Mayor
Derek Easterling
City Manager
Jeff Drobney, ICMA-CM
City Clerk
Lea Alvarez, CMC

Council
Madelyn Orochena
Tracey Viars
Pat Ferris
Antonio Jones
Anthony Gutierrez-Leon

City Council
Meeting Agenda
October 20, 2025 6:30 PM
Council Chambers
(2529 J.O. Stephenson Avenue, Kennesaw, GA 30144)

Livestream: www.kennesaw-ga.gov/publicmeetings/

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1. **Invocation**
2. **Pledge of Allegiance**
3. **Call to Order**
4. **Announcements**
5. **Presentations**
6. **Public Comment**
   This section is for comment on any item on the agenda.
7. **Old Business**
8. **New Business**
9. **Committee and Board Reports**
10. **Public Hearing(s)**
    A. **Land Use Permit: 2800 Dominion Lane**
    Consideration for approval of a Land Use Permit application for the property located at 2800 Dominion Lane as submitted by applicant Ali Jackson. Case #LU2025-06
11. **Consent Agenda**
    A. **Minutes: September 29, 2025 Work Session**
    Approval of the September 29, 2025, City Council work session minutes.
    B. **Minutes: September 29, 2025 Executive Session**
    Approval of the September 29, 2025, City Council executive session minutes.

C. **Minutes: October 6, 2025 Regular Meeting**
Approval of the October 6, 2025, City Council regular meeting minutes.

D. **Minutes: October 6, 2025 Executive Session**
Approval of the October 6, 2025, City Council executive session minutes.

E. **Resolution: Meeting Procedures**
Consideration for approval of a Resolution updating the Mayor and City Council Meeting Procedures Document.

F. **Resolution: Friendship Agreement with Montepulciano, Italy**
Consideration for approval of a Resolution authorizing a Memorandum of Understanding which establishes a collaborative relationship with Montepulciano, Italy.

G. **Resolution: Vehicle Lease Supplement with Georgia Municipal Association**
Consideration for approval of a Resolution authorizing the Mayor to execute the Lease Supplement with Georgia Municipal Association (GMA) for the direct leasing program for thirteen vehicles.

H. **Road Closure: Holiday Parade, Holiday Concert, and Drone Show**
Consideration to approve road closures on December 6, 2025, and December 7, 2025, for the Holiday Parade, Concert, and Drone Show.

I. **Final Plat Application: Townes at South Main (2652 S Main Street)**
Consideration for approval of the final plat application submitted by Kennesaw Townhome Owner, LLC for Townes at South Main (parcel #20016700020); this plat revises the size of lot 44 by increasing it by 20 sq. ft. Case #FP2025-04

12. General and Administrative

13. Public Safety

14. Information Technology

15. Public Works and Building Maintenance

16. Recreation and Culture

17. Community Development

18. Public Comment
This section is for general comment.

19. City Manager's Report

A. Reports, Discussions, and Updates

20. Mayor's Report

A. Mayor and Council (re)appointments to Boards and Commissions. This item is for (re)appointments made by the Mayor to any Board, Committee, Authority, or Commission requiring an appointment to fill any vacancies, resignations, and to create or dissolve boards and commissions, as deemed necessary.

21. Council Reports & Discussions

22. Executive Session

Pursuant to the provisions of O.C.G.A 50-14-3, the City Council could, at any time during the meeting, vote to close the public meeting and move to executive session to discuss matters relating to litigation, legal actions and/or communications from the City Attorney; and/or personnel matters; and/or real estate matters.

23. Adjourn

Item Report

TO: The Honorable Mayor and City Council

FROM: Darryl Simmons, Zoning Administrator

DATE: October 20, 2025

TITLE: **Land Use Permit: 2800 Dominion Lane**
Consideration for approval of a Land Use Permit application for the property located at 2800 Dominion Lane as submitted by applicant Ali Jackson. Case #LU2025-06

Summary:
Said request is to renew a home occupation business license to operate a cottage food specializing in baking and selling cookies. The property is currently zoned RM-8, Multifamily Residential and consists of 0.03 +/- acres and lies in Land Lot 137, Tax Parcel 117. This public hearing was advertised in the Marietta Daily Journal on September 12, 2025, and a public notice sign has been posted on-site. At their October 1, 2025, meeting, the Planning Commission voted to approved the Land Use application with the conditions as outlined by staff.

Recommendation: The Zoning Administrator recommends approving the Land Use Application with the following conditions:

1. The land use permit is limited to, exclusive for and only valid for the current applicant and the life of this particular business and use, and it is not transferrable. Any changes would require additional review and approval.
2. 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 public right-of-way.
3. The land use permit is valid for 24-months after date of approval.

Fiscal Impact:

Attachments:
1. LU2025-06_2800 Dominion Lane_Staff Analysis
2. LU2025-06_2800 Dominion Lane_Application Packet
3. 10-01-25 Planning Commission Draft Minutes

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

COMMUNITY DEVELOPMENT
Planning and Zoning

2529 J.O. Stephenson Avenue
Kennesaw, GA 30144

MAYOR AND COUNCIL
OCTOBER 20, 2025

PLANNING COMMISSION
OCTOBER 1, 2025

LEGAL ADVERTISEMENTS
SEPTEMBER 12, 2025

PUBLIC NOTICE SIGN
SEPTEMBER 12, 2025

APPLICATION SUBMITTED
AUGUST 15, 2025

STAFF ANALYSIS REPORT

ZONING CASE #: LU2025-06

Property Addresses
2800 Dominion Lane
Applicant
Ali Jackson
Representative
N/A
Property Owner
Same as applicant
Current Zoning
RM-8, Residential – Multifamily, 8 units per acre
Current Future Land Use Category
Residential High (RH)
Project Request: Land use permit to acquire a business license for home occupation.
Please see page 2 for project request description.

Aerial view of subject property

PROPERTY DETAILS

Within 1/2 mi from Unincorporated Cobb Co: No
Historic District: No
Cemetery: No **Floodplain:** No **Stream:** No
Parcel ID #: 20013901170
Land Lot #: 139 **Tax Parcel #:** 117
Land Area: 0.03 +/ - acres or 1,002 SQFT
Proposed Building SQFT: N/A
Proposed Streets: N/A

RECOMMENDATION

Staff Recommendation
Approval with conditions
Planning Commission Recommendation Approval with conditions as recommended by staff

Please see page 11 for basis for recommendation.

ADJACENT PROPERTY DETAILS

Surrounding Zoning Dist. and Future Land Use

North: Paulding Street
Zoning: R-15, Single Family Residential
Future Land Use: Residential Low/Medium (RL)

South: No Street
Zoning: Highway General Business (HGB)
Future Land Use: Community Activity Center (CAC)

East: Park Drive
Zoning: R-15, Single Family Residential
Future Land Use: Residential High (RH)

West: Jiles Road
Zoning: Office/Institutional (OI)
Future Land Use: Neighborhood Activity Center (NAC)

Please see pages 3 for zoning map.

STAFF ANALYSIS REPORT

ZONING CASE #: LU2025-06

DESCRIPTION OF ZONING REQUEST

This is a land use permit request for a home occupational business license. The applicant is requesting to renew a home business license to operate a cottage food operation specializing in the baking and selling of cookies. This activity is known as a “cottage food operator.”

Please see page 7 for photos of the products
Please see page 7 for photos of the equipment used
Please see page 8 for sketch of work space in home

- **Pre-Application Meeting:** August 12, 2025
- **Application Submitted:** August 15, 2025
- **Fees Paid:** $250.00
- **Certified Letters Mailed:** September 12, 2025

COTTAGE FOODS DEFINITIONS

- "Cottage food operator" means a person who produces cottage food products only in the home kitchen of that person's primary domestic residence and only for sale directly to the consumer.
- "Cottage food products" means non-potentially hazardous baked goods, jams, jellies, preserves, and other non-potentially hazardous foods produced in the home kitchen of a domestic residence.

State of Georgia - Subject 40-7-19 COTTAGE FOOD REGULATIONS

Site Visit:
___ Yes
✓ No

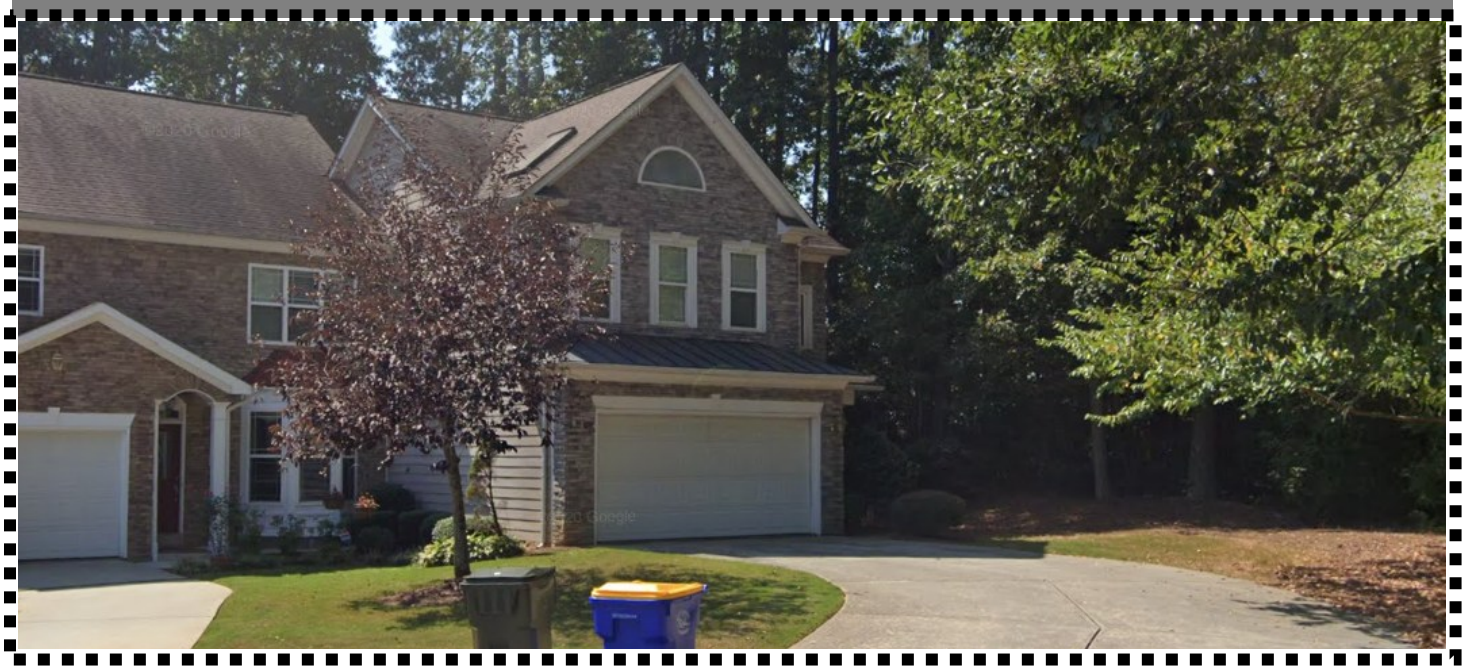
Staff Member:
Name: N/A
Date of Visit: N/A

Land Use Recommendation:
Home occupational use is compatible

Historic Preservation:
Not in a historic district

Cemetery Preservation:
No cemeteries on site

GOOGLE STREET VIEW OF THE RESIDENCE



STAFF ANALYSIS REPORT

ZONING CASE #: LU2025-06

ZONING MAP

LEGEND

CBD	HGB	NRC	R-15
CRC	HI	NS	RM-8
FST	LI	OI	RM-12
GC	MHP	PBSH	RM-16
		PSC	UVC
			Airport Hazard District

BACKGROUND:

The site is currently zoned RM-8, Multifamily-Residential with stipulations and is located within The Dominion subdivision. In 2001, the property was re-zoned from MF-1, Multifamily –1 to RM-8, Multifamily Residential for the development of 24 townhouse con-dominiums.

The subdivision was developed by Esculade Develop-ment and officially established in 2003. The property was built according to the outlined development standards:

- Total Area: 3.26 +/- acres
- Total Coverage: 19.6%
- Common Area: 2.62 +/- acres
- Density: 7.36 units/ acres
- Parking Required (2 spaces/unit): 48 spac-es
- Minimum square footage: 1,400 sq. ft.

LOCATION:

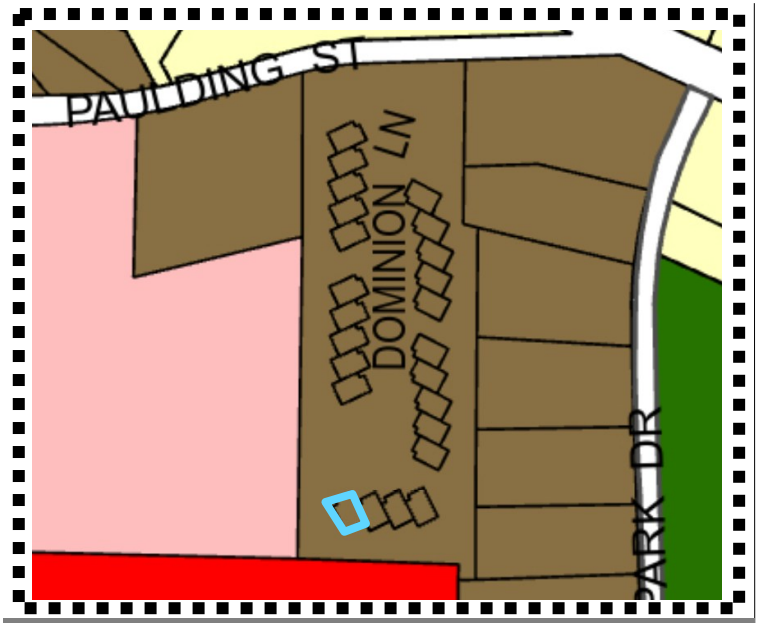
The subject property, approximately 0.03 ± acres, is located off Dominion Lane within The Dominion subdivision. It is situated in a transitional area surrounded by a mix of zoning districts that reflect a blend of residential, institutional, and commercial uses:

- **West:** Zoned Office Institutional (OI), adjacent to Kennesaw Village Senior Living, an assisted living community
- **North and East:** Zoned R-15, Single Family Residential, consisting of traditional single-family lots
- **South**: Zoned Highway General Business (HGB), home to the Kennesaw Commons shopping center

STAFF ANALYSIS REPORT

ZONING CASE #: LU2025-06

2022 COMPREHENSIVE PLAN UPDATE



Residential High (RH)

There are areas of residential land uses within the city. This may be single-family or multi-family housing. New development should reflect the character of surrounding development.

Recommendations:

- Density: 4-16 units per acre
- Internal amenities
- Walkable; connectivity to adjacent parcels
- Conservation of natural resource
- Percentage of housing dedicated to being affordable*

*Affordable based on the definitions and standards provided by the United States Housing and Urban Development.

LEGEND

- RH - Residential High
- RL - Residential Low/Medium
- PRC - Park/Recreation/Conservation
- NAC - Neighborhood Activity Center
- CAC - Community Activity Center

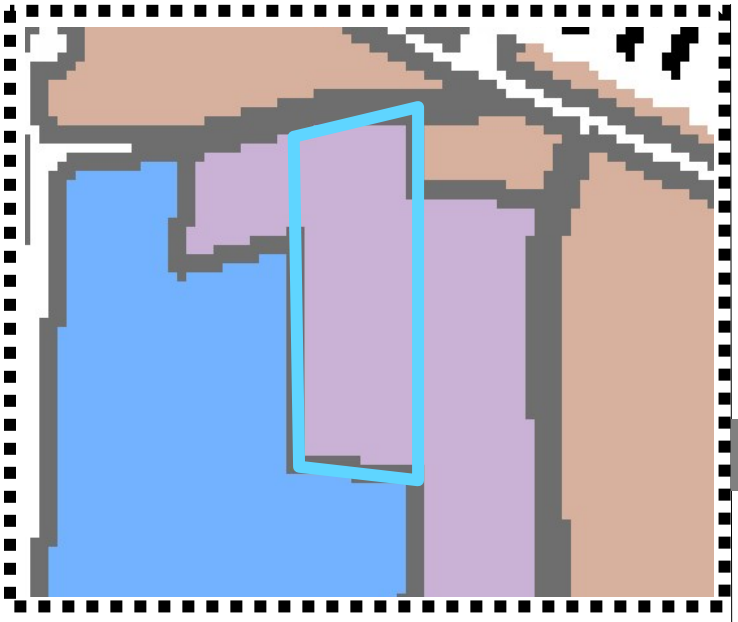
FUTURE LAND USE ANALYSIS

The Comprehensive Plan designates the future land use for the property as Residential High Density (RH). The intent of the RH is to support compact, diverse housing options that promote efficient land use and connectivity. The applicant's property will adhere to the Comprehensive Plan as there are no intentions to change the zoning or the external appearance of the property, which could potentially alter the character of the neighborhood or the overall density. Staff finds that the request aligns with the goals of the Comprehensive Plan.

STAFF ANALYSIS REPORT

ZONING CASE #: LU2025-06

COMPREHENSIVE PLAN - AREAS



In addition to the established Future Land Use Map, the City would like to further define an appropriate development atmosphere to ensure compatible and unified development within specified areas of the City.

Furthermore, please refer to the Policy Matrix which should be used for new development within each of the described areas.

LEGEND

- Jiles and Baker
- Historic Central Business District
- Cobb Parkway Commercial Corridor

COMPATIBLE FUTURE LAND USE

- Neighborhood Activity Center (NAC)
- Park/Recreation/Conservation (PRC)
- Planned Unit Development (PUD)
- Residential Low (RL)

JILES AND BAKER

The Jiles and Baker area is a unique blend of older and newer housing developments mixed with neighborhood-compatible retail. This is the largest of the residential character areas in land area and in population. Located in the northwest quadrant of the City, the area spans from Moon Station Road west to near the Acworth city limits and from Main Street north to Baker Road. Single-family detached residential is the predominant land use. Most of the homes are part of a neighborhood or planned unit developments. Notable public features of the area include the Kennesaw Community Trail and being adjacent to Swift-Cantrell Park.

STAFF ANALYSIS REPORT

ZONING CASE #: LU2025-06

TRANSPORTATION DATA

Roadway Name
Dominion Lane

Roadway Classification
Local

Speed Limit
25 - MPH

Jurisdictional Control
City of Kennesaw—Privately Owned Street

Minimum Right-of-Way Requirement
40-feet minimum

STAFF ANALYSIS REPORT

ZONING CASE #: LU2025-06

TYPE OF EQUIPMENT USED - PHOTOS PROVIDED BY THE APPLICANT

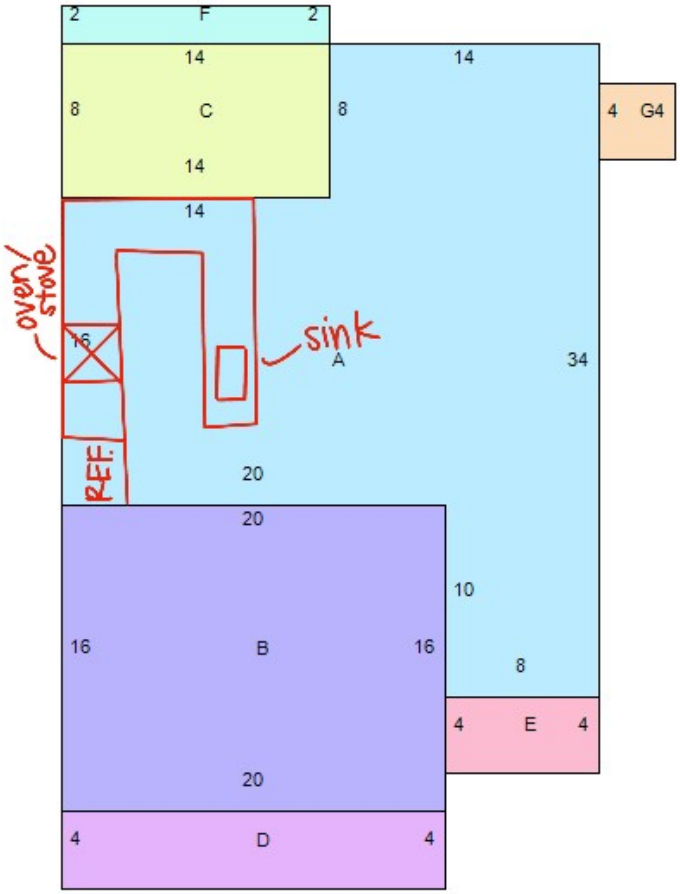
PHOTOS OF PRODUCT PRODUCED - PHOTOS PROVIDED BY THE APPLICANT

STAFF ANALYSIS REPORT

ZONING CASE #: LU2025-06

PROPOSED FLOOR PLAN OF WORKSPACE LOCATED IN THE KITCHEN

	Room Type	Area
	A Main Area	640
	B 1 STORY FRAME/FRAME GARAGE	320
	C 1 STORY FRAME/UNFIN BASEMENT	112
	D FRAME GARAGE	80
	E OPEN PORCH	32
	F FRAME OVER HANG	28
	G WOOD DECK	16



HOA MANAGEMENT APPROVAL LETTER

homeside PROPERTIES
An Associa® Company

August 15, 2025

To whom it may concern:

According to the Dominion at Kennesaw Covenants, Ms. Ali Jackson who resides at 2800 Dominion Lane, Kennesaw, GA 30144 is allowed to have an office for business purposes out of her home as long as it does not create regular customer traffic. Please see the specific rule below:

> Section 1. Residential Use. All Lots shall be restricted exclusively to single-family residential use. The use of a portion of a dwelling as an office by an Owner shall not be considered to be a violation of this covenant if such use does not create regular customer, client or employee traffic. The use of a dwelling or a portion thereof for business meetings, entertainment, or the enjoyment or business of the Owner's employees, trustees, agents, clients, or customers shall not be considered to be a violation of this covenant if such use does not create regular customer, client or employee traffic. Nothing herein shall be construed to prohibit or prevent Declarant or any builder of residences on the Property from using any Lot owned by Declarant or such builder for the purpose of carrying on business related to the development and sale of Lots and/or new homes on Lots.

If you have any questions, please do not hesitate to contact me.

Thank you!

Janine Long
Community Association Manager for Dominion at Kennesaw
Homeside Properties
900 North Point Parkway
Suite 325
Alpharetta, GA 30005

P: 678.297.9566 F: 678.297.9491 900 North Point Parkway Suite 325 Alpharetta, Georgia 30005 www.homesideproperties.com

STAFF ANALYSIS REPORT

ZONING CASE #: LU2025-06

STAFF ANALYSIS:

The applicant, Ali Jackson, is requesting a Land Use Permit for the operations of a home occupation at the property located at 2800 Dominion Lane, zoned RM-8. The applicant is requesting to renew the land use permit for a home business to operate a home bakery baking and selling cookies.

Staff has analyzed the request based on the standards for decision outlined in *section 4.04.05* with the following observations :

1. **Safety, health, welfare, and moral concerns involving the surrounding neighborhood**
   The proposed use will not generate excessive noise, nor will it emit smoke, odor, dust or vibrations detectable to the normal senses outside the dwelling unit that will affect surrounding property owners.
2. **Parking and traffic consideration**
   No additional traffic shall be generated by the home occupation other than would normally be expected in a residential neighborhood, as the applicant plans to have the items delivered to customers.
3. **Number of nonrelated employees**
   The applicant will be the only employee connected to the functioning of the business.
4. **Number of commercial and business deliveries**
   All ingredients and supplies for the business will be sourced through Amazon or similar standard delivery services. There will be no large delivery trucks beyond what is typical for residential areas.
5. **The city's general presumption that residential neighborhoods should not allow non-compatible business uses**
   Staff finds that the residential nature of the community will not be affected as there will be no clients visiting the property or external indication that a business exist.
6. **Compatibility of the business use to the neighborhood**
   Staff finds that if granted the land use permit, the business will not be detrimental to the character or livability of the surrounding homes and the residential viability of the dwelling is maintained with the home occupation being minor to the use of the premises as a residence. There will be no exterior indication of the home occupation or variation from the residential character of the principal use or foot traffic that would indicate the presence of a business.
7. **Hours of operation**
   The applicant intends to operate the business during weeknights and weekends, outside of her full-time employment hours. Operations will be conducted privately, with no publicly posted hours and no walk-in.
8. **Existing business uses in the vicinity**
   The property is zoned residential, there are no other existing business in the vicinity.
9. **Effect on property values of surrounding property**
   The home occupation will not affect the property value of the surrounding properties as there will be no significant alteration to the exterior of the dwelling unit nor will the designated zone be adjusted from residential.
10. **Circumstances surrounding neighborhood complaints**
    Staff has not identified any negative impacts that could be cause for complaints from surrounding property owners. To ensure compliance with the standards listed in the Unified Development Code, staff has included proposed conditions of approval that are listed in the recommendation body of this report.

ZONING CASE #: LU2025-06

STAFF ANALYSIS:

11. Intensity of the proposed business use

The intensity of the proposed use is very low and would be compatible to the surrounding zoning districts.

12. Location of use within the neighborhood

Staff finds the home occupation shall be contained and conducted within an enclosed building. The proposed use will be confined to the kitchen area of the principal residential structure and will not be bleed into other areas of the subdivision.

On October 16, 2023, the applicant was approved for a Land use Permit with the following conditions:

1. The land use permit is limited to, exclusive for and only valid for the current applicant and the life of this particular business and use, and it is not transferrable. Any changes would require additional review and approval.
2. There shall be no clients, customers or additional employees at this location. Nor shall there be any evidence of a home based business visible from the public right-of-way.
3. In no event shall the Mayor and City Council grant a land use permit for a period of time in excess of 24 months except on re-application, re-advertisement, and public hearing.

Under current regulation, section 4.04.05 Standard for Home Occupation, home occupations are permitted with the approval of a Land Use Permit by Mayor and Council and "in no event shall the Mayor and City Council grant a land use permit for a period in excess of 24 months except on re-application, re-advertisement, and public hearing."

As of the time of this analysis, the city has not received any complaints from neighboring properties regarding the homebased business.

Staff finds that approval of the request for a land use permit will not affect the current zoning and will continue to align with the goal outlined in the Comprehensive Plan. The property will maintain its residential nature and the character of the neighborhood and surrounding properties will go unchanged.

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

Based on the analysis completed by Staff, the Zoning Administrator, recommends **approval with the following conditions** for case #LU2025-06.

Conditions:

1. The land use permit is limited to, exclusive for and only valid for the current applicant and the life of this particular business and use, and it is not transferrable. Any changes would require additional review and approval.
2. There shall be no clients, customers or additional employees at this location. Nor shall there be any evidence of a home based business visible from the public right-of-way including no signs and no more than one commercial vehicle dedicated to this business.
3. The land use permit is valid for 24-months starting from the date of final approval.

STAFF ANALYSIS REPORT

ZONING CASE #: LU2025-06

PLANNING COMMISSION RECOMMENDATION:

At the October 1, 2025 meeting, the Planning Commission recommended approval with conditions as outlined by staff.

MAYOR AND COUNCIL DECISION:

To be determined on October 20, 2025

CASE NUMBER		LAND USE OR ZONING FROM	TO
AV	**LU 2025-006**		
AX	RZ		
DX			
HBR			
SLUP			
ZV			

AV – Administrative Variance
AX – Annexation
DX – De-annexation
HBR – Historic Board Review
LU – Land Use
RZ – Re-zoning
SLUP – Special Land Use
ZV – Variance

R-10 ZONING
KENNESAW CITY LIMITS
COBB COUNTY
99 LAND LOT

2800 Dominion Lane
Land Lot 139, Tax Parcel 117

Subject Property

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

Derek Easterling MAYOR
Lea Alvarez CITY CLERK

Scale: 1" = 54 '
Print Date: 8/18/2025
LU2025_006

Community Development
Planning & Zoning Department
2529 J. O. Stephenson Avenue 770-590-8268

Darryl Simmons
Planning & Zoning Administrator

LAND USE & SPECIAL LAND USE APPLICATION

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

Planning Commission meetings are held on the 1st Wednesday of each month at 6:30 P.M.
The Mayor and Council meetings are held the first and third Monday of the month at 6:30 P.M.
Both meetings are held in the City Hall Council Chambers, 2529 J.O. Stephenson Avenue.

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).

- [x] **Original application completed, signed and notarized**
- [ ] **Land Use & Special Land Use fees – *$250.00***
- [x] **A copy of the warranty deed for said property that includes the full legal description/ in word format.**
- [x] **A copy of the current taxes paid in full for said property from the Cobb County Tax and City of Kennesaw Tax Departments**
- [x] **Floor plan sketch of home showing location of work space**
- [x] **Photos of work space, equipment, materials or ingredients and product produced**
- [x] **Current copy of boundary survey and plot plan, to scale, prepared by a registered surveyor or registered engineer. Such plans shall also include such other information thereon as may be required by the zoning department, including preliminary plans for development, building locations, parking areas, access points, adjacent streets, land lot lines, buffer areas, future right of way, wetlands, floodplains, utilities and retention. Copy sized 81/2 x 11 inches.**
- [x] **Applicant or agent must be present at all public hearings**
- [x] **Documentation authorizing petitioner to submit application by property owners if petitioner is not owner** (petitioner is owner)
- [x] **Completed application and supporting documents listed must be submitted through the iWorq portal on the city's website.**

Note: The Department of Planning & Zoning reserves the right to obtain additional information that reasonably may be required in order that an informed decision may be made.

For questions, please feel free to contact the Planning and Zoning Department at 770-590-8268.

✓Floor plan sketch
✓Photos of workspace, equipment, finished product(s) HOA Letter - requested

LAND USE & SPECIAL LAND USE APPLICATION

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 20530

LAND USE & SPECIAL LAND USE APPLICATION

Required Fee $250.00

Date Received 08/15/2025
Staff's Initials RG

☑ **LAND USE APPLICATION** ☐ **SPECIAL LAND USE APPLICATION**

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

A MINIMUM OF ONE CONSULTATION WITH PLANNING AND ZONING ADMINISTRATOR AND STAFF PRIOR TO THE SUBMISSION OF THE REQUESTED APPLICATION IS MANDATORY.
(Applicant or agent must be present at all public hearings)

Date of Consultation 8/12/2025 Staff's Initials RG

PURPOSE OF LAND USE REQUEST Land Use Permit Renewal (approved 2023); to maintain home occupational business license for cottage food operation.

LAND USE PROPERTY ADDRESS 2800 Dominion Lane, Kennesaw, GA 30144

Land Lot 139 Tax Parcel 117 Lot Size .023 Current Zoning RM-8

APPLICANT Ali Jackson

APPLICANT EMAIL [redacted]

Applicant address 2800 Dominion Lane, Kennesaw, GA 30144

(Home#) [redacted] (Fax#)_____ (Work#)_____

(Cell#) [redacted]

Applicant Signature _____

Signed, sealed and delivered in presence of: _____ 8/15/25
Notary Date

CARISSA PREMORE NOTARY PUBLIC MY COMMISSION EXPIRES OCTOBER 03, 2025 CHEROKEE COUNTY, GEORGIA

REPRESENTIVE William Mark Jackson

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

Representative Signature _____

Signed, sealed and delivered in presence of: _____ 8/15/25
Notary Date

CARISSA PREMORE NOTARY PUBLIC MY COMMISSION EXPIRES OCTOBER 03, 2025 CHEROKEE COUNTY, GEORGIA

TITLEHOLDER: Same as Applicant **Telephone:** Same as Applicant

Signature:_____ **Address:** Same as Applicant

Signed, sealed and delivered in presence of: _____ 8/15/25
Notary Date

CARISSA PREMORE NOTARY PUBLIC MY COMMISSION EXPIRES OCTOBER 03, 2025 CHEROKEE COUNTY, GEORGIA

CAMPAIGN DISCLOSURE REPORT[1] BY APPLICANT[2]

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? **WRITE YES OR NO:** 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 August, 2025

_____
Applicant's 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.

CERTIFICATION AUTHORIZATION

I hereby attest to the fact that a certified mailing to property owners within 200 feet was sent out on or before September 12, 2025 in accordance with the application requirements.

09/12/25

Date

Applicant or Authorized Agent Signature

Sworn and subscribed before me this 12th day of September 2025

Notary Public

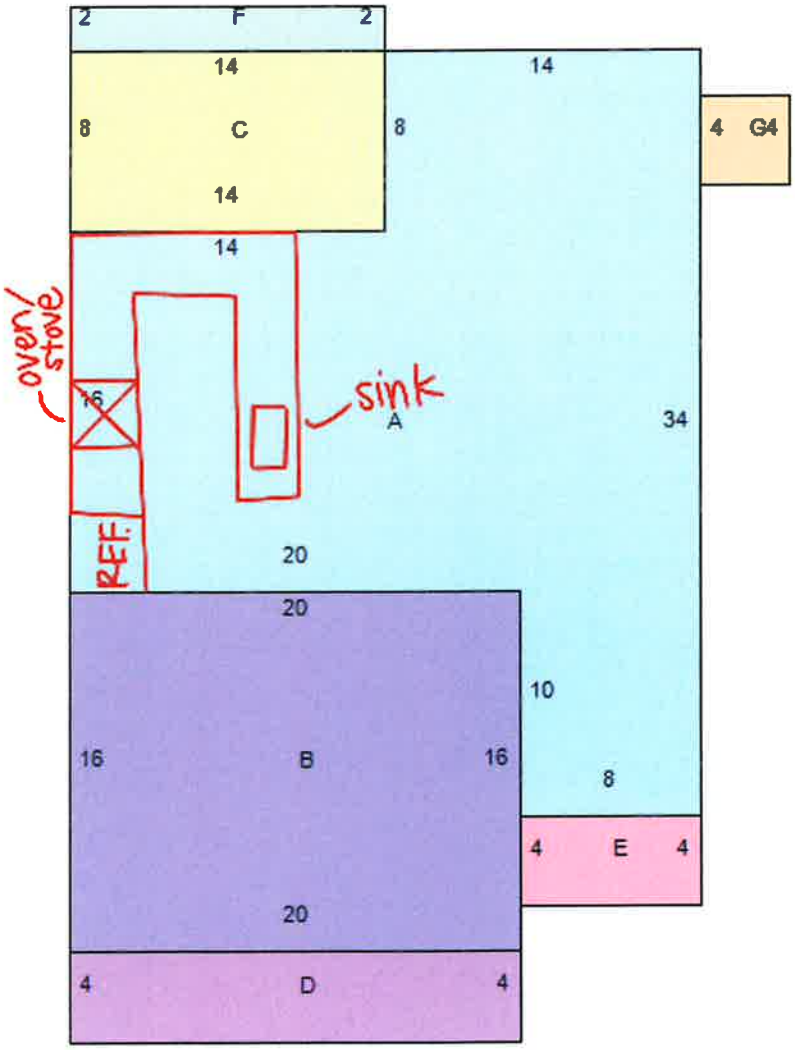
CARISSA PREMORE
MY COMMISSION EXPIRES
NOTARY
PUBLIC
OCTOBER 03, 2025
CHEROKEE COUNTY, GEORGIA

Section 2100, Part 5 Standards for Decisions – Only Land Use Permits

Land Use Permits may be granted in such individual cases based on the standards for decisions as follows, please comment using additional pages if necessary.

	COMMENTS:
(1) Safety, health, welfare, and moral concerns involving the surrounding neighborhoods.	Very low impact type of establishment. All activities indoors. No toxic materials or heavy equipment. No additional traffic or clients coming to the property.
(2) Parking and traffic considerations.	None. Products delivered to the house by FedEx/Amazon/UPS. No customers visiting the property, therefor no additional traffic generated.
(3) Number of non-related employees.	None. Zero non-related employees.
(4) Number of commercial and business deliveries.	None. Supplies ordered through Amazon. No large delivery trucks. Supplies are delivered by Amazon, FedEx, or UPS.
(5) The City's general presumption that residential neighborhoods should not allow non-compatible business uses.	ow impact business. All activities conducted inside. No traffic generated or customers coming to property.
(6) Compatibility of the business use to the neighborhood.	Business is compatible with the neighborhood. The HOA allows home offices. Letter attached.
(7) Hours of operation.	I bake and decorate outside of my full-time job. Hours of operations are weeknights and weekends. Operations take place inside. Operations take place in the privacy or my own home. No posted business hours to the public.
(8) Existing business uses in the vicinity.	To my knowledge, there are no existing businesses operating out of the surrounding neighborhood properties.
(9) Effect on property valued of surrounding property.	None. No effect to the value of the surrounding properties.
(10) Circumstances surrounding neighborhood complaints.	To my knowledge, there are no complaints and have been no complaints since my last application for land use permit (2023).
(11) Intensity of the proposed business use; and	Low intensity business. All activities take place inside.
(12) Location of use within the neighborhood.	Utilizing kitchen inside my house. Property is last unit in the neighborhood.

	Room Type	Area
	A Main Area	640
	B 1 STORY FRAME/FRAME GARAGE	320
	C 1 STORY FRAME/UNFIN BASEMENT	112
	D FRAME GARAGE	80
	E OPEN PORCH	32
	F FRAME OVER HANG	28
	G WOOD DECK	16



PLATFORM
9¾
Hogwarts

THE
ERAS
TOUR

GRAND
TETON
NATIONAL PARK
YELLOWSTONE
NATIONAL PARK
ZION
NATIONAL PARK
DENALI
NATIONAL PARK
GLACIER
NATIONAL PARK
ARCHES
NATIONAL PARK

Hocus Pocus
Hocus Pocus
OH LOOK ANOTHER glorious MORNING... MAKES ME sick
makin' dough
Hocus Pocus
I put a spell on you

30101
H
30101
home sweet home
H

Merry Christmas
Merry Christmas

give
thanks

August 15, 2025

To whom it may concern:

According to the Dominion at Kennesaw Covenants, Ms. Ali Jackson who resides at 2800 Dominion Lane, Kennesaw, GA 30144 is allowed to have an office for business purposes out of her home as long as it does not create regular customer traffic. Please see the specific rule below:

> Section 1. Residential Use. All Lots shall be restricted exclusively to single-family residential use. The use of a portion of a dwelling as an office by an Owner shall not be considered to be a violation of this covenant if such use does not create regular customer, client or employee traffic. The use of a dwelling or a portion thereof for business meetings, entertainment, or the enjoyment or business of the Owner's employees, trustees, agents, clients, or customers shall not be considered to be a violation of this covenant if such use does not create regular customer, client or employee traffic. Nothing herein shall be construed to prohibit or prevent Declarant or any builder of residences on the Property from using any Lot owned by Declarant or such builder for the purpose of carrying on business related to the development and sale of Lots and/or new homes on Lots.

If you have any questions, please do not hesitate to contact me.

Thank you!

Janine Long
Community Association Manager for Dominion at Kennesaw
Homeside Properties
900 North Point Parkway
Suite 325
Alpharetta, GA 30005

Deed Book 15828 Page 3987
Filed and Recorded 11/24/20 8:49:00 AM
2020-0154745
Real Estate Transfer Tax $230.00
Rebecca Keaton
Clerk of Superior Court
Cobb County, GA
Participant IDs: 3076672330

Return to: MCMANAMY MCLEOD HELLER, LLC
3520 PIEDMONT RD, SUITE 110
ATLANTA, GA 30305
File # 20-01-11425
Parcel ID: 20-0139-0-117-0

STATE OF GEORGIA
COUNTY OF FULTON

LIMITED WARRANTY DEED

THIS INDENTURE made this **13th day of November, 2020** between

Wesley Matthew Jackson

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

Ali Sikes Jackson

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: Grantor, for and in consideration of the sum of TEN DOLLARS and other good and valuable consideration ($10.00) in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee, the following described property:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT NO. 139, OF THE 20TH DISTRICT, 2ND SECTION, OF COBB COUNTY, GEORGIA, BEING LOT NO. 2800 A/K/A UNIT 11, THE DOMINION AT KENNESAW TOWNHOMES SUBDIVISION, AS PER PLAT RECORDED IN PLAT BOOK 210, PAGES 47-48, COBB COUNTY, GEORGIA RECORDS, AS REVISED AT PLAT BOOK 240, PAGES 32-33, COBB COUNTY, GEORGIA RECORDS, WHICH PLAT IS HEREBY ADOPTED AND MADE A PART HEREOF BY REFERENCE THERETO FOR A MORE COMPLETE DESCRIPTION OF SAID PROPERTY, BEING IMPROVED PROPERTY NOW OR FORMERLY KNOWN AS 2800 DOMINION LANE, ACCORDING TO THE PRESENT SYSTEM OF NUMBERING IN COBB COUNTY, GEORGIA.
MAP PARCEL NUMBER 20-0139-0-117-0

Subject to all easements and restrictive covenants of record.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to 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 claims passing by or through Grantor.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this first day and year first above written.

Signed, sealed and delivered in the presence of:

_____
Unofficial Witness

_____
Notary Public
My Commission expires: _____

[Notary Seal]

HALEY ROOS NOTARY PUBLIC EXPIRES GEORGIA December 5, 2021 FULTON COUNTY

_____ (Seal)
Wesley Matthew Jackson

_____ (Seal)

_____ (Seal)

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

2024 Property Tax Bill

PAID

Parcel ID	Tax District	Bill #
20013901170	3/3-BOND - KENNESAW CITY	278965

Property Owner/Location/Description	Fair Market Value	Taxable Value
JACKSON ALI SIKES 2800 DOMINION LN UNIT 3	300,070	120,028

Levies	Taxable Value	-	Exemptions	=	Net Assessment	X	Tax Rate	=	Net Tax
KENNESAW CITY	120,028		40,144		79,884		7.7500000		$619.10
BOND	120,028		0		120,028		1.5000000		$180.04

Exemptions:
111 - Floating Exemption

Temporary bills reflect 85% of the estimated tax under appeal. The remaining 15% will be billed after the appeal is finalized and should be forwarded to your mortgage company, if applicable.

Pay online at:
www.municipalonlinepayments.com/kennesawga

For ownership/address changes, contact Cobb County Tax Commissioner at (770) 528-8600.

Current Year Tax	$799.14
Interest	$0.00
Penalty	$0.00
Other Fees	$0.00
Payments Received	$799.14
Other Amounts Due	$0.00
Total Due	$0.00
Due Date	12/01/2024

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:	20013901170
Amount Due:	$0.00
Bill#:	278965
Due Date:	12/01/2024
	AMOUNT PAID

JACKSON ALI SIKES
2800 DOMINION LN NW
KENNESAW, GA 30144

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

Printed: 9/23/2025

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:
WELLS FARGO BANK 936

JACKSON ALI SIKES

Payment Date: 10/14/2024

Tax Year	Parcel ID	Due Date		Appeal Amount		Taxes Due
2024	20013901170	10/15/2024	**Pay:**	N/A	or	$0.00

Interest	Penalty	Fees	Total Due	Amount Paid	Balance
$0.00	$0.00	$0.00	$0.00	$3,007.62	**$0.00**

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

Final Plat for:
A Townhome Community

THE DOMINION AT KENNESAW

Paulding Street at Dominion Lane
Land Lot 139, 20th District, 2nd Section
Kennesaw, Cobb County, Georgia

Plans Prepared by:
ROBERT S. SHOEMAKER & ASSOCIATES
Architectural Engineering Construction Consultants
2200 Commerce Tower
Kansas City, Missouri 64105
816-333-8700

Owner / Developer:
ESCULADE DEVELOPMENT, LLC
211 Frasier Street, Suite 201
Marietta, Georgia 30060
770-421-0049

SHEET INDEX

Cover Sheet
C1 Final Plat Plan

GENERAL NOTES

This Plat is subject to the covenants set forth in the documents recorded on July 25, 2002 in Deed Book 13566, commencing on Page 3226, which hereby becomes a part of this Plat.

The property is **not** in an area having special flood hazards per FEMA Map for Cobb County, Georgia Community Panel, 130055 0030 F, revised August 18, 1992.

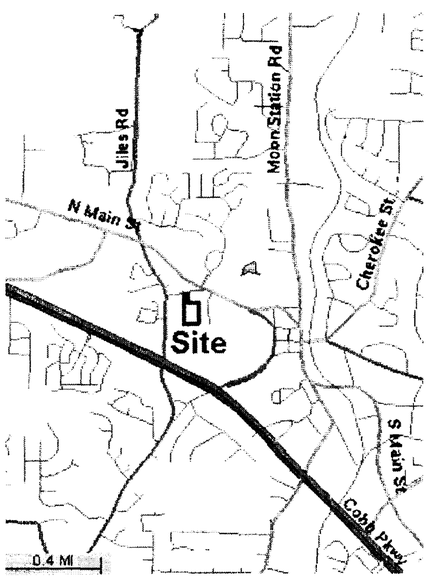
No cemetery was found on the property.

No wetlands are on the property.

Maintenance of Street by Homes Association.

Each home owner will be responsible for trash..

LOCATION MAP



LEGAL DESCRIPTION

All that tract or parcel of land in Land Lot 139, 20th District, 2nd Section, Cobb County, Georgia, and being more particularly described as follows:

Beginning at a point located on the south right-of-way line of Paulding Street, 520 feet east as measured along the south right-of-way line, from it's intersection with the west Land Lot Line of Land Lot 139; thence east along the south right-of-way line of Paulding Street and following the curvature thereof, 210 feet to an iron pin; thence south 0°49'46" east 210 feet to an iron pin; thence south 77°10'59" east, 19.30 feet to an iron pin, thence south 1°14'39" east, 364.70 feet to an iron pin; thence south 1°36'55" east, 90 feet to an iron pin; thence south 86°40'44" west, 22.70 feet to an iron pin; thence north 0°37'27" east, 20.33 feet to an iron pin; thence north 89°40'17" west, 208.25 feet to an iron pin; thence north 0°49'46" west, 629 feet to the point of beginning, and being approximately 3.26 acres; being a portion of the property shown on Plat of Survey by J. P. Phillips, Georgia Registered Land Surveyor, dated September 15, 1952, recorded in Plat Book 10, Page 126, and Survey by James Flanders, Georgia Registered Land Surveyor #1320, dated August 16, 1972, recorded in Deed Book 1357, Page 724, in the Cobb County, Georgia records; and represents data compiled and verified by a boundary survey by P.E., Georgia Registered Land Surveyor #1373 dated 9/25/02. The precision of the error of closure for the Boundary Survey is 1: 2,953,822

SURVEYOR'S CERTIFICATION

I hereby certify that the Plan shown and described hereon is a true and correct survey made on the ground under my supervision, that the monuments have been placed as shown hereon, and is to the accuracy and specifications required by the Kennesaw Development Standards.

By (refer to the attached Plat of Survey)
Registered Georgia Land Surveyor

SITE DATA

Total Area:	142,191 SF / 3.26 Ac
Total Coverage:	19.6% 27,872 SF / 0.64 Ac
Common Area:	114,319 SF / 2.62 Ac
Parking Required (2 Spaces / Unit):	48 Spaces
Paved Off-Street Parking Provided:	76 Spaces
Zoning:	RM-8 w/ Stipulations as per Moore Ingram Johnson & Steele 9/17/01 Letter
Allowable Density:	8 Units / Ac
Actual Density:	7.36 Units / Ac
Land Use:	Townhouse Condominiums
Number of Units:	24
Unit A:	1,029 (1st) + 904 (2nd) = 1,933 SF
Unit A1:	1,029 (1st) + 742 (2nd) = 1,772 SF
Unit B:	1,086 (1st) + 1,017 (2nd) = 2,103 SF
Unit B1:	1,016 (1st) + 811 (2nd) = 1,828 SF

Calculation of Total Building Area will not be available until selection of unit types prior to the final application for Building Permits.

OWNER'S ACKNOWLEDGMENT

I hereby certify as the Owner of the land shown on this Plat and whose name is subscribed hereto, acknowledge that this Plat was made from an actual survey, and for value received the sufficiency of which is hereby acknowledged, do hereby convey the right-of-way shown hereon in fee simple to the City of Kennesaw. In consideration of the approval of this development plan and other valuable considerations, the Owner further releases and holds harmless Kennesaw from any and all claims, damages or demands arising on account of the design, construction and maintenance of the property shown hereon: on account of the roads, fills, embankments, ditches, cross drains, culverts, water mains, and sewer lines within the purposed right-of-way shown: and on account of backwater, the collection and discharge of surface water, or the changing of courses of streams.

And further the Owner warrants that he owns fee simple title to the property shown hereon and agrees that Kennesaw shall not be liable to him, his heirs, successors or assigns for any claims or damages resulting from the construction or maintenance of drives, structures, street, culverts, curbs or sidewalks, the changing of courses of streams, flooding from natural creeks and rivers, surface waters and any other matter whatsoever. I further warrant that I have the right to sell and convey the land according to this Plat and do hereby bind myself and owners subsequent in title to defend by virtue of these presence.

By _____
Esculade Development, LLC.

DEVELOPMENT CERTIFICATION

This Plat, having been submitted to Kennesaw and having been found to comply with the Kennesaw Development Standards and the Kennesaw Zoning Ordinance, is approved subject to the installation of all streets, utilities and other improvements in accordance with the Standard Design Specifications. AND THE POSTING OF A ONE YEAR MAINTENANCE BOND.

_____ 01/03/03
Kennesaw Public Works Division — Date

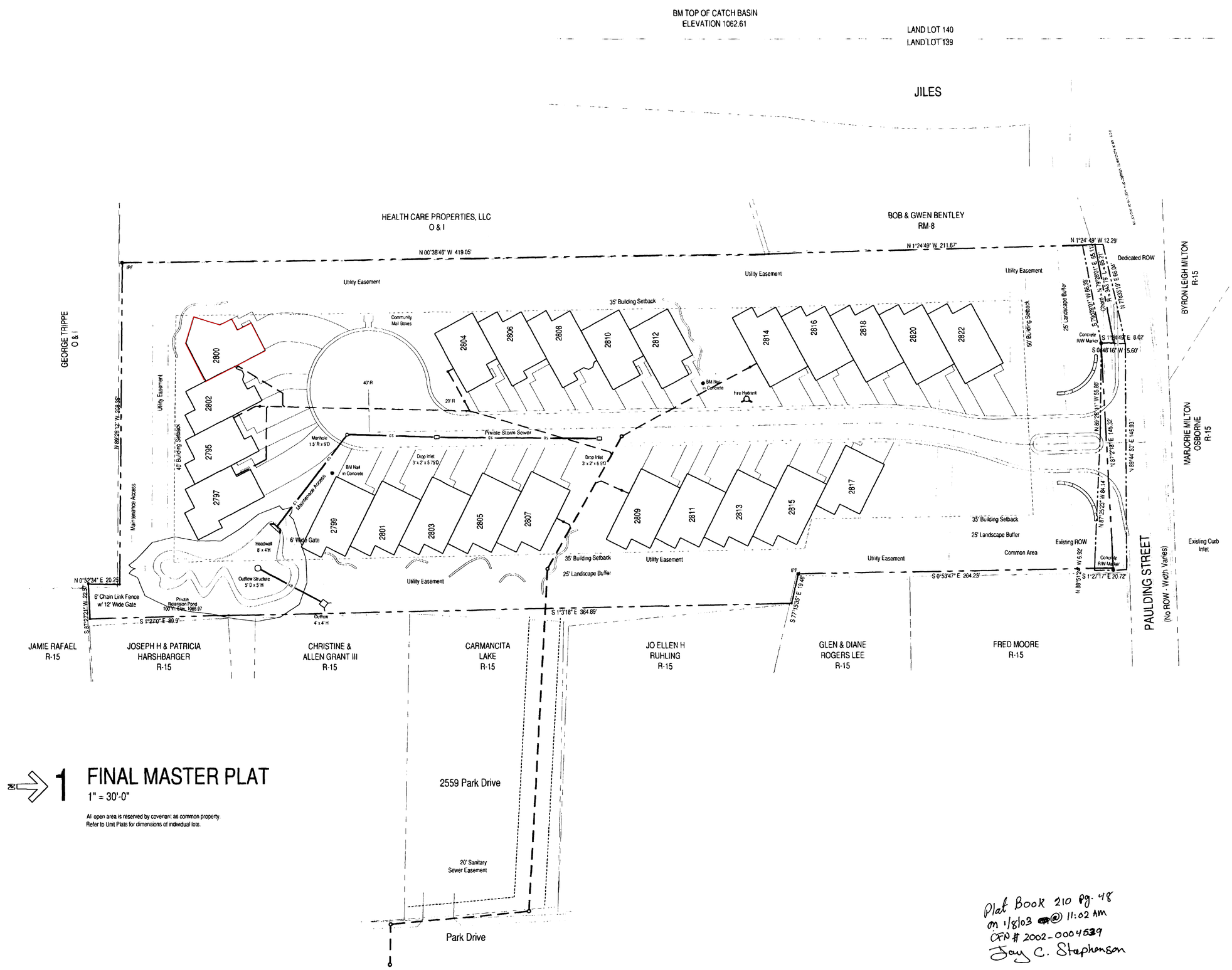
_____ 10-2-02
Planning and Zoning Division — Date

_____ 9/30/02
City Engineer — Date

_____ 1-03-03
Construction & Development Division — Date

_____ 1-6-03
Kennesaw Mayor and City Council — Date

Plat Book 210 pg. 47
on 1/8/03 @ 11:02AM
CFN # 2003-0004529
Joy C. Stephenson, Clerk



1 FINAL MASTER PLAT

1" = 30'-0"

All open area is reserved by covenant as common property.
Refer to Unit Plats for dimensions of individual lots.

Plat Book 210 pg. 48
on 1/8/03 @ 11:02 AM
CFN # 2002-0004539
Joy C. Stephenson

DRAWN BY:	SAB
CHECKED BY:	RSS
ISSUE DATE:	02/16/2001
REVISIONS:	
Final Plat	07/25/2002
Committee Mtg	09/24/2002

ROBERT S. SHOEMAKER & ASSOCIATES
ARCHITECTURAL ENGINEERING CONSTRUCTION CONSULTANTS
2200 COMMERCE TOWER
KANSAS CITY, MISSOURI 64105
816 233-8700

Plans for a Townhouse Community by Esculade Development:

DOMINION AT KENNESAW

Paulding and Dominion Lane

Kennesaw, Georgia

C1

OF 1 SHEETS

PROJECT NO. 1365

September 12, 2025

Subject: Please Take Notice - Notification of Nearby Zoning Application
2800 Dominion Lane, Kennesaw, GA, 30144 – 20013901170

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: Ali Jackson
Property Address: 2800 Dominion Lane
Parcel Identification Number: 20013901170
Description of Proposal: Consideration for approval of a land use request to obtain a home occupation business license to operate a cottage food business specializing in baking and selling cookies.

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	**Mayor & Council Meeting**
Date: 10/1/25	Date: 10/20/25
Time: 6:30 p.m.	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 09/12/25

LAND CASES		LAND USE OR ZONING FROM	TO
AV	LU2023-02		
AX	RZ		
DX			
HBR			
SLUP			
ZV			

AV – Administrative Variance
AX – Annexation
DX – De-annexation
HBR – Historic Board Review
LU – Land Use
RZ – Re-zoning
SLUP – Special Land Use
ZV – Variance

R-10 ZONING
KENNESAW CITY LIMITS
COBB COUNTY
99 LAND LOT

2800 Dominion Lane

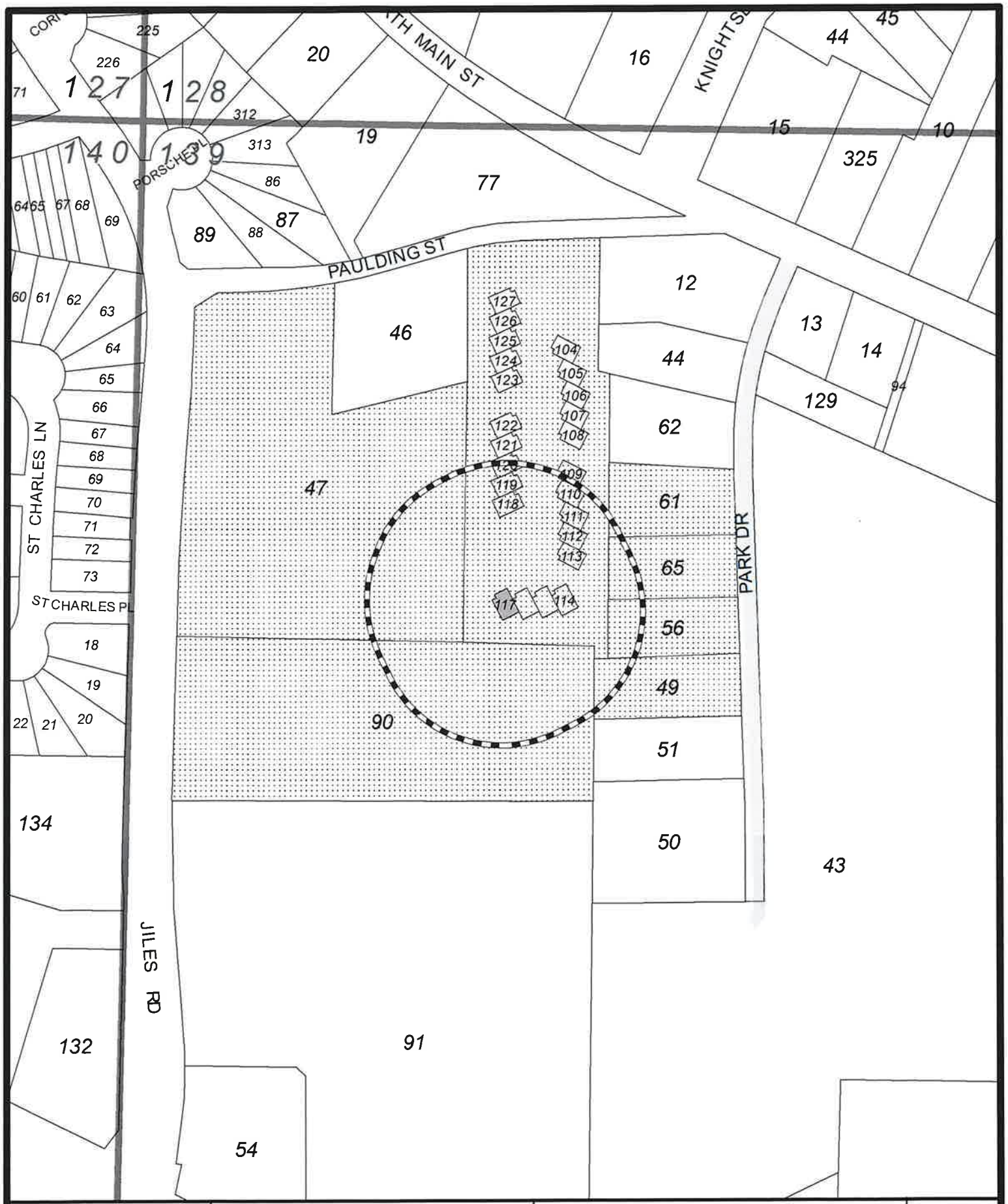
Land Lot 139, Tax Parcel 117

Subject Property

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

Derek Easterling MAYOR
Lisa Amos CITY CLERK

Scale: 1 " = 100 '
Print Date: 8/22/2023
LU2023-02_Aerial Map



2800 Dominion Lane
Land Lot 139,
Tax Parcel 117

LU2023-02
200' PROPERTY NOTIFICATION

CITY OF KENNESAW
PLANNING & ZONING DEPT.
770-590-8266

Derek Easterling, MAYOR
Lea Hovanez, CITY CLERK

Date 8/22/2023
LU2023-02_Notification Map
1" = 200'

Tax Parcel - 20013900470
KENNESAW PROPCO LLC
50 CHESNUT RIDGE RD STE 107
MONTVALE NJ 76445

Tax Parcel - 20013900900
SAFFARI INVESTMENT LLC
2750 JILES RD STE 100
KENNEAW GA 30144

Tax Parcel - 20013900650
MORTON DEBORAH & MORTON WALLACE D JR
5145 ORTEGA TRL NW
ACWORTH GA 30101

Tax Parcel - 20013900560
WILLIAMS KENNETH F II
3561 WENNINGTON TRACE 26
ALPHARETTA GA 30004

Tax Parcel - 20013901090
THOMAS MARIA KAY & THOMAS STEVEN JOHN
336 SUMMER CREEK DR
DALLAS GA 30157

Tax Parcel - 20013901110
CAMPBELL DAVID B
2619 SANDY PLAINS RD
MARIETTA GA 30066

Tax Parcel - 20013901180
RANDALL ROBERT IV
9024 ENDICOTT PL
LORTON VA 22079

Tax Parcel - 20013900610
THE TANOJO FAMILY LIVING TRUST
11 FINCH
LAKE FOREST CA 92630

Tax Parcel - 20013901130
SILVA MITZI Y MANZO
2799 DOMINION LN NW
KENNESAW GA 30144

Tax Parcel - 20013900490
KUMAR HERSH
2519 PARK DR NW
KENNESAW GA 30144-2740

Tax Parcel - 20013901150
BURKES REMY Y
2795 DOMINION LN NW
KENNESAW GA 30144

Tax Parcel - 20013901100
MCAFEE TIPHANIE & BRENDA JOYCE
2805 DOMINION LN
KENNESAW GA 30152

Tax Parcel - 20013901190
ELLISON RENEE
2806 DOMINION LN NW
KENNESAW GA 30144

Tax Parcel - 20013901200
KELLY SHERI D
2808 DOMINION LN NW
KENNESAW GA 30144

Tax Parcel - 20013901140
MORRIS KEITH S
2797 DOMINION LN
KENNESAW GA 30144

Tax Parcel - 20013901160
RODRIGUEZ HECTOR F & PARRA MARTHA L
2802 DOMINION LN NW
KENNESAW GA 30144

Tax Parcel - 20013901120
GONZALEZ EMILIO
2801 DOMINION LN
KENNESAW GA 30144

Tax Parcel - 20013901280
DOMINION AT KENNESAW HOA INC
117 TOWNELAKE PKWY STE 300
WOODSTOCK GA 30188

LAND USE & SPECIAL LAND USE APPLICATION

Required Fee $250.00

Date Received 08/15/2025
Staff's Initials RG

☑ **LAND USE APPLICATION** ☐ **SPECIAL LAND USE APPLICATION**

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

A MINIMUM OF ONE CONSULTATION WITH PLANNING AND ZONING ADMINISTRATOR AND STAFF PRIOR TO THE SUBMISSION OF THE REQUESTED APPLICATION IS MANDATORY.
(Applicant or agent must be present at all public hearings)

Date of Consultation 8/12/2025 Staff's Initials RG

PURPOSE OF LAND USE REQUEST Land Use Permit Renewal (approved 2023); to maintain home occupational business license for cottage food operation.

LAND USE PROPERTY ADDRESS 2800 Dominion Lane, Kennesaw, GA 30144

Land Lot 139 Tax Parcel 117 Lot Size .023 Current Zoning RM-8

APPLICANT Ali Jackson

APPLICANT EMAIL [redacted]

Applicant address 2800 Dominion Lane, Kennesaw, GA 30144

(Home#) [redacted] (Fax#)_____ (Work#)_____

(Cell#) [redacted]

Applicant Signature _____

Signed, sealed and delivered in presence of: _____ 8/15/25
Notary Date

CARISSA PREMORE NOTARY PUBLIC MY COMMISSION EXPIRES OCTOBER 03, 2025 CHEROKEE COUNTY, GEORGIA

REPRESENTIVE William Mark Jackson

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

Representative Signature _____

Signed, sealed and delivered in presence of: _____ 8/15/25
Notary Date

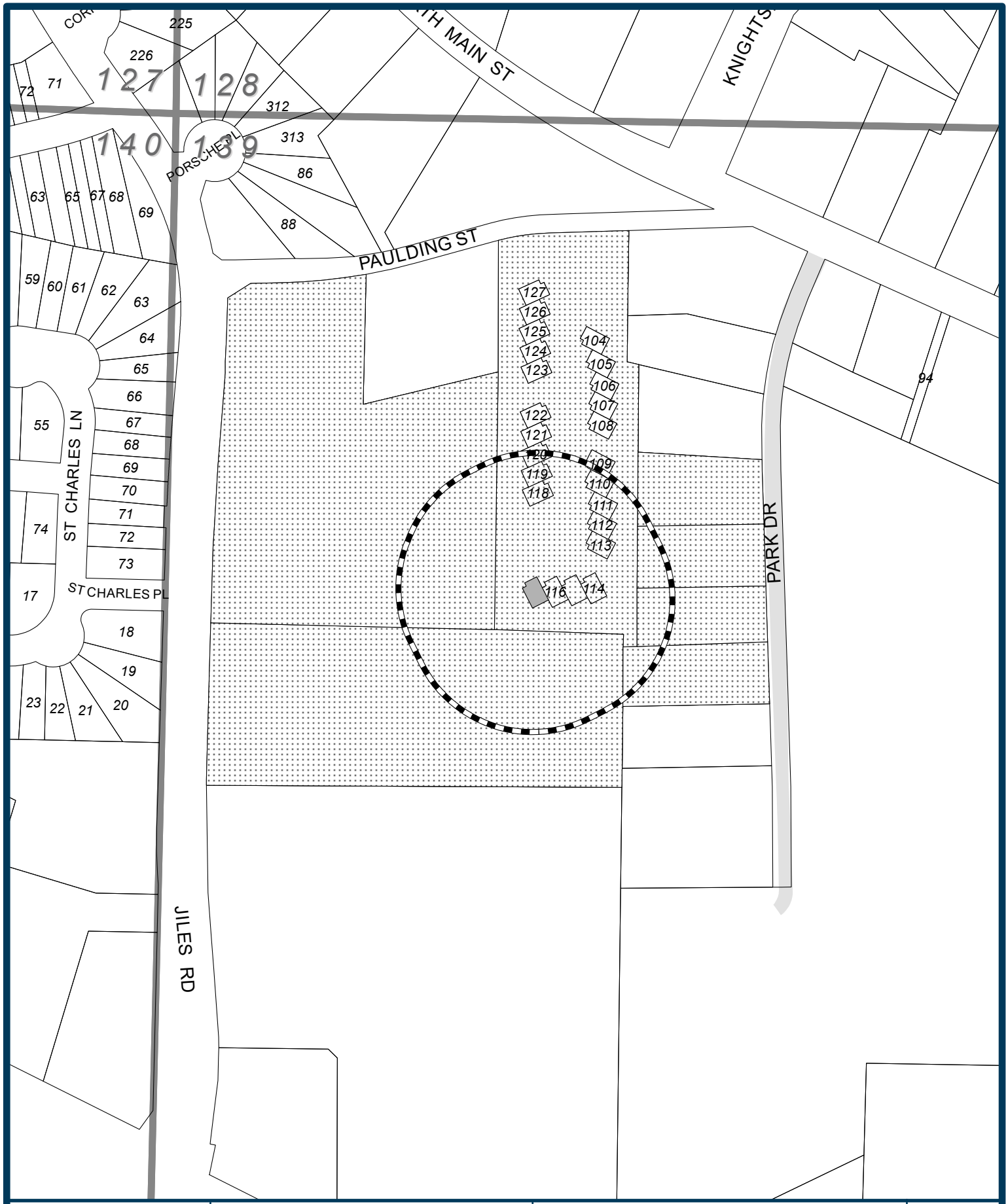
CARISSA PREMORE NOTARY PUBLIC MY COMMISSION EXPIRES OCTOBER 03, 2025 CHEROKEE COUNTY, GEORGIA

TITLEHOLDER: Same as Applicant **Telephone:** Same as Applicant

Signature:_____ **Address:** Same as Applicant

Signed, sealed and delivered in presence of: _____ 8/15/25
Notary Date

CARISSA PREMORE NOTARY PUBLIC MY COMMISSION EXPIRES OCTOBER 03, 2025 CHEROKEE COUNTY, GEORGIA



Subject Parcel

200' Radius

Properties Notified

2800 Dominion Lane
Land Lot 139,
Tax Parcel 117

LU2025-006
200' PROPERTY NOTIFICATION

City of Kennesaw, GA
Honoring Our Heritage - Forging Our Future

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

Derek Easterling
MAYOR

Lea Alvarez
CITY CLERK

Date: 8/18/2025
LU2025_006

N
1" = 203 '

TIMES JOURNAL, INC.
P.O. BOX 1633
ROME GA 30162-1633
(770)795-3050

ORDER CONFIRMATION

Salesperson: ROSE MILLER Printed at 09/03/25 14:24 by rmill-tj

---

Acct #: 110016 Ad #: 506529 Status: New WHOLD

CITY OF KENNESAW
2529 J.O. STEPHENSON AVE
KENNESAW GA 30144

Start: 09/12/2025 Stop: 09/12/2025
Times Ord: 1 Times Run: ***
LEG 1.00 X 2.48 Words: 200
Total LEG 2.48
Class: 8003 PUBLIC HEARING
Rate: LEGL Cost: 30.00
Ad Descrpt: PH-6548 2800 DOMINION LAN
Descr Cont: MDJ-6548 GPN-16 CITY OF K
Given by: REBECCA GOLDSTEIN
P.O. #: 2800 DOMINION LANE
Created: rmill 09/03/25 14:22
Last Changed: rmill 09/03/25 14:24

Contact: LEA ALVAREZ
Phone: (770)424-8274
Fax#:
Email: LALVAREZ@KENNESAW-GA.GOV
Agency:

PUB	ZONE	EDT	TP	RUN DATES
MDJ	A	95	S	09/12

AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion, I understand that the rate charged will be based upon the rate for the number of insertions used.

_____ _____
Name (print or type) Name (signature)

.

MDJ-6548
GPN-16
CITY OF KENNESAW
Land Use Permit Request

Notice is hereby given that the City of Kennesaw shall hold a public hearing to give consideration for a land use permit request submitted by Ali Jackson for property located at 2800 Dominion Lane (20013901170). Said request is to obtain a home occupational business license to operate a cottage food business specializing in baking and selling cookies. Property consists of 0.03 +/- acres, lies in Land Lot 139, Tax Parcel 117, and is zoned RM-8.

Said meeting shall be held before the Planning Commission on October 1, 2025, at 6:30 p.m. and the Mayor and Council will hold a public hearing on October 20, 2025, at 6:30 p.m. Meetings will be held at 2529 J.O. Stephenson Avenue, Kennesaw, Georgia. Any interested persons may attend and be heard relative thereto.

Mayor and Council will be conducting their meeting in person and you can access the meeting via the following link: **https://www.kennesaw-ga.gov/publicmeetings/**

9:12-2025

CITY OF KENNESAW
LAND USE NOTICE
APPLICATION # LU2025-06
PURPOSE Home based business license to operate a cottage food business specializing in baking and selling cookies
DATE OF PUBLIC MEETING: 10/1/2025 TIME: 6:30PM
DATE OF PUBLIC MEETING: 10/20/2025 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
FOR FURTHER INFORMATION PLEASE CALL :
PLANNING AND ZONING DEPARTMENT 770-590-8268
09.12.2025 11:06

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT
Domestic Mail Only
For delivery information, visit our website at www.usps.com®.
9589 0710 5270 2636 3629 62
Montvale, NJ 07645
Certified Mail Fee $5.30
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 $1.07
Total Postage and Fees $10.77
Sent To: Kennesaw Propco
Street and Apt. No., or PO Box No.: 50 Chestnut Rd, Ste 107
City, State, ZIP+4®: Montvale, NJ 07645
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT
Domestic Mail Only
For delivery information, visit our website at www.usps.com®.
9589 0710 5270 2636 3629 93
Kennesaw, GA 30144
Certified Mail Fee $5.30
Extra Services & Fees (check box, add fee as appropriate): Return Receipt (hardcopy) $10.00; Return Receipt (electronic) $0.00; Certified Mail Restricted Delivery $0.00; Adult Signature Required $0.00; Adult Signature Restricted Delivery $0.00
Postage $1.07
Total Postage and Fees $10.77
Sent To: Kumar Hersh
Street and Apt. No., or PO Box No.: 259 Park Dr NW
City, State, ZIP+4®: Kennesaw, GA 30144
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT
Domestic Mail Only
For delivery information, visit our website at www.usps.com®.
9589 0710 5270 2636 3629 31
Dallas, GA 30157
Certified Mail Fee $5.30
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 $1.07
Total Postage and Fees $10.77
Sent To: Thomas Maria & Thomas Steven
Street and Apt. No., or PO Box No.: 336 Summer Creek Ct.
City, State, ZIP+4®: Dallas, GA 30157
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®.
9589 0710 5270 2636 3629 63
Kennesaw, GA 30144
Certified Mail Fee $5.30
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 $0.78
Total Postage and Fees $10.48
Sent To: Morris Keith
Street and Apt. No., or PO Box No.: 2564 Dominion Ln
City, State, ZIP+4®: Kennesaw, GA 30144
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT
Domestic Mail Only
For delivery information, visit our website at www.usps.com®.
9589 0710 5270 2636 3630 13
Kennesaw, GA 30144
Certified Mail Fee $5.30
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 $1.07
Total Postage and Fees $10.77
Sent To: Rodriguez Hector & Parra Martha
Street and Apt. No., or PO Box No.: 2502 Dominion Ln
City, State, ZIP+4®: Kennesaw GA 30144
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT
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For delivery information, visit our website at www.usps.com®.
9589 0710 5270 2636 3629 00
Kennesaw, GA 30144
Certified Mail Fee $5.30
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 $1.07
Total Postage and Fees $10.77
Sent To: Silva Mitzi Y Manzi
Street and Apt. No., or PO Box No.: 2704 Dominion Ln
City, State, ZIP+4®: Kennesaw, GA 30144
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT
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For delivery information, visit our website at www.usps.com®.
9589 0710 5270 2636 3629 48
Lake Forest, CA 92630
Certified Mail Fee $5.30
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 $1.07
Total Postage and Fees $10.77
Sent To: Tamio Family Living Trust
Street and Apt. No., or PO Box No.: 23 Shun
City, State, ZIP+4®: Lake Forest, CA 92630
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT
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For delivery information, visit our website at www.usps.com®.
9589 0710 5270 2636 3630 06
Kennesaw, GA 30144
Certified Mail Fee $5.30
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 $1.07
Total Postage and Fees $10.77
Sent To: Ellison Renee
Street and Apt. No., or PO Box No.: 2604 Dominion Ln
City, State, ZIP+4®: Kennesaw, GA 30144
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®.
9589 0710 5270 2636 3629 55
Kennesaw, GA 30144
Certified Mail Fee $5.30
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 $1.07
Total Postage and Fees $10.77
Sent To: Safan Investment
Street and Apt. No., or PO Box No.: 2150 Jiles Rd, Ste 100
City, State, ZIP+4®: Kennesaw, GA 30144
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT
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For delivery information, visit our website at www.usps.com®.
9589 0710 5270 2636 3629 86
Lorton, VA 22079
Certified Mail Fee $5.30
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 $1.07
Total Postage and Fees $10.77
Sent To: Randal Robert
Street and Apt. No., or PO Box No.: 9024 Endicott Place
City, State, ZIP+4®: Lorton, VA 22079
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®.
9589 0710 5270 2636 3629 17
Kennesaw, GA 30144
Certified Mail Fee $5.30
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 $1.07
Total Postage and Fees $10.77
Sent To: Burkes Remy
Street and Apt. No., or PO Box No.: 2795 Dominion Ln
City, State, ZIP+4®: Kennesaw, GA 30144
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT
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For delivery information, visit our website at www.usps.com®.
9589 0710 5270 2636 3628 70
Woodstock, GA 30188
Certified Mail Fee $5.30
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 $0.78
Total Postage and Fees $10.48
Sent To: Dominion HOA
Street and Apt. No., or PO Box No.: 11 Towne Lake Pkwy Ste 300
City, State, ZIP+4®: Woodstock, GA 30188
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT
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For delivery information, visit our website at www.usps.com®.
9589 0710 5270 2636 3628 87
Acworth, GA 30101
Certified Mail Fee $5.30
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 $1.07
Total Postage and Fees $10.77
Sent To: D. Morton & W. Morton
Street and Apt. No., or PO Box No.: 5145 Ofelia Tri. NW
City, State, ZIP+4®: Acworth, GA 30101
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®.
9589 0710 5270 2636 3628 56
Kennesaw, GA 30144
Certified Mail Fee $5.30
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 $1.07
Total Postage and Fees $10.77
Sent To: McAfee Tiffanie & B Joyce
Street and Apt. No., or PO Box No.: 2806 Dominion Ln
City, State, ZIP+4®: Kennesaw, GA 30144
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT
Domestic Mail Only
For delivery information, visit our website at www.usps.com®.
9589 0710 5270 2636 3629 79
Alpharetta, GA 30004
Certified Mail Fee $5.30
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 $
Postage $1.07
Total Postage and Fees $10.77
Sent To: Williams Kenneth F II
Street and Apt. No., or PO Box No.: 3561 Wennington Trace 26
City, State, ZIP+4®: Alpharetta, GA 30004
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

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Domestic Mail Only
For delivery information, visit our website at www.usps.com®.
9589 0710 5270 2636 3629 24
Kennesaw, GA 30144
Certified Mail Fee $5.30
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 $1.07
Total Postage and Fees $10.77
Sent To: Kelly Sheri
Street and Apt. No., or PO Box No.: 2806 Dominion Ln
City, State, ZIP+4®: Kennesaw GA 30144
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®.
9589 0710 5270 2636 3628 49
Kennesaw, GA 30144
Certified Mail Fee $5.30
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 $0.78
Total Postage and Fees $10.48
Sent To: Gonzalez Emilio
Street and Apt. No., or PO Box No.: 2801 Dominion Ln
City, State, ZIP+4®: Kennesaw, GA 30144
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT
Domestic Mail Only
For delivery information, visit our website at www.usps.com®.
9589 0710 5270 2636 3628 94
Marietta, GA 30066
Certified Mail Fee $5.30
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 $1.07
Total Postage and Fees $10.77
Sent To: Campbell David
Street and Apt. No., or PO Box No.: 2014 Sandy Plains Rd
City, State, ZIP+4®: Marietta, GA 30066
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

MAYOR
Derek Easterling

City Manager
Jeff Drobney, ICMA-CM

City Clerk
Lea Alvarez, CMC

COUNCIL
Mayor Pro Tem Tracey Viars
Lynette Burnette
Pat Ferris
Antonio Jones
Trey Sinclair

October 17, 2023

Ali Jackson
2800 Dominion Lane
Kennesaw, GA 20144

Subject: Land Use Permit Approval Letter (Case #LU2023-02)
2800 Dominion Lane, Kennesaw, GA 30144 - Parcel ID 20013901170

Dear Ms. Jackson,

The City of Kennesaw Mayor and Council held their regularly scheduled meeting on October 16, 2023 to review the above subject application. This letter is written to inform you of their actions.

Your case sought an approval for a land use permit to obtain a home occupational business license to decorate cookies in the RM-8 (multi-family residential) zoning district. Mayor and Council voted to **approve the application with the following conditions**:

1. The land use permit is limited to, exclusive for and only valid for the current applicant and the life of this particular business and use, and it is not transferrable. Any changes would require additional review and approval.
2. 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 public right-of-way.
3. In no event shall the Mayor and City Council grant a land use permit for a period of time in excess of 24 months except on re-application, re-advertisement, and public hearing.

Please keep a copy of this letter for your records. If you have any questions, please contact me at (770) 590-8268 or zoningdept@kennesaw-ga.gov.

Sincerely,

Darryl Simmons

Darryl Simmons
Zoning Administrator

MINUTES OF PLANNING COMMISSION MEETING
CITY OF KENNESAW
Council Chambers
(2529 J.O. Stephenson Avenue, Kennesaw, GA 30144)
October 1, 2025
6:30 PM

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1. Call to Order / Roll Call

Vice Chair Vande Zande called the meeting to order at 6:30 p.m.
Roll Call: Todd Vande Zande, Robert Trim, Rebecca Patterson, Carolyn Greenall
Arrived Late: Phillip Jackson
Absent: Trey Bodenhamer
Staff Present: Darryl Simmons (Planning & Zoning Administrator), Chanelle Campbell (Assistant Zoning Administrator & City Planner), and Rebecca Goldstein (Community Development Administrative Assistant)
Speakers Present: Mark Jackson (Applicant's Proxy), Lexie Newhouse (HOA President)

2. Announcements

A. All interested parties may attend the meeting at the City Hall Council Chambers. For those unable to attend in person, the meeting may be accessed using the following link: https://www.kennesaw-ga.gov/publicmeetings/. 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 October 20, 2025.

3. Approval of the Meeting Minutes

A. Approval of Meeting Minutes: September 3, 2025

Vice Chair Vande Zande called for a motion.
Motion to approve by Commissioner Trim.
Seconded by Commissioner Greenall.
Vice Chair Vande Zande proceeded with a roll call for approval.
Vote taken, motion unanimously approved 3-0. Motion carried.

4. New Business

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A. **LU2025-06** - Consideration for approval of a land use permit application submitted by Ali Jackson for the property located at 2800 Dominion Lane (20013901170). Said request is to obtain a home occupation business license to operate a cottage food business specializing in baking and selling cookies. Property is zoned RM-8, consists of 0.03 +/- acres, and lies in Land Lot 139, Tax Parcel 117.

Commissioner Jackson arrived late at 6:33 p.m.

Ms. Chanelle Campbell presented this agenda item. This is a submittal by Ali Jackson, who currently resides at 2800 Dominion Lane. The property sits on 0.03 +/- acres of land currently zoned RM-8, Residential Multifamily. The applicant is interested in renewing her Land Use Permit for her Home Occupational Business License to bake and sell specialty-designed cookies. On October 16, 2023, Mayor and Council approved the applicant's request for a Land Use Permit, and the applicant has been operating the business from her home with no complaints from neighboring properties in relation to her home business. Per the City of Kennesaw's ordinance, a renewal requires reapplication, re-advertisment, and a new hearing. Staff finds the intensity of the proposed use to be very low and will continue to not produce excessive noise or hazards to the surrounding properties. For these reasons, staff recommends approval of the renewal with the same conditions that were placed on the previous approval. Those conditions include: (1) The land use permit is limited to, exclusive for and only valid for the current applicant and the life of this particular business and use, and it is not transferrable. Any changes would require additional review and approval. (2)There shall be no clients, customers or additional employees at this location. Nor shall there be any evidence of a home based business visible from the public right-of-way including no signs and no more than one commercial vehicle dedicated to this business. (3)The land use permit is valid for 24-months starting from the date of final approval.

Ms. Campbell stated that the application was advertised in the Marietta Daily Journal (MDJ) on September 12, 2025, and that a representative for the applicant was present to answer any questions from Commissioners. The applicant had a scheduling conflict with work, but someone familiar with her business, which is her dad, was present to answer any questions Commissioners may have.

Vice Chair Vande Zande asked if the applicant's proxy would like to speak in reference to the application. Mr. Mark Jackson declined, but noted that he would answer any questions from Commissioners.

Vice Chair Vande Zande asked staff if the conditions proposed by staff were the same conditions the applicant was under for the previous Land Use Permit. Ms. Campbell responded in the affirmative.

Vice Chair Vande Zande opened the floor for public comment.
Ms. Lexie Newhouse, president of The Dominion at Kennesaw HOA who also serves on the Kennesaw Downtown Development Authority, commented that her career is

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focused on supporting small businesses and entrepreneurs. She stated that she wanted to show her support tonight on behalf of the HOA and the community that they are fully supportive of this item.

Hearing no additional comment, Vice Chair Vande Zande closed the floor for public comment and opened the floor to Commissioner comment.

Hearing no Commissioner comments, Vice Chair Vande Zande closed the floor for Commissioner comment and called for a motion.
Motion by Commissioner Greenall to approve with the following conditions:
1. The land use permit is limited to, exclusive for and only valid for the current applicant and the life of this particular business and use, and it is not transferrable. Any changes would require additional review and approval.
2. There shall be no clients, customers or additional employees at this location. Nor shall there be any evidence of a home based business visible from the public right-of-way including no signs and no more than one commercial vehicle dedicated to this business.
3. The land use permit is valid for 24-months starting from the date of final approval.
Seconded by Commissioner Trim.
Vice Chair Vande Zande proceeded with a roll call for approval.
Vote taken, motion unanimously approved 4-0. Motion carried.

5. Staff Comment

Vice Chair Vande Zande asked if there was any staff comment.
Mr. Darryl Simmons stated that there was no staff comment.

6. Adjourn

Vice Chair Vande Zande called for a motion to adjourn.
Motion to adjourn by Commissioner Greenall.
Seconded by Commissioner Trim.
Vice Chair Vande Zande proceeded with a roll call for approval.
Vote taken, motion unanimously approved 4-0. Motion carried.
Meeting adjourned at 6:38 p.m.

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Item Report

TO: The Honorable Mayor and City Council

FROM: Lea Alvarez, City Clerk

DATE: October 20, 2025

TITLE: **Minutes: September 29, 2025 Work Session**
Approval of the September 29, 2025, City Council work session minutes.

Summary:

Recommendation:

Fiscal Impact:

Attachments:
1. 2025-09-29 City Council Work Session Draft Minutes

MINUTES OF CITY COUNCIL WORK SESSION MEETING
CITY OF KENNESAW
Council Chambers
(2529 J.O. Stephenson Avenue, Kennesaw, GA 30144)

Livestream: www.kennesaw-ga.gov/publicmeetings/
September 29, 2025
6:30 PM

Present	Mayor Derek Easterling Mayor Pro Tem Pat Ferris Councilmember Madelyn Orochena Councilmember Tracey Viars Councilmember Antonio Jones Councilmember Anthony Gutierrez-Leon City Clerk Lea Alvarez Assistant City Manager Marty Hughes City Attorney Sam Hensley, Jr.

1. Invocation

2. Pledge of Allegiance

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3. Call to Order

Mayor Easterling called the meeting to order at 6:33 p.m.

4. Announcements

5. Presentations

6. Old Business

7. New Business

8. Committee and Board Reports

9. Public Hearing(s)

10. Consent Agenda

A. **Minutes: September 8, 2025 Work Session**
Approval of the September 8, 2025, City Council work session minutes.

B. **Minutes: September 15, 2025 Regular Meeting**
Approval of the September 15, 2025, City Council regular meeting minutes.

C. **Minutes: September 15, 2025 Executive Session**
Approval of the September 15, 2025, City Council executive session minutes.

11. General and Administrative

A. **Alcohol License: Dasatvam LLC**
Consideration for approval of a Retail Package Alcohol License for Beer, Wine, Liquor, and Sunday Sales for Dasatvam LLC d/b/a Kings Liquor located at 2600 Cobb Parkway NW, Kennesaw, GA 30152. Applicant: Monalibahen Patel

Business License Manager Mariyah Nall presented a Retail Package Alcohol License application for Beer, Wine, Liquor, and Sunday Sales for Dasatvam LLC d/b/a Kings Liquor, located at 2600 Cobb Parkway NW. She reported that the applicant has completed the required alcohol workshop in accordance with Kennesaw Code of Ordinances Section 6-69. Required signage has been posted, and proper public notice was given as outlined in Section 6-36. The application and background check results are on file. Additionally, a certified surveyor's distance survey confirms the business is not located within the designated distances of property lines or structures identified in Sections 6-42 and 6-43.

Councilmember Jones inquired whether there had been a change in ownership. Ms. Nall confirmed that there had, noting that the applicant also purchased the property.

12. Public Safety

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A. **Crime Stats: August 2025**
Consideration to accept the August 2025 crime statistics.

Chief Bill Westenberger presented the August 2025 crime statistics [See **Exhibit A**].

13. Information Technology

14. Public Works and Building Maintenance

A. **Resolution: 2025 Pipe Rehabilitation Project Bid Award**
Consideration for approval of a Resolution awarding the 2025 Pipe Rehabilitation Project contract to Utility Asset Management, Inc.

Public Works Director Ricky Stewart presented a resolution to award the Pipe Rehabilitation Project contract to Utility Asset Management, Inc. The project, which addresses various failing stormwater pipes throughout the city, was publicly advertised for bids. Six bids were received, with Utility Asset Management, Inc. submitting the lowest responsive bid at $264,140.00.

Mayor Pro Tem Ferris referenced a citizen complaint from the previous year regarding deteriorating stormwater piping and asked whether this project would address past concerns. Mr. Stewart explained that pipe repairs are prioritized based on both complaints and inspection findings. While all reported issues are evaluated, priority is given to the most severe cases; therefore, not all complaints can be addressed immediately.

With Council consensus, Mayor Easterling recommended placing the item on the Consent Agenda for the regular meeting.

B. **Resolution: Accepting Dedication of Streets in East Park Village**
Consideration for approval of a Resolution accepting dedication of streets in East Park Village.

Mr. Stewart presented a resolution accepting the dedication of streets in East Park Village. The developer has requested dedication of two streets: Maple Drive, encompassing 0.97 acres with varying right-of-way, and Russell Drive, encompassing 0.32 acres with a 40-foot right-of-way. During construction, the City inspected both the streets and the storm system to ensure compliance with City standards and specifications. All inspections were passed and approved. The streets have also completed the required one-year warranty period and subsequent re-inspection.

With Council consensus, Mayor Easterling recommended placing the item on the Consent Agenda for the regular meeting.

C. **Resolution: Engineering Design Services for Rutledge Road / Cathey Lane Improvements Project**
Consideration for approval of a Resolution accepting a proposal from Patterson & Dewar Engineers, Inc. for engineering design services for the Rutledge Road / Cathey Lane Improvements SPLOST Project.

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Mr. Stewart presented a resolution to accept a proposal from Patterson & Dewar Engineers, Inc. for engineering design services related to the Rutledge Road/Cathey Lane Improvements SPLOST Project. The scope of work includes surveying, preliminary design, and final design. The total proposal amount is $408,980.00.

With Council consensus, Mayor Easterling recommended placing the item on the Consent Agenda for the regular meeting.

D. **Resolution: Permanent Street Closures**
Consideration for approval of a Resolution authorizing the permanent closure of two streets within the Kennesaw City Cemetery.

Mr. Stewart presented a resolution authorizing the permanent closure of two streets within the Kennesaw City Cemetery. He explained that the Cemetery Preservation Commission recommends closing these streets [See **Exhibit B**]. One street is currently blocked by a chain to prevent vehicular traffic, while the second street is narrow, causing vehicles to damage the shoulders and endanger plot walls. The closure will involve removing the existing asphalt and replacing it with sod.

With Council consensus, Mayor Easterling recommended placing the item on the Consent Agenda for the regular meeting.

15. Recreation and Culture

16. Community Development

A. **Final Plat Application: 3080 Moon Station Road**
Consideration for approval of the final plat application submitted by Patterson & Dewar Engineers on behalf of the City of Kennesaw for 3080 Moon Station Road (Parcel number 20012900050); this plat subdivides the existing 9.52 +/- acre lot into two parcels for the construction of the new Public Safety Building. Case# PS2025-02.

Assistant Zoning Administrator and Planner Chanelle Campbell presented a final plat application submitted by Patterson & Dewar Engineers, Inc. on behalf of the City of Kennesaw for 3080 Moon Station Road. The plat proposes subdividing the existing 9.52± acre lot into two parcels to accommodate the construction of the new Public Safety Facility.

Mayor Pro Tem Ferris questioned why the City would subdivide its own property. Public Works Director Ricky Stewart explained that the request originated from Cobb Water, which requires the lot to be split in order to install a second utility meter.

With Council consensus, Mayor Easterling recommended placing the item on the Consent Agenda for the regular meeting.

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17. Public Comments

6:43 p.m. Floor Open for Public Comments

DONOVAN GIARDINA [City Council Post 3 Candidate]: Mr. Giardina thanked the Council for the opportunity to speak and expressed appreciation to Mayor Pro Tem Ferris for his many years of service. He noted that he typically cannot attend City Council meetings because he runs the Kennesaw Downtown Farmers Market on Monday nights. Mr. Giardina has served as a volunteer for the Kennesaw Downtown Development Authority for the past four years. He is a PhD candidate in Criminal Justice and Criminology at Georgia State University and a Justice Statistics Fellow with the Georgia Crime Analytics Laboratory. He also works as a pre-trial research consultant with the Northern District of Georgia's Accountability, Treatment, and Leadership Court and has experience in governmental program evaluation and budgeting. Regarding his platform, Mr. Giardina emphasized investment in pedestrian safety, collaboration with downtown landowners to identify and address development challenges, and efforts to restore a playground in Depot Park. He concluded by extending an invitation to Mr. Bothers to debate on October 23, 2025, at the outdoor amphitheater near the pedestrian underpass.

JON BOTHERS [City Council Post 3 Candidate]: Mr. Bothers thanked Mayor Pro Tem Ferris for his years of service to the City and noted his appreciation for the thoughtful questions Mr. Ferris asks during meetings. While canvassing last week, Mr. Bothers heard from residents who were saddened to learn that Mayor Pro Tem Ferris is

stepping down from Post 3. He stated that if elected to this position, one of his first actions would be to place an item on the agenda to dedicate something in honor of Mayor Pro Tem Ferris' service to the community.

6:49 p.m. Floor Closed for Public Comments

18. City Manager's Report

A. Reports, Discussions, and Updates

Assistant City Manager Marty Hughes reported that the City had a great turnout for Big Game Day on Saturday, as well as for the morning 5K. He announced that the final concert of the season, Who's Bad: The Ultimate Michael Jackson Tribute Band , will take place this Saturday, October 4. Mr. Hughes noted that Kennesaw 101 is progressing well. Scarecrows are currently on display, and the City will begin accepting applications for Christmas Trees starting October 1.

19. Mayor's Report

A. Mayor and Council (re)appointments to Boards and Commissions. This item is for (re)appointments made by the Mayor to any Board, Committee, Authority, or Commission requiring an appointment to fill any vacancies, resignations, and to create or dissolve boards and commissions, as deemed necessary.

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20. Council Reports & Discussions

A. **Discussion Item: Charter Amendment for Veto Procedure**
Discussion item requested by Councilmember Orochena regarding a Charter amendment to require that the Council "shall" consider the veto either immediately following the veto or at the subsequent meeting so that it is spoken in a public meeting in addition to being added to the public minutes.

Councilmember Orochena stated that, following the last veto, she reviewed the Charter language regarding the veto process and compared it with other cities. She suggested the Council consider amending the Charter to require that a veto be formally considered at a meeting to increase transparency. Currently, the Charter allows the Council to challenge a veto, but there is no requirement to act. She noted that formalizing this process at a meeting would reduce public confusion.

Mayor Pro Tem Ferris responded that he does not see a problem with the current process. He noted that the Council's meeting procedures already address vetoes, and any changes could be made there without amending the Charter. He clarified that the Charter allows a veto to be addressed at the next regularly scheduled meeting, which is ambiguous. He recommended making it explicit in the meeting procedures to address a veto at a regular City Council meeting since votes are not supposed to occur at work sessions. He added that vetoes are rare and that clarifying the procedures would address any ambiguity regarding timing.

Mayor Easterling read Section 2.06 of the Charter, which states:

"The mayor shall preside at meetings of the council; shall have a vote only in the case of a tie vote by councilmembers; shall have veto power, and shall have five business days after the meeting with the council in which to file with the clerk, in writing, his or her dissent, but the council may, at the same meeting or at the next regularly scheduled meeting of the mayor and council, pass any such ordinance, order, or resolution, notwithstanding the veto, by a vote of four-fifths of the total number of councilmembers, to be taken by ayes and nays, and entered upon the minutes."

Councilmember Orochena clarified that her concern is not with the veto power itself but with the current language stating the Council "may" pass a vetoed item. She prefers requiring that the item be formally considered at the next meeting, regardless of the frequency of vetoes.

Mayor Pro Tem Ferris emphasized that the meeting procedures should explicitly state that any vetoed item shall be added to the agenda of the next regular City Council meeting.

The Council agreed that this proposed amendment to the meeting procedures will be added to the next work session agenda.

21. Executive Session

Pursuant to the provisions of O.C.G.A 50-14-3, the City Council could, at any time during the meeting, vote to close the public meeting and move to executive session to discuss matters relating to litigation, legal actions and/or communications from the City Attorney; and/or personnel matters; and/or real estate matters.

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Motion by Councilmember Gutierrez to enter into Executive Session as allowed by O.C.G.A. Sec. 50-14-3 for the purpose of discussing land and legal. Motion seconded by Councilmember Viars.

Vote taken: motion unanimously approved, 5-0. Motion passed.

7:06 PM Recess to Executive Session

Mayor, City Council, Assistant City Manager, City Clerk, City Attorney, and Assistant City Attorney attended Executive Session.

7:30 p.m. Reconvene to Open Session

Councilmember Gutierrez read the Board back into Open Session and directed the Mayor and City Council to execute an affidavit in compliance with O.C.G.A. Sec.50-14-4. Motion seconded by Councilmember Jones.

Vote taken: motion unanimously approved, 5-0. Motion passed.

22. Adjourn

Mayor Easterling adjourned the meeting at 7:30 p.m. The regular meeting will be held

on Monday, October 6, 2025, at 6:30 p.m. in the Council Chambers. The public is encouraged to attend.

_____
Lea Alvarez, City Clerk

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August 2025 Crime Statistics

Group A Crimes	Aug 2025	Aug 2024	YTD 2025	YTD 2024
AGGRAVATED ASSAULT	6 (+2)	4	33 (+4)	29
ANIMAL CRUELTY	0 (+0)	0	0 (+0)	0
ARSON	0 (+0)	0	1 (+1)	0
BRIBERY	0 (+0)	0	0 (+0)	0
BURGLARY	4 (+3)	1	23 (+1)	22
DRUG/ NARCOTICS OFFENSES	42 (+15)	27	242 (-11)	253
EMBEZZLEMENT	1 (+1)	0	3 (+1)	2
EXTORTION	0 (-2)	2	9 (-3)	12
FORGERY	2 (-4)	6	11 (-4)	15
FRAUD OFFENSES	17 (+4)	13	115 (+10)	105
HOMICIDE OFFENSES	0 (-1)	1	0 (-2)	2
INTIMIDATION	11 (+10)	1	87 (+45)	42
KIDNAPPING	0 (-1)	1	9 (-1)	10
LARCENY/ THEFT OFFENSES	16 (+7)	9	110 (+17)	93
MOTOR VEHICLE THEFT	4 (+1)	3	23 (+4)	19
PORNOGRAPHY OBSCENE MATERIAL	0 (-1)	1	1 (-6)	7
ROBBERY	0 (+0)	0	4 (+2)	2
SEX OFFENSES	3 (+1)	2	21 (+0)	21
SIMPLE ASSAULT	12 (+1)	11	105 (-44)	149
STOLEN PROPERTY OFFENSES	1 (-3)	4	11 (-3)	14
VANDALISM	11 (+7)	4	49 (-3)	52
WEAPONS LAW VIOLATIONS	4 (+2)	2	36 (+8)	28
Totals	**134**	**92**	**893**	**877**

	Aug 2025	Aug 2024	YTD 2025	YTD 2024
Dispatched Calls for Service	791 (+12)	779	6,048 (-57)	6,105
Self-Initiated Activity	1,741 (+364)	1,377	11,302 (+1,779)	9,523
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Traffic Warnings*	901 (+210)	691	6,188 (+1,428)	4,760
Arrests**	91 (+18)	73	648 (-19)	667

	Aug 2025	Aug 2024	YTD 2025	YTD 2024
Auto Accidents	115 (+9)	106	830 (-4)	834
Accident w/ Injury	9 (+0)	9	78 (+11)	67
Hit and Run	16 (+8)	8	101 (+11)	90
Hit and Run w/ Injury	1 (+1)	0	3 (-3)	6
Person Hit by Auto w/ Injury	0 (+0)	0	3 (+0)	3

* Warnings do not include verbal warnings

** Arrests do not include juvenuile arrests

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Image Landsat / Copernicus

Names and Addresses will be disclosed in the Permanent Minutes of the City of Kennesaw

PLEASE MAKE SURE YOUR NAME IS LEGIBLE AND CLEAR

City Council Work Session
9/29/2025
Public Comment Sign-in

	Name	Address	Topic
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Item Report

TO: The Honorable Mayor and City Council

FROM: Lea Alvarez, City Clerk

DATE: October 20, 2025

TITLE: **Minutes: September 29, 2025 Executive Session**
Approval of the September 29, 2025, City Council executive session minutes.

Summary:

Recommendation:

Fiscal Impact:

Attachments:
1. 2025-09-25 Executive Session Affidavit

State of Georgia
County of Cobb

AFFIDAVIT

1.

Mayor Derek Easterling was the presiding officer of a meeting of the Kennesaw City Council held on the 29 day of Sept., 2025.

2.

That it is my understanding that O.C.G.A.§ 50-14-4(b) provides as follows: When any meeting of an agency is closed to the public pursuant to subsection (a) of this Code Section, the chairperson or other person presiding over such meeting shall execute and file with the officials minutes of the meeting a notarized affidavit stating under oath that the subject matter of the meeting of the closed portion thereof was devoted to matters within the exceptions provided by law and identifying the specific relevant exception.

3.

The subject matter of the closed meeting or closed portion of the meeting held on the 29th day of Sept., 2025 which was closed for the purpose(s) of legal & land as allowed by O.C.G.A. Title 50, Chapter 14 was devoted to matters within those exceptions and as provided by law.

4.

This affidavit is being executed for the purpose of complying with the mandate of O.C.G.A.§ 50-14-4(b) that such an affidavit be executed.

This the 29th day of Sept, 2025.

Mayor/Presiding Officer

Councilmember

Councilmember

Councilmember

Councilmember

Councilmember

Sworn to and subscribed before me this the

29th day of Sept., 2025.

Notary Public

LEA ALVAREZ
NOTARY
EXPIRES
GEORGIA
February 21, 2027
PUBLIC
PAULDING COUNTY

Item Report

TO: The Honorable Mayor and City Council

FROM: Lea Alvarez, City Clerk

DATE: October 20, 2025

TITLE: **Minutes: October 6, 2025 Regular Meeting**
Approval of the October 6, 2025, City Council regular meeting minutes.

Summary:

Recommendation:

Fiscal Impact:

Attachments:
1. 2025-10-06 City Council Meeting Draft Minutes

MINUTES OF CITY COUNCIL MEETING
CITY OF KENNESAW
Council Chambers
(2529 J.O. Stephenson Avenue, Kennesaw, GA 30144)

Livestream: www.kennesaw-ga.gov/publicmeetings/
October 6, 2025
6:30 PM

Present	Mayor Derek Easterling Mayor Pro Tem Pat Ferris Councilmember Madelyn Orochena Councilmember Tracey Viars Councilmember Antonio Jones Councilmember Anthony Gutierrez-Leon City Clerk Lea Alvarez City Manager Jeff Drobney City Attorney Sam Hensley, Jr.

1. Invocation

Mayor Easterling led the Invocation.

2. Pledge of Allegiance

Kennesaw Police Department Officer Scott Luther led the Pledge of Allegiance.

3. Call to Order

Mayor Easterling called the meeting to order at 6:30 p.m.

4. Announcements

5. Presentations

6. Public Comment

This section is for comment on any item on the agenda.

6:31 p.m. Floor Open for Public Comments

No comments.

6:32 p.m. Floor Closed for Public Comments

7. Old Business

8. New Business

A. **Resolution: Third Amendment to Purchase of Former Kennesaw Public Library Building**
Consideration for approval of a Resolution authorizing the purchase of property located at 2250 Lewis Street from Cobb County and for the Mayor to

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execute the Third Amendment to the Purchase and Sale Agreement.

City Manager Jeff Drobney presented a resolution authorizing the purchase of the property located at 2250 Lewis Street from Cobb County and authorizing the Mayor to execute the Third Amendment to the Purchase and Sale Agreement. After several months of negotiations, the City and the County have reached a definitive purchase price.

Motion by Councilmember Jones to approve **Resolution No. 2025-62** authorizing the purchase of property located at 2250 Lewis Street from Cobb County and for the Mayor to execute the Third Amendment to the Purchase and Sale Agreement as presented. Seconded by Councilmember Viars.

Vote taken: motion unanimously approved, 5-0. Motion passsed.

9. Committee and Board Reports

10. Public Hearing(s)

11. Consent Agenda

A. **Minutes: September 8, 2025 Work Session**
Approval of the September 8, 2025, City Council work session minutes.

B. **Minutes: September 15, 2025 Regular Meeting**
Approval of the September 15, 2025, City Council regular meeting minutes.

C. **Minutes: September 15, 2025 Executive Session**
Approval of the September 15, 2025, City Council executive session minutes.

D. **Resolution: Pipe Rehabilitation Project Bid Award**
Consideration for approval of a Resolution awarding the Pipe Rehabilitation Project contract to Utility Asset Management, Inc.

Resolution No. 2025-63

E. **Resolution: Accepting Dedication of Streets in East Park Village**
Consideration for approval of a Resolution accepting dedication of streets in East Park Village.

Resolution No. 2025-64

F. **Resolution: Engineering Design Services for Rutledge Road / Cathey Lane Improvements Project**
Consideration for approval of a Resolution accepting a proposal from Patterson & Dewar Engineers, Inc. for engineering design services for the Rutledge Road / Cathey Lane Improvements SPLOST Project.

Resolution No. 2025-65

G. **Resolution: Permanent Street Closures**
Consideration for approval of a Resolution authorizing the permanent closure

DRAFT

of two streets within the Kennesaw City Cemetery.

Resolution No. 2025-66

H. **Final Plat Application: 3080 Moon Station Road**
Consideration for approval of the final plat application submitted by Patterson & Dewar Engineers on behalf of the City of Kennesaw for 3080 Moon Station Road (Parcel number 20012900050); this plat subdivides the existing 9.52 +/- acre lot into two parcels for the construction of the new Public Safety Building. Case# PS2025-02.

Motion by Councilmember Gutierrez-Leon to approve the Consent Agenda engross. Seconded by Councilmember Jones.

Vote taken: motion unanimously approved, 5-0. Motion passsed.

12. General and Administrative

A. **Alcohol License: Dasatvam LLC**
Consideration for approval of a Retail Package Alcohol License for Beer, Wine, Liquor, and Sunday Sales for Dasatvam LLC d/b/a Kings Liquor located at 2600 Cobb Parkway NW, Kennesaw, GA 30152. Applicant: Monalibahen Patel

Business License Manager Mariyah Nall presented a Retail Package Alcohol License application for Beer, Wine, Liquor, and Sunday Sales for Dasatvam LLC d/b/a Kings Liquor, located at 2600 Cobb Parkway NW. She reported that the applicant has completed the required alcohol workshop in accordance with Kennesaw Code of Ordinances Section 6-69. Required signage has been posted, and proper public notice was given as outlined in Section 6-36. The application and background check results are on file. Additionally, a certified surveyor's distance survey confirms the business is not located within the designated distances of property lines or structures identified in Sections 6-42 and 6-43.

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Mayor Easterling confirmed that this license was a result of a sale of the business.

Motion by Councilmember Orochena to approve a Retail Package Alcohol License application for Beer, Wine, Liquor, and Sunday Sales for Dasatvam LLC d/b/a Kings Liquor, located at 2600 Cobb Parkway NW as presented. Seconded by Councilmember Viars.

Vote taken: motion unanimously approved, 5-0. Motion passsed.

13. Public Safety

A. **Crime Stats: August 2025**
Consideration to accept the August 2025 crime statistics.

Chief Westenberger presented the August 2025 crime statistics [See **Exhibit A**]. He announced that today marks the start of Public Safety Week in Cobb County, an event primarily sponsored by the Cobb Chamber of Commerce. Chief Westenberger noted that the Kennesaw Police Department received several nominations this year, including

one recognizing the Criminal Investigations Division for their exceptional work on the Thanksgiving homicide case last year. The team dedicated a total of 250 hours to the investigation and identified a primary suspect within 72 hours.

Motion by Councilmember Jones to accept the August 2025 crime statistics as presented. Seconded by Councilmember Orochena.

Vote taken: motion unanimously approved, 5-0. Motion passsed.

14. Information Technology

15. Public Works and Building Maintenance

16. Recreation and Culture

17. Community Development

18. Public Comment

This section is for general comment.

6:37 p.m. Floor Open for Public Comments

ANDREW BRAMLETT [City Resident]: Mr. Bramlett shared the history behind the naming of Wade Green Road [See **Exhibit B**].

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DONOVAN GIARDINA [City Council Post 3 Candidate]: Mr. Giardina complimented the recent concert series and thanked Councilmember Orochena for teaching attendees the Thriller dance. He also attended Coffee with a Cop, noting that the event was well attended and that it was great to see our police officers engaging with the public.

JON BOTHERS [City Council Post 3 Candidate]: Mr. Bothers thanked Councilmember Orochena for leading the Thriller dance prior to Saturday's concert and congratulated Mr. Giardina on his continued work toward earning his Ph.D.

6:40 p.m. Floor Closed for Public Comments

19. City Manager's Report

A. Reports, Discussions, and Updates

Dr. Drobney noted that the City has hosted several events over the past few weeks and recognized the efforts of all departments involved, including Parks and Recreation, Public Works, Communications and Engagement, Public Safety, and Facilities.

20. Mayor's Report

A. Mayor and Council (re)appointments to Boards and Commissions. This item is for (re)appointments made by the Mayor to any Board, Committee, Authority, or Commission requiring an appointment to fill any vacancies, resignations,

and to create or dissolve boards and commissions, as deemed necessary.

21. Council Reports & Discussions

Councilmember Gutierrez-Leon noted the positive feedback from this past weekend's concert and expressed his regret at not being able to attend. He shared his excitement for next year's events.

Mayor Pro Tem Ferris remarked that, for a city of our size, we host a remarkable number of events. He said he is consistently impressed by the amount of city activities and emphasized that it is truly a team effort.

Councilmember Orochena commented that she was briefly concerned the rain might impact the concert, but it held off, and the event was amazing. She recognized Mary Louise from Parks and Recreation for volunteering to learn the Thriller choreography on short notice and assisting with teaching the dance to the public.

Councilmember Jones thanked staff for consistently organizing excellent events and noted he was unable to attend this concert due to his children being ill.

Councilmember Viars said it was great to see everyone downtown over the weekend.

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22. Executive Session

Pursuant to the provisions of O.C.G.A 50-14-3, the City Council could, at any time during the meeting, vote to close the public meeting and move to executive session to discuss matters relating to litigation, legal actions and/or communications from the City Attorney; and/or personnel matters; and/or real estate matters.

Motion by Councilmember Gutierrez-Leon to enter into Executive Session as allowed by O.C.G.A. Sec. 50-14-3 for the purpose of discussing land and legal. Motion seconded by Councilmember Viars.

Vote taken: motion unanimously approved, 5-0. Motion passed.

6:46 PM Recess to Executive Session

The Mayor, City Council, City Manager, Assistant City Manager, City Clerk, and City Attorney attended Executive Session.

7:35 PM Reconvene to Open Session

Councilmember Gutierrez-Leon read the Board back into Open Session and directed the Mayor and City Council to execute an affidavit in compliance with O.C.G.A. Sec. 50-14-4. Motion seconded by Councilmember Jones. See **Exhibit C**.

Vote taken: motion unanimously approved, 5-0. Motion passed.

23. Adjourn

Mayor Easterling adjourned the meeting at 7:37 p.m. The next work session will be held on Monday, October 13, 2025, at 6:30 p.m. in the Council Chambers. The public is encouraged to attend.

_____
Lea Alvarez, City Clerk

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Exhibit A

August 2025 Crime Statistics

Group A Crimes	Aug 2025	Aug 2024	YTD 2025	YTD 2024
AGGRAVATED ASSAULT	6 (+2)	4	33 (+4)	29
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ARSON	0 (+0)	0	1 (+1)	0
BRIBERY	0 (+0)	0	0 (+0)	0
BURGLARY	4 (+3)	1	23 (+1)	22
DRUG/ NARCOTICS OFFENSES	42 (+15)	27	242 (-11)	253
EMBEZZLEMENT	1 (+1)	0	3 (+1)	2
EXTORTION	0 (-2)	2	9 (-3)	12
FORGERY	2 (-4)	6	11 (-4)	15
FRAUD OFFENSES	17 (+4)	13	115 (+10)	105
HOMICIDE OFFENSES	0 (-1)	1	0 (-2)	2
INTIMIDATION	11 (+10)	1	87 (+45)	42
KIDNAPPING	0 (-1)	1	9 (-1)	10
LARCENY/ THEFT OFFENSES	16 (+7)	9	110 (+17)	93
MOTOR VEHICLE THEFT	4 (+1)	3	23 (+4)	19
PORNOGRAPHY OBSCENE MATERIAL	0 (-1)	1	1 (-6)	7
ROBBERY	0 (+0)	0	4 (+2)	2
SEX OFFENSES	3 (+1)	2	21 (+0)	21
SIMPLE ASSAULT	12 (+1)	11	105 (-44)	149
STOLEN PROPERTY OFFENSES	1 (-3)	4	11 (-3)	14
VANDALISM	11 (+7)	4	49 (-3)	52
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Arrests**	91 (+18)	73	648 (-19)	667

	Aug 2025	Aug 2024	YTD 2025	YTD 2024
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Accident w/ Injury	9 (+0)	9	78 (+11)	67
Hit and Run	16 (+8)	8	101 (+11)	90
Hit and Run w/ Injury	1 (+1)	0	3 (-3)	6
Person Hit by Auto w/ Injury	0 (+0)	0	3 (+0)	3

* Warnings do not include verbal warnings **
Arrests do not include juvenuile arrests

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Kennesaw History

Wade Green Road

Located at Adams Park is a reminder of the namesake of an area road. This small wooden structure was once the general store of Wade Green.

Wade Hampton Green was born in 1877. His father was from South Carolina, and Green was likely named after Reconstruction-era politician Wade Hampton III. Wade Green would spend most of his life on the Cobb-Cherokee County line, where he had both a farm and general store. He and his wife, Odessa Kuykendall Green, would have two children.

The Greens appeared frequently in the *Marietta Daily Journal* because of their visits to friends and relatives across the county. Evidently because they were so active, the road by their home would become known as Wade Green Road by 1952. Eight years later, Wade Green passed away and was buried in Cherokee County. His family gave his general store to the city around 2001. It was first located downtown, before being moved to Adams Park in 2011.

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Wade Green's Store

Presented by Andrew J. Bramlett at the October 6, 2025, City of Kennesaw Mayor & Council Meeting

State of Georgia
County of Cobb

AFFIDAVIT

1.

Mayor Derek Easterling was the presiding officer of a meeting of the Kennesaw City Council held on the 6th day of Oct., 2025.

2.

That it is my understanding that O.C.G.A.§ 50-14-4(b) provides as follows: When any meeting of an agency is closed to the public pursuant to subsection (a) of this Code Section, the chairperson or other person presiding over such meeting shall execute and file with the officials minutes of the meeting a notarized affidavit stating under oath that the subject matter of the meeting of the closed portion thereof was devoted to matters within the exceptions provided by law and identifying the specific relevant exception.

3.

The subject matter of the closed meeting or closed portion of the meeting held on the 6th day of Oct., 2025 which was closed for the purpose(s) of land & legal as allowed by O.C.G.A. Title 50, Chapter 14 was devoted to matters within those exceptions and as provided by law.

DRAFT

4.

This affidavit is being executed for the purpose of complying with the mandate of O.C.G.A.§ 50-14-4(b) that such an affidavit be executed.

This the 6th day of Oct, 2025.

Mayor/Presiding Officer

Councilmember

Councilmember

Councilmember

Councilmember

Councilmember

Sworn to and subscribed before me this the

6th day of October, 2025.

Notary Public

LEA ALVAREZ
NOTARY
EXPIRES
GEORGIA
February 21, 2027
PUBLIC
PAULDING COUNTY

Names and Addresses will be disclosed in the Permanent Minutes of the City of Kennesaw

PLEASE MAKE SURE YOUR NAME IS LEGIBLE AND CLEAR

City Council Meeting
10/6/2025
Public Comment Sign-in

	Name	Address	Topic
1	Andrew T. Brandt	2990 Summerfield Ct.	Local history
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DRAFT

Item Report

TO: The Honorable Mayor and City Council

FROM:

DATE: October 20, 2025

TITLE: **Minutes: October 6, 2025 Executive Session**
Approval of the October 6, 2025, City Council executive session minutes.

Summary:

Recommendation:

Fiscal Impact:

Attachments:
1. 2025-10-06 Executive Session Affidavit

State of Georgia
County of Cobb

AFFIDAVIT

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4.

This affidavit is being executed for the purpose of complying with the mandate of O.C.G.A.§ 50-14-4(b) that such an affidavit be executed.

This the 6th day of Oct, 2025.

Mayor/Presiding Officer

Councilmember

Councilmember

Councilmember

Councilmember

Councilmember

Sworn to and subscribed before me this the

6th day of October, 2025.

Notary Public

LEA ALVAREZ
NOTARY
EXPIRES
GEORGIA
February 21, 2027
PUBLIC
PAULDING COUNTY

Item Report

TO: The Honorable Mayor and City Council

FROM: Lea Alvarez, City Clerk

DATE: October 20, 2025

TITLE: **Resolution: Meeting Procedures**
Consideration for approval of a Resolution updating the Mayor and City Council Meeting Procedures Document.

Summary:
Section 2.06 of the Charter states that, "the council may, at the same meeting or at the next regularly scheduled meeting of the mayor and council, pass by any such ordinance, order, or resolution, notwithstanding the veto, by a vote of four-fifths of the total number of councilmembers, to be taken by ayes and nays, and entered upon the minutes." At the September 29, 2025, City Council work session, the Council directed staff to update the Mayor and City Council Meeting Procedures Document to include that any vetoed item shall be added to the agenda of the next regular City Council meeting for the Council's consideration whether to override the veto by a vote of 4/5 of the Council pursuant to Section 2.06 of the City of Kennesaw Charter.

Recommendation:
City Clerk recommends approval.

Fiscal Impact:

Attachments:
1. RES 2025 - Meeting Procedures
2. Meeting Procedures Document

CITY OF KENNESAW
GEORGIA

RESOLUTION NO. 2025-__

RESOLUTION TO APPROVE THE MAYOR AND CITY COUNCIL MEETING PROCEDURES DOCUMENT

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

WHEREAS; to stay current, on occasion the Mayor and City Council Meeting Procedures are updated; and

WHEREAS, the Council requested that any vetoed item shall be added to the agenda of the next regular City Council meeting for the Council's consideration whether to override the veto by a vote of 4/5 of the Council pursuant to Section 2.06 of the City of Kennesaw Charter.

NOW, THEREFORE, BE IT RESOLVED the Kennesaw City Council approves the updated Meeting Procedures.

PASSED AND ADOPTED by the Kennesaw City Council on this ____ day of October 2025.

ATTEST: CITY OF KENNESAW

_____ _____

Lea Alvarez, City Clerk Derek Easterling, Mayor

MAYOR AND CITY COUNCIL FOR THE CITY OF KENNESAW
MEETING PROCEDURES, RULES AND BYLAWS

These rules adopted pursuant to Kennesaw City Charter Section 2.05(e), and as may be amended from time to time, are for the purpose of establishing procedures, rules and bylaws in connection with the conduct of meetings of the City of Kennesaw.

Rules of Conduct of Business: Unless otherwise set forth herein, the Mayor and City Council shall conduct its meetings in accordance with the following Rules of Procedure:

PROCEDURES FOR MEETINGS

I. Regular Session Meetings

A. Regular Session Meetings of the Mayor and City Council (also referred herein as the "Council" or "governing body") shall be as determined in accordance with the Kennesaw City Code. Meetings shall be convened at 6:30 P.M. on the first and third Mondays of each month, or as may be set, in accordance with Georgia Open Meetings Law, pursuant to O.C.G.A. § 50-14-1 et seq., and may not begin before the prescribed time, of which the public has been notified.

B. An adjourned meeting is a continuation of the meeting immediately preceding, whether a regular or special meeting.

a. If the scheduled business of the Council is not completed due to time constraints or emergency, the meeting shall be adjourned to the following day or a specific day scheduled by the Council, to allow for the completion of pending business.

b. In an adjourned meeting (regular or special), only business which would have been proper to consider at that meeting may be considered and acted upon at the adjourned meeting.

c. Adjourned meetings resume business under the same rules, limitations and rights as the original meeting for which it was adjourned.

II. Special Session Meetings

The Mayor or the Mayor Pro Tem and two members of the city Council, after first complying with the Georgia Open Meetings Law and Section 2.05 of the City Charter, may call for a Special Session Meeting of the Mayor and Council at any time.

III. Executive Session Meetings

Executive session meetings shall be conducted in accordance with the O.C.G.A. § 50-14-1 et seq., or as may be amended from time to time.

IV. Work Session Meetings (Agenda Meetings)

Work Session Meetings are meetings conducted by the Mayor and Council where no official City business occurs other than the agenda for the upcoming meeting is reviewed.

V. Quorum

A. The governing body of the city shall be composed of the mayor and five councilmembers. *See*, Kennesaw City Charter Section 2.05(a). Four (4) members of the governing body shall constitute a quorum. *See*, Kennesaw City Charter Section 2.05(d).

B If a quorum is not present thirty (30) minutes following the scheduled time for convening, the Mayor, the Mayor Pro Tem or in their absence, the City Attorney (or his/her designee), may adjourn the meeting until the next day or by unanimous consent, those present may select another hour and day.

C. If during the meeting there ceases to be a quorum, all business must stop except that the Council, by majority vote to be recorded in the minutes (naming those present at the time of the vote) may:

a. fix another date and time at which to reconvene;

b. adjourn and return at the next regular meeting; or

c. recess to determine if a quorum will be present within a short period of time.

VI. Mayor

A. The Mayor shall have the following rights and privileges with respect to rights to make motions, debate and vote:

a. presiding over meetings of the Council;

b. calling the meeting to order at the scheduled hour;

c. determining that a quorum is present;

d. preserving decorum and order at all meetings;

e. making the Councilmembers aware of the substance of each motion;

f. calling for the vote;

g. announcing the results of each vote;

h. calling for a recess at such times as deemed advisable;

i. calling for the election of a Mayor Pro Tem as prescribed by Section 2.07 of the City of Kennesaw Charter;

j. appointing, along with the City Council, a City Clerk and City Manager as prescribed by Sections 2.10 and 2.13 of the City of Kennesaw Charter;

k. veto within five business days after any action passed by a majority of the Council[1]; and

l. other duties as prescribed in the City of Kennesaw Charter and Code.

VII. Mayor Pro Tem

The Council shall select a Mayor Pro Tem from among the Councilmembers at the first meeting in January of each year. The Mayor Pro Tem shall serve for a period of one year and shall have all rights, privileges and duties of the chair in the absence of the Mayor. When acting as Mayor, the Mayor Pro Tem shall only vote on matters put before the Council in the event of a tie. The Mayor Pro Tem may succeed himself/herself.

VIII. Absence of Mayor and Mayor Pro Tem

In the absence of the Mayor and the Mayor Pro Tem, the City attorney shall determine whether a quorum is present and if a quorum is present, shall call for the election of a temporary chair. The temporary chair shall preside over that meeting or until the conclusion of the business immediately pending at the time the Mayor or Mayor Pro Tem arrives.

IX. Minutes

A. All actions of the Council, except for actions exempted by O.C.G.A. § 50-14-1 et seq., or as these sections may be amended from time to time, shall be accurately recorded by the clerk (or his/her designee) in the minutes, which shall include:

a. all main motions, exactly as worded when adopted (including amendments or stipulations);

b. the name of the maker and second of all main motions;

c. disposition of all main motions, whether;

(1) adopted (approved/with or without deletions, stipulations or conditions);

(2) defeated/denied/rejected;

(3) referred to committee or to staff for further information or recommendation;

(4) postponed/held until a definite time;

(5) continued;

(6) withdrawn with (or without) prejudice; or

(7) dismissed with or without prejudice;

[1] Any vetoed item shall be added to the agenda of the next regular City Council meeting for the Council's consideration whether to override the veto by a vote of 4/5 of the Council pursuant to Section 2.06 of the City of Kennesaw Charter.

d. how each Councilmember voted;

e. a Councilmember's or Mayor's comments are only printed in the minutes when requested by a member of the elected body;

f. a veto by the Mayor, pursuant to Section 2.06 of the City of Kennesaw Charter; and

g. an override of a veto by the Council pursuant to these meeting procedures and Section 2.06 of the City of Kennesaw Charter.

B. The responsibility for correcting and approving the minutes shall be vested only in the governing body and shall indicate their approval. The minutes may be corrected whenever an error is noticed, regardless of the time which has elapsed[2].

C. The minutes shall be attested to by the clerk or deputy clerk.

X. Meeting Agenda

A. An agenda for the meetings will be prepared by the City Manager and City Clerk with the advice and counsel of the Mayor to be available to the Councilmembers in advance of the meeting.

B. While it is usual for unfinished business (that referred or held from another meeting) to be considered after new business, the order of business listed in the published agenda may be changed when it seems advisable to 4/5[3] of the Council. Should only four (4) members of the Council be present, a unanimous vote shall be required.

XI. Agenda Items

Work Session Agenda

A. Individual City Council Members may add discussion items to the Work Session agenda.

B. The Council Member will communicate the item(s) for discussion with the City Clerk and will copy the Mayor, other Council Members and the City Manager and submit by Wednesday at 12:00 noon prior to the Work Session.

C. Agenda items submitted by individual Council Members will be published to the Work Session agenda as submitted.

D. Councilmember(s) may withdraw agenda item(s) prior to meeting.

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[2] Mason, Paul. Mason's Manual of Legislative Procedure., The American Society of Legislative clerks & Secretaries in cooperation with the National Conference of State Legislatures, 1989.

[3] Rationale: Frequently the business can be facilitated by changing the order in which business is considered; however, it should be changed only by a vote stronger than a majority. Since items are not designated a specific time, it is the responsibility of interested parties to be available throughout the meeting until items which interest them have been disposed of.

Consent Agenda

A. A portion of the agenda may be designated as a consent agenda by the City Manager and Mayor and City Council as recommended by the Council and all items contained therein may be voted on engross.

B. Prior to the vote on the consent agenda, any councilmember may have an item withdrawn from the consent agenda or, in the event of a zoning case, upon objection by either the applicant or interested party an item shall be withdrawn, so that it shall be placed on the Regular Agenda for a full public hearing and consideration.

Continued Case Agenda

A. These are matters where public hearings were not conducted due to vote by the Council or in the event of a zoning matter by mutual consent of the applicants and opponents or due to reasons set forth within the City of Kennesaw Code.

B. Continued cases are voted on following a public hearing conducted in accordance with the procedures outlined under the Regular Agenda Section below.

Regular Agenda

A. These are matters which, in the opinion of staff, City Manager or the Mayor and Council raise issues which should be considered following a full public discussion or hearing.

B. Each matter will be considered in the order assigned in the Agenda except upon a 4/5 vote of the Council to change the order of business.

C. If the matter involves rezoning, then the following shall apply:

a. Proponents and opponents of cases shall be required to complete and file state mandated zoning disclosure forms, as applicable.

b. Proponents and opponents of cases shall be given a minimum of ten (10) minutes and a maximum of thirty (30) minutes each to present its case. The Clerk shall be responsible for keeping time. Any groups which are present are encouraged to choose a spokesperson to present their views.

c. As each case is called, the proponent and opponent shall first be sworn prior to presenting.

d. Voting on cases on the Regular Agenda will take place immediately following the close of all public hearings.

e. No further public input will be allowed unless questions come through the Mayor and City Council.

Held Case Agenda

A. These are cases where public hearings or prior consideration has already been held; however the Mayor and City Council delayed action due to the need for additional information or evaluation.

B. The City Manager or his/her designee shall present information to the Mayor and City Council. No additional public input shall be allowed unless requested by the Mayor and City Council.

C. These matters will be voted on following the presentation and discussion.

Other Business

A. These are items which are placed on the agenda for clarification or direction by Staff which may or may not require official Council action.

XII. Non-Agenda Items

A. Non-agenda items shall be defined as business deemed by the Mayor or a Councilmember to require urgent attention but has not been placed on the formal agenda during the agenda planning session.

a. Adequate information, including the specific topic, shall be given on any business requested to be added as non-agenda items.

b. A vote of 4/5 shall be required to add a non-agenda item. Should only four (4) members of the City Council be present, a unanimous vote shall be required.

XIII. Comprehensive Land Use Plan and Future Land Use Map Amendments

A. Pursuant to The Zoning Procedures Law, O.C.G.A. § 36-66-1 et seq., the Mayor and City Council, either on its own request, or through the Planning Commission, shall be responsible for considering and adopting amendments to the Comprehensive Land Use Plan and Future Land Use Map.

B. At least two (2) public hearings shall be conducted by the City Council following advertisement and posting at least fifteen (15) days but not more than 45 days prior to the public hearings.

C. The public shall be allowed to submit and have considered text and map amendments once during the state mandated time period (currently every five (5) years).

D. Any person desiring to speak at a public hearing, either for or against a text or map Amendment, shall be limited to a ten (10) minute presentation or may submit any and all materials in writing to the clerk.

E. Following the public hearings and upon the expiration of thirty (30) days or receipt of the Planning Commission report and recommendation, whichever is sooner, the Mayor and City Council may act on the proposed amendments as set forth herein.

XIV. Voting Session

A. All votes shall be taken by either raised hand or voice vote at the discretion of the Mayor, except those which the Mayor handles through unanimous consent, i.e., "If there are no objections…." A single objection will require that a counted vote be taken. An affirmative vote of at least three Councilmembers shall be required to adopt a motion, except where otherwise indicated.

B. When an entire agenda "tab" has been moved to be voted by an engross vote, a Councilmember may, without discussion, state that he/she is voting in the affirmative on all of the agenda items on that "tab" except certain ones (which he/she will name by number). In such cases, the vote of the Councilmember(s) will be recorded as negative or for abstention, as applicable, for the items named.

C. If a motion has been voted on without discussion and a Councilmember feels that it is necessary to explain his/her vote, he/she may have no more than two minutes to give public reasons for his/her vote. This shall not be construed as an opportunity to repeat discussion that has already taken place at the same meeting.

D. A tie vote shall cause all procedural motions to be defeated except as noted herein. A tie vote on a main motion shall keep the motion as pending before the Council and the motion shall be immediately considered by the Mayor who shall cast the deciding vote.

E. No Councilmember who is present at any meeting of the Mayor and City Council at which an official decision, ruling or other official act is to be taken or adopted, may abstain[4] from voting in regard to any decision, ruling, or act, and a vote shall be recorded or counted for each such Councilmember present, except when, with respect to any such Councilmember, there is or appears to be a possible conflict of interest[5] as an ethical consideration requires abstaining. In such cases the abstaining Councilmember shall give his/her reason for abstaining.

XV. Public Participation in Meetings

The Mayor and City Council welcomes visitors to meetings and is willing to hear any person or persons desiring to appear before the Mayor and City Council subject to these rules as follows:

A. All remarks must be related to the issue. No person shall be allowed to make impertinent, derogatory, offensive or slanderous remarks while addressing the Council.

a. At the discretion of the Mayor, a person may be barred from further speaking before the Council in that meeting if his/her conduct is deemed "out of order."

b. A person, once barred for improper conduct, shall not be permitted to continue or again address the Council in that meeting unless a majority vote of the Council allows.

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[4] "It is a general rule that a legislative body cannot only compel the attendance of its members but that it can also require them to vote unless excused by the body from voting." Mason's Manual of Legislative Procedure.

[5] "It is a general rule that no members can vote on a question in which they have a direct personal or pecuniary interest. The right of members to represent their constituencies, however, is of such major importance that members should be barred from voting on matters of direct personal interest only in clear cases and when the matter is particularly personal." Mason's Manual of Legislative Procedure.

c. In the event the speaker thus barred fails to obey the ruling, the Mayor may take such action as is deemed appropriate, including the removal of such person from the meeting.

d. The Council may bar a person from addressing Council meetings for up to sixty (60) days for improper conduct.

e. A person barred by the Council for this period may request a hearing, by written request to the Mayor stating reason(s) for a reversal of the decision.

f. The hearing shall be placed on the agenda and heard by the Council. A 4/5 vote of the entire Council shall be required to overturn the previous decision to bar the person(s).

B. Reasonable time limits for public comment may be set by the Mayor.

XVI. Filings and Exhibits

A. All documentation and exhibits shall be marked and filed with the clerk prior to presentation to the Council.

B. The deadline for receiving any additional information, changes or modifications for consideration by the Council shall be 12:00 Noon on the Friday preceding the public hearing/meeting. In the event an applicant or opponent submits revised plats or revised information, changes or modification after such cut-off, the applicant or opponent shall only be allowed to present such documentation at the public hearing. It shall be at the Council's discretion as to whether or not it desires to accept the information, changes or modifications and further determine if the information merits holding the application until the next regular hearing. Should an applicant turn in such material late a second time for a regularly scheduled public hearing, then it shall be grounds to dismiss the application with prejudice, hold or continue the application.

C. All witnesses at official public hearings before the Mayor and Council, including zoning, planning, and land use matters and alcohol-related matters, shall be sworn with an official oath by the City Attorney prior to giving testimony. All witnesses desiring to testify on any matters subject to a public hearing at a meeting may be sworn at one time by the City Attorney. Witnesses testifying on other matters under deliberation by Mayor and Council may be sworn based on the judgment of the City Attorney.

PROCEDURES IN MEETINGS

XVII. Motions

Prior to taking the vote, the Mayor, or at his request, the clerk, should state the motion (or resolution) or its substance.

XVIII. Ranking Motions

A. These motions shall take precedence in order in which they are listed below:

a. Adjourn

b. Recess

c. Motions of privilege

d. Call the question

e. Limit discussion or debate by the Council

f. Hold/continue until a time certain/dismiss/withdraw

g. Refer back to staff/committee/City Manager; or refer to staff/committee/City Manager

h. Amend

i. Main motion

XIX. Main Motion

A main motion shall be a motion whose introduction brings business before the Council.

A. Assumed Main Motions

A recommendation from staff, or another item published in the agenda for action, shall be handled as an Assumed Main Motion by the Mayor. That is, the Mayor shall, upon the conclusion of a report, state, "The question (or motion) before you is…" (stating the motion in the affirmative)[6]. No second[7] will be required in these instances and the Mayor, in assuming such motion, is not presumed to be in favor of the motion and may speak against it if he/she so wishes.

(1) Possible dispositions of such a motion assumed by the Mayor include:

(a) Adopt;

(b) Amend and adopt with amendments (or stipulations);

(c) Defeat;

(d) Refer back to staff/committee; or refer to staff/committee;

(e) Hold until a definite time;

(f) Withdraw with or without prejudice; or

(g) Dismiss with or without prejudice.

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[6] "It is preferable to avoid a motion containing a negative statement even in cases where it would have a meaning, since members may become confused as to the effect of voting for or against such a motion." Robert, Henry M. Robert's Rules of Order Newly Revised. Scott, Forseman and Company, 1990.

[7] "The requirement of a second is for the chair's guidance as to whether he should state the question on the motion, thus placing it in the assembly. "Robert's Rules of Order Newly Revised. It has already been determined that such items(s) are to come before the commission."

(2) Incidental motions such as consider engross, consider paragraph, divide the motion, may also be applied to such assumed motions.

B. **Other Main Motions**: those incidental or relating to business of the Council, or its past or future action, or arising as Non-Agenda Items shall require a second, and, if such motions fail to obtain a second,[8] the Mayor shall state, "Since there is no second, the motion is not before this Council".

XX. Amend

A. If a Councilmember feels that the main motion might be more acceptable in a way other than the way presented, the Council may amend through substitution, insertion of stipulations/conditions, striking out portions, or striking out and inserting portions. Such proposed amendments shall be handled in one of the following ways:

(1) by unanimous consent of the Council. The chair, or another Councilmember, through the chair, may suggest changes or stipulations, and if there are no objections from the Council the motion shall be amended by unanimous consent.

(2) with a second, discussion and a majority vote on the proposed amendment.

B. If a proposed amendment fails to obtain unanimous consent or a majority vote, or lacks a second, the main motion considered shall be the one originally presented.

C. An amendment must be germane (relating to the substance of the main motion) and may not introduce an independent question.

D. Improper amendments shall be:

(1) one which is not germane;

(2) one which would make the adoption of the amended motion equivalent to a rejection of the motion; or

(3) one which is frivolous or absurd.

XXI. Refer

If the Councilmembers feel that adequate information has not been given, the Mayor may, by majority vote of the Council, refer the motion to staff (or an agency, committee, etc.) for more information. A date shall be set for hearing the additional information. This motion shall require a second and shall be debatable only as to whether or not it shall be referred, to whom it shall be referred, or when the person to whom it is referred shall report back. If the motion fails, the motion to be considered shall be that motion which was on the floor prior to the motion to refer.

XXII. Hold/Continue Until a Time Certain

[8] The Councilmember who seconds a motion, or any procedural motion, implies he/she wishes the motion be discussed and voted upon, but does not indicate support for the motion and may speak for or against the motion.

A motion to hold or continue to a time certain (postpone) may be used if a majority of the Council feels that the motion before them should be considered at a more convenient time, or if the discussion shows that a final decision should be made at a later time or date. This motion shall be used if the Councilmembers themselves feel that they may obtain the information that is needed or that the facts as presented are not adequate for their final vote. A second shall be required and discussion shall be limited to the reason for holding the motion or the time to which it is to be held. If the motion fails, the motion to be considered shall be that motion which was on the floor prior to the motion to hold or continue.

XXIII. Limit Discussion or Debate by the Council

If a Councilmember feels that a set period of time for discussion of a motion should be limited as to time for the motion as a whole, or as to individual time given, the Councilmember may move to "limit discussion (for a set period of time..") This motion shall require a second and no discussion on the motion shall be allowed. It shall require a 4/5 vote to adopt. Should only four (4) members of the Council be present, a unanimous vote shall be required.

XXIV. Call the Question

A Councilmember may "call the question" (a motion to end discussion) when it is clear that further discussion is unnecessary or that discussion is becoming repetitive. This motion shall require a second and no discussion on the motion shall be allowed. It shall require a 4/5 vote to adopt. Should only four (4) members of the Council be present, a unanimous vote shall be required.

XXV. Motions of Privilege

If any matters occur such as to impede a Councilmember in attending to the business, e.g., too much noise, the microphone not working, matters that affect the safety, orderliness, or comfort of the Councilmembers, or that affects the honor of an individual Councilmember, such Councilmember may state to the Mayor that he/she has a question of privilege and the matter must be addressed before the pending business of the Council continues. No vote is required unless a motion arises out of the privilege.

XXVI. Recess

A recess may be taken as it appears on the agenda or declared by the Mayor when he/she deems it advisable, or by a motion from a Councilmember. If the motion is made by a Councilmember, a second and an affirmative majority vote shall be required to recess.

XXVII. Adjourn

The highest-ranking motion shall be the motion to adjourn, requiring a second and a majority vote with no discussion allowed, except that the motion shall contain a time to hear any non-completed items on the agenda, if such exist. If all business on the agenda has been completed, the Mayor may assume the motion and, without a second, obtain unanimous consent to adjourn.

XXVIII. Motions Used to Bring Back an Issue

Except as otherwise provided by law, if a Councilmember wishes to bring back to the Council a matter which has been adopted, he/she may do so through the motions to

reconsider, rescind, and amend something previously adopted. These shall have the same rank as a main motion.

XXIX. Amend Something Previously Adopted

If a Councilmember wishes to amend an action taken at a previous meeting, the motion to amend something previously adopted should be used. This motion shall be used when a matter which was previously adopted by the Council needs to be amended. A second shall be required and full discussion shall be allowed. If the item has been listed on the published agenda, a majority vote shall be required for adoption. A vote of 4/5 shall be required if the item is not on the official agenda. Should only four (4) members of the Council be present, a unanimous vote shall be required.

XXX. Reconsider

If, in the same meeting, new information or changed situations make it appear that a different result might reflect the will of the Council, any Councilmember (regardless of how he/she originally voted on the matter) may move to reconsider the vote. A motion to reconsider may be applied to a vote that was either affirmative or negative and shall propose no specific change in a decision but simply shall propose that the motion be reopened for discussion and another vote taken. A second shall be required to this motion and discussion shall be allowed as to the reasons for wishing to reconsider the vote. A majority vote shall be required to adopt the motion to reconsider.

XXXI. Rescind

A. If a Councilmember wishes to annul an action taken at a previous meeting, the motion to rescind may be used. The motion to rescind shall require prior notice at a regularly scheduled meeting, of the intent to rescind a motion at the next scheduled meeting. The motion to rescind shall not be in order if:

   a. the motion to reconsider may be made, i.e. at the same meeting;

   b. the motion to reconsider was taken and lost;

   c. the matter is routine and only part of the action needs to be changed, in which case the motion to “amend something previously adopted” shall be used; or

   d. something has been done as a result of the vote to implement the earlier action adopted.

B. The motion to rescind shall be placed on the agenda for the following meeting, a second shall be required, and discussion may go into the merits of the motion involved in rescinding. A majority shall be required to pass the motion after such prior notice.

XXXII. Incidental Motions

A. Incidental motions have no rank but shall be decided immediately before business may proceed and may be used throughout the meeting as follows:

   a. **Point of Information**

A point of information is a request, directed to or through the Mayor, for information relevant to the business at hand, but not related to parliamentary procedure.

b. **Point of Order**

A Councilmember may call for a point of order if he/she believes that the Mayor has failed to notice a breach in the rules. This point of order shall require the Mayor to make a ruling on the question involved.

c. **Appeal from the Chair's Decision**

Whenever a Councilmember believes the Mayor is mistaken in his/her ruling, a Councilmember may appeal the Mayor's decision. An appeal shall require a second and shall be debatable with the Mayor speaking first explaining his/her ruling, and the Mayor may close out the debate by a statement at the end defending the ruling. An appeal may be made only on a ruling and may <u>not</u> be made:

(a) in response to a parliamentary inquiry or point of information; or

(b) in areas that challenge verifiable rulings of factual nature, the Mayor shall state the motion as "Shall the Mayor's decision be sustained?" A tie vote shall sustain the Mayor because a majority of those voting shall be required to overturn the Mayor's ruling.

d. **Parliamentary Inquiry**

A parliamentary inquiry is a question directed to the Mayor to obtain information on a matter of parliamentary law or the rules of the Council. The Mayor will answer such questions or may ask the City Attorney for an opinion. The Mayor's reply, whether or not he/she has requested advice from the City Attorney, is not a ruling, but is an opinion. If a Councilmember does not agree with the Mayor's opinion, he/she may act in a way contrary to this opinion and if ruled out of order, may then appeal the Mayor's ruling. The Mayor is not obligated to respond to hypothetical questions.

e. **Divide the Motion**

If the motion presented contains two or more parts capable of standing as separate motions, a Councilmember may move to "divide the motion". This motion shall require a second and discussion shall be allowed only on why it should or should not be divided. A majority vote shall be required to adopt the motion to "divide the motion."

f. **Consider by Paragraph**

If a main motion is in the form of a resolution or document containing several paragraphs or sections which are not separate motions but could be discussed more efficiently if it is discussed in sections, the motion to discuss by paragraphs, sections, or numbered agenda items under a "tab" may be made. A second shall be required and discussion shall be brief to

the necessity for the action. A majority vote shall be required to "consider by paragraphs, sections, or numbered agenda items under a "tab."

g. **Request to Withdraw a Motion**

Once a motion has been moved and seconded it belongs to the entire Council and not to the maker of the motion. Therefore, if a Councilmember wishes to withdraw a motion that is officially before the Council, action of the Council must be taken in either of the following ways:

(a) The Mayor may ask the Council if there are any objections to the motion being withdrawn. If there are no objections, the motion shall be withdrawn by unanimous consent, without the need for the seconder to withdraw his/her second.

(b) If there is an objection to the motion being withdrawn, the Mayor shall take an official vote, a second required. A majority vote shall be required to adopt the motion to "withdraw the motion".

h. **Consider Engross**

If a Councilmember feels that time could be saved by acting on all of the agenda items under a "tab", he/she may move that it be "considered engross".

i. **Filling the Blank**

When several alternatives need to be considered such as staff recommendations that propose various options for the Council to consider), unlimited choices may be considered by "filling the blank" in the motion.

(a) No Councilmember may suggest more than one proposal for filling the blank without unanimous consent from the other Councilmembers.

(b) Each proposal shall be debatable and shall be treated as an independent item to be voted on separately until one has been approved by a majority. As soon as one proposal has received a majority, no other shall be considered.

(c). Alternatives (from staff recommendations and/or suggestions by Councilmembers) are listed in logical order for voting:

(1) Alternatives are listed in the order in which they were proposed.

(2) Other proposals are listed in the order of their probable acceptability, beginning with the least popular choice.

PARLIAMENTARIAN

XXXIII. Parliamentarian

The City Attorney or his/her designee shall serve as parliamentarian and shall advise and assist the Mayor and the Council in matters of parliamentary law. A professional parliamentarian may be consulted as deemed necessary.

PARLIAMENTARY AUTHORITY

XXXIV. Parliamentary Authority

The latest edition of ROBERT'S RULES OF ORDER NEWLY REVISED shall govern the meetings of the City of Kennesaw in all areas in which it is applicable and in which it is not inconsistent with these rules adopted by the Councilmembers or higher law.

AMENDMENTS

XXXV. Amendments

These rules may be amended by a 4/5 vote of the entire Council at a regular meeting or special meeting of the Mayor and City Council of the City of Kennesaw, provided notice has been given of the amendments(s) at the meeting prior to the vote on the amendment(s).

APPENDIX

PARLIAMENTARY DEFINITIONS

The following parliamentary definitions apply to the **MAYOR AND CITY COUNCIL FOR THE CITY OF KENNESAW MEETING PROCEDURES** adopted September 4, 2018.

adjourn – to officially terminate the meeting.
adjourned meeting – a meeting that is a continuation at a later specified time of an earlier regular or special meeting.
adopt – to approve or pass by whatever vote is required for the motion.
affirmative vote – a vote in favor of the motion as stated.
agenda- the official list of items of business planned for consideration during the meeting.
approval of minutes- formal acceptance of the record of a meeting thus making this record the official minutes of the Council.
Charter – Charter of the City of Kennesaw.
common parliamentary law – the body of rules and principles that is applied by the courts in deciding litigation involving the procedure of any organization; does not include statutory law or particular rules adopted by any organization or board.
Councilmember – any person named to that position.
convene – to open a meeting.
debate – formal discussion of a motion under the rules of parliamentary law and more often, herein, referred to as discussion.
defer or hold – to delay action by referring the motion to staff (or an agency, committee, etc.) or requesting more information, or by postponing a vote to a time certain.
demand – an assertion of a parliamentary right by a Councilmember.
dilatory motions or tactics – misuse of procedures or motions that are out of order or would delay or prevent progress in a meeting.
floor – when a person receives formal recognition from the Mayor, he/she "has the floor" and is the only person entitled to speak.
germane amendment – an amendment relating directly to the motion to which it is applied.
germane discussion – discussion relating directly to the matter involved.
hearing – a meeting for the purpose of listening to the views of an individual or of a particular group on a particular subject.
in order – permissible and right from a parliamentary standpoint.
majority vote – an affirmative vote of at least three Councilmembers, or the Mayor and two Councilmembers in the event of a tie.
Mayor – the presiding Mayor of the City of Kennesaw.
minutes – the legal record of the action of the Council.
motion – a proposal submitted to the Council for its consideration and decision; it is introduced by the words "I move that…"
objection – the formal expression of opposition to a proposed action.
order of business – the adopted order in which the business is presented to the meeting of the Council.
out of order – not correct, from a parliamentary standpoint, at the particular time.
parliamentary authority- the code of procedure adopted by the Council as its parliamentary guide, governing in all parliamentary situations not otherwise provided for in the Charter, the RULES OF PROCEDURE FOR THE MAYOR AND CITY COUNCIL FOR THE CITY OF KENNESAW, the Kennesaw Code of Ordinances, or higher governing bodies.
pending motion – sometimes referred to as pending question; any motion that has been proposed and stated by the Mayor for the Council's consideration and that is awaiting decision by vote.
precedence – the rank or priority governing the motion.
precedent – a course of action that may serve as a guide or rule for future similar situations.

procedural motion – motions to assist the Council in treating or disposing of a main motion; or motions relating the pending business or to business otherwise at hand.
proposal or proposition – a statement of a motion of any kind for consideration and action.
O.C.G.A. – Official Code of Georgia Annotated.
quorum – the number of persons that must be present at a meeting of the Council to enable it to act legally on business.
recognition – acknowledgement by the Mayor, giving a person sole right to speak.
reconsider – to review again a matter previously disposed of, and to vote on it again; must be made on the same day of business.
request – a statement to the Mayor asking a question or some "right".
rescind – to nullify or cancel out a previous action; cannot be made if action has already been taken to implement the motion it wishes to rescind.
resolution – a formal motion, usually in writing, and introduced by the word "resolved" that is presented to the Council for a decision.
ruling – the Mayor's decision as it relates to the procedure of the Council.
second – a Councilmember's statement that he/she is willing to have the motion considered.
seriatim – a consideration by sections or paragraphs.
statute – a law passed by the legislature.
technical inquiry – request for information relevant to the business at hand.
tie vote – vote in which the affirmative and negative votes are equal on a motion.
unanimous consent – deciding on a vote without voting on it but where no Councilmember voices objection; with single objection a vote must be taken.
unfinished business –any business that is postponed definitely to a time certain.

Item Report

TO: The Honorable Mayor and City Council

FROM: Anna Trapp, Assistant to the City Manager

DATE: October 20, 2025

TITLE: **Resolution: Friendship Agreement with Montepulciano, Italy**
Consideration for approval of a Resolution authorizing a Memorandum of Understanding which establishes a collaborative relationship with Montepulciano, Italy.

Summary:
The City of Kennesaw established the Kennesaw Sister Cities Commission (KSSC) in August 2021 with the purpose of pursuing an international Sister Cities relationship. A relationship with Montepulciano, Italy was pursued due to an existing relationship between the Italian City and Kennesaw State University through their study abroad programming.

Following several virtual meetings and emails, the cities of Kennesaw and Montepulciano have created a Friendship Agreement in the form of a Memorandum of Understanding (MOU) with the purpose of establishing a structured collaborative relationship between the two cities promoting cultural exchange, economic cooperation, educational partnerships, and friendship between the two communities.

The KSSC, City of Kennesaw staff, and leadership from Montepulciano, Italy have reviewed the Friendship Agreement and recommend approval of the MOU.

Recommendation:
The City Manager recommends approval of the MOU between the City of Kennesaw and Montepulciano, Italy.

Fiscal Impact:

Attachments:
1. Resolution Sister Cities Agreement
2. Sister Cities MOU Draft - 9.17.25

CITY OF KENNESAW
GEORGIA

RESOLUTION NO. 2025-___, 2025

RESOLUTION TO APPROVE A MEMORANDUM OF UNDERSTANDING ESTABLISHING A STRUCTURED COLLABORATIVE RELATIONSHIP BETWEEN THE CITY OF KENNESAW, GEORGIA AND THE CITY OF MONTEPULCIANO, ITALY.

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

WHEREAS, the City of Kennesaw established the Kennesaw Sister Cities Commission (KSSC) in August 2021 with the purpose of pursuing an international Sister Cities relationship; and

WHEREAS, the KSSC collaborated with Kennesaw State University (KSU) for ideas on potential Sister City matches; and

WHEREAS, KSU has a long-running, existing relationship with Montepulciano, Italy through their study abroad programming; and

WHEREAS, following several virtual meetings and emails, the cities of Kennesaw and Montepulciano have created a Friendship Agreement in the form of a Memorandum of Understanding (MOU) with the purpose of establishing a structured collaborative relationship between the two cities promoting cultural exchange, economic cooperation, educational partnerships, and friendship between the two communities; and

WHEREAS, the KSSC, City of Kennesaw staff, and leadership from Montepulciano, Italy have reviewed the Friendship Agreement and recommend approval of the MOU.

BE IT RESOLVED the Kennesaw City Council authorizes the Mayor to sign the Friendship Agreement establishing a collaborative relationship with Montepulciano, Italy, the terms of which are included in the attached MOU.

PASSED AND ADOPTED by the Kennesaw City Council on this _____day of October, 2025.

ATTEST:

_____
Lea Alvarez, City Clerk

CITY OF KENNESAW:

_____
Derek Easterling, Mayor

FRIENDSHIP AGREEMENT/ MEMORANDUM OF UNDERSTANDING
between the Municipality of Montepulciano (Tuscany, Italy) and the City of Kennesaw (Georgia, USA)

Whereas:
Friendship agreements between communities and institutions promote long-lasting relationships based on shared values, mutual respect, and a common desire to enhance knowledge, culture, and human capital. The citizens of the communities mentioned in this agreement are called upon to be the true protagonists of exchanges at all levels and in multiple sectors: civic associations, economic and productive activities, education and training, sports and health, folklore traditions, and cultural events.

The **Municipality of Montepulciano**, located in the province of Siena, in Tuscany - Italy, has around 13,000 inhabitants and is internationally recognized for its historical, artistic, and gastronomic heritage. This ancient medieval and Renaissance town has preserved a vibrant cultural identity over the centuries, expressed through popular traditions such as the *Bravìo delle Botti*, and renowned musical events like the *Cantiere Internazionale d'Arte*, the *Bruscello Poliziano*, and the *Live Rock Festival*. The town has a strong vocation for tourism based on the quality of its landscape and local products.

The municipality is set in a highly productive rural landscape, with gently rolling hills covered in vineyards, which produce the celebrated *Vino Nobile di Montepulciano*, one of Italy's most prestigious wine denominations. The **Lake Montepulciano Nature Reserve**, an important protected area and destination for nature tourism, is a testament to the environmental richness and biodiversity of the area. In the nearby village of Sant'Albino, a thermal spa contributes to the town's wellness and tourism offerings. Montepulciano is also home to the **Nottola Hospital**, a key healthcare facility serving the southern part of the province of Siena and many residents from the neighboring region of Umbria.

The **City Kennesaw**, Georgia, traces its roots to the 1830s with the construction of the Western and Atlantic Railroad, around which settlements like Big Shanty grew due to its water supply and high ground. Big Shanty became notable during the Civil War, hosting Camp McDonald and witnessing the dramatic theft of the locomotive The General in 1862, an event later known as "The Great Locomotive Chase." After wartime destruction, the area was rebuilt and officially incorporated as the City of Kennesaw in 1887. The town grew slowly through the late 19th and early 20th centuries, relying on cotton and rail commerce, but suffered economic setbacks during the Great Depression. By the 1980s, Kennesaw began to thrive again as part of the Metropolitan Atlanta area with regional growth and commercial development. In the 2000s, the City invested in cultural and recreational facilities, including the 2003 expansion of the Southern Museum of Civil War and Locomotive History, the opening of Swift-Cantrell Park in 2008, followed by Kennesaw Skate Park in 2013. Smith-Gilbert

Gardens, with over 3,000 plant species and a unique blend of art, history, and horticulture, began accepting paid admissions in 2009, further enhancing Kennesaw's cultural landscape. The City established an Entertainment District in 2019, opened the Kennesaw Recreation Center in 2022, and celebrated the opening of the Piedmont Bank Amphitheater at Depot Park in 2024, continuing a legacy of growth and community enrichment as the population surpassed 34,000 by 2024.

Recalling that:

Kennesaw State University (KSU), with nearly 48,000 students, is one of the largest and most dynamic academic institutions in the southeastern United States. Since 1998, KSU has been present in Montepulciano, where it established its first international campus, contributing significantly to the restoration of the town's historic Fortress, which now serves as a center for cultural exchange and international academic programs.

Whereas a multi-year Agreement is still in force between the Municipality of Montepulciano and the Kennesaw State University Foundation for the use of the municipal premises located on the first floor of the Fortress of Montepulciano, where KSU has made a significant financial contribution to its restoration project.

Considering that a multi-year agreement (25 years) is still in force between the Municipality of Montepulciano and the Kennesaw State University Foundation, signed in 2013, for the use of the municipally owned premises located on the first floor of the Poliziana Fortress, KSU has made a significant contribution to the Fortress' renovation project and to the promotion of Montepulciano area to the City of Kennesaw and the State of Georgia.

KSU's presence represents a tangible bridge between the communities of Montepulciano and Kennesaw, generating meaningful exchanges between students, faculty, citizens, and institutions. Examples of past and ongoing initiatives include:

- Nursing student internships at Nottola Hospital (**health sector**);
- Digitalization workshops at Montepulciano's Historical Archives, including the cataloging of letters by Cosimo I de' Medici (**cultural sector**);
- Entrepreneurship and marketing activities carried out by KSU students in local wineries (**economic sector**).

IT IS HEREBY AGREED AS FOLLOWS:

1. Purpose

The purpose of this Friendship Agreement is to establish a structured collaborative relationship between the City of Kennesaw, Georgia (USA) and the City of Montepulciano (Italy), promoting cultural exchange, economic cooperation, educational partnerships, and friendship between the two communities.

2. Roles and Responsibilities

Each party agrees to:

- Promote cultural, educational, and economic exchanges that benefit both cities;
- Encourage cooperation among local businesses, schools, universities, and community organizations;
- Support tourism and economic development initiatives;
- Facilitate engagement and communication between residents of both cities;
- Organize joint events, delegations, and exchange programs.

3. Recognition of Kennesaw State University

The **central role of Kennesaw State University** is recognized as a key catalyst for dialogue and cooperation between the two communities, especially in the promotion of education, culture, and institutional collaboration.

4. Areas of Collaboration

The parties agree to jointly promote initiatives in the following areas:

- **Education and training:** through exchange programs, joint research, seminars, and internships;
- **Culture and heritage:** including shared events, archiving projects, art, music, and history;
- **Health and wellness:** by supporting clinical and practical experiences that benefit both communities;
- **Sustainable development and local economy:** promoting youth entrepreneurship and the enhancement of territorial resources;
- **Economy and typical products**: promotion of excellence (e.g. *Vino Nobile di Montepulciano*).

5. Terms and Conditions

- Both parties commit to principles of mutual respect, cooperation, and transparency;
- Any confidential information shared under this agreement will be protected and not disclosed without mutual consent;
- Intellectual property resulting from joint initiatives will be managed in accordance with applicable laws and mutual agreement;
- Disputes arising from this Memorandum will be resolved through good-faith negotiations between the parties.

6. Resource Support

Each city agrees to support the partnership through in-kind or collaborative contributions:

- **City of Kennesaw:** may provide support such as personnel coordination, local event planning, and promotional efforts;
- **City of Montepulciano:** support in welcoming delegations, offer cultural programming, and assist with local coordination of joint activities.

7. Amendment Procedure

This Memorandum of Understanding may be amended by written agreement between the parties. Proposed amendments must be submitted in writing and approved by authorized representatives of both cities.

8. Termination Clause

Either party may withdraw from this Memorandum of Understanding with written notice of 90 days. Such withdrawal shall not affect ongoing projects unless otherwise agreed.

9. Disclaimer

This Memorandum of Understanding is a non-binding agreement made in good faith, outlining the intentions and expectations of both parties. It does not create legal obligations or enforceable rights.

IN WITNESS WHEREOF, the undersigned representatives of the City of Kennesaw, Georgia (USA) and the City of Montepulciano (Italy), have entered into this Friendship Agreement.

City of Kennesaw, Georgia, USA
Name: _____
Signature: _____
Title: _____
Date: _____

City of Montepulciano (SI), Italy
Name: _____
Signature: _____
Title: _____
Date: _____

Item Report

TO: The Honorable Mayor and City Council

FROM: Jennifer Gordy, Finance Director

DATE: October 20, 2025

TITLE: **Resolution: Vehicle Lease Supplement with Georgia Municipal Association**
Consideration for approval of a Resolution authorizing the Mayor to execute the Lease Supplement with Georgia Municipal Association (GMA) for the direct leasing program for thirteen vehicles.

Summary:
The lease is for ten (10) Police vehicles and three (3) Administrative use vehicles. Through GMA the City will finance for a five-year period with annual payments of $219,302.22 at an annual interest rate of 4.49%. Funding will be through Magnolia Bank via GMA. The total amount financed is $963,000.

Recommendation:
Finance Director recommends approval.

Fiscal Impact:
100-8000-58-120000-00000 Total principal $963,000 over lease term.
100-8000-58-220000-00000 Total interest $133,511.12 over lease term.

Attachments:
1. RES_2025-_GMA_Financial_Lease_2025 Vehicles
2. Kennesaw LS 072925

CITY OF KENNESAW
GEORGIA

RESOLUTION NO. 2025- ___, 2025

RESOLUTION OF THE KENNESAW CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE ONE OR MORE LEASE SUPPLEMENTS FOR A LEASE OR LEASES UNDER THE GEORGIA MUNICIPAL ASSOCIATION (GMA) DIRECT LEASING PROGRAM; TO DESIGNATE SUCH LEASES AS QUALIFIED TAX EXEMPT OBLIGATIONS; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

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

WHEREAS, the City has entered into a Master Lease (the "Master Lease") dated as of February 21, 2001, with Georgia Municipal Association, Inc. (GMA) for the leasing from time to time of certain equipment, machinery or other personal property pursuant to Supplemental Leases.

NOW, THEREFORE, BE IT RESOLVED that the Kennesaw City Council:

1. The Mayor of the City of Kennesaw is hereby authorized and directed to execute and deliver a Lease Supplement pursuant to the Master Lease to put into effect one or more leases for thirteen (13) vehicles to include ten (10) for Police use and three (3) for Administrative use (the "Leased Property"); said officer of the City is authorized and directed in the name and on behalf of the City to execute and deliver (i) one or more Lease Supplements for items of the Leased Property in substantially the form attached to the Master Lease, with such changes and additions as may be approved by said officer, and (ii) such other documents as may be deemed by such officer to be necessary or desirable to effect the purposes hereof or of the Master Lease, and such execution shall constitute conclusive evidence that the executed document has been authorized and approved hereby; the aforesaid officer is further authorized to do all things necessary or appropriate to effectuate the purposes hereof.

2. An appropriation in the City's current operating budget has previously been made in the amount of $219,302.22 which shall be sufficient to pay the "rentals" and the "termination payment" during the "starting term" under such Lease Supplements.

3. The lease or leases contemplated by the said Lease Supplements are hereby designated "Qualified Tax Exempt Obligations" within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended, and said officer shall be authorized to confirm such designation by execution of appropriate documents in connection therewith.

4. This authorization shall be effective immediately.

PASSED AND ADOPTED by the Kennesaw City Council on this __ day of October, 2025.

ATTEST:	CITY OF KENNESAW
_____	_____
Lea Alvarez, City Clerk	Derek Easterling, Mayor

GEORGIA MUNICIPAL ASSOCIATION

President
Bianca Motley Broom
Mayor, College Park

First Vice President
Andrea Gibby
Mayor, Young Harris

Second Vice President
James Burnette
Mayor, Suwanee

Third Vice President
Garnett Johnson
Mayor, Augusta

Immediate Past President
Fred Perriman
Mayor, Madison

CEO & Executive Director
Larry H. Hanson

July 31, 2025

Ms. Jennifer Gordy
Director of Finance and Administration
City of Kennesaw
2529 JO Stephenson Ave NW
Kennesaw, Georgia 30144

RE: Direct Installment Program

Dear Ms. Gordy:

Please find enclosed the proposed lease supplement between your city and the Georgia Municipal Association. GMA will file all necessary forms including the state UCC-1 and federal 8038. **Please keep in mind the payment schedule (Schedule B) may change slightly depending on the closing date.**

Please return the documents and invoice to GMA by October 31, 2025 to guarantee the 4.49% interest rate. You may wish to send the documents by overnight courier to assure prompt delivery.

PLEASE PAY CAREFUL ATTENTION TO SIGNATURES AND SEALS. OUR LENDERS WILL NOT PROCESS INCOMPLETE PAPERWORK. IF YOU ARE UNSURE ABOUT A DATE FIELD, LEAVE IT BLANK.

If you have any questions, please contact me at (678) 686-6274.

Sincerely,

Philip Potter
Financial Services Manager

/PP
Enclosures

The Burgess Building • 201 Pryor Street, SW • Atlanta, GA 30303-3606 • Tel 404.688.0472 • Toll Free 888.488.4462 • Fax 678.686.6289 • www.gmanet.com
Mailing Address: PO Box 105377 · Atlanta, GA 30348

DOCUMENT NOTES

LEASE SUPPLEMENT

NOTE: ON ALL PROPERTIES REQUIRING TITLE, A COPY OF THE MV - 1 APPLICATION LISTING GMA AS LIENHOLDER MUST ACCOMPANY LEASE DOCUMENTS.

Exhibit E - Lease Supplement: Please complete requested information. Please also sign on the Lessee position, which is marked with the City's name. The City Clerk should attest this document.

Exhibit E - Schedule A: Please insert appropriate information as requested (i.e., add serial number, amount, or model number).

Exhibit E- Schedule B: No action is required for this schedule.

Exhibit E- Schedule C: Please date, sign, and have the City Clerk attest this document.

Exhibit E- Schedule D: IRS Form 8038: Please add the city's Tax I.D. number and sign at the bottom. GMA will complete this document at closing.

Exhibit E- Schedule F: Resolution/Ordinance for Supplemental Lease: Please add necessary information, date, and sign this document. The Resolution/Ordinance must be adopted at a regular council meeting at which the Mayor may designate the appropriate city officials to enter into subsequent leases for the appropriate amount. The City Clerk should sign and seal at the bottom of the page.

Please return the enclosed document and all attachments (i.e., clips, etc.) to:

Georgia Municipal Association
Attention: Financial Services Program Manager
P.O. Box 105377
Atlanta, Georgia 30348

IF YOU HAVE ANY QUESTIONS OR SHOULD NEED ANY ASSISTANCE, PLEASE DO NOT HESITATE TO CALL THE FINANCIAL SERVICES PROGRAM MANAGER AT (888) 488-4462. LEASE DOCUMENTS MUST BE EXECUTED COMPLETELY AND CORRECTLY BEFORE ANY CHECKS WILL BE ISSUED BY THE SERVICING BANK.

Note: GMA's Lienholder Code is 10288896

EXHIBIT "E"
LEASE SUPPLEMENT

THIS LEASE SUPPLEMENT (this "Lease Supplement") by and between GEORGIA MUNICIPAL ASSOCIATION, INC., a Georgia non-profit corporation ("Lessor") and the municipal corporation of the State of Georgia signing below ("Lessee"), is made and entered into the date of its execution by the Lessor.

RECITALS:

Lessor and Lessee have entered into a Master Lease (the "Master Lease") dated February 21, 2001, which provides for Lessor to lease to Lessee certain property (the "Property") to be specified in Lease Supplements to be executed and delivered by Lessor and Lessee from time to time; and

Lessor and Lessee are entering into this Lease Supplement pursuant to the Master Lease to specify the terms for the lease of certain Property.

LESSOR AND LESSEE HEREBY AGREE AS FOLLOWS:

1. Definitions. Unless a different meaning or intent is required by this Lease Supplement, the capitalized terms used in this Lease Supplement shall have the meanings set forth in the Master Lease.

2. Property. The Property described on the Property Schedule incorporated as Schedule A to this Lease Supplement is specified as the Property that initially is the subject hereof.

3. Lease Payments. The Rental Schedule, incorporated as Schedule B to this Lease Supplement describes the initial amounts and payment dates of the Rentals for the Lease, and the Purchase Price for the Property. The Termination Payment may become due and payable upon the circumstances described in Section 4.2 of the Master Lease.

4. Term of Lease. The Starting Term of the Lease of the Property shall begin on the date hereof (the "Starting Date") and end on December 31 of the same year. The Lease will be renewed for successive calendar year Renewal Terms (the "Renewal Terms"), and an Ending Term (the "Ending Term") commencing January 1 of the last calendar year appearing on the Rental Schedule, and ending on the date of the final payment shown on the Rental Schedule (the "Ending Date"), unless Lessee gives a Nonrenewal Notice or there occurs an Event of Nonappropriation, as provided in the Master Lease. The "Lease Term" is the period from the Starting Date to the Ending Date, subject to the earlier expiration or termination of the Lease as provided in the Master Lease.

5. Agreements, Representations and Warranties. Lessee represents, warrants and agrees as follows:

(a) Lessee's representations, warranties and agreements contained in the Master Lease are true, accurate, complete and effective as of the date hereof;

(b) *(this clause (b) applies only if this Lease is designated as a Bank-Qualified Lease below)* in order to enable Lessor to offer the interest rate contained in this Lease, Lessee represents and warrants that it has not issued, nor does it (taken together with the entities with which it must be aggregate pursuant to Section 265(b)(3)(E) of the Code) reasonably expect to issue (taking into account the Leases) more than $10 million of tax-exempt obligations (other than private activity bonds) for the calendar year during which the Lease becomes effective; as provided in Code Section 265(b)(3)(B)(II), Lessee specifically designates the Lease as a "qualified tax-exempt obligation" as provided by Code Section 265(b)(3);

(c) Lessee will take no action that will directly or indirectly affects the deductibility of that portion of Lessor's interest expense allocable to this Lease;

(d) Lessee has made an available appropriation of and included in its current operating budget all Rentals for the Starting Term and the Termination Payment applicable to this Lease;

(e) Unless Property funds are escrowed, Lessee has received, tested, and finally accepted the Property;

(f) The portion of the Rentals representing principal, when taken together with the principal portion outstanding under any other contract entered into by Lessee pursuant to the authority of O.C.G.A. § 36-60-13, together with the amount of debt outstanding incurred by Lessee pursuant to Article IX, Section V, Paragraph I of the Constitution of Georgia of 1983, as amended, does not exceed 10% of the assessed value of all taxable property within the jurisdictional limits of Lessee;

(g) The Property that is the subject hereof has not been the subject of a referendum that failed to receive the approval of the voters of Lessee within the calendar year in which this Lease is entered into for any of the four immediately preceding calendar years;

(h) If the Property subject to this Lease is real property: and unless the Property has been approved in the most recent referendum calling for the levy of a special county 1% sales and use tax pursuant to O.C.G.A. Tit. 48, Chapt. 8, Art. 3, Pt. 1, neither of the following has occurred:

(i) the average annual payments on the aggregate of all outstanding contracts entered into by Lessee for real property pursuant to the authority of O.C.G.A. § 36-60-13, including this Lease, do not exceed 7.5% of the governmental fund revenues of Lessee for the last calendar year preceding the date of delivery of this Lease (provided, however, that there may be added to such governmental fund revenues any special county 1% sales and use tax proceeds collected pursuant to O.C.G.A. § 48-8-111 legally available to pay amounts on this Lease or such other contracts); and

(ii) the outstanding principal balance on the aggregate of all outstanding contracts entered into by Lessee for real property pursuant to the authority of O.C.G.A. § 36-60-13, including this Lease does not exceed $25,000,000.00

(i) If the property subject to this Lease is real property, Lessee held a public hearing with respect to this Lease prior to the delivery of this Lease, notice of which hearing was published at least once in each of the two weeks preceding the week of the hearing in a newspaper of general circulation in the jurisdiction of Lessee.

(j) No Event of Default or Event of Nonappropriation has occurred with respect to any Lease entered into under the Master Lease.

6. Non-Arbitrage Certificate. The Property that is subject to the Lease has not been and is not expected to be sold or otherwise disposed of in whole or in part prior to the Ending Date. Monies appropriated for the payment of amounts under the Lease will be paid from Lessee's general fund and will not be pledged for the Lease or be otherwise separately identified or accounted for (unless the Lease is to be paid from sales tax receipts). Lessee has not been notified of any listing of it by the Internal Revenue Service as an issuer that may not certify its obligations. No proceeds or "gross proceeds" of the Lease are expected to be invested prior to an allocation for governmental use, unless an Escrow Agreement has been entered into in connection with this Lease. The proceeds of the Lease will not be used in a manner and no other action will be taken or omitted that would cause the Lease to be an "arbitrage bond" under Section 148 or a "private activity bond" under Section 141 of the Internal Revenue Code of 1986, as amended and the regulations promulgated under that Section.

7. Quitclaim. At the outset of this Lease, the Lessee does hereby assign, transfer, convey and quitclaim to Georgia Municipal Association, Inc. ("Lessor") such ownership interests as it may possess, if any, in and to the "Property," as is necessary to permit the Property to be leased by Lessor to Lessee pursuant to the terms of this Lease Supplement and the Master Lease in accordance with their terms. Pursuant to Section 2.2 of the Master Lease, Lessor further transfers title to Lessee to the extent provided therein, and Lessee accepts such transfer in accordance with such Section 2.2. This quitclaim is given in consideration of the advance by or on behalf of the Lessor of the purchase price of the Property and the undertaking of the Lessor represented by this Lease Supplement.

8. Active Municipality. The Lessee certifies that it does, and expects to continue (a) providing at least three of the following services, either directly or by contract: law enforcement; fire protection (which may be furnished by a volunteer fire force) and fire safety; road and street construction or maintenance; solid waste management; water supply or distribution or both; waste-water treatment; storm-water collection and disposal; electric or gas utility services; enforcement of building, housing, plumbing, and electrical codes and other similar codes; planning and zoning; recreational facilities; (b) holding at least six regular, monthly or bimonthly, officially recorded public meetings each year; and (c) qualifying for and holds a regular municipal election as provided by law.

9. Effect of Lease Supplement. This Lease Supplement is intended as a separate Lease of the items of Property described in this Lease Supplement pursuant to the Master Lease. The terms, conditions and provisions of the Master Lease are hereby incorporated in this Lease Supplement to the same extent as if fully set forth in this Lease Supplement in this place, except to the extent expressly amended or modified by this Lease Supplement. The owner of Lessor's interest in this Lease shall have all rights, powers and remedies of Lessor with respect to this Lease under the Master Lease. This Lease Supplement may be executed in multiple counterparts, each of which shall constitute an original. This Lease Supplement shall be effective only upon the due completion and execution of the Schedules listed below and the delivery thereof to the Servicer.

10. Bank-Qualified or Non-Bank-Qualified.

☐ The Lease under this Lease Supplement is a Non-Bank-Qualified Lease;

OR: (Check 1 box)

☒ The Lease under this Lease Supplement is a Bank-Qualified Lease and Lessee has designated the Lease under the Lease Supplement as a "qualified tax-exempt obligation" under Section 265(b)(3) of the Code. The Lessee and its subordinate entities, and the entities that issue obligations on behalf of Lessee have not issued other tax-exempt obligations (other than private activity bonds, except Qualified 501(c)(3) Bonds) in the current calendar year, and Lessee does not expect that it and such other entities will issue such tax-exempt obligations such that all of such obligations, taken together with the Lease Amount under the Lease Supplement, would exceed $10,000,000 in such calendar year. The only tax-exempt obligations issued or expected to be issued in the current calendar year by such parties are as follows (type title, date and amount):

	TITLE	DATE	AMOUNT
(1)	_____	_____	_____
(2)	_____	_____	_____

11. Payments Direction. Lessee authorizes and directs the Servicer under this Lease Supplement to pay the vendors of the Property as indicated below:

NAME AND ADDRESS OF VENDOR	INVOICE # (attach invoices)	AMOUNT
City of Kennesaw 2529 JO Stephenson Ave NW Kennesaw, GA 30144 Attn: Finance Director 770-424-8274	Enclosed	$963,000.00

(Should Lessee have previously paid vendor, or require another means of payment to the Vendor, it should attach a request for an alternate payment method with a full explanation and, if applicable, proof of payment to the vendor.)

12. Assignee and Servicer. Lessor has assigned its rights and interests in the Lease to Magnolia Bank, which shall serve as Servicer for the Lease, and Lessee shall make payments to such Servicer.

13. Schedules. Lessee hereby delivers to Lessor and its assigns the completed, executed and effective Schedules C, D, and F, described below.

This Lease Supplement is dated: _____.

IN WITNESS WHEREOF, Lessor and Lessee have caused this Lease Supplement to be duly executed.

LESSEE: **City of Kennesaw**
(SEAL)

Signed By: _____
City Manager or Mayor

Print Name: _____

Attested By: _____
City Clerk

Print Name: _____

Date: _____

LESSOR: **GEORGIA MUNICIPAL ASSOCIATION, INC.**
(SEAL)

Signed By: _____
Executive Director

Attested By: _____
Financial Services Program Manager

Date of Execution: _____

Schedules Hereto:

A. Property Schedule
B. Rental Schedule
C. Appropriation Certificate Form
D. Form 8038G or 8038GC
E. Form UCC-1 (If included)
F. Ordinance/Resolution for Lease Supplement
G. Assignment and Transfer of Lease Supplement
(Schedule G will be completed by GMA)

SCHEDULE A

PROPERTY SCHEDULE

DESCRIPTION OF PROPERTY	IDENTIFICATION OR VIN NUMBER	AMOUNT FINANCED
Various Vehicles		$963,000.00

SAMPLE

Payment Amortization Report

Customer: City of Kennesaw #276-015

Interest Rate:

4.4900% (Annual)

Per	Date	Payment	Principal	Interest	Principal Balance	Accrued Interest	Accrued Int Bal	Net Balance
0	9/25	0.00	0.00	0.00	963,000.00	0.00	0.00	963,000.00
12	9/26	219,302.22	176,063.52	43,238.70	786,936.48	43,238.70	0.00	786,936.48
24	9/27	219,302.22	183,968.78	35,333.45	602,967.70	35,333.45	0.00	602,967.70
36	9/28	219,302.22	192,228.97	27,073.25	410,738.73	27,073.25	0.00	410,738.73
48	9/29	219,302.22	200,860.05	18,442.17	209,878.67	18,442.17	0.00	209,878.67
60	9/30	219,302.22	209,878.67	9,423.55	0.00	9,423.55	0.00	0.00
	Totals:	1,096,511.12	963,000.00	133,511.12		133,511.12		

SCHEDULE C

APPROPRIATION CERTIFICATE

Re: Master Lease dated February, 21, 2001 and Lease Supplement (the "Lease Supplement") dated _____, between Lessee and Georgia Municipal Association, Inc.

The undersigned officers of the City of Kennesaw (the "Lessee") hereby certify that all Rentals and the Termination Payment under the referenced Lease Supplement, for the current fiscal year are within such Lessee's operating budget or budgets for such year and an appropriation of funds for such year has been made for such purpose and is available therefore.

Dated: _____

City of Kennesaw

Signed by: _____

Print Name: _____

Title: _____

Attested By: _____

Print Name: _____

Title: _____

(SEAL)

INSTRUCTIONS:

1. To be given at the time of signing a Lease Supplement and within 30 days of the adoption of each annual budget.

2. Complete a separate certificate for each Lease Supplement in effect.

SCHEDULE D

Form **8038-G** (Rev. September 2011)

Department of the Treasury
Internal Revenue Service

Information Return for Tax-Exempt Governmental Obligations

▶ Under Internal Revenue Code section 149(e)
▶ See separate instructions.
Caution: *If the issue price is under $100,000, use Form 8038-GC.*

OMB No. 1545-0720

Part I **Reporting Authority** — If **Amended Return**, check here ▶ ☐

1 Issuer's name: City of Kennesaw	2 Issuer's employer identification number (EIN): 58-6010582
3a Name of person (other than issuer) with whom the IRS may communicate about this return (see instructions)	3b Telephone number of other person shown on 3a
4 Number and street (or P.O. box if mail is not delivered to street address): 2529 JO Stephenson Ave NW — Room/suite	5 Report number *(For IRS Use Only)*: 3
6 City, town, or post office, state, and ZIP code: Kennesaw, GA 30144	7 Date of issue
8 Name of issue: City of Kennesaw / GMA Essential Equipment Lease-Purchase	9 CUSIP number: None
10a Name and title of officer or other employee of the issuer whom the IRS may call for more information (see instructions): Ms. Jennifer Gordy, Director of Finance and Administration	10b Telephone number of officer or other employee shown on 10a: (678) 460-2854

Part II **Type of Issue (enter the issue price).** See the instructions and attach schedule.

11	Education	11	
12	Health and hospital	12	
13	Transportation	13	
14	Public safety	14	$963,000
15	Environment (including sewage bonds)	15	
16	Housing	16	
17	Utilities	17	
18	Other. Describe ▶ Various Vehicles	18	
19	If obligations are TANs or RANs, check only box 19a ▶ ☐		
	If obligations are BANs, check only box 19b ▶ ☐		
20	If obligations are in the form of a lease or installment sale, check box ▶ ☒		

Part III **Description of Obligations.** Complete for the entire issue for which this form is being filed.

	(a) Final maturity date	(b) Issue price	(c) Stated redemption price at maturity	(d) Weighted average maturity	(e) Yield
21		$ $963,000	$ N/A	years	%

Part IV **Uses of Proceeds of Bond Issue (including underwriters' discount)**

22	Proceeds used for accrued interest			22	
23	Issue price of entire issue (enter amount from line 21, column (b))			23	$963,000
24	Proceeds used for bond issuance costs (including underwriters' discount)	24	0 00		
25	Proceeds used for credit enhancement	25			
26	Proceeds allocated to reasonably required reserve or replacement fund	26			
27	Proceeds used to currently refund prior issues	27			
28	Proceeds used to advance refund prior issues	28			
29	Total (add lines 24 through 28)			29	0 00
30	Nonrefunding proceeds of the issue (subtract line 29 from line 23 and enter amount here)			30	$963,000

Part V **Description of Refunded Bonds.** Complete this part only for refunding bonds.

31	Enter the remaining weighted average maturity of the bonds to be currently refunded ▶	years
32	Enter the remaining weighted average maturity of the bonds to be advance refunded ▶	years
33	Enter the last date on which the refunded bonds will be called (MM/DD/YYYY) ▶	
34	Enter the date(s) the refunded bonds were issued ▶ (MM/DD/YYYY)	

For Paperwork Reduction Act Notice, see separate instructions.

Cat. No. 63773S Form **8038-G** (Rev. 9-2011)

689721

Part VI Miscellaneous

35	Enter the amount of the state volume cap allocated to the issue under section 141(b)(5)	35		
36a	Enter the amount of gross proceeds invested or to be invested in a guaranteed investment contract (GIC) (see instructions)	36a		
b	Enter the final maturity date of the GIC ▶ _____			
c	Enter the name of the GIC provider ▶ _____			
37	Pooled financings: Enter the amount of the proceeds of this issue that are to be used to make loans to other governmental units	37		

38a If this issue is a loan made from the proceeds of another tax-exempt issue, check box ▶ ☐ and enter the following information:

b Enter the date of the master pool obligation ▶ _____

c Enter the EIN of the issuer of the master pool obligation ▶ _____

d Enter the name of the issuer of the master pool obligation ▶ _____

39 If the issuer has designated the issue under section 265(b)(3)(B)(i)(III) (small issuer exception), check box ▶ ☒

40 If the issuer has elected to pay a penalty in lieu of arbitrage rebate, check box ▶ ☐

41a If the issuer has identified a hedge, check here ▶ ☐ and enter the following information:

b Name of hedge provider ▶ _____

c Type of hedge ▶ _____

d Term of hedge ▶ _____

42 If the issuer has superintegrated the hedge, check box ▶ ☐

43 If the issuer has established written procedures to ensure that all nonqualified bonds of this issue are remediated according to the requirements under the Code and Regulations (see instructions), check box ▶ ☐

44 If the issuer has established written procedures to monitor the requirements of section 148, check box ▶ ☐

45a If some portion of the proceeds was used to reimburse expenditures, check here ▶ ☐ and enter the amount of reimbursement ▶ _____

b Enter the date the official intent was adopted ▶ _____

Signature and Consent

Under penalties of perjury, I declare that I have examined this return and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete. I further declare that I consent to the IRS's disclosure of the issuer's return information, as necessary to process this return, to the person that I have authorized above.

▶ Signature of issuer's authorized representative Date ▶ Type or print name and title

Paid Preparer Use Only

Print/Type preparer's name	Preparer's signature	Date	Check ☐ if self-employed	PTIN
Firm's name ▶			Firm's EIN ▶	
Firm's address ▶			Phone no.	

SCHEDULE F

ORDINANCE/RESOLUTION FOR SUPPLEMENTAL LEASES

A RESOLUTION OR ORDINANCE TO AUTHORIZE AND
DIRECT AN OFFICER OF THE CITY
TO EXECUTE ONE OR MORE LEASE SUPPLEMENTS FOR A LEASE
OR LEASES UNDER THE GMA DIRECT LEASING PROGRAM; TO DESIGNATE
SUCH LEASES AS QUALIFIED TAX-EXEMPT OBLIGATIONS;
TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City has entered into a Master Lease (the "Master Lease") dated as of February, 21, 2001, with Georgia Municipal Association, Inc. for the leasing from time to time of certain equipment, machinery or other personal property pursuant to Supplemental Leases;

NOW THEREFORE, BE IT RESOLVED OR ORDAINED AS FOLLOWS BY THE GOVERNING BODY OF THE CITY:

1. The _____ of the City is hereby authorized and directed to execute and deliver a Lease Supplement pursuant to the Master Lease to put into effect one or more leases for Various Vehicles (the "Leased Property"); said officer of the City is authorized and directed in the name and on behalf of the City to execute and deliver (i) one or more Lease Supplements for items of the Leased Property in substantially the form attached to the Master Lease, with such changes and additions as may be approved by said officer, and (ii) such other documents as may be deemed by such officer to be necessary or desirable to effect the purposes hereof or of the Master Lease, and such execution shall constitute conclusive evidence that the executed document has been authorized and approved hereby; the aforesaid officer is further authorized to do all things necessary or appropriate to effectuate the purposes hereof.

2. ☐ An appropriation in the City's current operating budget has previously been made, which shall be sufficient to pay the "Rentals" and the "Termination Payment" during the "Starting Term" under such Lease Supplements; or

(check box if applicable)

☐ An appropriation from unappropriated and unreserved funds in the City's current operating budget is hereby made for the "Rentals" and the "Termination Payment" during the "Starting Term" under such Lease Supplements, and the budget of the City is hereby amended to reflect such appropriation to the extent necessary.

3. The lease or leases contemplated by the said Lease Supplements are hereby designated "Qualified Tax-Exempt Obligations" within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended, and said officer shall be authorized to confirm such designation by execution of appropriate documents in connection therewith.

4. This authorization shall be effective immediately.

CLERK'S CERTIFICATE

The undersigned hereby certifies that he or she is the Clerk of the City of Kennesaw, Georgia (the "City"), and that the foregoing is a true copy of the ☐ Resolution or, ☐ Ordinance [Check One] adopted by the governing body of the City at a meeting duly held on the_____, 20___, at which a quorum was present and acting throughout, and that the same has not been rescinded or modified and is now is in full force and effect. Given under the seal of the City, this _____, 20___.

(SEAL) _____
City Clerk

689721

Item Report

TO: The Honorable Mayor and City Council

FROM: Bill McNair, Parks & Recreation Director

DATE: October 20, 2025

TITLE: **Road Closure: Holiday Parade, Holiday Concert, and Drone Show**
Consideration to approve road closures on December 6, 2025, and December 7, 2025, for the Holiday Parade, Concert, and Drone Show.

Summary: The Holiday Parade will take place on Saturday, December 6, 2025, at 11:30 a.m. Requested road closures include:

- Park Drive from 8:30 a.m. to 12:30 p.m. for the parade line-up.
- Main Street from Park Drive to Watts Drive, all of Watts Drive, all of Park Drive, all of Dallas Street, all of JO Stephenson Avenue, and all of Lewis Street from 10:30 a.m. to 12:30 p.m. for the parade route.

The Sunday Christmas Concert will take place on Sunday, December 7, 2025, at 6:00 p.m., and the Drone show will begin at 7:30 p.m. Requested road closures include:

- All of Cherokee Street from 3:00 p.m. to 9:00 p.m.

Recommendation:
The Parks and Recreation Director recommends approval of road closures for the Holiday Parade, Drone Show, and Sunday Christmas Concert

Fiscal Impact:

Attachments:
1. Road Closure Parade and Drone
2. Parade Route

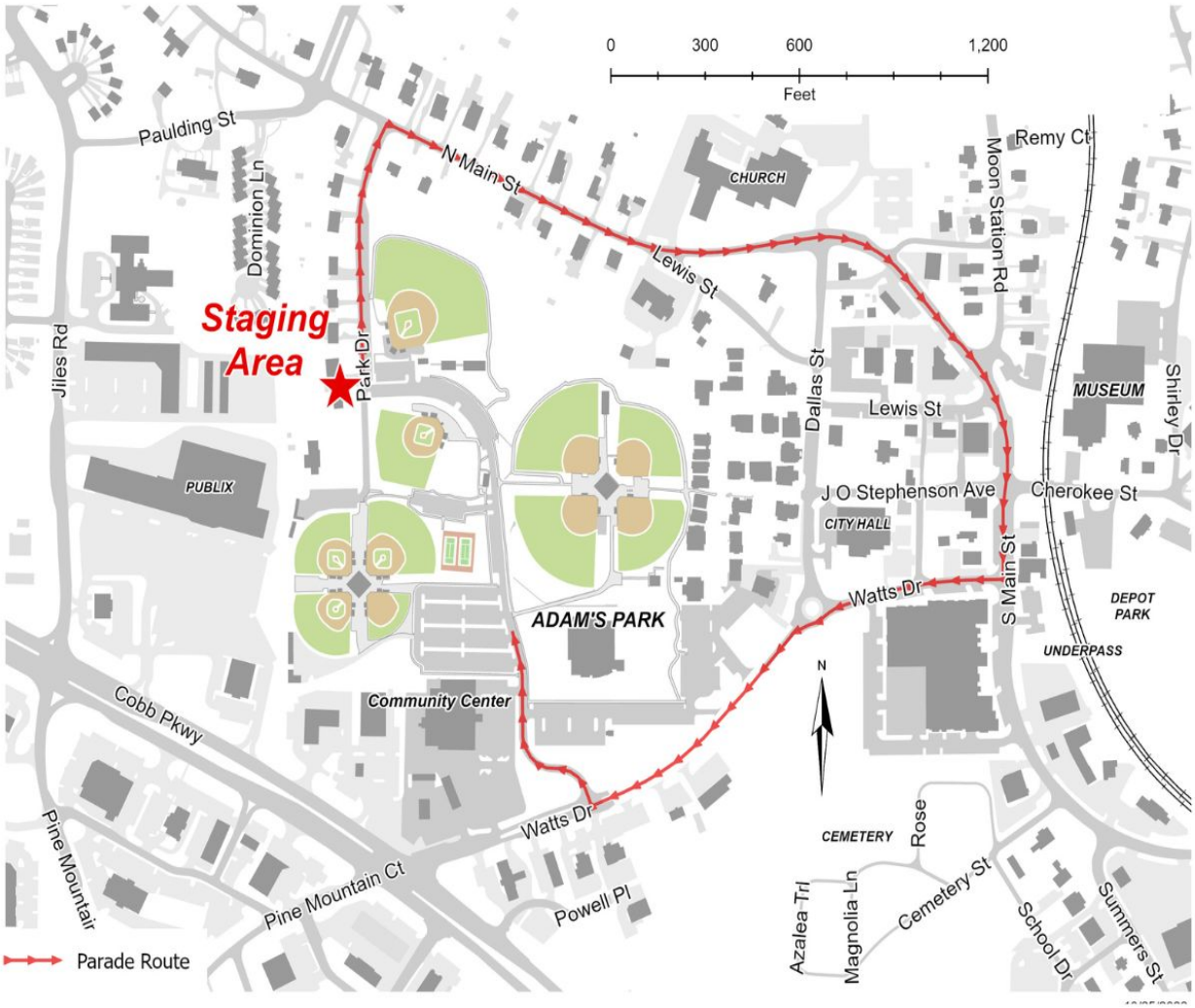
Road Closures for Holiday Parade and Drone Show

Parade Details

- Saturday, December 6, 11:30 AM
    - Park Drive Closure for Parade Line up, 8:30 am – 12:30 pm
- Parade Route Closure 10:30 – 12:30 pm
    - Main Street From Park Drive to Watts.
    - All of Watts Drive
    - All of Park Drive
    - Dallas St, JO Stephenson Ave, Lewis St

Drone Show and Concert Details

- Sunday, December 7, 6 pm Concert, 7:30 pm Drones in the Sky
- Closing Cherokee Street, 3 pm – 9 pm


0
300
600
1,200
Feet
Paulding St
N Main St
Lewis St
CHURCH
Remy Ct
Moon Station Rd
Dominion Ln
Staging Area
Park Dr
Jiles Rd
Dallas St
Lewis St
MUSEUM
Shirley Dr
PUBLIX
J O Stephenson Ave
Cherokee St
CITY HALL
S Main St
Watts Dr
DEPOT PARK
ADAM'S PARK
UNDERPASS
N
Community Center
Cobb Pkwy
Watts Dr
CEMETERY
Rose
Pine Mountain
Pine Mountain Ct
Powell Pl
Azalea Trl
Magnolia Ln
Cemetery St
School Dr
Summers St
Parade Route

Item Report

TO: The Honorable Mayor and City Council

FROM: Darryl Simmons, Zoning Administrator

DATE: October 20, 2025

TITLE: **Final Plat Application: Townes at South Main (2652 S Main Street)**
Consideration for approval of the final plat application submitted by Kennesaw Townhome Owner, LLC for Townes at South Main (parcel #20016700020); this plat revises the size of lot 44 by increasing it by 20 sq. ft. Case #FP2025-04

Summary:
The application submitted by Kennesaw Townhome Owner, LLC is a request to revise the size of lot 44 in the Townes at South Main subdivision consisting of 44 single-family townhomes; the revisions will increase the lot by 20 sq. ft. The overall area of the development is 3.77 +/- acres and lies in Land Lot 168, Tax Parcel 02. On September 18, 2023, the initial plat was reviewed and approved by Mayor and Council and recorded in Plat Book 282 Page 169. The Plan Review Committee, including Cobb Fire and Cobb Water, have all reviewed said plat for compliance and recommend approval.

Recommendation:
The Zoning Administrator recommends approval.

Fiscal Impact:

Attachments:
1. FP2025-04 - 2652 S Main St_Townes at South Main_Application Packet
2. FP2025-04 - 2652 S Main St_Townes at South Main_Plat
3. FP2025-04 - 2652 S Main St_Townes at South Main_PRC Letter

City of Kennesaw, GA

Date Received 08/22/25
Staff's Initials CMC

PRELIMINARY, FINAL AND REVISE PLAT APPLICATION

Preliminary Plat _____ *Final Plat* _____ *Revised Plat* X *Parcel Combination* _____ *Parcel Split* _____

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

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

Date of Consultation _____ **Staff Initials** _____

DEVELOPMENT NAME DUNCAN DRIVE TOWNHOMES Number of Units (Townes at South Main) 44 -Single-family townhomes

PURPOSE OF DEVELOPMENT RESIDENTIAL TOWN

WHAT IS THE REVISION BEING MADE LOT 44 SIZE INCREASE BY 20 SQ FT.

ADDRESS OF PROPERTY 1887 DECO DRIVE (2652 S. Main St)

Parcel ID 20016800850 Lot Size 0.033 ACRES Present Zoning CBD
20016800860

Current Use RESIDENTIAL TOWNHOMES Proposed Use RESIDENTIAL TOWNHOMES

APPLICANT KENNESAW TOWNHOME OWNER LLC

Applicant address 720 KENNESAW AVE MARIETTA GA 30060

(Phone #) [redacted] Email Address [redacted]

Applicant Signature _____

Signed, sealed and delivered in presence of: Terri Gadbois 8/21/25
Notary **Date**

TERRI GADBOIS MY COMMISSION EXPIRES NOTARY PUBLIC JANUARY 31, 2027 COBB COUNTY, GEORGIA

REPRESENTATIVE JOE LUNDELL (Phone #) [redacted] Email Address [redacted]

Representative Signature _____

Signed, sealed and delivered in presence of: Terri Gadbois 8/21/25
Notary **Date**

TERRI GADBOIS MY COMMISSION EXPIRES NOTARY PUBLIC JANUARY 31, 2027 COBB COUNTY, GEORGIA

TITLEHOLDER Christopher J. Poston (Phone #) [redacted]

Titleholder Signature _____ Address 720 KENNESAW AVE MARIETTA GA 30060

Signed, sealed and delivered in presence of Notary Terri Gadbois Date 8/21/25

TERRI GADBOIS MY COMMISSION EXPIRES NOTARY PUBLIC JANUARY 31, 2027 COBB COUNTY, GEORGIA

City of Kennesaw, GA

CAMPAIGN DISCLOSURE REPORT [1] BY APPLICANT[2]

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 AUGUST, 2025

_____

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.

Deed Book 16172 Page 3962
Filed and Recorded 11/17/2023 3:43:00 PM
2023-0089951
Real Estate Transfer Tax $4,928.00
Connie Taylor
Clerk of Superior Court
Cobb County, GA
Participant IDs: 4045311118
7067927936

[Space Above This Line For Recording Data]

RETURN TO:
MOORE INGRAM JOHNSON & STEELE, LLP
EMERSON OVERLOOK
326 ROSWELL STREET
MARIETTA, GEORGIA 30060
23R286.1

LIMITED WARRANTY DEED

STATE OF GEORGIA
COUNTY OF COBB

THIS INDENTURE, made the 17th day of November, in the year Two Thousand Twenty-Three, between

KENNESAW TOWNHOME OWNER, LLC,
a Georgia limited liability company

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

TRATON, LLC,
a Georgia limited liability company

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: Grantor, for and in consideration of the sum of OTHER VALUABLE CONSIDERATIONS AND TEN AND NO/100 DOLLARS ($10.00) in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey, and confirm unto the said Grantee,

All that tract or parcel of land lying and being in Land Lot 168 of the 20th District, 2nd Section, Cobb County, Georgia and being more particularly described on Exhibit "A" attached hereto and incorporated herein by this reference

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the Grantee forever in FEE SIMPLE; subject only to those matters (hereinafter referred to as "Permitted Title Exceptions") set out in the attached Exhibit "B", attached hereto and by this reference made a part hereof.

AND THE SAID Grantor will warrant and forever defend the right and title to the above-described property unto the said Grantee against the claims of all persons CLAIMING BY, THROUGH, OR UNDER GRANTOR, BUT NOT OTHERWISE.

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

Signed, sealed and delivered in
the presence of:

Unofficial Witness

Notary Public
MY COMMISSION EXPIRES: 7/24/2026

HANNAH E HOLDEN
MY COMMISSION EXPIRES
NOTARY
PUBLIC
JULY 24, 2026
GRADY COUNTY, GEORGIA

KENNESAW TOWNHOME OWNER, LLC,
a Georgia limited liability company

By:_____(Seal)
J. Bradford Smith, Manager

EXHIBIT "A"

TRACT 1

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 167 AND 168 OF THE 20TH LAND DISTRICT, 2ND SECTION, CITY OF KENNESAW, COBB COUNTY, GEORGIA, BEING KNOWN AS TOWNHOME TRACT 1 AND TOWNHOME TRACT 2 ON THE SUBDIVISION PLAT OF 2652 SOUTH MAIN STREET, DATED MAY 2, 2002 AND RECORDED ON JULY 20, 2022 IN PLAT BOOK 281, PAGE 227, COBB COUNTY, GEORGIA RECORDS. LOT 3 OF THE VILLAGE AT WEST COBB AS PER PLAT DATED OCTOBER 19, 2001, PREPARED BY DUE WEST SURVEYING, INC., CHRISTOPHER P. WEHRLE, GRLS #2494, WHICH PLAT WAS RECORDED ON AUGUST 29, 2002 IN PLAT BOOK 207, PAGE 69, RECORDS OF COBB COUNTY, GEORGIA; WHICH PLAT IS INCORPORATED HEREIN AND MADE A PART OF THIS DESCRIPTION.

TRACT 2

EASEMENTS AND OTHER INTERESTS IN REAL PROPERTY CONTAINED IN THAT CERTAIN EASEMENT FROM JAMES E. OWENBY AND MRS. FRANCES OWENBY TO LEROY HAMLIN, JR., DATED APRIL 23, 1974, FILED FOR RECORD APRIL 25, 1974, AND RECORDED IN DEED BOOK 1522, PAGE 100, COBB COUNTY, GEORGIA RECORDS.

TRACT 3

EASEMENTS AND OTHER INTERESTS IN REAL PROPERTY CONTAINED IN THAT CERTAIN DECLARATION OF ACCESS AND RECIPROCAL EASEMENT AGREEMENT BY BULLDOG ACQUISITIONS, LLC, A GEORGIA LIMITED LIABILITY COMPANY DATED JULY 14, 2022, FILED FOR RECORD JULY 15, 2022 AND RECORDED IN DEED BOOK 16072, PAGE 2700, COBB COUNTY, GEORGIA RECORDS.

EXHIBIT "B"

1. Taxes and assessments for the year 2024, and subsequent years, not yet due and payable.

2. Easement from LeRoy Hamlin, Jr. to Georgia Power Company dated January 14, 1975, filed January 30, 1975 and recorded in Deed Book 1581, Page 406, Cobb County, Georgia Records. (NOTE: As per Containment letter dated July 13, 2022, Georgia Power Company claims no further interest in the above-mentioned documents except the right to operate, maintain, rebuild and renew its existing facilities, under all terms and conditions of its easements, within its presently maintained rights-of-way.

3. Easement from Tug Manufacturing to Georgia Power Company dated January 22, 1992, filed February 6, 1992 and recorded in Deed Book 6547, Page 269, Cobb County, Georgia Records. (NOTE: As per Containment letter dated July 13, 2022, Georgia Power Company claims no further interest in the above-mentioned documents except the right to operate, maintain, rebuild and renew its existing facilities, under all terms and conditions of its easements, within its presently maintained rights-of-way.

4. Terms and Conditions contained in that certain Declaration of Access and Reciprocal Easement Agreement to Bulldog Acquisitions, LLC dated July 14, 2022, filed July 15, 2022 and recorded in Deed Book 16072, Page 2700, Cobb County, Georgia Records.

5. Easement from BellSouth Telecommunications, LLC d/b/a AT&T Georgia dated August 11, 2023, filed September 19, 2023 and recorded in Deed Book 16160, Page 5324, Cobb County, Georgia Records.

6. All matters reflected on that certain ALTA/NSPS Land Title Survey prepared by David L. Hester, GRLS No. 3042 for GeoSurvey Land Surveying, dated July 1, 2022.

7. All matters reflected on that certain Plat recorded in Plat Book 282, Page 169, Cobb County, Georgia Records.

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 168 of the 20th District, 2nd Section, Cobb County, Georgia, and being **LOTS 39, 40, 41, 42, 43, AND 44, DUNCAN DRIVE TOWNHOMES,** as per the final plat prepared by GeoSurvey Land Surveying, bearing the seal and certification of Craig A. Jennings, Georgia Registered Land Surveyor No. 3043, dated March 24, 2023, last revision being recorded in **Plat Book 282, pages 169-172,** Records of Cobb County, Georgia, which plat is incorporated herein for a more complete delineation of caption property.

Printed: 10/2/2025

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:
KENNESAW DEVELOPMENT OWNER LLC

KENNESAW DEVELOPMENT OWNER LLC

Payment Date: 9/30/2024

Tax Year	Parcel ID	Due Date		Appeal Amount		Taxes Due
2024	20016700020	10/15/2024	**Pay:**	N/A	or	$0.00

Interest	Penalty	Fees	Total Due	Amount Paid	Balance
$0.00	$0.00	$0.00	$0.00	$38,677.74	**$0.00**

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

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

2024
Property Tax Bill

Parcel ID	Tax District	Bill #
20016700020	3/3-BOND - KENNESAW CITY	260733

Property Owner/Location/Description	Fair Market Value	Taxable Value
KENNESAW DEVELOPMENT OWNER LLC 2652 S MAIN ST	3,207,110	1,282,844

Levies	Taxable Value	-	Exemptions	=	Net Assessment	X	Tax Rate	=	Net Tax
KENNESAW CITY	1,282,844		0		1,282,844		7.7500000		$9,942.04
BOND	1,282,844		0		1,282,844		1.5000000		$1,924.27

Exemptions:

Temporary bills reflect 85% of the estimated tax under appeal. The remaining 15% will be billed after the appeal is finalized and should be forwarded to your mortgage company, if applicable.

Pay online at:
www.municipalonlinepayments.com/kennesawga

For ownership/address changes, contact Cobb County Tax Commissioner at (770) 528-8600.

Current Year Tax	$11,866.31
Interest	$0.00
Penalty	$0.00
Other Fees	$0.00
Payments Received	$11,866.31
2025 Amount Due	$223,451.96
Total Due	$0.00
Due Date	12/01/2024

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:	20016700020
Amount Due:	$0.00
Bill#:	260733
Due Date:	12/01/2024
	AMOUNT PAID

KENNESAW DEVELOPMENT OWNER LLC
1776 PEACHTREE ST NW
ATLANTA, GA 30309

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

PLANNING AND ZONING APPROVAL

_____
(PRINTED NAME)

_____
(SIGNATURE)

_____
(DATE)

(CLERK OF COURT RECORDING INFORMATION)

MAYOR AND COUNCIL APPROVAL

PURSUANT TO THE LAND SUBDIVISION SECTIONS OF THIS UDC OF THE CITY OF KENNESAW GEORGIA, ALL THE REQUIREMENTS OF APPROVAL HAVE BEEN FULFILLED. THIS PLAT WAS GIVEN FINAL APPROVAL BY THE MAYOR AND COUNCIL OF KENNESAW, GEORGIA ON _____, 2023.

_____
(MAYOR, CITY OF KENNESAW, GEORGIA)

PLAT REVISION #1

THIS PLAT SUPERCEDES THAT PLAT RECORDED IN PLAT BOOK 282, PAGE 169 AND THE PURPOSE OF THIS PLAT REVISION IS TO MAKE LOT 44 SLIGHTLY LARGER BY 20 SQUARE FEET. ALSO REVISED WAS THE OPEN SPACE AREA TO REFLECT THE CHANGE IN THE LOT SIZE.

COBB COUNTY DEVELOPMENT CERTIFICATION

This plat, having been submitted to Cobb County Water System and having been found to comply with the Cobb County Development Standards, is approved for recording.

_____ Cobb County Water System

_____ Date

CITY ENGINEER APPROVAL

_____
(PRINTED NAME)

_____
(SIGNATURE)

_____
(DATE)

BUILDING AND CONSTRUCTION APPROVAL

_____
(PRINTED NAME)

_____
(SIGNATURE)

_____
(DATE)

Nothing herein shall be construed to mean that the City of Kennesaw has accepted the dedication of any rights-of-way, easements or other area as being dedicated to public use.

OWNER'S ACKNOWLEDGEMENT

THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED THERETO, AND IN PERSON OR THROUGH DULY AUTHORIZED AGENTS, ACKNOWLEDGES THAT THIS PLAT WAS MADE FROM AN ACTUAL SURVEY AND DEDICATES TO THE USE OF THE PUBLIC ALL STREETS, PARKS, DRAINS, EASEMENTS AND PUBLIC GROUNDS THEREON SHOWN, WHICH COMPRISES A TOTAL OF ZERO ACRES FOR THE PURPOSES THERON EXPRESSED.

"PROVIDED, HOWEVER, THAT NOTHING HEREIN NOR ACCEPTANCE SHALL CREATE LIABILITY ON THE PART OF THE CITY OF KENNESAW, ITS OFFICERS, AGENTS OR EMPLOYEES FOR FLOODING OR EROSION FROM STORM DRAINS OR FROM FLOODING FROM HIGH WATER OF NATURAL CREEKS OR RIVERS, AND THE CITY OF KENNESAW IS HEREBY SPECIFICALLY RELEASED FROM ANY SUCH LIABILITY OR FROM LIABILITY FOR THE NEGLIGENT CONSTRUCTION OR MAINTENANCE OF ALL DRAINAGE STRUCTURES, ROADS, SEDIMENT CONTROL FACILITIES AND ALL OTHER WORK PERFORMED BY THE OWNER OR DEVELOPER OF THE PROPERTY, THEIR AGENT, SERVANTS, EMPLOYEES OR CONTRACTORS."

SUB-DIVIDER

_____
(PRINTED NAME)

_____
(SIGNATURE)

_____
(DATE)

OWNER

_____
(PRINTED NAME)

_____
(SIGNATURE)

_____
(DATE)

KENNESAW DEVELOPMENT OWNER, LLC

_____
(PRINTED NAME)

_____
(SIGNATURE)

_____
(DATE)

ZONING INFO

Lot size, setback and building height requirements. Within the CBD the following lot size and setback requirements shall apply:

Minimum lot size, widths and depths: None. It is the intent that each enterprise or use be located on a site commensurate with its use and sufficient to meet the requirements of off-street parking, loading and unloading, and setback requirements, where applicable.

Maximum lot coverage: Not more than eighty-seven (87) percent of the area of any lot may be covered by buildings structures or storm water facilities.

Minimum setbacks:
Front – Established to "build-to-line" which equals the averaged distance from the property lines measured from existing structures along right-of-way adjoining properties as measured from existing structures.

Side – None, except when abutting a residential zoning district where there is no intervening right-of-way,the setbacks requirement is ten feet. Where alleys exist between districts, the setbacks shall be five feet from the property line/alley right-of-way.

Rear – None, except when abutting a residential district where there is no intervening right-of-way the setback requirement is 25 feet.

Where an alley exists between districts, the setback shall be five feet from the property line/alley right-of-way.

Maximum building height: Subject to the Historic District Design Guidelines

Maximum floor area ratio (FAR) – 1.10

Calculations for FAR: Floor Area/Lot Area = FAR

OWNER
Traton LLC
720 KENNESAW AVENUE
M,ARIETTA, GEORGIA 30060
CONTACT: BOB HUPP
PH: 770-427-3003

GENERAL NOTES

THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE PERSON OR ENTITIES NAMED HEREON. NO EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO THE INFORMATION SHOWN HEREON IS TO BE EXTENDED TO ANY PERSONS OR ENTITIES OTHER THAN THOSE SHOWN HEREON.

REVISIONS LISTED ON THIS SURVEY APPLY ONLY TO THE SPECIFIC CHANGES REFERENCED, AND DO NOT CONSTITUTE AN UPDATE OF OTHER DATA ON THIS SURVEY. THE "SURVEY DATE" SHOWN HEREON IS THE APPLICABLE DATE AS RELATED TO PROVISIONS OF STATUTES OF LIMITATION UNLESS SPECIFICALLY NOTED OTHERWISE.

THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA BASED ON THE FLOOD INSURANCE RATE MAP FOR THIS AREA. THE MAP NUMBER FOR THIS AREA IS: 13067C0038H, AND THE DATE OF SAID MAP IS MARCH 4, 2013. THIS DETERMINATION WAS MADE BY GRAPHICALLY DETERMINING THE POSITION OF THIS SITE ON SAID FIRM MAPS UNLESS OTHERWISE NOTED.

RIGHT-OF-WAY LINES SHOWN ON THIS SURVEY THAT ARE NOT ACTUAL BOUNDARIES OF THE SUBJECT TRACT(S) ARE DEPICTED GRAPHICALLY AND ARE SHOWN APPROXIMATELY FOR INFORMATIONAL PURPOSES ONLY. SAID RIGHT-OF-WAY LINES SHOULD NOT BE UTILIZED FOR DESIGN PURPOSES

THE DATUM FOR THIS SITE WAS ESTABLISHED UTILIZING GLOBAL POSITIONING SYSTEMS, AND BASED ON POSITIONAL VALUES FOR THE VIRTUAL REFERENCE STATION NETWORK DEVELOPED BY eGPS SOLUTIONS. THE HORIZONTAL REFERENCE FRAME IS NORTH AMERICAN DATUM OF 1983(2011)-STATE PLANE COORDINATE SYSTEM OF GEORGIA-WEST ZONE. THE VERTICAL REFERENCE FRAME IS NORTH AMERICAN VERTICAL DATUM OF 1988. ANY DIRECTIONS OR DIMENSIONS SHOWN ARE A RECTANGULAR, GROUND LEVEL PROJECTION OF THE STATE PLANE COORDINATE SYSTEM.

THE SITE IS ZONED "CBD" (CITY CENTRAL BUSINESS DISTRICT) PER APPROVED ORDINANCE #2021-15 BY MAYOR AND COUNCIL, DATED DECEMBER 20, 2021.

PLEASE NOTE: ZONING AND SETBACKS SHOULD BE CONFIRMED AND VERIFIED BY PLANNING AND ZONING PRIOR TO DESIGN OR CONSTRUCTION ACTIVITIES. REGULATIONS FOR THE CBD ZONING DISTRICT CAN BE FOUND WITHIN SECTION4.02.03OF THE CITY'S UNIFIED DEVELOPMENT CODE.

ALL FIRE LANE EASMENTS WILL ALSO SERVE AS PUBLIC ACCESS EASEMENTS.

THIS PLAT IS SUBJECT TO THE COVENANTS SET FORTH IN THE SEPARATE DOCUMENT(S) ATTACHED HERETO WHICH HEREBY BECOME(S) A PART OF THIS PLAT," RECORDED ON JANUARY 26, 2024 AND RECORDED IN DEED BOOK 16184, PAGE 135 OF COBB COUNTY RECORDS (DATE) AND SIGNED BY THE OWNER. COVENANTS TO BE RECORDED BY THE PURCHASER/BUILDER OF THE LOTS.

RECIPROCAL EASEMENT AGREEMENT IS RECORDED IN DEED BOOK 16072, PAGE 2700. THIS AGREEMENT ADDRESSES GUEST PARKING AND CROSS PARKING AGREEMENT AS WELL AS MAINTENANCE RESPONSIBILITIES FOR ALL ACCESS/FIRE ROADS AND APPARATUS TURN AROUNDS.

MASTER PARCEL SPLIT WAS RECORDED IN COBB COUNTY, GEORGIA RECORDS IN PLAT BOOK 281, PAGE 227-228.

ALL DRIVEWAYS TO BE A MINIMUM OF 20' DEEP.

ALL TOWNHOMES TO BE SOLD FEE-SIMPLE AND AT NOT TIME SHALL THE AGGREGATE RENTAL PERCENTAGE OF THE OVERALL TOWNHOUSES EXCEEED 10%.

WATER AND SEWER UTILITIES WITHIN THE AE/UE WILL BE DEDICATED TO COBB COUNTY AFTER THE ONE YEAR MAINTENANCE WARRANTY INSPECTION AND APPROVAL BY CCWS.

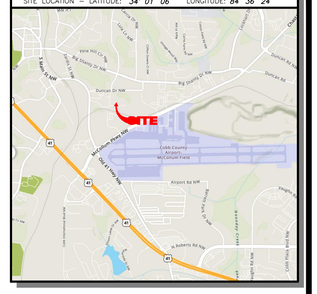
PAVEMENT CUTS BY CCWS FOR MAINTENANCE OF WATER AND/OR SEWER LINES WILL BE REPAIRED PER COBB COUNTY STANDARD DETAIL 0251D-2.

WATER METERS SHALL NOT BE INSTALLED BEHIND ENCLOSED FENCES, IN PAVED DRIVEWAYS OR IN PAVED PARKING AREAS PER COUNTY CODE SEC. 122-125.

SURVEY REFERENCES
1> ALTA/ACSM LAND TITLE SURVEY FOR ASHLEY KENNESAW, LLC, PREPARED BY GEOSURVEY, L.TD., DATED SEPTEMBER 9, 2008.

VICINITY MAP

SITE LOCATION – LATITUDE: 34° 01' 06" LONGITUDE: 84° 36' 24"



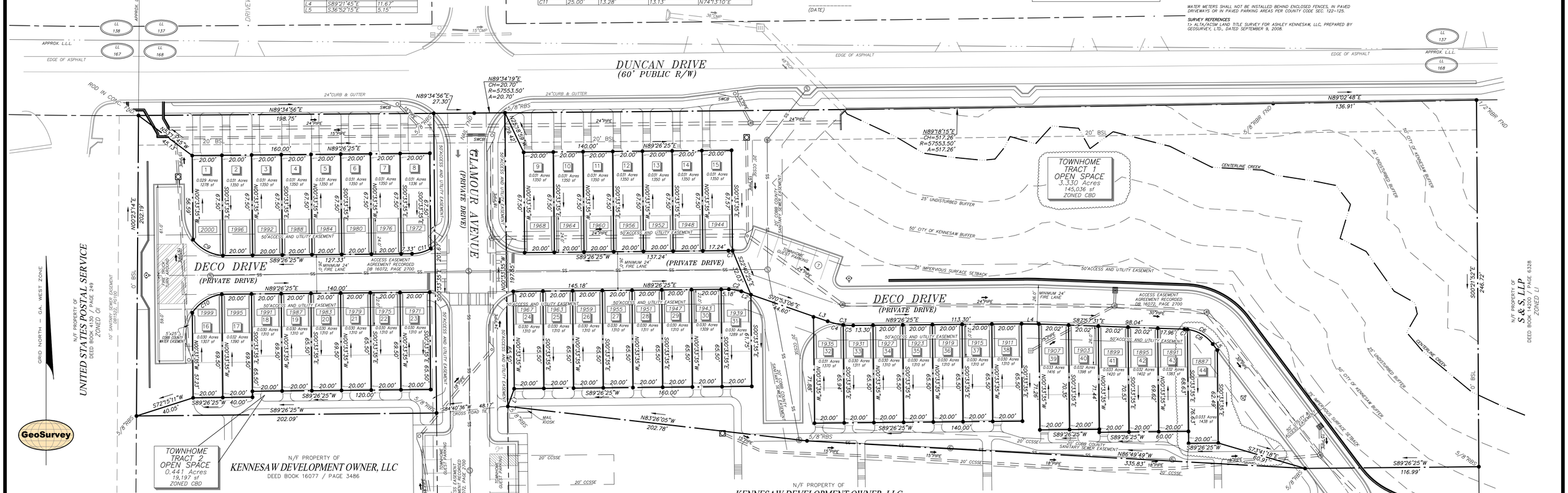
SHEET 1 OF 4

LINE TABLE

LINE	BEARING	DISTANCE
L1	N19°44'45"E	12.62'
L2	S70°53'06"E	6.80'
L3	S70°53'06"E	10.12'
L4	S89°21'45"E	11.67'
L5	S36°52'15"E	5.15'

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	51.00'	2.77'	2.76'	N89°00'23"W
C2	25.00'	8.58'	8.54'	S80°43'20"E
C3	51.00'	17.51'	17.43'	N80°43'20"W
C4	51.00'	10.79'	10.77'	S76°56'54"E
C5	51.00'	6.72'	6.71'	S86°47'08"E
C6	25.00'	22.29'	21.56'	N62°24'53"W
C7	25.00'	2.03'	2.07'	S85°15'07"E
C8	25.00'	20.22'	19.68'	S60°02'28"E
C9	28.31'	23.44'	22.78'	N61°57'22"W
C10	28.86'	24.17'	23.47'	N57°54'10"E
C11	25.00'	13.28'	13.13'	N74°13'10"E



LEGEND

STANDARD ABBREVIATIONS

AC	AIR CONDITIONER	GM	GAS METER
BH	BORE HOLE	INV	INVERT
CBX	COMMUNICATION BOX	JB	JUNCTION BOX
CI	CURB INLET	MH	MANHOLE
CMP	CORRUGATED METAL PIPE	OCS	OUTLET CONTROL STRUCTURE
CMF	CONCRETE MONUMENT FND	OTP	OPEN TOP PIPE
CO	SANITARY CLEANOUT	PM	POWER METER
CPED	COMMUNICATION PEDESTAL	POB	POINT OF BEGINNING
CTP	CRIMPED TOP PIPE	POC	POINT OF COMMENCEMENT
DI	DROP INLET	RCP	REINFORCED CONCRETE PIPE
DIP	DUCTILE IRON PIPE	RBR	IRON REINFORCING BAR
DWCB	DOUBLE WING CATCH BASIN	RBS	5/8"RBR SET CAPPED LSF 621
EBX	ELECTRIC BOX	SS	SANITARY SEWER
FND	FOUND	SWCB	SINGLE WING CATCH BASIN
		TRANS	ELECTRIC TRANSFORMER

STANDARD SYMBOLS

- POWER POLE
- GUY WIRE
- POWER LINE
- LIGHT POLE
- ELECTRIC TRANSFORMER
- WATER VAULT
- GAS VALVE
- GAS METER
- WATER VALVE
- WATER METER
- FIRE HYDRANT
- UNDERGROUND ELECTRIC LINE
- UNDERGROUND GAS LINE
- UNDERGROUND COMMUNICATION LINE
- UNDERGROUND WATER LINE
- PHOTO POSITION INDICATOR
- REGULAR PARKING SPACE COUNT
- HANDICAP PARKING SPACE
- TREE POSITION INDICATOR
- SIGN

IF YOU DIG

Know what's **below.**
Call before you dig.
Dial 811
Or Call 800-282-7411

CLOSURE STATEMENT

THE FIELD CLOSURE UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 64,272 , AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. A TRIMBLE S-6 TOTAL STATION AND TRIMBLE TSC-3 DATA COLLECTOR WERE USED TO COLLECT THIS FIELD DATA.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 418,670 FEET. MDC INIT.

GRAPHIC SCALE

0 15 30 75 150
1" = 30'

SURVEYOR CERTIFICATION

IT IS HEREBY CERTIFIED THAT THIS MAP OR PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME OR UNDER MY SUPERVISION; THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST OR ARE MARKED AS "FUTURE" AND THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN; AND THAT ALL ENGINEERING REQUIREMENTS OF THE KENNESAW SUBDIVISION REGULATIONS HAVE BEEN FULLY COMPLIED WITH.

GEORGIA REGISTERED No. 3043 PROFESSIONAL LAND SURVEYOR CRAIG JENNINGS

Craig A. Jennings
Georgia Registered
Land Surveyor # 3043

8/19/2025
DATE

SURVEYOR CERTIFICATION

As required by subsection (d) of O.C.G.A. Section 15-6-67, this plat has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificates, signatures, stamps, or statements hereon. Such approvals or affirmations should be confirmed with the appropriate governmental bodies by any purchaser or user of this plat as to intended use of any parcel. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

GEORGIA REGISTERED No. 3043 PROFESSIONAL LAND SURVEYOR CRAIG JENNINGS

Craig A. Jennings
Georgia Registered
Land Surveyor # 3043

GeoSurvey
Land Surveying • 3D Laser Scanning
1660 Barnes Mill Road
Marietta, Georgia 30062
Phone: (770) 795-9900
Fax: (770) 795-8880
www.geosurvey.com
EMAIL: info@geosurvey.com
Certificate of Authorization #LSF-000621

SUBDIVISION PLAT OF

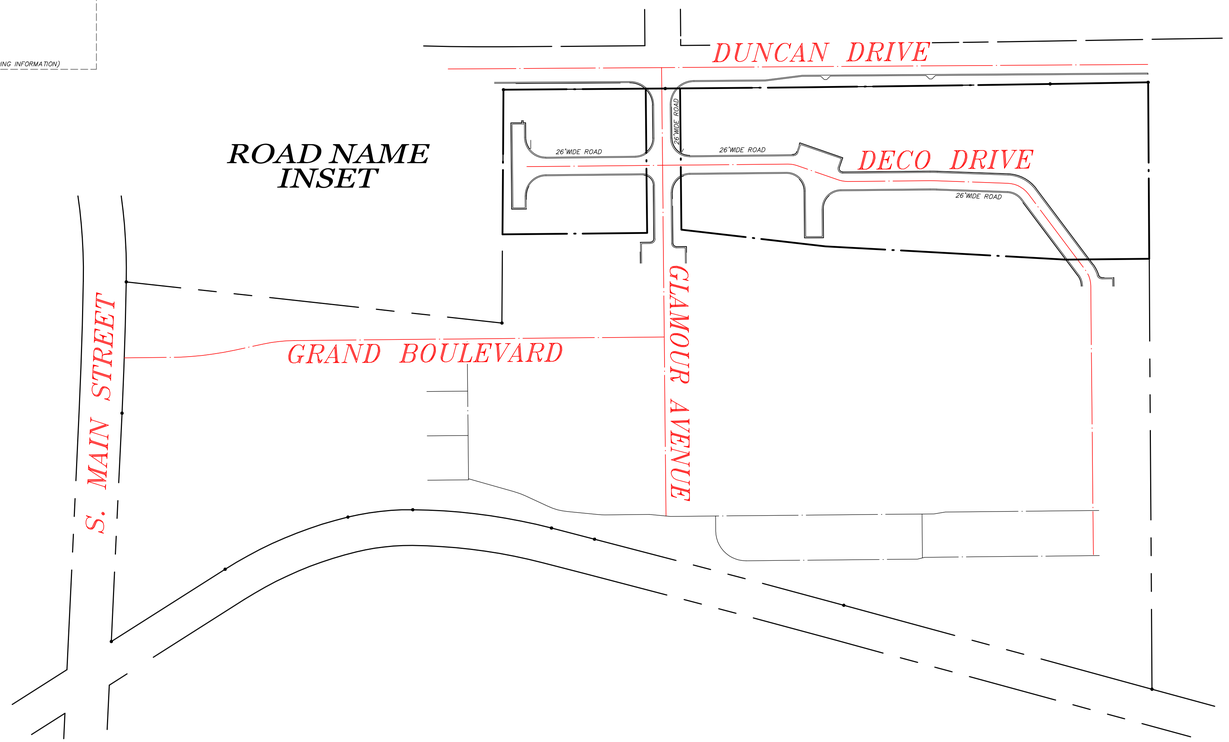
Townes at South Main

FOR

Kennesaw Townhome Owner, LLC

CS JOB NO:	20073092	DRAWING SCALE:	1" = 30'	PLAT DATE:	3-24-2023
FIELD WORK:	N/A	CITY: KENNESAW		REVISIONS (SEE GENERAL NOTES)	
PROJ MGR:	CAJ	COUNTY: COBB	STATE: GA	No. / Date / Description	
REVIEWED:	DLH	LAND LOT: 168			
DWG FILE: 20073092-07.dwg		DISTRICT: 20TH	SECTION: 2ND		

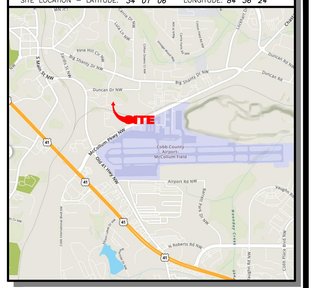
(CLERK OF COURT RECORDING INFORMATION)



NO STREET PARKING HAS BEEN APPROVED FOR THIS DEVELOPMENT.

VICINITY MAP

SITE LOCATION – LATITUDE: 34° 01' 06" LONGITUDE: 84° 36' 24"



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RECIPROCAL EASEMENT AGREEMENT IS RECORDED IN DEED BOOK 16072, PAGE 2700. THIS AGREEMENT ADDRESSES GUEST PARKING AND CROSS PARKING AGREEMENT AS WELL AS MAINTENANCE RESPONSIBILITIES FOR ALL ACCESS/FIRE ROADS AND APPARATUS TURN AROUNDS.

MASTER PARCEL SPLIT WAS RECORDED IN COBB COUNTY, GEORGIA RECORDS IN PLAT BOOK 281, PAGE 227-228.

ALL DRIVEWAYS TO BE A MINIMUM OF 20' DEEP.

ALL TOWNHOMES TO BE SOLD FEE-SIMPLE AND AT NOT TIME SHALL THE AGGREGATE RENTAL PERCENTAGE OF THE OVERALL TOWNHOUSES EXCEEED 10%.

WATER AND SEWER UTILITIES WITHIN THE AC/UE WILL BE DEDICATED TO COBB COUNTY AFTER THE ONE YEAR MAINTENANCE WARRANTY INSPECTION AND APPROVAL BY CCWS.

PAVEMENT CUTS BY CCWS FOR MAINTENANCE OF WATER AND/OR SEWER LINES WILL BE REPAIRED PER COBB COUNTY STANDARD DETAIL D2510-2.

WATER METERS SHALL NOT BE INSTALLED BEHIND ENCLOSED FENCES, IN PAVED DRIVEWAYS OR IN PAVED PARKING AREAS PER COUNTY CODE SEC. 122-125.

SURVEY REFERENCES
1> ALTA/ACSM LAND TITLE SURVEY FOR ASHLEY KENNESAW, LLC, PREPARED BY GEOSURVEY, LTD., DATED SEPTEMBER 9, 2008.

GEORGIA REGISTERED No. 3043 PROFESSIONAL LAND SURVEYOR CRAIG JENNINGS

GeoSurvey
Land Surveying • 3D Laser Scanning
1660 Barnes Mill Road
Marietta, Georgia 30062
Phone: (770) 795-9900
Fax: (770) 795-8880
www.geosurvey.com
EMAIL: info@geosurvey.com
Certificate of Authorization #LSF-000621

SUBDIVISION PLAT OF

Duncan Drive Townhomes

FOR

Kennesaw Townhome Owner, LLC

GS JOB NO:	20073092	DRAWING SCALE:	1"= 30'	PLAT DATE:	3-24-2023
FIELD WORK:	N/A	CITY: KENNESAW			
PROJ MGR:	CAJ	COUNTY: COBB	STATE: GA		
REVIEWED:	DLH	LAND LOT: 168			
DWG FILE: 20073092-07.dwg		DISTRICT: 20TH	SECTION: 2ND		

REVISIONS (SEE GENERAL NOTES)

No.	Date	Description

(CLERK OF COURT RECORDING INFORMATION)

ZONING ORDINANCE AMENDMENT
CITY OF KENNESAW
ORDINANCE NO. 2021-15, 2021

CITY OF KENNESAW
GEORGIA

ORDINANCE NO. 2021-15, 2021

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF KENNESAW, GEORGIA SO AS TO CHANGE THE ZONING DISTRICT DESIGNATION FROM CITY LIGHT INDUSTRIAL (LI) to CITY CENTRAL BUSINESS DISTRICT (CBD) FOR PROPERTY LOCATED AT 2652 SOUTH MAIN STREET (LAND LOT 167 & 168 AND TAX PARCEL 2)

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

WHEREAS, Bulldog Acquisitions, LLC has made an application to amend the Official Zoning Map of the City of Kennesaw, Georgia so as to change the zoning designation from **CITY LIGHT INDUSTRIAL (LI) to CITY CENTRAL BUSINESS DISTRICT (CBD)**; for property located at 2652 South Main Street, identified as 20th District, Land Lot 167 & 168 Tax Parcel 2 containing +/- 19.1 acres (as more particularly described below); and

WHEREAS, notice was advertised in the Marietta Daily Journal on September 17, 2021, September 24, 2021, October 15, 2021, October 22, 2021, November 12, 2021 and November 19, 2021 of a public hearing before the Kennesaw Planning Commission held on October 6, 2021, November 3, 2021 and December 1, 2021 and the Mayor and Council on October 18, 2021, November 15, 2021 and December 20, 2021; and

WHEREAS, the Kennesaw Planning Commission held a public hearing on this proposal at a meeting held October 6, 2021, November 3, 2021 and December 1, 2021; and

WHEREAS, the Mayor and Council held a public hearing to consider this proposal at a meeting held October 18, 2021, November 15, 2021 and December 20, 2021; 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 LIGHT INDUSTRIAL (LI) to CITY CENTRAL BUSINESS DISTRICT (CBD)** for the following described property:

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lots 167 and 168 of the 20th District, 2nd Section, Cobb County, Georgia, and being more particularly described as follows:

Commencing at a 5/8" rebar set at the point of intersection of the northerly right-of-way of the North Carolina & St. Louis Railroad spur line (50' R/W) and the easterly right-of-way of Old Highway 41 (60' R/W), said point being the **TRUE POINT OF BEGINNING**;

Thence along said easterly right-of-way the following courses and distances: North 02 degrees 40 minutes 39 seconds East, 319.53 feet to a 5/8" rebar set; along a curve to the left, an arc distance of 183.62 feet, said curve having a radius of 6475.28 feet and being subtended by a chord of 183.61 feet, at North 01 degrees 51 minutes 55 seconds East, to a 5/8" rebar set; Thence leaving said easterly right-of-way South 83 degrees 45 minutes 19 seconds East, 528.11 feet to a 1/2" rebar found; Thence North 00 degrees 23 minutes 14 seconds East, 326. 11 feet to a rod set in concrete found on the southerly right-of-way of Duncan Drive (60' R/W); Thence along said southerly right-of-way the following courses and distances: North 89 degrees 34 minutes 56 seconds East, 226.05 feet to a PK nail set; along a curve to the left, an arc distance of 537.96 feet, said curve having a radius of 57553.50 feet and being subtended by a chord of 537.96 feet, at North 89 degrees 18 minutes 52 seconds East, to a 5/8" rebar set; North 89 degrees 02 minutes 48 seconds East, 136.91 feet to a ½" rebar found; Thence leaving said southerly right-of-way South 00 degrees 21 minutes 52 seconds East, 848.37 feet to a 1/2" rebar found on said northerly right-of-way of the North Carolina & St. Louis Railroad spur line (50' R/W); Thence along said northerly right-of-way the following courses and distances: North 74 degrees 45 minutes 53 seconds West, 446.40 feet to a 5/8' rebar set; along a curve to the left, an arc distance of 360.32 feet, said curve having a radius of 27114.88 feet and being subtended by a chord of 360.32 feet, at North 75 degrees 08 minutes 43 seconds West, to a 5/8" rebar set; North 75 degrees 31 minutes 34 seconds West, 62.19 feet to a 5/8" rebar set; along a curve to the left, an arc distance of 195.98 feet, said curve having a radius of 809.69 feet and being subtended by a chord of 195.50 feet, at North 82 degrees 27 minutes 36 seconds West, to a 5/8" rebar set; along a curve to the left, an arc distance of 91.46 feet, said curve having a radius of 368.78 feet and being subtended by a chord of 91.23 feet, at South 83 degrees 30 minutes 05 seconds West, to a 5/8" rebar set; along a curve to the left, an arc distance of 187.31 feet, said curve having a radius of 570.35 feet and being subtended by a chord of 186.47 feet, at South 66 degrees 59 minutes 17 seconds West, to a 5/8" rebar set; South 57 degrees 34 minutes 46 seconds West, 188.42 feet to a 5/8" rebar set said point being the **TRUE POINT OF BEGINNING**;

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 LIGHT INDUSTRIAL (LI) to CITY CENTRAL BUSINESS DISTRICT (CBD)** +/- 19.1 acres with stipulations as follows:

STIPULATIONS APPLICABLE TO THE OVERALL MIXED-USE DEVELOPMENT

1. The stipulations and conditions set forth herein shall replace and supersede in full any and all prior stipulations and conditions in whatsoever form which are currently in place concerning the Subject Property.
2. The Subject Property will be rezoned from LI to CBD in order to allow for the development and construction of a Mixed-Use Development in substantial conformity to the current revised site plan prepared by J. Lancaster Associates, Inc. which is being submitted concurrently herewith.
3. The Subject Property consists of an approximate 19.125 acre tract of land which shall be developed as a Mixed-Use Development including the components mentioned above with ancillary and permitted uses allowed under and pursuant to the CBD Zoning District.
4. There shall be the Master Developer and will be involved with all aspects of the development including, but not limited to, all of the components located therein.
5. Prior to the issuance of Final Certificates of Occupancy regarding the Multi-Family component, the developer will develop the entire infrastructure and have completed the linear park, pad ready the commercial building. Additionally, the townhomes will begin construction prior to the final CO's for the multifamily building.
6. Prior to the issuance of the final Multi-Family Certificate of Occupancy, a final plat shall be recorded and the developer shall submit Master Protective Covenants for the Mixed-Use Development which shall include all phases. Currently therewith, Master Association documents shall be submitted which will include all components of the proposed development. The Master Association will ultimately be responsible for the oversight, upkeep and maintenance of all entrance areas, common areas, community buildings and structures, Open Space areas, including the new Gateway Park extension and all of its associated amenities, pedestrian connectivity and similar features contained within the overall Mixed-Use Development.
7. The Master Association shall have Architectural Design Regulations and other usual and customary Covenants and Restrictions to protect the quality and integrity of the Mixed-Use Development's architecture.
8. The architectural style and composition regarding the Mixed-Use Development shall be in reasonable conformity to the architectural renderings/elevations/photographs (depicting all components) which were submitted concurrently with the Application.
9. The developer agrees to construct all of the necessary roadways and infrastructure improvements as more particularly shown and reflected on the current revised site plan. Additionally, the developer agrees to comply in all respects with the City's specifications concerning such infrastructure improvements which are interior to the Mixed-Use Development. The developer will work with the city on improvements to Duncan Drive including potentially extending sidewalks to Big Shanty Road.
10. Entrance signage shall be ground-based, monument-style signage with finish, materials and colors being in substantial conformity to the architectural style embodied in the Mixed-Use Development. Said signage may include building-attached, vertical marquee signage and other signage allowed under and pursuant to the City of Kennesaw Sign Ordinance.
11. The entrance areas of the Mixed-Use Development shall be professionally designed, landscaped, maintained, irrigated and themed to the architectural style and composition of the proposed development.
12. Lighting with the proposed Mixed-Use Development shall be environmentally sensitive, decorative and themed to the architectural style and composition of the respective components of the development. Every effort shall be made to make all lighting as unobtrusive as possible. All proposed lighting plans will be subject to approval during the City of Kennesaw Plan Review process.
13. All setback and buffer areas may be penetrated for purposes of grading, detention, utilities and stormwater management as long as such encroachments satisfy City of Kennesaw developmental regulations and requirements and if approved by the City of Kennesaw Public Works Director and Planning and Zoning Administrator.
14. All streets within the interior of the proposed Mixed-Use Development shall be private and shall be owned and maintained by the developer.
15. Notwithstanding anything herein to the contrary, the maximum number of residential multifamily units shall not exceed 318 units and the minimum number of single-family residential townhome units shall be 44 units.
16. Minor modifications to the within and foregoing stipulations/conditions, lighting, landscaping, signage, architecture, site fixtures and the like may be approved by the City's Planning and Zoning Administrator or his designee as needed or necessary.
17. The Master Association would have a structure to handle the utilities and payment of utilities for the development.
18. Applicant will work with the City of Kennesaw to connect South Main Street and Big Shanty Drive by way of a continuous sidewalk.
19. At 80% of occupancy, applicant will fund a traffic signal warrant study and if warranted, will fund the installation of a traffic signal, as read into the record and discussed.

STIPULATIONS APPLICABLE TO THE SINGLE-FAMILY RESIDENTIAL ATTACHED TOWNHOME COMPONENT OF THE PROPOSED MIXED-USE DEVELOPMENT

1. The exterior material of the townhomes will consist of masonry material (i.e., brick, brick veneer, stone, stacked stone or any combination thereof) on any and all sides visible from Duncan Drive.
2. The minimum square footage of each townhome unit shall be 1,800 square-feet. The minimum heated floor area of each townhome unit shall be 1,400 square-feet. All townhomes shall have a minimum two-car garage with a minimum 20-foot driveway. The garage shall be primarily used for the parking of vehicles and shall not be converted to other uses.
3. The maximum number of single-family rental units may not exceed 10% of the townhome development.

STIPULATIONS APPLICABLE TO THE NON-RESIDENTIAL COMPONENTS OF THE PROPOSED MIXED-USE DEVELOPMENT

1. The developer proposes a retail, apartment and townhome Mixed-Use Concept by varying facades, roof elevations and other aesthetically pleasing treatments in substantial conformity to the architectural renderings/elevations/ photographs & other imagery which was mentioned hereinabove and attached hereto.
2. The architectural style and composition shall be substantially similar to the architectural renderings/elevations and imagery or as may be approved during the Plan Review Process. It is understood that said architectural imagery is conceptual in nature and shall be refined, clarified and focused as the Mixed-Use Development proceeds through the Plan Review Process. Additionally, it is also understood that the positioning of certain components of the architecture; for example, windows, patios and other such features, etc. may be revised during the final Plan Review Process as well.
3. Landscaping for the proposed development shall be pursuant to a specific landscape plan which shall be submitted during the Plan Review Process, with reference being made to said landscape plan for more particular delineation and location of the plantings and species to be planted.
4. Parking area lighting shall be a maximum height of thirty feet (30') and shall be environmentally sensitive, energy efficient, horizontal cut-off luminaries which will eliminate light pollution in order to prevent illumination from penetrating outside of the boundaries of the Subject Property. Lighting fixtures shall be substantially similar in design to those found within Downtown Kennesaw.
5. Hooded security lighting shall be utilized on the buildings within the Non-Residential areas as required by Kennesaw Developmental Regulations.
6. The applicant agrees to install and construct site lighting to a site lighting/ photometric plan which shall be submitted to the City Staff for review and approval during the Plan and Review Process.
7. Dumpsters will be positioned so as to prevent visual intrusion from streets, connection points to the community spaces and, wherever possible with screening by landscaping, walls and/or vegetation. Dumpsters shall have rubber lids and bumpers to minimize noise during their emptying. At grade trash compaction shall also be allowed and screened as appropriate.
8. Any exhaust from restaurant facilities which may be constructed shall be filtered and/or attenuated to minimize odors.
9. There shall be no outdoor paging system, phone bells or loud speakers. However, outdoor music systems and outdoor musical performances shall be allowed.
10. The following uses shall be prohibited as well as all use limitations found within Section 4.02.03 (E) of the City of Kennesaw Unified Development Code:
    a) Video arcades as a primary use.
    b) Adult themed book and novelty stores as a primary use.
    c) Automotive sales, repair and/or service facilities.
    d) Movie theaters.

    e) Gas stations and convenience stores with gas sales.
    f) Pawn shops.
    g) Automotive wash service.
    h) Boat sales and repairs.
    i) Boarding and breeding kennels.
    j) Dry cleaning plants.
    k) Farm equipment sales and service.
    l) Lumber, hardware and other building material establishments.
    m) Mobile home and travel trailer sales.
    n) Motorcycle sales and service.
    o) Check cashing establishments.
    p) Service stations.
    q) Station terminals for bus and/or rail passenger service.
    r) Taxi stands.
    s) Tattoo parlors.
    t) Massage parlors.
    u) Pool halls.
    v) Package stores (except within the context of wine/spirits sold in a market or specialty shop).
11. The Non-Residential components will include pedestrian walkways between the proposed buildings and throughout the parking area subject to review and approval by the City's Staff.

STIPULATIONS APPLICABLE TO THE RESIDENTIAL (MULTI-FAMILY LUXURY HOMES) COMPONENT OF THE PROPOSED MIXED-USE DEVELOPMENT

1. Within the Residential area of the proposed Mixed-Use Development (9.0± acres) there shall be a total maximum number of 318 highly amenitized Class A Luxury Multi-Family Homes.
2. The proposed Residential Community shall have state of the art recreational facilities and amenities for the use and enjoyment of its residents as follows:
    a) Conveniently located pool area which will include a clubhouse which will feature a lounge and flex coffee-style bar area.
    b) A business center with shared work space for residents.
    c) Bicycle racks and storage.
    d) A minimum of 10 electric car charging stations located inside the parking deck for multi-family residential use and a minimum of 4 electric car charging stations for the surface parking lots in close proximity to the detached retail building.
3. Floor plans and finishes within the Multi-Family homes shall consist, at a minimum, of the following:
    a) A minimum of 9 feet ceiling heights from floor to finished ceilings and greater and a minimum of 10 feet between floors.
    b) Wood framed cabinetry or its equivalent.
    c) Enhanced granite, quartz, marble or other solid surface countertops.

    d) High-end appliances consistent with luxury apartment and condominium finishes.
    e) Deep stainless-steel kitchen sinks.
    f) Wood-inspired plank flooring throughout.
    g) Open floor plans including spacious walk-in closets.
    h) High speed internet wiring in all units.
    i) Upgraded lighting package throughout each unit.
    j) Window treatments throughout the units to present a uniform appearance.
    k) First class landscape and hardscape throughout the proposed developed.
    l) Energy efficient construction which will meet and exceed the Georgia Energy Code.
    m) Controlled access to buildings, parking and amenity areas.
4. The overall lighting within the proposed development shall be environmentally sensitive, decorative and themed to the architectural style and composition of the buildings.
5. Pedestrian lighting style and concept will be subject to review and approval by the Planning and Zoning Administrator during the Plan Review process. Additionally, hooded lighting shall be utilized on the buildings and throughout the walkways and surface parking areas.
6. Signage for the proposed development shall be ground-based, monument style and shall be constructed in the style and of the materials which are complimentary to the proposed architecture as aforementioned and shall include vertical, building-attached marquee-type signage.
7. Compliance with recommendations from the City Engineer and Public Works Director with respect to hydrology, detention and downstream considerations.
8. Compliance with recommendations from the City Engineer and Public Works Director with respect to traffic and transportation issues. Additionally, compliance with the recommendations from the Traffic Assessment/Traffic Impact Study ("TIS") that was submitted with the application.
9. All construction and employee vehicles and equipment will be parked and otherwise located on the Subject Property during the development of infrastructure and construction of the buildings unless agreements with adjacent property owners are negotiated.
10. Landscaping for the entrance area, signage areas, amenity and courtyard areas and all other common areas immediately surrounding the proposed buildings shall be professionally designed, implemented and maintained.
11. All landscaping referenced herein shall be approved by the City of Kennesaw Arborist as a part of the Plan Review process and incorporated into the overall landscape plan for the proposed development.
12. All utilities servicing units within the proposed development shall be located underground.
13. Any retaining walls exposed to public rights-of-way or adjacent properties shall be faced with hard surfaced materials such as brick, stone, stacked stone and/or split-faced segmented block wall.
14. Any sidewalk, curb or guttering damaged or destroyed during construction shall be repaired or fully replaced during the completion of the project.

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 20th day of December, 2021.

ATTEST:

Lea Alvarez, City Clerk

CITY OF KENNESAW
SEAL
KENNESAW, GA

CITY OF KENNESAW:

Derek Easterling, Mayor

ZONING APPLICATION APPROVAL DATES

a. *REZONING APPLICATION (CASE #RZ2021-06)*
   i. PLANNING COMMISSION: 12/01/2021 (APPROVAL WITH CONDITIONS)
   ii. MAYOR AND COUNCIL: 12/20/2021 (APPROVED WITH CONDITIONS)

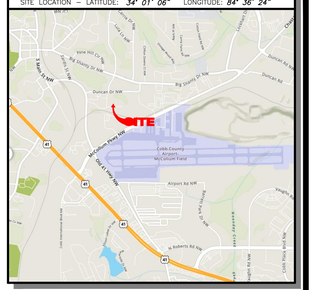
b. *VARIANCE APPLICATION (CASE #ZV2021-05)*
   i. PLANNING COMMISSION: 12/01/2021 (APPROVAL)
   ii. MAYOR AND COUNCIL: 12/20/2021 (APPROVED)

c. *CENTRAL BUSINESS DISTRICT PROJECT APPLICATION (CASE #CBD2021-04):*
   i. KENNESAW DOWNTOWN DEVELOPMENT AUTHORITY: 9/14/2021 (APPROVAL)
   ii. HISTORIC PRESERVATION COMMISSION: 11/12/2021 (APPROVAL WITH CONDITIONS)
   iii. MAYOR AND COUNCIL: 12/20/2021 (APPROVED WITH CONDITIONS)

NO STREET PARKING HAS BEEN APPROVED FOR THIS DEVELOPMENT.

VICINITY MAP

SITE LOCATION – LATITUDE: *34° 01' 06"* LONGITUDE: *84° 36' 24"*



GENERAL NOTES

THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE PERSON OR ENTITIES NAMED HEREON, NO EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO THE INFORMATION SHOWN HEREON IS TO BE EXTENDED TO ANY PERSONS OR ENTITIES OTHER THAN THOSE SHOWN HEREON.

REVISIONS LISTED ON THIS SURVEY APPLY ONLY TO THE SPECIFIC CHANGES REFERENCED, AND DO NOT CONSTITUTE AN UPDATE OF OTHER DATA ON THIS SURVEY. THE "SURVEY DATE" SHOWN HEREON IS THE APPLICABLE DATE AS RELATED TO PROVISIONS OF STATUTES OF LIMITATION UNLESS SPECIFICALLY NOTED OTHERWISE.

THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA BASED ON THE FLOOD INSURANCE RATE MAP FOR THIS AREA. THE MAP NUMBER FOR THIS AREA IS 13067C0038H, AND THE DATE OF SAID MAP IS MARCH 4, 2013. THIS DETERMINATION WAS MADE BY GRAPHICALLY DETERMINING THE POSITION OF THIS SITE ON SAID FIRM MAPS UNLESS OTHERWISE NOTED.

RIGHT-OF-WAY LINES SHOWN ON THIS SURVEY THAT ARE NOT ACTUAL BOUNDARIES OF THE SUBJECT TRACT(S) ARE DEPICTED GRAPHICALLY AND ARE SHOWN APPROXIMATELY FOR INFORMATIONAL PURPOSES ONLY. SAID RIGHT-OF-WAY LINES SHOULD NOT BE UTILIZED FOR DESIGN PURPOSES.

THE DATUM FOR THIS SITE WAS ESTABLISHED UTILIZING GLOBAL POSITIONING SYSTEMS, AND BASED ON POSITIONAL VALUES FOR THE VIRTUAL REFERENCE STATION NETWORK DEVELOPED BY eGPS SOLUTIONS. THE HORIZONTAL REFERENCE FRAME IS NORTH AMERICAN DATUM OF 1983(2011)–STATE PLANE COORDINATE SYSTEM OF GEORGIA–WEST ZONE. THE VERTICAL REFERENCE FRAME IS NORTH AMERICAN VERTICAL DATUM OF 1988. ANY DIRECTIONS OR DIMENSIONS SHOWN ARE A RECTANGULAR, GROUND LEVEL PROJECTION OF THE STATE PLANE COORDINATE SYSTEM.

THE SITE IS ZONED "CBD" (CITY CENTRAL BUSINESS DISTRICT) PER APPROVED ORDINANCE #2021-15 BY MAYOR AND COUNCIL, DATED DECEMBER 20, 2021.

PLEASE NOTE: ZONING AND SETBACKS SHOULD BE CONFIRMED AND VERIFIED BY PLANNING AND ZONING PRIOR TO DESIGN OR CONSTRUCTION ACTIVITIES. REGULATIONS FOR THE CBD ZONING DISTRICT CAN BE FOUND WITHIN SECTION4.02.030F THE CITY'S UNIFIED DEVELOPMENT CODE.

ALL FIRE LANE EASMENTS WILL ALSO SERVE AS PUBLIC ACCESS EASEMENTS.

THIS PLAT IS SUBJECT TO THE COVENANTS SET FORTH IN THE SEPARATE DOCUMENT(S) ATTACHED HERETO WHICH HEREBY BECOME(S) A PART OF THIS PLAT," RECORDED ON JANUARY 26, 2024 AND RECORDED IN DEED BOOK 16184, PAGE 135 OF COBB COUNTY RECORDS (DATE) AND SIGNED BY THE OWNER. COVENANTS TO BE RECORDED BY THE PURCHASER/BUILDER OF THE LOTS.

RECIPROCAL EASEMENT AGREEMENT IS RECORDED IN DEED BOOK 16072, PAGE 2700. THIS AGREEMENT ADDRESSES GUEST PARKING AND CROSS PARKING AGREEMENT AS WELL AS MAINTENANCE RESPONSIBILITIES FOR ALL ACCESS/FIRE ROADS AND APPARATUS TURN AROUNDS.

MASTER PARCEL SPLIT WAS RECORDED IN COBB COUNTY, GEORGIA RECORDS IN PLAT BOOK 281, PAGE 227–228.

ALL DRIVEWAYS TO BE A MINIMUM OF 20' DEEP.

ALL TOWNHOMES TO BE SOLD FEE-SIMPLE AND AT NOT TIME SHALL THE AGGREGATE RENTAL PERCENTAGE OF THE OVERALL TOWNHOUSES EXCEED 10%.

WATER AND SEWER UTILITIES WITHIN THE AE/UE WILL BE DEDICATED TO COBB COUNTY AFTER THE ONE YEAR MAINTENANCE WARRANTY INSPECTION AND APPROVAL BY CCWS.

PAVEMENT CUTS BY CCWS FOR MAINTENANCE OF WATER AND/OR SEWER LINES WILL BE REPAIRED PER COBB COUNTY STANDARD DETAIL D2510-2.

WATER METERS SHALL NOT BE INSTALLED BEHIND ENCLOSED FENCES, IN PAVED DRIVEWAYS OR IN PAVED PARKING AREAS PER COUNTY CODE SEC. 122-125.

SURVEY REFERENCES
1> ALTA/ACSM LAND TITLE SURVEY FOR ASHLEY KENNESAW, LLC, PREPARED BY GEOSURVEY, LTD., DATED SEPTEMBER 9, 2008.

GEORGIA REGISTERED No. 3043 PROFESSIONAL LAND SURVEYOR CRAIG JENNINGS

GeoSurvey
Land Surveying • 3D Laser Scanning
1660 Barnes Mill Road
Marietta, Georgia 30062
Phone: (770) 795-9900
Fax: (770) 795-8880
www.geosurvey.com
EMAIL: info@geosurvey.com
Certificate of Authorization #LSF-000621

SUBDIVISION PLAT OF

Duncan Drive Townhomes

FOR

Kennesaw Townhome Owner, LLC

GS JOB NO: *20073092*	DRAWING SCALE: *1"= 30'*		PLAT DATE: *3-24-2023*		
FIELD WORK: *N/A*	CITY: *KENNESAW*		REVISIONS *(SEE GENERAL NOTES)*		
PROJ MGR: *CAJ*	COUNTY: *COBB*	STATE: *GA*	No.	Date	Description
REVIEWED: *DLH*	LAND LOT: *168*				
DWG FILE: *20073092-07.dwg*	DISTRICT: *20TH*	SECTION: *2ND*			

SHEET 3 OF 4

MINUTES OF MAYOR & COUNCIL MEETING
CITY OF KENNESAW
DECEMBER 20, 2021

(CLERK OF COURT RECORDING INFORMATION)

MINUTES OF MAYOR & CITY COUNCIL MEETING
CITY OF KENNESAW
Council Chambers
Monday, December 20, 2021
6:30 P.M.

Present: Mayor Derek Easterling
Mayor Pro Tem Tracey Viars
Councilmember James Eaton
Councilmember Pat Ferris
Councilmember Chris Henderson
City Manager Jeff Drobney
City Clerk Lea Alvarez
City Attorney Randall Bentley, Sr.

Absent: Councilmember Nimesh Patel

I. INVOCATION

City Attorney Randall Bentley Sr. led the invocation.

II. PLEDGE OF ALLEGIANCE

Cub Scout Pack 002 led the pledge of allegiance.

III. CALL TO ORDER

IV. ANNOUNCEMENTS

A. This public meeting is being conducted via the use of real-time telephonic technologies allowing the public simultaneous access to the public meeting. You may also attend in person with limited seating available at both the Council Chambers and the Ben Robertson Community Center, if needed.
Mayor and Council will be conducting their meeting through Zoom Meeting and Facebook Live and you can access the meeting via the following link: https://www.facebook.com/CityofKennesaw/

B. 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 comments on a specific agenda item will be read aloud or grouped into categories for the record. **Facebook Live is not monitored for public comment.**

[The City Attorney swore-in any witnesses or individuals offering comments on the agenda].

V. PRESENTATIONS
No items.

VI. PUBLIC COMMENT/BUSINESS FROM THE FLOOR

6:34 P.M. Floor Open for Public Comments

No comments.

6:35 P.M. Floor Closed for Public Comments

VII. OLD BUSINESS
No items.

VIII. NEW BUSINESS
No items.

IX. COMMITTEE AND BOARD REPORTS
No items.

X. PUBLIC HEARING(S)

A. Approval of **ORDINANCE NO. 2021-15, 2021** granting a rezoning request submitted by Bulldog Acquisitions, LLC for the property located at 2652 South Main Street. Case #RZ2021-06. The applicant is seeking to rezone property from Light Industrial (LI) to Central Business District (CBD). The property consists of 19.125 +/- acres and lies in Land Lots 167 & 168 and Tax Parcel 02 of the 20th District, 2nd Section, Cobb County Georgia. The intent of the project is to construct a mixed-use development with a minimum of 44 for-sale townhomes, 318 multi-family apartment units, 5,000 to 10,000 square feet of commercial that wraps around a multi-level parking deck, an additional detached retail building with 10,000 to 25,000 square feet of commercial space, a multi-level parking deck, southern extension of the City's existing Gateway Park along Main Street, interconnected trails and pedestrian connectivity. The rezoning request was advertised in the Marietta Daily Journal on September 17 & 24, 2021, October 15 & 22, 2021, and November 12 & 19, 2021 and a public notice sign has been posted on site. At their October 6, 2021 meeting, the Planning Commission recommended to postpone the rezoning application to their regularly scheduled November 3, 2021 meeting. On November 3, 2021, the Planning Commission did not have enough commission members present at City Hall to make quorum. At their December 1, 2021 meeting, the Planning Commission recommended approval with the conditions as outlined in staff analysis report as well as the following additional conditions: 1) The maximum allowable number of townhomes is 65 units and 2) There shall be no business in the combined vertical commercial/residential building that utilizes fryers or grills. Vote 3-0. STAFF RECOMMENDATION: Zoning Administrator recommends approval with conditions.

Zoning Administrator Darryl Simmons presented an ordinance granting a rezoning request submitted by Bulldog Acquisitions, LLC for property located at 2652 South Main Street. Mr. Simmons pointed out the applicant and his legal representative were not

present in the Chambers at this time. He began his presentation by mentioning the proposal consists of four components: 44 for-sale townhomes, 318 multifamily apartment units, 5,000 to 10,000 square feet of commercial space that wraps around a multi-level parking deck, and an additional detached retail building slated for 10,000 to 25,000 square feet of commercial space. Mr. Simmons read conditions recommended by both staff and the Planning Commission and made clear incorporating those recommendations are up to Mayor and Council. One of the major points of discussion from the work session was a stipulation letter received by staff from the applicant's attorney, Parks Huff, of Sams Larkin & Huff LLP. Mr. Simmons asked for the stipulation letter to not be used as a point of reference for the motion. Staff's recommendation is based on the staff analysis, not the stipulation letter.

Due to the applicant and his attorney still being absent, Mr. Simmons briefly touched on traffic, another key issue discussed at the work session. One of the recommendations provided by Council was for the applicant to entertain and fund a traffic study to determine whether a traffic light is needed. After talking to the applicant's legal representative, the applicant would be open to using the proper financial vehicle to fund a traffic impact study, and if determined necessary, a traffic light.

Motion by Councilmember Eaton to lay item X-A on the table until the end of the meeting, seconded by Councilmember Henderson. Vote taken, approved 3-1-1 *[Councilmember Ferris opposed and Councilmember Patel absent]*. Motion carried.

Motion by Mayor Pro Tem Viars to lay item X-B on the table until the end of the meeting, seconded by Councilmember Henderson. Vote taken, approved 3-1-1 *[Councilmember Ferris opposed and Councilmember Patel absent]*. Motion carried.

[At this time, Mayor Easterling proceeded to item X-C on the agenda].

[After voting on item XII-D (see page 10), Council voted to take from the table items X-A and X-B].

The applicant's attorney, Parks Huff, apologized for being late. Mr. Huff explained how the case started with the property owner coming to the City with a Light Industrial piece of property. Since TUG Technologies is leaving the facility, the owner collaborated with Mr. Huff's client to create a mixed used development as a gateway to the city. Mr. Huff walked Council through the different components on the site plan including surface parking, independent commercial, improved walkability, as well as marketable and highly amenitized residential.

Mr. Huff wanted to address several questions mentioned at the work session. First, the applicant has committed to doing a traffic warrant study to see if a signal is needed at the intersection at 80% of occupancy. If justified, the applicant would enter into a development agreement with the City to pay for any signalization installation. Mr. Huff pointed out his client is flexible on the percentage of occupancy. The second question was regarding the difference in the square footage on the commercial spaces. The range is to allow flexibility in what is built out in regards to common spaces, patios, etc. The third question Mr. Huff wanted to address is the detached retail building. He stated it is different from the vertical mixed-use because it is an independent commercial space. He emphasized the

importance of having it purpose built for a tenant, and that his client is confident it will be built with the entire infrastructure in place, so when the right tenant comes along, it can go vertical and be activated. Until then, it will be a wider park space. Mr. Huff asks for Mayor and Council to follow staff's recommendation for approval as well as the Planning Commission's recommendation for approval.

Motion by Mayor Pro Tem Viars to approve an ordinance granting a rezoning request submitted by Bulldog Acquisitions, LLC for the property located at 2652 South Main Street from Light Industrial to Central Business District using the city's staff analysis as our guiding document and excluding the applicant's attorney's stipulation letter. Additionally, removing two stipulations listed by the Planning Commission to allow restaurants with fryers and grills in the commercial space under the multifamily residences and to revert back to the original guideline to allow a minimum of 44 for-sale townhomes rather than have a cap of 65, as read into the record, seconded by Councilmember Henderson.

7:15 P.M. Floor Open for Public Comments

No comments.

7:16 P.M. Floor Closed for Public Comments

Councilmember Ferris stated he is not comfortable with this proposal. He shared if anyone has driven around here in the mornings or afternoons, he or she knows how congested it can get. He appreciates Mr. Huff's applicant funding a traffic study; however, it will be a year or two after it is developed, so essentially, everything will already be completed at that point.

Mr. Simmons stated Mayor and Council might want to incorporate the agreements that were made in regards to the funding of a traffic signal warrant study, and potentially, a traffic signal itself, into the motion. Mr. Huff agreed it was correct.

Amended motion by Mayor Pro Tem Viars to approve an ordinance granting a rezoning request submitted by Bulldog Acquisitions, LLC for the property located at 2652 South Main Street from Light Industrial to Central Business District using the city's staff analysis as our guiding document and excluding the applicant's attorney's stipulation letter. Additionally, removing two stipulations listed by the Planning Commission to allow restaurants with fryers and grills in the commercial space under the multifamily residences and to revert back to the original guideline to allow a minimum of 44 for-sale townhomes rather than have a cap of 65. Further, at 80% of occupancy, the applicant will fund a traffic signal warrant study, and if warranted, will fund the installation of a traffic signal, as read into the record and discussed, seconded by Councilmember Henderson.

Vote taken, approved 3-1-1 *[Councilmember Ferris opposed and Councilmember Patel absent]*. Motion carried.

B. Consideration of a variance request for property submitted by Bulldog Acquisitions, LLC for property located at 2652 South Main Street. Case No. ZV2021-05. This application involves two variance requests for the following:

1.) reduce the average floor area of residential units from 1,000 square feet to 935 square feet per sections 4.02.03(G)(2)(c) & 4.02.03(G)(5)(c). 2.) reduce the minimum square footage from 850 square feet to 705 square feet per section 4.02.03(G)(5)(d). Parking ratio variance requested on the original application submittal was withdrawn. Said variance requests have been filed concurrently with a rezoning application. Request to change the zoning designation of the subject property from Light Industrial (LI) to Central Business District (CBD). The variance request was advertised in the Marietta Daily Journal on September 17 & 24, 2021, October 15 & 22, 2021, and November 12 & 19, 2021 and a public notice sign has been posted on site. At their October 6, 2021 meeting, the Planning Commission recommended to postpone the variance application to their regularly scheduled November 3, 2021. On November 3, 2021, the Planning Commission did not have enough commission members present at City Hall to make quorum. At their December 1, 2021 meeting, the Planning Commission recommended approval of both variances. Vote for variance #1 was 2-1 and vote for variance #2 totaled 3-0. STAFF RECOMMENDATION: Zoning Administrator recommends denial of the two variance requests.

Zoning Administrator Darryl Simmons stated staff's recommendation to deny the variance requests is based on what is written in the zoning ordinance, and as such, a clear hardship was not met. Mr. Simmons stated he would defer to the applicant's data that was presented as well as discussions held during the December 1, 2021 Planning Commission meeting.

Motion by Councilmember Eaton to approve a variance request submitted by Bulldog Acquisitions, LLC for the property located at 2652 South Main Street, as presented, seconded by Mayor Pro Tem Viars.

7:23 P.M. Floor Open for Public Comments

No comments.

7:24 P.M. Floor Closed for Public Comments\

Vote taken, approved 3-1-1 *[Councilmember Ferris opposed and Councilmember Patel absent]*. Motion carried.

Councilmember Ferris wanted to clarify that the other councilmembers understand staff recommended denial but they voted in the affirmative. Mayor Pro Tem Viars and Councilmembers Eaton and Henderson responded yes.

[Mayor Pro Tem Viars recused herself from item X-C].

C. Consideration of a variance request submitted by Mark Allen for the property located at 2950 Moon Station Road. Case No. ZV2021-06.
Consideration to review and approve an 8-foot tall side-yard wooden privacy fence located at 2950 Moon Station Road. This is a variance request to go

as per Sec. 6-36. Current application, background check and fingerprint results are on file. Sec. 6-42 refers to all locations within 300 feet of a private residence. This location is within 300 feet of a private residence. Sec. 6-42 states the Mayor and Council may waive the distance requirement if the quite enjoyment of the premises by the residents thereof shall not be adversely affected and the granting of such license shall not have any adverse effect on the private residence. Finance Director recommends approval. 100.0000.32.1100 Application Fee $350.00.

Finance Director Gina Auld presented a beer, wine, liquor, and Sunday sales package license for Monte Cristo Spirits, LLC d/b/a Monte Cristo Beer, Wine, and Liquor located at 1635 Old US 41 Highway, Suite 110. Ms. Auld explained this application is for a new owner and she recommended approval.

Motion by Mayor Pro Tem Viars to approve of a Beer, Wine, Liquor, and Sunday Sales Package License for Monte Cristo Spirits, LLC d/b/a Monte Cristo Beer, Wine, and Liquor located at 1635 Old US 41 Hwy, Suite 110, as presented, seconded by Councilmember Ferris. Vote taken, approved 4-0-1. *[Councilmember Patel absent]*. Motion carried.

Motion by Councilmember Eaton to take from the table items X-A and X-B, seconded by Councilmember Henderson. Vote taken, approved 4-0-1. *[Councilmember Patel absent]*. Motion carried.

XIII. PUBLIC SAFETY
BILL WESTENBERGER, Police Chief
RYAN SOLIS, 911 Communications Director
No items.

XIV. INFORMATION TECHNOLOGY
RICK ARNOLD, Co-Director
JOSHUA GUERRERO, Co-Director
No items.

XV. PUBLIC WORKS
RICKY STEWART, Director
ROBBIE BALENGER, Building & Facilities Manager
No items.

XVI. RECREATION AND CULTURE
RICHARD BANZ, Museum and Agency Director
STEVE ROBERTS, Parks and Recreation Director
ANN PARSONS, Smith-Gilbert Gardens Director
No items.

XVII. COMMUNITY DEVELOPMENT
LUKE HOWE, Economic Development Director
DARRYL SIMMONS, Zoning Administrator
SCOTT BANKS, Building Official

A. Approval of a Central Business District (CBD) project submitted by Bulldog Acquisitions, LLC for the property located at 2652 South Main Street. Case # CBD2021-04. The applicant is seeking approval of a Central Business District (CBD) project located at 2652 S Main Street. The property consists of 19.125 +/- acres, and lies in Land Lots 167 & 168 and Tax Parcel 2 of the 20th District, 2nd Section, Cobb County Georgia. The intent of the project is to construct a mixed-use development with for-sale townhomes, 318 multi-family apartment units, 5,000 to 10,000 square feet of commercial that wraps around a multi-level parking deck, an additional detached retail building with 10,000 to 25,000 square feet of commercial space, southern extension of the City's existing Gateway Park along Main Street, interconnected trails and pedestrian connectivity. The CBD project approval process requires a business plan review and approval by the Kennesaw Downtown Development Authority (KDDA) and the conceptual design approval by the Kennesaw Historic Preservation Commission (HPC). At their regularly scheduled meeting held on September 14, 2021, the KDDA recommended to approve the CBD application. Vote 4-0. On a special call meeting held on November 12, 2021, the HPC recommended to approve the application with the stipulation that the applicant will submit for approval and review to the HPC the design and schematics for landscaping, architectural elevations and the commercial buildings within that property for twenty five percent (25%) submittal, and subsequent submittals to be further evaluated and decided by the HPC with respect to the final approval and final design plans. Vote 4-0. The Zoning Administrator recommends approval with the stipulations as defined by the HPC.

Zoning Administrator Darryl Simmons stated now that the 2652 South Main Street project is in the Central Business District (CBD), the applicant followed the CBD project approval process. The business plan was reviewed and approved by the Kennesaw Downtown Development Authority. Additionally, the conceptual design was approved by the Historic Preservation Commission (HPC) with the following condition: the applicant will submit for approval and review to the HPC the design and schematics for landscaping, architectural elevations and the commercial buildings within that property for twenty five percent (25%) submittal, and subsequent submittals to be further evaluated and decided by the HPC with respect to the final approval and final design plans.

Motion by Councilmember Henderson to approve a Central Business District (CBD) project submitted by Bulldog Acquisitions, LLC for the property located at 2652 South Main Street,as presented, seconded by Councilmember Eaton. Vote taken, approved 3-1- 1. *[Councilmember Ferris opposed and Councilmember Patel absent]*. Motion carried.

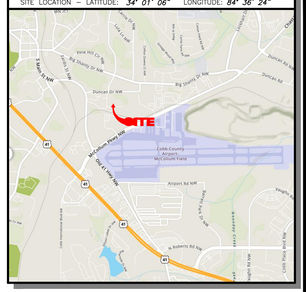
XVIII. PUBLIC COMMENT/BUSINESS FROM THE FLOOR

7:27 P.M. Floor Open for Public Comments

ANN PRATT [City Resident]: Ms. Pratt wanted to give out praises regarding the Inclusive Playground at Swift Cantrell Park. Ms. Pratt recognized City Manager Jeff Drobney as he set up meetings regarding the playground before Parks and Recreation Director Steve Roberts started working here. When Mr. Roberts arrived, he took the ball and started running with it. He put together a committee including members of the public to review

VICINITY MAP

SITE LOCATION – LATITUDE: 34° 01' 06" LONGITUDE: 84° 36' 24"


SITE
Duncan Dr NW
Big Shanty Dr NW
Airport Rd NW
Cobb County Airport McCollum Field
Lewis St NW
Main St NW
Cherry St NW
Mozley Park Rd NW
Lost Tree Ave NW
Roberts Rd NW
Wade St NW
Mozley Dr NW
Lewis Dr NW
Cherry Ln NW
Duncan Ln NW
Duncan Rd NW
Duncan Cir NW
Duncan Ct NW
Duncan Way NW
Duncan Pl

Community Development Department
Plan Review Committee

Plan Review Coordinator
Scott Banks, Building Official

Plan Review Committee Members
Darryl Simmons, Zoning Administrator
Ricky Stewart, Public Works Director
Luke Howe, Economic Development Director

To: Mayor and Council

From: Plan Review Committee

Date: October 13, 2025

This final plat application was submitted by Kennesaw Townhome Owner, LLC for the townhome subdivision known as Townes at South Main. The revised plat proposes a 20 sq. ft. increase to Lot 44, reflecting a minor adjustment to the lot's configuration.

The overall development consists of 44 single-family townhomes and lies in Land Lot 168, Tax Parcel 02. The original plat was reviewed and approved by Mayor and Council on September 18, 2023, and subsequently recorded in Plat Book 282, Page 169.

The Plan Review Committee, including representatives from Cobb Fire and Cobb Water, has reviewed the revised plat for compliance with applicable standards and recommends approval.

Scott Banks, Building Official

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www.kennesaw-ga.gov

Item Report

TO: The Honorable Mayor and City Council

FROM:

DATE: October 20, 2025

TITLE: Reports, Discussions, and Updates

Summary:

Recommendation:

Fiscal Impact:

Attachments:
None

Item Report

TO: The Honorable Mayor and City Council

FROM:

DATE: October 20, 2025

TITLE: Mayor and Council (re)appointments to Boards and Commissions. This item is for (re)appointments made by the Mayor to any Board, Committee, Authority, or Commission requiring an appointment to fill any vacancies, resignations, and to create or dissolve boards and commissions, as deemed necessary.

Summary:

Recommendation:

Fiscal Impact:

Attachments:
None