3. ACTIVITY**☐ New Construction☐ Demolition☐ Awnings☒ Fence☐ Repairs or Alterations☐ Landscaping☐ Exterior Architectural Features☐ Exterior Environmental Feature Change☐ Moving a Building☐ Sign Erection☐ Sign Placement **** (NOTE – Business License required before signage installation)**

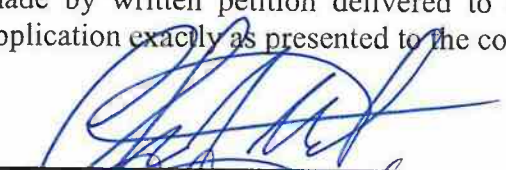
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Installation of privacy fence at lot 1 Galt commons

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Signature of Applicant

2/16/2024

Date


Signature of Owner

2/16/2024

Date

(If different from applicant, consenting to work to be performed on said property.)



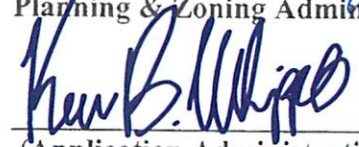
COAA2024-05

CERTIFICATE OF APPROPRIATENESS

APPROVAL SIGNATURES


Darryl Simmons (Application Deemed Complete)
Planning & Zoning Administrator

Date: 2/27/24


(Application Administratively Approved)
HPC Chair

Date: 02/22/2024

- ☒ GRANTED
☐ DENIED Reason for denial _____
☐ REQUIRES HPC APPROVAL _____

Historic Preservation Commission consideration:

HEARING DATE: _____

ACTION BY COMMISSION:

☐ GRANTED

☐ DENIED

APPROVED WITH CONDITIONS:

DENIED: Reason for denial

(May re-submit within 60 days)

POSTPONED/TABLED _____

Signature, Historic Preservation Commission

Date

Upon Administrative Approval scan and send document to Commission for review

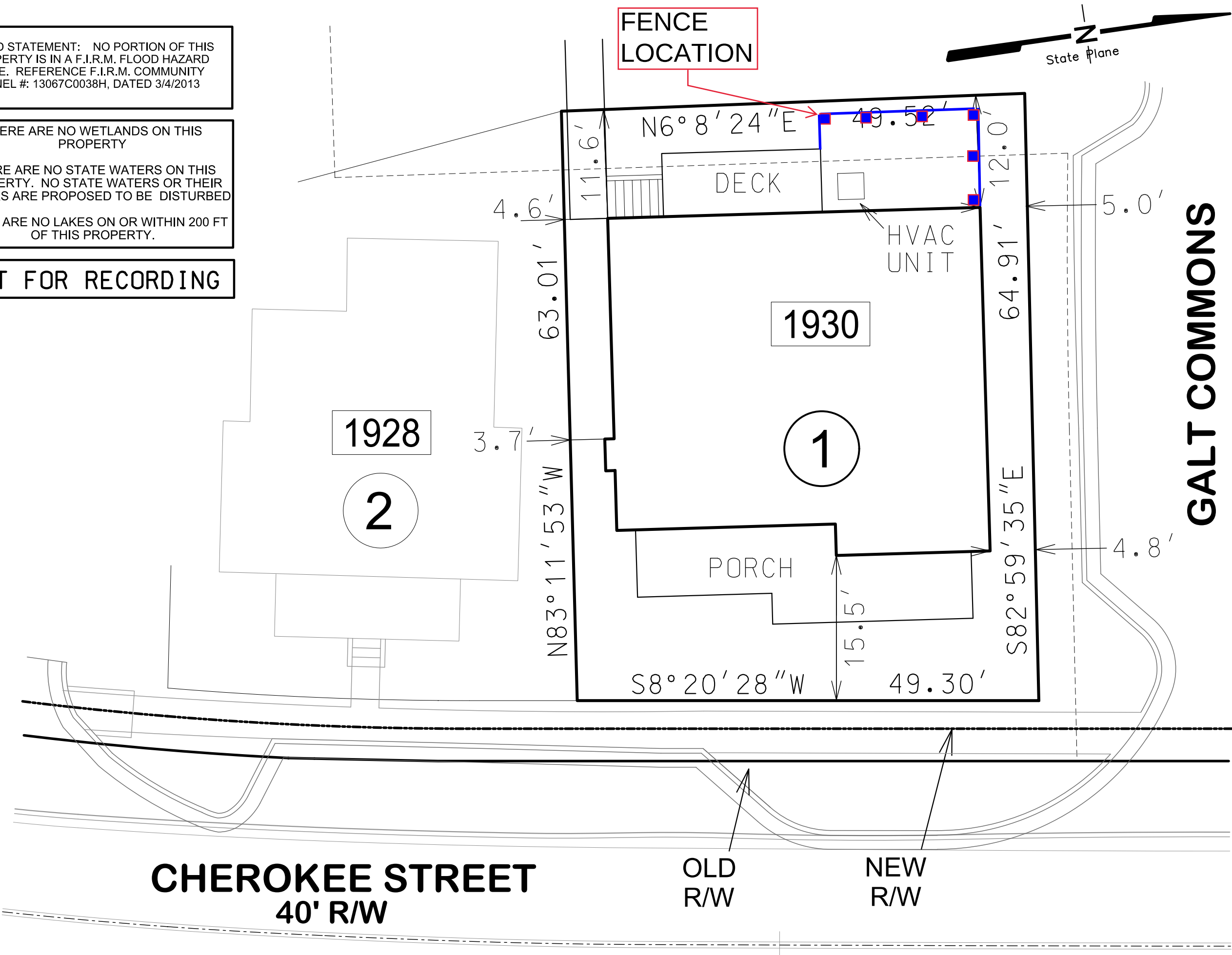
FLOOD STATEMENT: NO PORTION OF THIS PROPERTY IS IN A F.I.R.M. FLOOD HAZARD ZONE. REFERENCE F.I.R.M. COMMUNITY PANEL #: 13067C0038H, DATED 3/4/2013

THERE ARE NO WETLANDS ON THIS PROPERTY

THERE ARE NO STATE WATERS ON THIS PROPERTY. NO STATE WATERS OR THEIR BUFFERS ARE PROPOSED TO BE DISTURBED

THERE ARE NO LAKES ON OR WITHIN 200 FT OF THIS PROPERTY.

NOT FOR RECORDING



PREPARED BY:

V&M
Vaughn & Melton
Consulting Engineers, Inc.
Engineering - Surveying
300 Chastain Center Blvd, Suite 325
Kennesaw, Georgia 30144
Tel: 770-627-3590
Fax: 770-627-3594
www.VAUGHNMELTON.com

[OWNER]
[DEVELOPER]

Sanctuary Companies, Inc.
3018 Cherokee Street
Kennesaw, GA 30144
Chad Howie
(770) 702-1223



Galt Commons

CHEROKEE STREET
PROJECT ADDRESS

129 & 138 / 20th / 2nd
LAND LOT / DIST.

CITY OF KENNESAW, COBB CO., GA
CITY, STATE

FINAL SURVEY
LOT 1

N/A DESIGN	1 of 1	
FvL DRAWN	SHEET	
DBM CHECKED	12/22/23 DATE	PROJECT No.

10' 0 10'

GRAPHIC SCALE

Page 48 of 49

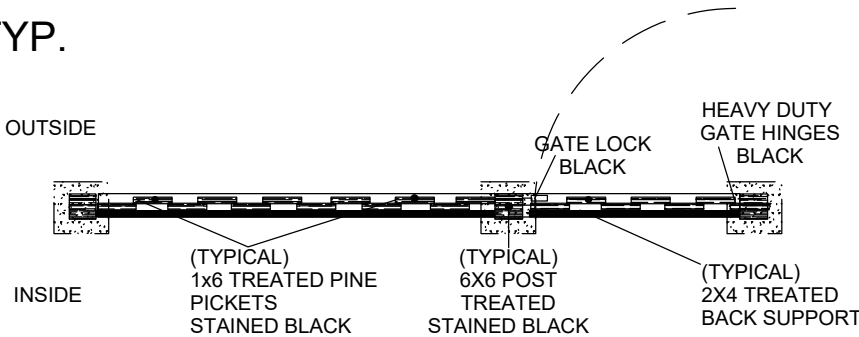
ELEVATION TYP.



**GALT COMMONS
LOT 1
FENCE DETAIL**

FOR LOCATION:
SEE SITE PLAN ON SHEET SP1

PLAN TYP.



ELEVATION DETAILS TYP.

